

CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Monday, August 4, 2014, at 7:30 p.m. in Council Chambers at City Hall. *The Council will convene at 7:00 p.m. and it is expected they will adjourn into Executive Session at 7:01 p.m. to discuss collective bargaining.*

AGENDA

1. Pledge of Allegiance.
2. Roll Call.
3. General Announcements.
4. Presentation of the 2015-2019 Capital Improvements Program.
5. Draft unapproved minutes of the regular meetings of the City Council held June 11, 2014 and July 9, 2014.
6. Issues Update/Old Business.
7. Continuation of the Public Hearing to change the zoning designation of County-owned property located on Theodore Fremd Avenue and North Street to the RA-5 District to provide for the construction of affordable senior housing.
8. Public Hearing to amend local law Chapter 197, "Zoning", of the Rye City Code by adding Section 197-15, "Special Permit for Historic Preservation in the B-2 Central Business District" to permit banks on the first floor of a building when certain conditions are met upon approval of a Special Use Permit by the City Council.
9. Public Hearing to amend local law Chapter 191, "Vehicles and Traffic", of the Rye City Code by amending Section §191-7, "Speed limits", to lower the speed limit to 25 miles per hour on select roads, including Stuyvesant Avenue, Van Wagenen Avenue, Forest Avenue, Oakland Beach Avenue, and Milton Road, during the Pilot Study recommended by the Traffic and Pedestrian Safety Committee.
10. Public Hearing to amend local law Chapter 191, "Vehicles and Traffic", of the Rye City Code by amending Section §191-20, "Parking time limited", Subsection (E) "Fifteen-minute limit" to designate two parking spaces on the south side of Sylvan Road closest to Midland Avenue as fifteen minute parking spaces.
11. Consideration to reschedule the Public Hearing to September 10, 2014 to amend local law Chapter 191, "Vehicles and Traffic", of the Rye City Code by amending Section §191-20, "Parking time limited", Subsection (B) "Two-hour limit" to prohibit parking for a period longer than two hours between the hours of 7:00 a.m. and 6:00 p.m., except on Sundays on the north side of Central Avenue from the west side of the bridge over the Blind Brook to Walnut Street, and Section §191-21, "Parking, standing or stopping" to prohibit parking on

the north side of Central Avenue from the Boston Post Road to the west side of the Blind Brook.

12. Discussion regarding Hen Island.
13. Consideration to set a Public Hearing to amend local law Chapter 165 , “Signs”, of the Rye City Code by adding Section §165-10, “Regulation of banners”, to establish regulations for banners on City owned ball field fences and utility poles on City property.
14. Residents may be heard on matters for Council consideration that do not appear on the agenda.
15. Resolution to approve a Memorandum of Agreement between the City of Rye and the Rye CSEA Local 1000 Department of Public Works Unit.
Roll Call.
16. Adoption of the 2014/2015 tax levy and tax rate for the Rye Neck Union Free School District.
Roll Call.
17. Bid Award for the Peterbilt Truck Modification Bidding Specifications (Bid #2-14).
Roll Call.
18. Consideration of request for permission to close a section of Purchase Street for the 62nd annual celebration of the Halloween Window Painting Contest.
19. Miscellaneous communications and reports.
20. New Business.
21. Adjournment.

The next regular meeting of the City Council will be held on Wednesday, September 10, 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 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 Manager's Office

DATE: August 4, 2014

CONTACT: Frank J. Culross, City Manager

ACTION: Presentation of the 2015-2019 Capital Improvements Program.

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

The Capital improvements Plan recommends a series of building and infrastructure improvement projects. Each project has a variety of impacts that are discussed more fully on the individual project sheets contained in the CIP document.

BACKGROUND:

The 2015-2019 Capital Improvements Plan, focusing on 2015 projects, will be made by the City Planner. Following the presentation the Council will have an opportunity to examine projects, ask questions and express any opinions and concerns about individual projects identified in the plan.

2015-2019 Capital Improvement Plan

City of Rye, New York



*Planning and Funding For City Projects
For Fiscal Years Ending December 31,
2015 through 2019*

August 2014

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SECTION I – OVERVIEW

Introduction

The City's five-year Capital Improvement Plan (CIP) identifies projects and acquisitions of infrastructure, buildings, land, facilities, vehicles and equipment for the years ending December 31, 2015 through 2019.

The CIP is organized into three sections. Section I includes an overview of the CIP. Section II includes tables that identify each project, its funding requirement for each year, and source of funds. Section III includes worksheets that provide detailed information on each project, including a project description, estimated costs, priority considerations, sources of funding by year, need and potential issues, and operating cost considerations.

Purpose of the Capital Improvements Plan

The CIP is a multi-year *plan*, not a multi-year *budget*. It is not a commitment to fund requested projects, but rather a schedule of necessary and/or desired public physical improvements and possible funding sources. Reading this CIP, it is important to focus on the funding, priority, importance, and the impact of undertaking or not undertaking the projects included in this report. The existence and condition of infrastructure and major capital assets has a direct bearing on the City's ability to provide services and facilities needed or desired by the community, and the perception of the community on its quality of life. These capital assets have an impact on property values and the community's ability to attract and retain residents and businesses.

The CIP is the best available tool for advising the City Council, other agencies, and the public of the City's capital and infrastructure needs. The CIP comprehensively identifies projects so that they can be properly coordinated and staffed and future funding needs can be anticipated.

Project Selection

The CIP is the culmination of an annual process that seeks the input of City departments to identify what projects are needed to maintain a level of service expected by the community. This process includes establishing priorities, developing estimates, and determining possible funding sources. As with any plan, especially one covering a multi-year period, the projects, their requirements and resources, and even the need for the projects may change substantially over time. These changes are the impetus to update and redevelop the CIP on an annual basis.

Projects included in the CIP typically have a value exceeding \$15,000. Projects considered a reoccurring operating expense are generally not included in the CIP. Projects must also be reasonably anticipated to be needed or occur within the five-year planning period; however, in some cases, an identified project may occur beyond that timeframe. This CIP includes projects for the City Boat Basin and Rye Golf Club. These operations are enterprise funds that pay for

their operating expenses from user fee revenues. Generally, enterprise funds pay for their capital needs, however larger projects may exceed their available revenue and reserves. In those cases there may be requests to use the City's general fund to fund capital or the City's bonding authority.

Project Priorities

Each project in the CIP was assigned one of four priority classifications. Table 1 identifies each priority classification and its description.

**TABLE 1:
CIP Project Priority Classifications and Description**

Classification	Description
<i>Urgent</i>	High-priority projects that should be done if at all possible; a special effort should be made to find sufficient funding for all of the projects in this group.
<i>High</i>	High-priority projects that should be done as funding becomes available.
<i>Moderate</i>	Worthwhile projects to be considered if funding is available; may be deferred to a subsequent year.
<i>Low</i>	Low-priority projects; desirable but not essential.

Source: APA PAS Report Number 442, *Capital Improvement Programs: Linking Budgeting and Planning*, Robert A. Browyer, AICP, January 1993.

A number of criteria are considered in assigning a priority classification to a project. The extent to which a project met or exceeded these criteria contributed to its priority classification. Each project worksheet located in Section III of the CIP identifies whether the project:

- Is required to replace or repair a *deteriorated facility*;
- Is required to address a *public safety* need or *legal mandate*, such as a Federal or State law or legal liability to the City;
- Is required as part of a *systematic replacement* or would result in an *operational efficiency* or cost savings to the City;
- Would result in *resource conservation* or provide an *environmental quality* benefit;
- Is required to meet a *new or expanded facility or program need*;
- Is *consistent with formal plans or identified policies* of the City; and
- Has an identified and *available funding source*.

Funding Requirements and Sources

Project cost estimates are based on the judgment of professional staff and/or estimates provided by external sources. Resources to fund each project include currently funded amounts (amounts provided in previous budgets), revenues and/or fund balance, debt, and grants and aid. Any anticipated grants or aid are first applied, followed by what is determined to be the appropriate mix of current funds and debt. Consideration is given to the expense of the project, its estimated life, and the short- and long-term impact on property taxes. The CIP assumes that City debt

levels should be kept to a minimum. Debt is therefore a recommended source of funding for capital projects that are both very expensive (generally exceeding \$200,000 in value) and have long useful lives (generally in excess of 15-20 years).

Revenue sources are limited and subject to change. The City's financial policies state that the unassigned fund balance should be maintained in the General Fund equal to 5% of operating expenditures. In addition, the amount of retained earnings available in the Building and Vehicle Fund to fund projects is essentially limited to unrestricted net assets. While City records are maintained on a current basis, a more appropriate picture of the fiscal year develops as the City budget is developed in the third and fourth quarters, whereupon actual funding availability for projects in the forthcoming year is projected.

The City's ability to fund projects with general obligation bonds issued by the City is subject to state law and limits set forth in Section C21-9 of the City Charter. That section of the City Charter allows a certain level of bonding that can be authorized by City Council vote alone; an additional amount that can be authorized by City Council vote subject to permissive referendum, and certain purposes that are exempt from Charter limits. A public referendum is required for the authorization of all other bonded debt. The City Finance Department will likely use bond anticipation notes as a strategy to fund short-term cash flow needs related to capital projects.

CIP Funding Overview

The CIP identifies 53 capital improvement projects classified into five different project types. The total cost of these projects is approximately \$22.8 million over the five-year planning period. An additional \$5.53 million in vehicle and equipment needs are also identified. Table 2 provides a summary of total required funding by project type by year.

**TABLE 2:
CIP Funding Requirements by Project Type and Year: 2015-2019**

Project Type	2015	2016	2017	2018	2019+	Total Required
Building	\$1,300,000	\$1,250,000	\$195,000	\$0	\$185,000	\$2,930,000
Drainage	\$158,200	\$15,000	\$150,000	\$85,000	\$560,000	\$968,200
Sewer	\$830,000	\$180,000	\$60,000	\$60,000	\$120,000	\$1,250,000
Transportation	\$3,634,000	\$1,064,000	\$4,369,000	\$2,249,000	\$3,314,000	\$14,705,000
Recreation	\$650,200	\$138,000	\$0	\$1,799,500	\$355,000	\$2,942,700
Total	\$6,572,400	\$2,722,000	\$4,774,000	\$4,193,500	\$4,534,000	\$22,795,900
Vehicles & Equipment	\$793,000	\$477,000	\$1,726,700	\$1,535,000	\$1,005,000	\$5,536,700

Fund Balance

The fiscal outlook for funding capital projects has improved from previous years, but challenges remain. Funding through the City's annual budget (i.e. unassigned fund balance) has historically been a significant source of funding for capital projects but has been limited in previous years.

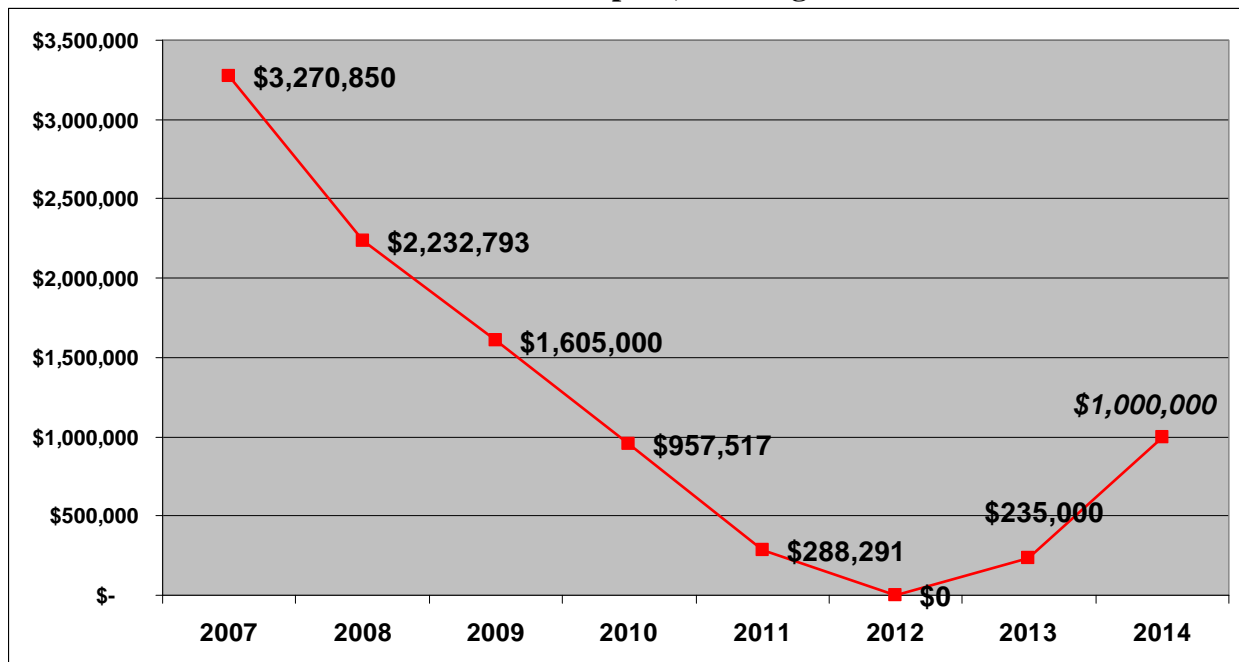
In 2009, unassigned general fund balance was approximately \$2.7 Million or approximately 9.2% of total operating expenses. Currently, the fund balance has increased to \$5.9 Million or 17.7% of total operating expenses.

In addition to the fund balance, the City’s Building and Vehicle fund balance has been restored to a positive position due to the sale of the 1037 Boston Post Road property in May 2013. That fund now has approximately \$3.5 Million available.

Improvements in the City’s financial position is an opportunity use fund balance as a funding source for capital projects more consistent with historic levels. Restrictions on the use of debt by the City Charter and its implications on the state-imposed tax cap also makes fund balance a potentially preferable source of funding for capital. Figure 1 shows actual fund balance used by the general fund to fund capital, building and vehicle expenses. There has been a notable decline over the years dropping from nearly \$3.3 Million in 2007 to \$0 in 2012, including purchase of vehicles, street repaving or City sidewalk repairs. The 2014 budget proposes \$1,000,000 in funding for capital projects.

The City has millions of dollars in infrastructure assets that require capital improvement. Proper funding of these assets is essential. Deferring capital improvements is not a sustainable practice and shifts costs to later years, making difficult funding decisions even more difficult in the future. It also results in the City essentially managing its infrastructure to the point of failure before it is replaced, often at greater cost and disruption in service.

FIGURE 1:
Actual Fund Balance Used to Fund Capital, Buildings and Vehicles: 2007-2014



Note: 2014 Figure is budgeted as opposed to actual fund balance.

Grants and Aid

Federal, State and County government has been a reducing funding for local projects due to budget restrictions. These funds have become very competitive and going to communities with needs even greater than the City of Rye. As a result, grants and aid are not expected to be a reliable source funding for projects in this CIP.

General Revenue

The recently enacted tax cap legislation has made it more difficult for the City to fund capital improvements through increases in property taxes. Under the tax cap legislation a super-majority of City Council members (i.e., 5 out of 7 members) is required to adopt any annual budget that increases the tax levy by more than 2% (or the C.P.I. if less). Based on the City's approximately \$33.6 Million budget, a 2% property tax increase translates into approximately \$417,000 in revenue. With the average cost of projects in the CIP exceeding \$450,000 that makes it difficult to fund even lower cost capital projects and absorb anticipated increases in City operations and necessary building and vehicle expenditures without exceeding the tax cap.

**TABLE 3:
CIP Funding Sources by Project Type: 2015-2019**

Project Type	General Revenues	Grants & Aid	Debt	Total Sources
Building	\$936,044	\$743,956	\$1,250,000	\$2,930,000
Drainage	\$520,700	\$447,500	\$0	\$968,200
Sewer	\$630,000	\$0	\$620,000	\$1,250,000
Transportation	\$3,610,000	\$8,610,000	\$2,485,000	\$14,705,000
Recreation	\$454,700	\$2,050,000	\$420,000	\$2,942,700
Total	\$6,151,444	\$11,851,456	\$4,775,000	\$22,795,900
Vehicles & Equipment	\$5,536,700	\$0	\$0	\$5,536,700

Debt

Debt continues to be a restricted source of funding for capital. The City Charter places limitations on the issuance of new debt. The City Council can authorize the issuance of new debt not exceeding 5% of the average gross annual budget for the preceding three years. Debt exceeding 5% but not in excess of 10% requires permissive referendum. Debt in excess of 10% requires approval of the voting public in a general or special election.

As noted in the 2014 City Budget the City Council has only \$291,000 of debt that it can authorize by its own vote. The Council can authorize up to \$2.1 Million in debt that would be subject to permissive referendum. An additional \$1 Million in debt can be issued for public safety projects. If the City Council were to exhaust all of its available debt (which is not recommended) it could only fund \$2.1 Million in capital projects and an additional \$1.05 Million

for public safety projects, such as improvements to the City Police/Court Building. The CIP proposes the use of approximately \$4.775 Million in debt to fund projects.

In November 2012, the City voters approved a capital bond referendum totaling \$1.856 Million to fund pedestrian safety, road and transportation projects and improvements to the Rye Free Reading Room. Based on an estimated interest rate of 2.5% and a 20-year term the annual cost of the referendum is approximately \$120,000. This figure will be included in future tax cap calculations. Use of debt in a tax cap environment needs to be considered carefully.

CIP Project Highlights

The CIP identifies nearly \$22.8 Million in projects over the next five or more years and more than \$5.53 Million in vehicle purchases. Table 4 provides a summary of the CIP funding requirements by project type, year and source.

**TABLE 4:
CIP Funding Requirements by Project Type, Year, and Source: 2015-2019**

Project Type	2015	2016	2017	2018	2019+	Total Required
Building	\$1,300,000	\$1,250,000	\$195,000	\$0	\$185,000	\$2,930,000
<i>General Rev.</i>	\$481,044	\$75,000	\$195,000	\$0	\$185,000	\$936,044
<i>Grants & Aid</i>	\$650,000	\$93,956	\$0	\$0	\$0	\$743,956
<i>Debt</i>	\$75,000	\$1,175,000	\$0	\$0	\$0	\$1,250,000
Drainage	\$158,200	\$15,000	\$150,000	\$85,000	\$560,000	\$968,200
<i>General Rev.</i>	\$60,700	\$15,000	\$150,000	\$85,000	\$210,000	\$520,700
<i>Grants & Aid</i>	\$97,500	\$0	\$0	\$0	\$350,000	\$447,500
<i>Debt</i>	\$0	\$0	\$0	\$0	\$0	\$0
Sewer	\$830,000	\$180,000	\$60,000	\$60,000	\$120,000	\$1,250,000
<i>General Rev.</i>	\$330,000	\$180,000	\$60,000	\$60,000	\$0	\$630,000
<i>Grants & Aid</i>	\$0	\$0	\$0	\$0	\$0	\$0
<i>Debt</i>	\$500,000	\$0	\$0	\$0	\$120,000	\$620,000
Transportation	\$3,634,000	\$1,139,000	\$4,369,000	\$2,249,000	\$3,314,000	\$14,705,000
<i>General Rev.</i>	\$305,000	\$705,000	\$1,375,000	\$1,010,000	\$215,000	\$3,610,000
<i>Grants & Aid</i>	\$1,644,000	\$434,000	\$2,994,000	\$439,000	\$3,099,000	\$8,610,000
<i>Debt</i>	\$1,685,000	\$0	\$0	\$800,000	\$0	\$2,485,000
Recreation	\$650,200	\$138,000	\$0	\$1,799,500	\$355,000	\$2,942,700
<i>General Rev.</i>	\$200,200	\$18,000	\$0	\$19,500	\$235,000	\$472,700
<i>Grants & Aid</i>	\$450,000	\$0	\$0	\$1,600,000	\$0	\$2,050,000
<i>Debt</i>	\$0	\$120,000	\$0	\$180,000	\$120,000	\$420,000
Total	\$6,572,400	\$2,722,000	\$4,774,000	\$4,193,500	\$4,534,000	\$22,795,900
<i>General Rev.</i>	\$1,376,944	\$993,000	\$1,780,000	\$1,174,500	\$845,000	\$6,169,444
<i>Grants & Aid</i>	\$2,841,500	\$527,956	\$2,994,000	\$2,039,000	\$3,449,000	\$11,851,456
<i>Debt</i>	\$2,260,000	\$1,295,000	\$0	\$980,000	\$240,000	\$4,775,000

Other Capital Considerations

The City enterprise funds, including the City Boat Basin and Rye Golf Club, have capital needs not previously been identified in the CIP because these projects were typically funded by user fees. It is expected that **Rye Golf** will continue to support its capital needs and its obligation through 2019 to pay off the Whitby Castle renovation bonds without the need for supplemental funding from the City's annual budget. The Club has estimated \$675,000 in funding potentially necessary from the Rye Golf fund to cover the cost of replacing the existing windows on Whitby Castle in 2018.

The **City Boat Basin** is expected to need to fund another dredge within the next two to three years to maintain its current operational levels at an estimated cost of \$1.64 Million. Increasing environmental restrictions on open water disposal of dredge material has significantly increased dredging disposal costs. Federal funding for dredging has not been available for recreational marinas for years, and funding for commercial harbors is increasingly difficult to obtain. Upland disposal of dredge material is cost prohibitive and logistically challenging given the limited land for dewatering.

There are 400 boaters at the boat basin and 150 of those are small boats and kayaks. This small number of boaters is anticipated to raise only half of the estimated \$1.64 Million dredging cost. The remainder is expected from grants and aid, however the source or likelihood of securing that aid is unknown. Fees and charges can't be too high since the Boat Basin has to remain competitive with the prices charged by other area marinas. If grants or other new sources of revenue are not identified, the boat basin will not be able to maintain its current level of operation, or the Basin will require supplemental funding from the City or some other revenue source.

Rye Town Park has identified approximately \$14 million in capital needs to its facilities over the next five years. Their capital needs are of particular concern because the City is responsible for approximately 40% of all capital expenditures at Rye Town Park. Capital projects are approved by the Rye Town Park Commission, subject to funding approval by the City Council and Town of Rye Board. The City will need to diligently work with the Rye Town Park Commission regarding the need, cost and timing of required capital improvements. If not, the City may not have funds available to cover its capital obligations to the Park while still preserving the City's already limited capital program.

The Rye City School District has an impact on the City's capital program. Their facilities generate demand for off-site improvements such as traffic and pedestrian safety, parking and other infrastructure improvements that are predominately funded by the City.

New York Power Authority is providing the City approximately \$2 Million to fund and implement energy efficiency upgrades to City buildings and facilities. The City "re-pays" the cost of these improvements based on savings in electricity expenses over a multi-year period. These projects were not specifically identified in the CIP since there is no cost implication to the City but include lighting retrofits to existing City buildings and street lights, weatherization of City buildings, replacement of the HVAC system in City Hall.

Disbrow Park and Public Works Improvements. There is an on-going discussion to re-organize the existing public works facility at Disbrow Park to consolidate operations and replace needed buildings. This project presents an opportunity to improve user safety by better segregating public works and recreation traffic and pedestrian activity. It also results in a more efficient use of land allowing for the expansion of or improvement to existing recreation facilities. This project will continue to be refined and cost estimates provided for inclusion in a future CIP.

Flood Mitigation Project. The CIP does not include a specific flood mitigation project for Blind Brook. There is a current study underway that will identify possible projects on Blind Brook, their estimated flood benefit and estimated cost. Once this study is completed it is expected that flood mitigation project(s) on Blind Brook will be included in a future CIP.

Conclusion

The Capital Improvement Plan is a document that provides the City Council, City management, and the entire community with an opportunity to plan for the longer term while budgeting for the short term. The project requirements and resources included in the first year of the plan, designed to provide guidance for the forthcoming year's budget, will most likely differ from the projects that appear in the budget that is adopted in December by the City Council.

This Capital Improvement Plan, presented to the City Council and the public at a public meeting on August 4, 2014, seeks the input and consideration of the City Council and the public. Comments, questions, and suggestions are welcome as the City continues to identify and modify projects so that they best meet the needs of the community.

Section II:
Tables of Project Funding Requirements and Sources

Capital Improvement Plan (CIP): 2015-2019
Project Funding Requirements

Capital Project Name	Priority	Funding Requirements					Total Required
		2015	2016	2017	2018	2019+	
BUILDING PROJECTS							
Police/Court Building Improvements	High	\$ 75,000	\$ 1,175,000	\$ -	\$ -	\$ -	\$ 1,250,000
City Hall Generator	Moderate	\$ 375,000	\$ -	\$ -	\$ -	\$ -	\$ 375,000
City Hall - Carpet & Floor Replacement	Moderate	\$ -	\$ -	\$ 65,000	\$ -	\$ -	\$ 65,000
City Hall - Hanging Ceiling Replacement	Moderate	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ 75,000
DPW - Fuel Tank Replacement	Moderate	\$ -	\$ -	\$ -	\$ -	\$ 185,000	\$ 185,000
Interior Paint - Firehouses	Low	\$ -	\$ -	\$ 50,000	\$ -	\$ -	\$ 50,000
DPW Roof Replacement	High	\$ -	\$ -	\$ 80,000	\$ -	\$ -	\$ 80,000
City Hall TV Studio	Moderate	\$ 850,000	\$ -	\$ -	\$ -	\$ -	\$ 850,000
Sub-Total Building Projects:		\$ 1,300,000	\$ 1,250,000	\$ 195,000	\$ -	\$ 185,000	\$ 2,930,000
<i>General Revenues</i>		\$ 481,044	\$ 75,000	\$ 195,000	\$ -	\$ 185,000	\$ 936,044
<i>Grants & Aid</i>		\$ 650,000	\$ 93,956	\$ -	\$ -	\$ -	\$ 743,956
<i>Debt</i>		\$ 75,000	\$ 1,175,000	\$ -	\$ -	\$ -	\$ 1,250,000
DRAINAGE PROJECTS							
Blind Brook Flood Mitigation	Moderate	\$ 138,200	\$ -	\$ -	\$ -	\$ -	\$ 138,200
LaSalle Avenue Drain	Moderate	\$ -	\$ -	\$ 150,000	\$ -	\$ -	\$ 150,000
Forest to Stonycrest Road Drain	Moderate	\$ -	\$ -	\$ -	\$ 35,000	\$ 350,000	\$ 385,000
Red Maple Swamp Drainage Study	Moderate	\$ -	\$ 15,000	\$ -	\$ -	\$ -	\$ 15,000
Hix Park Drainage Study	Moderate	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ 20,000
Colby Avenue Drainage	Low	\$ -	\$ -	\$ -	\$ -	\$ 120,000	\$ 120,000
Ellsworth Road Drainage	Low	\$ -	\$ -	\$ -	\$ -	\$ 90,000	\$ 90,000
Martin Road Drainage	Low	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000
Sub-Total Drainage Projects:		\$ 158,200	\$ 15,000	\$ 150,000	\$ 85,000	\$ 560,000	\$ 968,200
<i>General Revenues</i>		\$ 60,700	\$ 15,000	\$ 150,000	\$ 85,000	\$ 210,000	\$ 520,700
<i>Grants & Aid</i>		\$ 97,500	\$ -	\$ -	\$ -	\$ 350,000	\$ 447,500
<i>Debt</i>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEWER PROJECTS							
Brevoort Lane Force Main	High	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ 300,000
Stuyvesant Ave. Pump Station Pump Replacement	Moderate	\$ -	\$ -	\$ -	\$ -	\$ 120,000	\$ 120,000
Dearborn Pump Station Pump Replacement	Moderate	\$ -	\$ 120,000	\$ -	\$ -	\$ -	\$ 120,000
Locust Avenue Sewer Siphon Replacement	Urgent	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ 250,000
North Street Sewer	Urgent	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ 250,000
Pump Station Automation (SCADA System)	High	\$ 30,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ -	\$ 210,000
Sub-Total Sewer Projects:		\$ 830,000	\$ 180,000	\$ 60,000	\$ 60,000	\$ 120,000	\$ 1,250,000
<i>General Revenues</i>		\$ 330,000	\$ 180,000	\$ 60,000	\$ 60,000	\$ -	\$ 630,000
<i>Grants & Aid</i>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Debt</i>		\$ 500,000	\$ -	\$ -	\$ -	\$ 120,000	\$ 620,000

Capital Project Name	Priority	Funding Requirements					Total Required
		2015	2016	2017	2018	2019+	
TRANSPORTATION PROJECTS							
Annual Sidewalk/Curbing Program	High	\$ 60,000	\$ 60,000	\$ 65,000	\$ 65,000	\$ 70,000	\$ 320,000
Annual Street Resurfacing	High	\$ 459,000	\$ 459,000	\$ 459,000	\$ 459,000	\$ 459,000	\$ 2,295,000
Boston Post Road Retaining Wall	High	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ 300,000
Theodore Fremd/Blind Brook Retaining Wall	Urgent	\$ 1,400,000	\$ -	\$ -	\$ -	\$ -	\$ 1,400,000
Purchase Street Roundabout	Moderate	\$ -	\$ -	\$ 500,000	\$ -	\$ -	\$ 500,000
CBD - Purchase Street Reconstruction	Moderate	\$ -	\$ -	\$ 50,000	\$ 800,000	\$ -	\$ 850,000
CBD - Smith Street Reconstruction	High	\$ 360,000	\$ -	\$ -	\$ -	\$ -	\$ 360,000
CBD - Elm/Smith Intersection improvement	High	\$ 550,000	\$ -	\$ -	\$ -	\$ -	\$ 550,000
Purchase/Fremd & Purdy Signal Replacement	High	\$ 475,000	\$ -	\$ -	\$ -	\$ -	\$ 475,000
Locust Avenue Bridge	Moderate	\$ -	\$ 80,000	\$ 1,720,000	\$ -	\$ -	\$ 1,800,000
Nature Center Bridge Reconstruction	High	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ 30,000
Orchard Avenue Bridge Rehabilitation	Moderate	\$ -	\$ -	\$ -	\$ 180,000	\$ -	\$ 180,000
MTA Parking Lot Improvements	Moderate	\$ -	\$ -	\$ -	\$ 75,000	\$ 2,575,000	\$ 2,650,000
First/Second St. Parking Lot Improvement	High	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000
School/Purdy Parking Lot (Car Park 5)	High	\$ -	\$ -	\$ -	\$ 650,000	\$ -	\$ 650,000
Milton Cemetery Bridge	Moderate	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ 40,000
5 Points Intersection Improvements	Moderate	\$ 30,000	\$ 300,000	\$ -	\$ -	\$ -	\$ 330,000
Fireman's Memorial Intersection Study	Moderate	\$ -	\$ -	\$ 25,000	\$ -	\$ -	\$ 25,000
Osborn School Traffic and Pedestrian Safety Improvements	Low	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ 200,000
Stuyvesant Avenue Pedestrian Improvements	Low	\$ -	\$ 50,000	\$ 700,000	\$ -	\$ -	\$ 750,000
Boston Post Road/Parsons Street/Nature Center Driveway	Moderate	\$ -	\$ -	\$ 650,000	\$ -	\$ -	\$ 650,000
Boston Post Road/Old Post Road Traffic Signal Replacement	Moderate	\$ -	\$ -	\$ -	\$ 20,000	\$ 180,000	\$ 200,000
Sub-Total Transportation Projects:		\$ 3,634,000	\$ 1,139,000	\$ 4,369,000	\$ 2,249,000	\$ 3,314,000	\$ 14,705,000
<i>General Revenues</i>		\$ 305,000	\$ 705,000	\$ 1,375,000	\$ 1,010,000	\$ 215,000	\$ 3,610,000
<i>Grants & Aid</i>		\$ 1,644,000	\$ 434,000	\$ 2,994,000	\$ 439,000	\$ 3,099,000	\$ 8,610,000
<i>Debt</i>		\$ 1,685,000	\$ -	\$ -	\$ 800,000	\$ -	\$ 2,485,000
RECREATION PROJECTS							
Damiano Center HVAC		\$ 28,200	\$ -	\$ -	\$ -	\$ -	\$ 28,200
Gagliardo Park Restrooms & Park Improvements		\$ 172,000	\$ -	\$ -	\$ -	\$ -	\$ 172,000
Tennis Court Improvements		\$ -	\$ 120,000	\$ -	\$ 180,000	\$ 120,000	\$ 420,000
Nursery Field Rehabilitation		\$ 450,000	\$ -	\$ -	\$ -	\$ -	\$ 450,000
Upper Picnic Shelter Replacement		\$ -	\$ -	\$ -	\$ -	\$ 90,000	\$ 90,000
Disbrow Park Improvements		\$ -	\$ -	\$ -	\$ 1,600,000	\$ -	\$ 1,600,000
Recreation Park Landscape and Signage Improvements		\$ -	\$ -	\$ -	\$ 19,500	\$ -	\$ 19,500
Expand Maintenance Garage		\$ -	\$ -	\$ -	\$ -	\$ 145,000	\$ 145,000
Damiano Center Parking Lot Paving		\$ -	\$ 18,000	\$ -	\$ -	\$ -	\$ 18,000
Sub-Total Recreation Projects:		\$ 650,200	\$ 138,000	\$ -	\$ 1,799,500	\$ 355,000	\$ 2,942,700
<i>General Revenues</i>		\$ 200,200	\$ 18,000	\$ -	\$ 19,500	\$ 235,000	\$ 472,700
<i>Grants & Aid</i>		\$ 450,000	\$ -	\$ -	\$ 1,600,000	\$ -	\$ 2,050,000
<i>Debt</i>		\$ -	\$ 120,000	\$ -	\$ 180,000	\$ 120,000	\$ 420,000

Capital Project Name	Priority	Funding Requirements					Total Required
		2015	2016	2017	2018	2019+	
TOTAL ALL PROJECTS:		\$ 6,572,400	\$ 2,722,000	\$ 4,774,000	\$ 4,193,500	\$ 4,534,000	\$ 22,795,900
<i>Total General Revenues</i>		<i>\$ 1,376,944</i>	<i>\$ 993,000</i>	<i>\$ 1,780,000</i>	<i>\$ 1,174,500</i>	<i>\$ 845,000</i>	<i>\$ 6,169,444</i>
<i>Total Grants & Aid</i>		<i>\$ 2,841,500</i>	<i>\$ 527,956</i>	<i>\$ 2,994,000</i>	<i>\$ 2,039,000</i>	<i>\$ 3,449,000</i>	<i>\$ 11,851,456</i>
<i>Total Debt</i>		<i>\$ 2,260,000</i>	<i>\$ 1,295,000</i>	<i>\$ -</i>	<i>\$ 980,000</i>	<i>\$ 240,000</i>	<i>\$ 4,775,000</i>

Capital Improvement Plan (CIP): 2015-2019
Project Funding Sources

Capital Project Name	Funding Sources			Total Sources
	General Revenues	Grants & Aid	Debt	
<i>BUILDING PROJECTS</i>				
Police/Court Building Improvements	\$ -	\$ -	\$ 1,250,000	\$ 1,250,000
City Hall Generator	\$ 281,044	\$ 93,956	\$ -	\$ 375,000
City Hall - Carpet & Floor Replacement	\$ 65,000	\$ -	\$ -	\$ 65,000
City Hall - Hanging Ceiling Replacement	\$ 75,000	\$ -	\$ -	\$ 75,000
DPW - Fuel Tank Replacement	\$ 185,000	\$ -	\$ -	\$ 185,000
Interior Paint - Firehouses	\$ 50,000	\$ -	\$ -	\$ 50,000
DPW Roof Replacement	\$ 80,000	\$ -	\$ -	\$ 80,000
City Hall TV Studio	\$ 200,000	\$ 650,000	\$ -	\$ 850,000
Sub-Total Building Projects:	\$ 936,044	\$ 743,956	\$ 1,250,000	\$ 2,930,000
<i>DRAINAGE PROJECTS</i>				
Blind Brook Flood Mitigation	\$ 40,700	\$ 97,500	\$ -	\$ 138,200
LaSalle Avenue Drain	\$ 150,000	\$ -	\$ -	\$ 150,000
Forest to Stonycrest Road Drain	\$ 35,000	\$ 350,000	\$ -	\$ 385,000
Red Maple Swamp Drainage Study	\$ 15,000	\$ -	\$ -	\$ 15,000
Hix Park Drainage Study	\$ 20,000	\$ -	\$ -	\$ 20,000
Colby Avenue Drainage	\$ 120,000	\$ -	\$ -	\$ 120,000
Ellsworth Road Drainage	\$ 90,000	\$ -	\$ -	\$ 90,000
Martin Road Drainage	\$ 50,000	\$ -	\$ -	\$ 50,000
Sub-Total Drainage Projects:	\$ 520,700	\$ 447,500	\$ -	\$ 968,200
<i>SEWER PROJECTS</i>				
Brevoort Lane Force Main	\$ 300,000	\$ -	\$ -	\$ 300,000
Stuyvesant Ave. Pump Station Pump Replacement	\$ -	\$ -	\$ 120,000	\$ 120,000
Dearborn Pump Station Pump Replacement	\$ 120,000	\$ -	\$ -	\$ 120,000
Locust Avenue Sewer Siphon Replacement	\$ -	\$ -	\$ 250,000	\$ 250,000
North Street Sewer	\$ -	\$ -	\$ 250,000	\$ 250,000

Capital Project Name	Funding Sources			Total Sources
	General Revenues	Grants & Aid	Debt	
Pump Station Automation (SCADA System)	\$ 210,000	\$ -	\$ -	\$ 210,000
Sub-Total Sewer Projects:	\$ 630,000	\$ -	\$ 620,000	\$ 1,250,000
TRANSPORTATION PROJECTS				
Annual Sidewalk/Curbing Program	\$ 320,000	\$ -	\$ -	\$ 320,000
Annual Street Resurfacing	\$ 575,000	\$ 1,720,000	\$ -	\$ 2,295,000
Boston Post Road Retaining Wall	\$ -	\$ -	\$ 300,000	\$ 300,000
Theodore Fremd/Blind Brook Retaining Wall	\$ 100,000	\$ 1,300,000	\$ -	\$ 1,400,000
Purchase Street Roundabout	\$ -	\$ 500,000	\$ -	\$ 500,000
CBD - Purchase Street Reconstruction	\$ 50,000	\$ -	\$ 800,000	\$ 850,000
CBD - Smith Street Reconstruction	\$ -	\$ -	\$ 360,000	\$ 360,000
CBD - Elm/Smith Intersection improvement	\$ -	\$ -	\$ 550,000	\$ 550,000
Purchase/Fremd & Purdy Signal Replacement	\$ -	\$ -	\$ 475,000	\$ 475,000
Locust Avenue Bridge	\$ 1,200,000	\$ 600,000	\$ -	\$ 1,800,000
Nature Center Bridge Reconstruction	\$ 30,000	\$ -	\$ -	\$ 30,000
Orchard Avenue Bridge Rehabilitation	\$ 180,000	\$ -	\$ -	\$ 180,000
MTA Parking Lot Improvements	\$ -	\$ 2,650,000	\$ -	\$ 2,650,000
First/Second St. Parking Lot Improvement	\$ 150,000	\$ -	\$ -	\$ 150,000
School/Purdy Parking Lot (Car Park 5)	\$ 650,000	\$ -	\$ -	\$ 650,000
Milton Cemetery Bridge	\$ -	\$ 40,000	\$ -	\$ 40,000
5 Points Intersection Improvements	\$ 330,000	\$ -	\$ -	\$ 330,000
Fireman's Memorial Intersection Study	\$ 25,000	\$ -	\$ -	\$ 25,000
Osborn School Traffic and Pedestrian Safety Improvements	\$ -	\$ 200,000	\$ -	\$ 200,000
Stuyvesant Avenue Pedestrian Improvements	\$ -	\$ 750,000	\$ -	\$ 750,000
Boston Post Road/Parsons Street Roundabout	\$ -	\$ 650,000	\$ -	\$ 650,000
Boston Post Road/Old Post Road Traffic Signal Replacement	\$ -	\$ 200,000	\$ -	\$ 200,000
Sub-Total Transportation Projects:	\$ 3,610,000	\$ 8,610,000	\$ 2,485,000	\$ 14,705,000
RECREATION PROJECTS				
Damiano Center HVAC	\$ 28,200	\$ -	\$ -	\$ 28,200
Gagliardo Park Restrooms & Park Improvements	\$ 172,000	\$ -	\$ -	\$ 172,000
Tennis Court Improvements	\$ -	\$ -	\$ 420,000	\$ 420,000

Capital Project Name	Funding Sources			Total Sources
	General Revenues	Grants & Aid	Debt	
Nursery Field Rehabilitation	\$ -	\$ 450,000	\$ -	\$ 450,000
Upper Picnic Shelter Replacement	\$ 90,000	\$ -	\$ -	\$ 90,000
Disbrow Park Improvements	\$ -	\$ 1,600,000	\$ -	\$ 1,600,000
Recreation Park Landscape and Signage Improvements	\$ 19,500	\$ -	\$ -	\$ 19,500
Expand Maintenance Garage	\$ 145,000	\$ -	\$ -	\$ 145,000
Damiano Center Parking Lot Paving	\$ 18,000	\$ -	\$ -	\$ 18,000
Sub-Total Recreation Projects:	\$ 472,700	\$ 2,050,000	\$ 420,000	\$ 2,942,700
Total: \$ 6,169,444 \$ 11,851,456 \$ 4,775,000 \$ 22,795,900				

Capital Improvement Plan (CIP): 2015-2019
Vehicles and Equipment Funding Requirements and Sources

Requirements	Funding Requirements					Total Required	Funding Sources		
	2015	2016	2017	2018	2019+		Revenues Fund Balance	Debt	Grants & Aid
Police Vehicle	\$ 45,000	\$ 45,000	\$ -	\$ 45,000	\$ 45,000	\$ 180,000	\$ 180,000	-	\$ 180,000
DPW Truck 19	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000	-	\$ 200,000
DPW Truck 5	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ 200,000	\$ 200,000	-	\$ 200,000
DPW 3/4 Ton Roller & Trailer	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ 60,000	\$ 60,000	-	\$ 60,000
DPW Truck 23	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ 65,000	-	\$ 65,000
DPW Truck 2	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000	-	\$ 15,000
DPW Truck 6	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000	-	\$ 15,000
DPW Truck 11	\$ -	\$ -	\$ -	\$ -	\$ 225,000	\$ 225,000	\$ 225,000	-	\$ 225,000
DPW Truck 13	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ 65,000	\$ 65,000	-	\$ 65,000
DPW Truck 16	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ 40,000	\$ 40,000	-	\$ 40,000
DPW Truck 22	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ 65,000	-	\$ 65,000
DPW Trailer for CAT 902	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ 50,000	\$ 50,000	-	\$ 50,000
DPW Truck 32	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000	-	\$ 200,000
DPW Truck 33	\$ -	\$ -	\$ -	\$ -	\$ 40,000	\$ 40,000	\$ 40,000	-	\$ 40,000
DPW Chipper	\$ -	\$ -	\$ -	\$ -	\$ 60,000	\$ 60,000	\$ 60,000	-	\$ 60,000
DPW Truck 26	\$ -	\$ 65,000	\$ -	\$ -	\$ -	\$ 65,000	\$ 65,000	-	\$ 65,000
DPW Truck 24	\$ -	\$ 35,000	\$ -	\$ -	\$ -	\$ 35,000	\$ 35,000	-	\$ 35,000
DPW Loader	\$ -	\$ -	\$ 150,000	\$ -	\$ -	\$ 150,000	\$ 150,000	-	\$ 150,000
DPW Truck 18	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000	\$ 200,000	-	\$ 200,000
DPW Truck 17	\$ -	\$ -	\$ 125,000	\$ -	\$ -	\$ 125,000	\$ 125,000	-	\$ 125,000
DPW Truck 1	\$ -	\$ -	\$ 75,000	\$ -	\$ -	\$ 75,000	\$ 75,000	-	\$ 75,000
DPW Truck 7	\$ 12,000	\$ -	\$ -	\$ -	\$ -	\$ 12,000	\$ 12,000	-	\$ 12,000
DPW Truck 21	\$ -	\$ -	\$ 65,000	\$ -	\$ -	\$ 65,000	\$ 65,000	-	\$ 65,000
DPW Sweeper 1	\$ -	\$ -	\$ -	\$ 225,000	\$ -	\$ 225,000	\$ 225,000	-	\$ 225,000
DPW Sweeper 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
DPW Truck 14	\$ -	\$ -	\$ 35,000	\$ -	\$ -	\$ 35,000	\$ 35,000	-	\$ 35,000
DPW Super P Salter	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000	\$ 15,000	-	\$ 15,000
DPW Loader	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000	\$ 150,000	-	\$ 150,000
DPW Truck 15	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ 65,000	\$ 65,000	-	\$ 65,000
DPW Loader	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
DPW Loader	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
DPW Garbage Trucks	\$ -	\$ -	\$ -	\$ 1,200,000	\$ -	\$ 1,200,000	\$ 1,200,000	-	\$ 1,200,000
DPW Recycling Trucks	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -
DPW Truck 25	\$ -	\$ -	\$ -	\$ 65,000	\$ -	\$ 65,000	\$ 65,000	-	\$ 65,000
DPW Truck 28	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ 30,000	-	\$ 30,000
DPW Truck 20	\$ -	\$ -	\$ 65,000	\$ -	\$ -	\$ 65,000	\$ 65,000	-	\$ 65,000
DPW Truck 4	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ 200,000	\$ 200,000	-	\$ 200,000
DPW Truck 27	\$ -	\$ -	\$ -	\$ -	\$ 35,000	\$ 35,000	\$ 35,000	-	\$ 35,000
DPW Truck 90	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ 40,000	\$ 40,000	-	\$ 40,000
DPW Truck 9	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ 65,000	-	\$ 65,000
DPW Cat Mini Loader	\$ -	\$ -	\$ -	\$ -	\$ 75,000	\$ 75,000	\$ 75,000	-	\$ 75,000
DPW Excavator and Trailer	\$ 130,000	\$ -	\$ -	\$ -	\$ -	\$ 130,000	\$ 130,000	-	\$ 130,000
FIRE Engine (1994)	\$ -	\$ -	\$ 625,000	\$ -	\$ -	\$ 625,000	\$ 625,000	-	\$ 625,000
FIRE Command Vehicles	\$ 40,000	\$ 42,000	\$ 44,000	\$ -	\$ -	\$ 126,000	\$ 126,000	-	\$ 126,000
REC Field Conditioner	\$ 16,000	\$ -	\$ -	\$ -	\$ -	\$ 16,000	\$ 16,000	-	\$ 16,000
REC 10' Riding Mower	\$ -	\$ -	\$ 56,000	\$ -	\$ -	\$ 56,000	\$ 56,000	-	\$ 56,000
REC Gator	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	-	\$ 20,000
REC Leaf Vac	\$ -	\$ -	\$ 4,200	\$ -	\$ -	\$ 4,200	\$ 4,200	-	\$ 4,200
REC Wood Chipper	\$ -	\$ -	\$ 2,500	\$ -	\$ -	\$ 2,500	\$ 2,500	-	\$ 2,500
REC Turf Sweeper	\$ -	\$ -	\$ 15,000	\$ -	\$ -	\$ 15,000	\$ 15,000	-	\$ 15,000
REC Dump Truck	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ 65,000	-	\$ 65,000
REC 20' Trailer	\$ -	\$ -	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ 5,000	-	\$ 5,000
Total Requirements	\$ 793,000	\$ 477,000	\$ 1,726,700	\$ 1,535,000	\$ 1,005,000	\$ 5,536,700	\$ 5,536,700	\$ -	\$ 5,536,700

Section III:

Project Worksheets

Building Projects

Project Name:	Police/Court Building Improvements
Project Type:	Building
Department:	Police
Project Priority:	High
Project Start Date:	2015
Project End Date:	2016

Project Description:

The Office of Court Administration (OCA) has identified needed upgrades to the Rye City Court. The existing Police Department lacks operational and security needs and will require mechanical upgrades in the future. The project includes construction of new secured sally port, elevator, interior stairwell, expanded court clerk facilities, judges’ chamber, court officer facilities and prisoner holding facility.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$75,000
Construction	\$1,175,000
Construction Inspect./Other	\$0
Total	\$1,250,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Debt	\$75,000	\$1,175,000	\$0	\$0	\$0	\$1,250,000

Project Need/Issues:

Finding suitable sites to accommodate a 25,000 to 30,000 square foot police/court facility is difficult and very expensive with some estimates ranging between \$17M and \$25M, *excluding* property acquisition. City-owned property at 1037 BPR was deemed not to be a suitable site for a police/court facility in the JCJ study. The only viable remaining option is to improve the existing building to address deficiencies identified by the Office of Court Administration and Police Department. A November 2012 bond referendum is considered the funding source for this project. Construction would not be anticipated until 2016.



Project Name:	City Hall Generator
Project Type:	Building
Department:	Public Works
Project Priority:	Moderate
Project Start Date:	2015
Project End Date:	2015

Project Description:

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Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$17,500
Construction	\$357,500
Construction Inspect./Other	\$0
Total	\$375,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$281,044	\$0	\$0	\$0	\$0	\$281,044
Grants & Aid	\$93,956	\$0	\$0	\$0	\$0	\$93,956

Project Need/Issues:

During emergency situations City Hall is open and used as an information center and warming center. City Hall currently has no back-up power to keep it running during power outages. An onsite generator will allow City Hall to remain open during power outages. The generator will also keep the signal at Boston Post Road and Purchase Street operational. The City received a grant for the generate; however additional funding is required to relocate a retaining wall and preserve limited parking at City Hall.

Operating Cost Considerations:

The generator will require diesel fuel to operate; therefore, there will be some increase in fuel costs.

Project Name:	City Hall – Carpet & Floor Replacement
Project Type:	Building
Department:	Public Works
Project Priority:	Moderate
Project Start Date:	2017
Project End Date:	2017

Project Description:

Replace existing cork flooring in Council Chambers originally installed in 1964 and replace carpeting.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$65,000
Construction Inspect./Other	\$0
Total	\$65,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$65,000	\$0	\$0	\$65,000

Project Need/Issues:

The cork flooring in the City Hall Council Chambers is original to the building and has stains and burn marks. This project encompasses floor replacement, as well as carpet replacement in selected offices. This project has been deferred since 2009 and is proposed to occur following the replacement of City Hall’s hanging ceiling tiles, a project proposed for 2016.

Operating Cost Considerations:

No significant operational costs are anticipated.



Project Name:	City Hall – Hanging Ceiling Replacement
Project Type:	Building
Department:	Public Works
Project Priority:	Moderate
Project Start Date:	2016
Project End Date:	2016

Project Description:

The project calls for the replacement of hanging ceiling tiles throughout City Hall. The ceiling was originally installed in 1964 and, over time, has shifted. Tiles are cracked or have fallen.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$75,000
Construction Inspect./Other	\$0
Total	\$75,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$75,000	\$0	\$0	\$0	\$75,000

Project Need/Issues:

The existing 50-year-old ceiling is in a deteriorated condition and is difficult to maintain. The project has been deferred since 2009. The Ceiling would be replaced before the floor is replaced (2017).

Operating Cost Considerations:

No significant operational costs are anticipated.



Project Name:	DPW – Fuel Tank Replacement
Project Type:	Building
Department:	Public Works
Project Priority:	Moderate
Project Start Date:	2019
Project End Date:	2019

Project Description:

The project calls for the removal of the underground fuel tanks at the DPW fueling depot and their replacement with above-ground tanks.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$20,000
Construction	\$165,000
Construction Inspect./Other	\$0
Total	\$185,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$0	\$0	\$185,000	\$185,000

Project Need/Issues:

Remove the underground gas and diesel tanks and replace them with above-ground tanks. The present fuel depot at Disbrow Park has two 4,000-gallon underground tanks. These tanks must be tested annually for leaks and, if leaks are detected, repairs are difficult and expensive.

Operating Cost Considerations:

If the tanks develop leaks, the City could incur considerable expense in cleanup costs and potential fines. The tanks were last repaired in 2004 and are manually inspected and tested.

Project Name:	Interior Paint – Firehouses
Project Type:	Building
Department:	Public Works
Project Priority:	Low
Project Start Date:	2017
Project End Date:	2017

Project Description:

This project calls for the repainting of public areas of both Rye firehouses.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$50,000
Construction Inspect./Other	\$0
Total	\$50,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$50,000	\$0	\$0	\$50,000

Project Need/Issues:

By the year 2017, both firehouses will show deterioration to the paint in public areas of the facilities. If the use of Zolotone-brand paint is required, the price will increase by at least \$20,000 for each building.

Operating Cost Considerations:

No change in operating costs is anticipated.



Project Name:	DPW Roof Replacement
Project Type:	Building
Department:	Public Works
Project Priority:	High
Project Start Date:	2017
Project End Date:	2017

Project Description:

Replacement of the roofs above the “old” garage and the compactor building in Disbrow Park.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$80,000
Construction Inspect./Other	\$0
Total	\$80,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$80,000	\$0	\$0	\$80,000

Project Need/Issues:

Both roofs are in need of replacement and presently have several leaks. The roof leaks deteriorate the exterior brickwork and interior wiring. The compactor roof is beyond patching. If solar panels are added to the roof there are opportunities for future reductions in electricity expenses.

Operating Cost Considerations:

These buildings are used primarily for storage of the City’s heavy duty trucks and large pieces of equipment – all of which are extremely expensive and must be housed indoors to prevent deterioration and vandalism.



Project Name:	City Hall TV Studio
Project Type:	New construction
Department:	RCTV
Project Priority:	Moderate
Project Start Date:	2015
Project End Date:	2015

Project Description:

Construction of third floor studio space to include new control room, 3 camera studio, edit bays and engineering room.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$350,000
Video Equipment	\$470,000
Construction Inspection	\$30,000
Total	\$850,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues:	\$200,000	\$0	\$0	\$0	\$0	\$200,000
Grants and Aid:	\$650,000	\$0	\$0	\$0	\$0	\$650,000

Project Need/Issues:

Rough construction costs were submitted by Interior Alteration Inc and Equipment estimates by HB Communications. Architectural drawings were prepared by Crozier Gedney Architects, P.C. The community needs reliable studio space with fewer restrictions. RyeTV studio currently exists within Rye High School. It is only accessible by the public after 3pm each day. A new studio would allow more flexibility on time and show content. The school’s current head of the TV program has retired with no apparent replacement, leaving RTV in a tenuous position at the school. In addition, having a community space in City Hall would help maintain a safer environment in the school. As a public access studio we host residents and non residents after 3pm each day; allowing access to their building for all. A second studio would allow the City to separate the two user groups, as well as, provide an alternate space should it be needed in the future. The current Fund balance is a combination of franchise fees and equipment grant money from the cable companies accumulated over the last few years. It should cover costs of all video equipment.

Operating Cost Considerations:

Although there will be additional air conditioning requirements in the space, we expect to use LED lighting to keep electric costs lower. There will be some additional custodial support required.

Drainage Projects

Project Name:	Blind Brook Flood Mitigation
Project Type:	Drainage
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2015
Project End Date:	2015

Project Description:

The study includes a review of existing reports and analyses of the Blind Brook Watershed and recommendations to mitigate flooding within the City of Rye. The study also includes a review of the programming for the Bowman Avenue Sluice Gate and recommendations for optimizing its flood-reducing benefit.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$138,200
Construction	\$0
Construction Inspect./Other	\$0
Total	\$138,200

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$40,700	\$0	\$0	\$0	\$0	\$40,700
Grants & Aid	\$97,500	\$0	\$0	\$0	\$0	\$97,500

Project Need/Issues:

This project is partially funded by a Hazard Mitigation Grant from FEMA and is intended to address, and potentially mitigate, ongoing flooding issues within the City. The study is currently on-going and recommendations for future flood mitigation projects are expected for potential inclusion in future a CIP.

Operating Cost Considerations:

No significant operational cost increases are anticipated.

Project Name:	LaSalle Avenue Drainage
Project Type:	Drainage
Department:	Engineering
Project Priority:	Low
Project Start Date:	2017
Project End Date:	2017

Project Description:

The project involves installing catch basins and drain lines to address flooding concerns on LaSalle Avenue. Existing drainage facilities are inadequately sized to handle stormwater runoff from major rain events.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$150,000
Construction Inspect./Other	\$0
Total	\$150,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$150,000	\$0	\$0	\$150,000

Project Need/Issues:

\$10,000 was funded to conduct a drainage analysis and design for stormwater improvements on LaSalle south of Glen Oaks. Final cost depends on design and scope but could range from \$35,000 to \$150,000. Preliminarily lower cost alternative appears more cost effective, but only provides improvements in small storm events.

Operating Cost Considerations:

No significant operational cost increases are anticipated.



Project Name:	Forest to Stonycrest Road Drain
Project Type:	Drainage
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2018
Project End Date:	2019

Project Description:

Replacement/relocation/modification of drain extending from Forest Avenue to outfall on Stonycrest Road. Project includes \$35,000 to fund engineering design/alternatives analysis (2015). Preliminary construction cost of \$350,000 will vary depending on final design (2016). Project must coordinate with Forest Avenue paving project.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$35,000
Construction	\$350,000
Construction Inspect./Other	\$0
Total	\$385,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$0	\$35,000	\$0	\$35,000
Grants and Aid	\$0	\$0	\$0	\$0	\$350,000	\$350,000

Project Need/Issues:

Project would eliminate or reduce ponding on Forest Avenue, which has resulted in damage to adjacent properties and claims against the City. Existing drain line extends from catch basins at the Forest Ave./Boulder Rd. intersection through private properties to an outfall on Stonycrest. An alternative route for this pipe is being considered since there is no drainage easement through these private properties. There is considerable bedrock in the area which contributes to high construction costs.

Operating Cost Considerations:

New drain line will increase maintenance costs and responsibilities, but reduce flooding damage to area properties during seasonal rain events.



Project Name:	Red Maple Swamp Drainage Study
Project Type:	Drainage
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2016
Project End Date:	2016

Project Description:

This project will fund consulting engineering services to consider improvements to the Red Maple Swamp area that could address flooding/drainage concerns of area residents.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$15,000
Construction	\$0
Construction Inspect./Other	\$0
Total	\$15,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$15,000	\$0	\$0	\$0	\$15,000

Project Need/Issues:

Preliminary analysis by the City Engineering Department suggests that the Red Maple Swamp, located between Intervale Place and Playland Parkway, may be a challenging location to provide cost-effective flood mitigation improvements; however, there may be some potential for modest drainage enhancements. Existing undeveloped private properties in the area should be acquired.

Operating Cost Considerations:

No change in operating costs is anticipated.



Project Name:	Hix Park Drainage Study
Project Type:	Drainage
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2015
Project End Date:	2015

Project Description:

This project would fund an engineering study to examine the feasibility of redirecting drainage from a portion of the Hix Park neighborhood towards Rye Golf and Milton Harbor. Preliminary in-house studies suggest that a new drain line would alleviate localized flooding concerns.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$20,000
Construction	\$0
Construction Inspect./Other	\$0
Total	\$20,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
General Revenues	\$20,000	\$0	\$0	\$0	\$0	\$20,000

Project Need/Issues:

Portions of the Hix Park neighborhood are subject to flooding (Chamberlain, Hickory, White Birch, Mildred, Bennett) because of undersized drainage lines. The existing drainage system extends north towards Blind Brook at Disbrow Park at a flat level which contributes to flooding. The study would examine the feasibility and cost of an alternative drainage route through Rye Golf towards Milton Harbor, which has a steep pitch and potential for improved drainage conditions.

Operating Cost Considerations:

None.



Project Name:	Colby Avenue Drainage
Project Type:	Drainage
Department:	Engineering
Project Priority:	Low
Project Start Date:	2019
Project End Date:	2019

Project Description:

This project was first proposed in 2008-2013 CIP and includes replacement of existing undersized and improperly pitched pipe extending through yards on Colby Avenue. Replacement pipe will address flooding conditions in resident yards.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$120,000
Construction Inspect./Other	\$0
Total	\$120,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$0	\$0	\$120,000	\$120,000

Project Need/Issues:

Area residents desire a reduction in flooding, however improvements will require disturbance to private properties to replace an existing undersized pipe.

Operating Cost Considerations:

No significant operational cost increases are anticipated.



Project Name:	Ellsworth Street Drainage
Project Type:	Drainage
Department:	Engineering
Project Priority:	Low
Project Start Date:	2019
Project End Date:	2019

Project Description:

This project involves the installation of a drain line and catch basins on Ellsworth Street.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$8,000
Construction	\$78,000
Construction Inspect./Other	\$4,000
Total	\$90,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$0	\$0	\$90,000	\$90,000

Project Need/Issues:

Currently, Ellsworth Street lacks any drainage system. Property owners discharge sump pumps and roof leaders to the street, creating an icing condition in winter months, in addition to complaints from other street residents. Project effectiveness requires further review, as the area is very flat and any discharge point in Blind Brook would be impacted by tidal conditions.

Operating Cost Considerations:

Increased maintenance costs associated with new drainage line and catch basins.



Project Name:	Martin Road Drainage
Project Type:	Drainage
Department:	Engineering
Project Priority:	Low
Project Start Date:	2018
Project End Date:	2018

Project Description:

Replace a portion of existing City drain line extending from the end of Martin Road to pipe terminus.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$50,000
Construction Inspect./Other	\$0
Total	\$50,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$0	\$50,000	\$0	\$50,000

Project Need/Issues:

Existing pipe is damaged and requires replacement. Project would require the removal of a significant mature tree at the end of Martin Road, but would improve the conveyance of stormwater runoff from the area and reduce flooding conditions on area roads and properties.

Operating Cost Considerations:

None.



Sewer Projects

Project Name:	Brevoort Lane Force Main
Project Type:	Sewer
Department:	Engineering
Project Priority:	High
Project Start Date:	2015
Project End Date:	2015

Project Description:

This project would replace existing force main associated with Brevoort Lane pump station. Design is expected to be completed in 2015. Construction is anticipated in 2016.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$300,000
Construction Inspect./Other	\$0
Total	\$300,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$300,000	\$0	\$0	\$0	\$0	\$300,000

Project Need/Issues:

Force main requires replacement. Existing force main material is deteriorating and is approaching its design life. Consulting engineers are considering a variety of replacement options.

Operating Cost Considerations:

Operating costs would remain unchanged or be slightly lower with newer more reliable force main.



Project Name:	Stuyvesant Avenue Pump Station Pump Replacement
Project Type:	Sewer
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2019
Project End Date:	2019

Project Description:

The project would replace pumps at Stuyvesant Avenue, as they are close to the end of their useful life and, upon failure, will require immediate contingency funding.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$120,000
Construction Inspect./Other	\$0
Total	\$120,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Debt	\$0	\$0	\$0	\$0	\$120,000	\$120,000

Project Need/Issues:

Pumps are nearing the end of their useful life.

Operating Cost Considerations:

Operating costs would remain unchanged or be slightly lower with newer more reliable pumps.



Project Name:	Dearborn Pump Station Pump Replacement
Project Type:	Sewer
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2016
Project End Date:	2016

Project Description:

The project would replace pumps at Dearborn Avenue, as they are close to the end of their useful life and, upon failure, will require immediate contingency funding.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$120,000
Construction Inspect./Other	\$0
Total	\$120,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$120,000	\$0	\$0	\$0	\$120,000

Project Need/Issues:

Pumps are nearing the end of their useful life.

Operating Cost Considerations:

Operating costs would remain unchanged or be slightly lower with newer more reliable pumps.



Project Name:	Locust Avenue Sewer Siphon Replacement
Project Type:	Sewer
Department:	Engineering
Project Priority:	Urgent
Project Start Date:	2015
Project End Date:	2015

Project Description:

Abandon the “siphon” under the Locust Avenue bridge and construct a new sewer line with a more reliable, straight, gravity flow sewer line.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$25,000
Construction	\$225,000
Construction Inspect./Other	\$0
Total	\$250,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Debt - 2012 Bond	\$250,000	\$0	\$0	\$0	\$0	\$250,000

Project Need/Issues:

Presently the sanitary sewer serving the CBD must exit through a “siphon” located at the Locust Avenue bridge. At this location, the 8” pipe divides into two 4” pipes to cross under the brook to a City manhole. From there, it connects to a 36” County trunk line. The construction of the smaller pipes frequently causes problems and must be cleaned of grease and debris to keep the sewer operational. The pipes are approximately 100 years old, and one of the 4” pipes is partially compromised with an unknown obstruction.

Operating Cost Considerations:

This project is currently in design, which has revealed the presence of a significant amount of rock under Blind Brook adding construction and cost implications to the original design concept. The City is exploring alternatives, but anticipates project completion in 2015.



Project Name:	North Street Sewer
Project Type:	Sewer
Department:	Engineering
Project Priority:	Urgent
Project Start Date:	2015
Project End Date:	2015

Project Description:

This project would install a new sanitary sewer main from Nursery Lane to the existing sewer in North Street in front of Greenwood Union Cemetery. Easements from property owners on Nursery Lane (private road) would be required.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$250,000
Construction Inspect./Other	\$0
Total	\$0

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
Debt	\$250,000	\$0	\$0	\$0	\$0	\$250,000

Project Need/Issues:

Currently, the sewer in Nursery Lane which conveys flows from portions of Locust and Central Avenues and the entirety of Maple Ave., Summit Ave, Clinton Ave., and High Street, crosses under Interstate 95 and the Metro North Railroad, traverses Westchester County-owned lands in an easement and discharges to the sewer in Theodore Fremd Avenue. I-95 and the railroad were built on top of this sewer. The sewer line has required increased maintenance recently to clear blockages. Maintenance requires City Staff to utilize the shoulder of I-95 and areas adjacent to the train tracks to gain access to manholes. Proper safeguards are used including notifying MNR to have the train conductors slow down; however this condition is not ideal. Additionally, point repairs or replacement of this main under I-95 and the railroad would prove to be nearly impossible, if the situation were to become necessary. The City installed a sewer main in North Street in front of the cemetery in 2001 which a new sewer in Nursery Lane could connect to. If this project is completed, the existing sewer under I-95, the railroad, and Westchester County land could be cut, capped, and abandoned. As an alternative to debt the City is seeking to have the applicant of the 150 North Street affordable housing application implement this project.

Operating Cost Considerations:

Project would eliminate the need to access I-95 and the railroad to maintain and/or replace. Ongoing maintenance costs would be similar to that of other sewers.

Project Name:	Pump Station Automation (SCADA System)
Project Type:	Sewer
Department:	Engineering
Project Priority:	High
Project Start Date:	2014
Project End Date:	2018

Project Description:

This project would incorporate a multi-year deployment of Supervisory Control and Data Acquisition (SCADA) systems at the City’s eight sewage pump stations.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$0
Construction Inspect./Other	\$0
Total	\$210,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

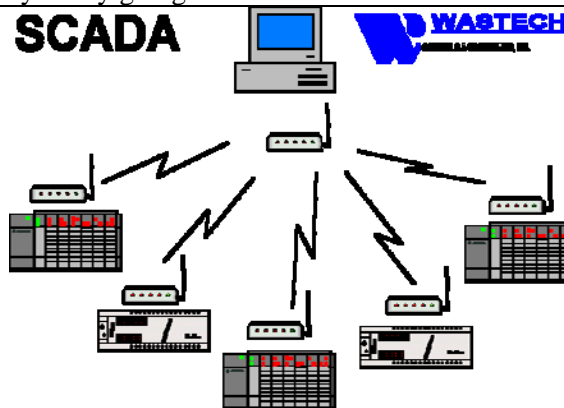
	2015	2016	2017	2018	2019+	Total
General Revenue	\$30,000	\$60,000	\$60,000	\$60,000	\$0	\$210,000

Project Need/Issues:

Project would allow City Staff to monitor and control the pump stations from any computer. In addition, the system would record inflow and outflow for optimization of the pump run times and power usage. This information can also be used to investigate inflow and infiltration (I&I) problems which require the stations to be equipped with larger pumps than otherwise needed. These larger pumps are more costly to replace and use more energy than smaller pumps. The City is incorporating this technology in the Hewlett Avenue Pump Station reconstruction which is currently being designed under an EPA grant.

Operating Cost Considerations:

Systems may require use of cellular data if existing radio transmission is not sufficient. Monthly charges may apply. System could reduce staff overtime if problems can be rectified remotely with use of computer access instead of physically going to the site.



Transportation Projects

Project Name:	Annual Sidewalk/Curbing Program
Project Type:	Transportation
Department:	Engineering
Project Priority:	High
Project Start Date:	2015
Project End Date:	2019

Project Description:

Funds the replacement and repair of sidewalks that are the City’s responsibility (i.e. not funded by abutting private property owner). Program also includes funding for curbs to address erosion, roadway protection or drainage conditions.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$320,000
Construction Inspect./Other	\$0
Total	\$320,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$60,000	\$60,000	\$65,000	\$65,000	\$70,000	\$320,000

Project Need/Issues:

The program supports the maintenance of the City’s 38.68 miles of sidewalk. There has been increasing public demand to improve sidewalk conditions in the City, particularly around schools. The City will potentially fund sidewalk and crosswalk improvements as recommended by the Shared Roadways Committee June 2011 Report.

Operating Cost Considerations:

No additional costs are anticipated.



Project Name:	Annual Street Resurfacing
Project Type:	Transportation
Department:	Engineering
Project Priority:	High
Project Start Date:	2015
Project End Date:	2019

Project Description:

Resurfacing of City Streets and roads as determined by the City Engineer and the City's Pavement Management System (PMS). Approximately half of annual funds are from NYS CHIPS state aid program.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$2,295,000
Construction Inspect./Other	\$0
Total	\$2,295,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$115,000	\$115,000	\$115,000	\$115,000	\$115,000	\$575,000
Grants & Aid (CHIPS)	\$344,000	\$344,000	\$344,000	\$344,000	\$344,000	\$1,720,000
Total	\$459,000	\$459,000	\$459,000	\$459,000	\$459,000	\$2,295,000

Project Need/Issues:

The program supports the maintenance of the City's 51.63 miles of roadway. New York State may reduce its CHIPS contribution due to budget cuts. This CIP assumes the continued increase in State CHIPS funding of approximately \$59,000 from previous years.

Operating Cost Considerations:

No additional costs are anticipated.



Project Name:	Boston Post Road Retaining Wall
Project Type:	Transportation – Right-Of-Way Management
Department:	Engineering
Project Priority:	High
Project Start Date:	2015
Project End Date:	2015

Project Description:

In November 2012 a bond referendum was approved by the Rye City voters to fund approximately \$300,000 to replace/repair a failing retaining wall on the east side of Boston Post Road near the Purdy Avenue intersection. Safety barriers have been installed and the sidewalk abutting the failing wall has been closed. In conjunction with replacing the failing wall, the City of Rye is seeking to enhance the pedestrian environment and improve pedestrian safety by potentially removing the existing sidewalk on the east side of Boston Post Road, creating new crosswalks, and modifying the vehicle travel lane configuration on Boston Post Road. Changes in vehicle travel lane configurations will require supporting traffic analysis. The City’s consultant will begin preliminary engineering and design to develop viable cost-effective alternatives for this project in the summer of 2014.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$50,000
Construction	\$250,000
Construction Inspection	\$0
Total	\$300,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
Debt - 2012 Bond:	\$300,000	\$0	\$0	\$0	\$0	\$300,000

Project Need/Issues:

The rock wall/embankment on Boston Post Road opposite Purdy Avenue has been shedding rocks, compromising slope and wall stability. The wall and the rock outcropping it sits on straddles private and City right-of-way property lines. The work would include only the first phase (\$300,000) of a three phase (\$900,000) project to include wall and sidewalk replacement between Thistle Lane and Purdy Avenue. The project was funded as part of the 2012 Bond Referendum.

Operating Cost Considerations:

Minimal annual operating costs are anticipated; however the City would assume capital expenses associated future repairs or reconstruction of the wall after the end of its useful life.



Project Name:	Theodore Fremd/Blind Brook Retaining Wall
Project Type:	Transportation
Department:	Engineering
Project Priority:	Urgent
Project Start Date:	2010 (Currently in design)
Project End Date:	2015

Project Description:

Project would replace retaining wall on Blind Brook adjacent to Theodore Fremd Avenue. The wall was significantly damaged in 2007 flooding and requires replacement to protect adjacent roadway and City parking area.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$300,000
Construction	\$0
Construction Inspect./Other	\$1,100,000
Total	\$1,400,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$100,000	\$0	\$0	\$0	\$0	\$100,000
Grants and Aid	\$1,300,000	\$0	\$0	\$0	\$0	\$1,300,000

Project Need/Issues:

The project design is completed and under review by NYSDOT. The project requires a slight relocation of the wall and has numerous utility conflicts that must be coordinated including a major County sewer line and a ConEd gas transmission line. The project is not eligible for FEMA reconstruction funds due to the classification of the roadway, but is being funded by a more rigorous and time-consuming NYSDOT grant, which requires a 20% local match.

Operating Cost Considerations:

No significant increases in operational costs are anticipated.



Project Name:	Purchase Street Roundabout
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2017
Project End Date:	2017

Project Description:

The project would eliminate existing blinking traffic signals at the Purchase/High/Ridge/Wappanocca intersection with roundabout. The roundabout would provide safety and environmental benefits over existing condition and would provide for an aesthetic amenity to one of Rye’s “gateways”.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$500,000
Construction Inspect./Other	\$0
Total	\$500,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
Grants & Aid	\$0	\$0	\$500,000	\$0	\$0	\$500,000

Project Need/Issues:

July 2007 BFJ feasibility report recommended a roundabout in lieu of a traffic signal at the intersection. Survey of the area is completed and design is underway. Westchester County is anticipated to fund the project in exchange for City acceptance of County roads.

Operating Cost Considerations:

Energy costs would be eliminated. Some costs for landscape and roundabout maintenance are anticipated.



Project Name:	CBD - Purchase Street Reconstruction
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2017
Project End Date:	2018

Project Description:

Project involves the reconstruction (including paved surface and base) and curb replacement, where necessary, between Smith Street and W. Purdy Avenue. Other improvements as noted in the 2009 CBD Planning and Streetscape Study should also be considered.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$50,000
Construction	\$800,000
Construction Inspect./Other	\$0
Total	\$850,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues	\$0	\$0	\$50,000	\$0	\$0	\$50,000
Debt	\$0	\$0	\$0	\$800,000	\$0	\$800,000

Project Need/Issues:

Purchase Street has a below average score (PCI=64) in the City's Pavement Management System and requires reconstruction. Project is consistent with 2009 CBD Capital Planning and Streetscape Study, which recommends a variety of pedestrian safety and other improvements. Project must coordinate with all other CBD traffic projects. The project cost was reduced from last year's CIP to reflect recent paving improvements completed by utility companies and the portion of Purchase Street that will be paved as part of the Elm Place and Smith Street projects, which were funded by the 2012 bond referendum.

Operating Cost Considerations:

No major increases in operating costs are anticipated with this project.



Project Name:	CBD – Smith Street Reconstruction
Project Type:	Transportation
Department:	Engineering
Project Priority:	High
Project Start Date:	2015
Project End Date:	2015

Project Description:

Project involves the reconstruction (including paved surface and base) and curb replacement, where necessary. Other improvements as noted in the 2009 CBD Planning and Streetscape Study should also be considered.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$30,000
Construction	\$330,000
Construction Inspect./Other	\$0
Total	\$360,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
Debt - 2012 Bond	\$360,000	\$0	\$0	\$0	\$0	\$360,000

Project Need/Issues:

Smith Street is the second lowest scoring street in the City's Pavement Management System. Street reconstruction is required and has been proposed for many years. Project must coordinate with other CBD transportation projects, particularly *Elm/Smith Intersection Improvement*. This project was funded as part of the 2012 Bond Referendum and is currently in design.

Operating Cost Considerations:

Current maintenance and repair costs would be reduced.



Project Name:	CBD – Elm/Smith Intersection Improvements
Project Type:	Transportation
Department:	Engineering
Project Priority:	High
Project Start Date:	2015
Project End Date:	2015

Project Description:

This project would implement some of the recommendations from the 2009 CBD Capital Planning and Streetscape Study, including changes in intersection paving material, new crosswalks, new sidewalks and curbing, and aesthetic improvements.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$50,000
Construction	\$500,000
Construction Inspect./Other	\$0
Total	\$550,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
Debt - 2012 Bond	\$550,000	\$0	\$0	\$0	\$0	\$550,000

Project Need/Issues:

These two intersections would significantly benefit from permanent improvements similar to those implemented at the Locust/Purchase intersection. Project must coordinate with **Smith Street Reconstruction** project and **Purchase Street Reconstruction**. This project was approved as part of the 2012 Bond Referendum and is currently in design.

Operating Cost Considerations:

Project would not affect operating costs.



Project Name:	Purchase/Fremd & Purdy Signal Replacement
Project Type:	Transportation – Traffic Control
Department:	Engineering
Project Priority:	High
Project Start Date:	2015
Project End Date:	2015

Project Description:

The 2009 CBD Capital Planning and Streetscape Study recommends replacing traffic signals at this intersection to meet NYSDOT requirements and adding a turning lane on Theodore Fremd Avenue to reduce intersection delays.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$45,000
Construction	\$430,000
Construction Inspection	\$0
Total	\$475,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
Debt:	\$475,000	\$0	\$0	\$0	\$0	\$475,000

Project Need/Issues:

Project was originally funded as part of 2007 Budget, but deferred/suspended after April 2007 floods. Signal design is approximately 50% complete. The existing traffic signals do not meet NYSDOT requirements and increasingly replacement parts are difficult to find. Project would require coordination with Westchester County, which controls Theodore Fremd. This project was not included as part of the 2012 Bond Referendum and the City was not awarded a NYSDOT grant for this project.

Operating Cost Considerations:

Minimal annual operating costs are anticipated. New traffic signals will use LED technology, which will reduce energy consumption and improve reliability.



Project Name:	Locust Avenue Bridge
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2016
Project End Date:	2017

Project Description:

The project would fund \$80,000 to study the condition, identify improvement and complete construction plans for Locust Avenue Bridge. Depending on findings of study and prior experience with bridges in this area rehabilitation may be required (\$300,000) or a complete reconstruction (\$1.8M). The City was previously advised of a possible \$600,000 grant towards the completion of this project.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$80,000
Construction	\$1,720,000
Construction Inspect./Other	\$0
Total	\$1,800,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues/Debt	\$0	\$80,000	\$1,120,000	\$0	\$0	\$1,200,000
Grants and Aid	\$0	\$0	\$600,000	\$0	\$0	\$600,000
Total	\$0	\$80,000	\$1,720,000	\$0	\$0	\$1,800,000

Project Need/Issues:

Locust Avenue Bridge is over 100 years old and requires repair. Bridge is also historic and may require coordination with NYS Historic Agencies. Existing sewer line/siphon under the bridge abutment is planned to be abandoned, and a new sewer line installed. See **Locust Avenue Sewer Siphon Replacement** project.

Operating Cost Considerations:

No increased operational costs are anticipated.



Project Name:	Nature Center Bridge Pressure Grouting
Project Type:	Transportation
Department:	Engineering
Project Priority:	High
Project Start Date:	2019
Project End Date:	2019

Project Description:

Project would renovate the existing Nature Center access bridge over Blind Brook through a 5-year maintenance program. In lieu of full bridge reconstruction, a pressure-grouting program will be applied to the bridge and base to maintain required strength and usability. This action is weather-dependent, with flooding and heavy rain requiring more frequent grouting. The grout is scheduled for application first in Summer 2012, with the next anticipated grouting in 2017.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$30,000
Construction Inspect./Other	\$0
Total	\$30,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues:	\$0	\$0	\$0	\$0	\$30,000	\$30,000

Project Need/Issues:

The existing bridge over Blind Brook was constructed in the 1900's for carriage traffic. In 2008 the bridge received a yellow flag from NYS inspectors, which was corrected with emergency repairs to the bridge abutment. A second yellow flag was issued in April 2009. The historic bridge is the sole source of access to the Nature Center; however, other entry methods have been studied and can be engaged in the case of structural failure of the existing bridge. While full bridge reconstruction (as reported in the 2011 CIP) would cost upwards of \$1,100,000, pressure grouting will occur every 5 years (potentially more frequently depending on weather patterns) and will permit the continued, safe access to the Nature Center.

Operating Cost Considerations:

No increased operational costs are anticipated.



Project Name:	Orchard Avenue Bridge Rehabilitation
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2018
Project End Date:	2018

Project Description:

Rehabilitation of Orchard Avenue Bridge over Blind Brook.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$180,000
Construction Inspect./Other	\$0
Total	\$180,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenue	\$0	\$0	\$0	\$180,000	\$0	\$180,000

Project Need/Issues:

The bridge over Blind Brook was built in 1926 and has a deficiency rating by the NYS of 4.636. Recently completed reports indicate that the bridge is structurally sound, but requires improvements.

Operating Cost Considerations:

No increases in operational costs are anticipated.



Project Name:	MTA Parking Lot Improvements
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2018
Project End Date:	2019

Project Description:

The proposed project would repave the parking lot, add sidewalks, lighting, drainage, landscaping and other vehicle and pedestrian safety measures. Project is dependant on Federal funding. If grants are obtained, \$75,000 in engineering is proposed for 2018 with construction proposed for 2019.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$75,000
Construction	\$2,575,000
Construction Inspect./Other	\$0
Total	\$2,650,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Grants & Aid	\$0	\$0	\$0	\$75,000	\$2,575,000	\$2,650,000

Project Need/Issues:

The City (which does not own the lot, but shares in the parking revenue with the MTA) previously discussed with the MTA possible cost/revenue sharing strategies to implement necessary repairs to the deteriorated lot. The proposed improvements would rehabilitate the lot, which has not been repaved in over 20 years, and implement pedestrian and vehicles safety improvements consistent with a preliminary concept plan prepared by MTA consultants in 2006. This year the travel lane portion of the MTA lot is being repaved under the City’s Annual Resurfacing project funding.

Operating Cost Considerations:

Some increases in operational costs are anticipated, but could be offset with increases in parking fees, which have remained unchanged for eight years.



Project Name:	First/Second Street Parking Lot
Project Type:	Transportation
Department:	Engineering
Project Priority:	High
Project Start Date:	2016
Project End Date:	2016

Project Description:

Project includes the removal of the existing single-head meters in City-owned parking lot in front of Rye Bar/former Bank of New York Property and installation of new parking payment system. Repaving and striping of parking lot, pedestrian access enhancements, and improvement to landscape islands are also required.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$150,000
Construction Inspect./Other	\$0
Total	\$150,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues/Debt	\$0	\$150,000	\$0	\$0	\$0	\$150,000

Project Need/Issues:

Asphalt in the existing parking lot has deteriorated and requires replacement. Improvement of this parking area was considered as part of the Planning Commission’s approval of the Rye Bar and Grill. It is anticipated that changes in the pavement striping would potentially add three to six additional parking spaces.

Operating Cost Considerations:

Replacing the existing single-head meters with a central payment system will reduce maintenance and collection costs and make snow plowing easier.



Project Name:	CBD – School/Purdy Parking Lot (Car Park 5)
Project Type:	Transportation
Department:	Engineering
Project Priority:	High
Project Start Date:	2018
Project End Date:	2018

Project Description:

The existing wall surrounding Car Park 5 (corner of School Street & Purdy Ave.) needs to be replaced. In 2008, fencing was secured to the wall exterior to prevent damage from continuing deterioration.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$650,000
Construction Inspect./Other	\$0
Total	\$650,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
General Revenue	\$0	\$0	\$0	\$650,000	\$0	\$650,000

Project Need/Issues:

Replacing this nearly 100-year old wall is expensive, requiring \$650,000. The City should consider alternative use to a replacement in-kind that advances some additional public need, such as a deck that creates additional parking. Identifying a use for this site, possibly involving a public/private partnership, is the critical first step before committing additional funds to this project.

Operating Cost Considerations:

Varies depending on final design and use.



Project Name:	Milton Cemetery Bridge
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2016
Project End Date:	2016

Project Description:

Replace existing pedestrian bridge in Milton Cemetery. Project has been deferred due to budgetary constraints.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$40,000
Construction Inspect./Other	\$0
Total	\$40,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Grants and Aid	\$0	\$40,000	\$0	\$0	\$0	\$40,000

Project Need/Issues:

Existing bridge is deteriorated and unusable. Eliminating the bridge and installing an alternative lower cost bridge is not feasible from an historic preservation perspective. The City is seeking donations or some other source to fund this project.

Operating Cost Considerations:

Continued bridge repair and maintenance responsibilities.



Project Name:	5 Points Intersection Improvement
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2015
Project End Date:	2015

Project Description:

As recommended by the Shared Roadways Committee June 2011 study, the project would encompass a conceptual study for the 5-way intersection at the conjunction of Grace Church Street, and Midland and Manursing Avenues. A City engineering consultant is currently preparing a preliminary design and project cost estimate.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$30,000
Construction	\$300,000
Construction Inspect./Other	\$0
Total	\$330,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
General Revenues:	\$30,000	\$300,000	\$0	\$0	\$0	\$300,000

Project Need/Issues:

The 5-way intersection at Kelley’s is a hazardous location for pedestrian and drivers. It is unclear who has the right of way, and the crosswalks, as mentioned by the Shared Roadways Committee report, have poor signage. This project would fund the study of future improvements for the site.

Operating Cost Considerations:

No increases in operational costs are anticipated depending on final design.



Project Name:	Fireman’s Memorial Intersection Study
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2017
Project End Date:	2017

Project Description:

As recommended by the Shared Roadways Committee June 2011 study, the project would encompass a conceptual study for the Fireman’s Memorial roundabout located at the intersection of Milton Road and Grace Church and Cross Streets, just south of Cross Street’s intersection with Boston Post Road.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$25,000
Construction	\$0
Construction Inspect./Other	\$0
Total	\$25,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
General Revenues:	\$0	\$0	\$25,000	\$0	\$0	\$25,000

Project Need/Issues:

The roundabout at the Fireman’s Memorial is unique, as it does not function like most roundabouts, with yields that vary by street. This project would fund a study, as proposed by the Shared Roadways Committee in the June 2011 report, to see how best the Memorial could be redesigned “as a proper traffic circle, with improved crosswalks, markings, signage, and signal timing.” Such changes would benefit pedestrians who walk in the area, as well as drivers who are unfamiliar with the roundabout’s current design.

Operating Cost Considerations:

No increases in operational costs are anticipated.



Project Name:	Osborn School Traffic and Pedestrian Safety Improvements
Project Type:	Transportation
Department:	Engineering
Project Priority:	Low
Project Start Date:	2017
Project End Date:	2017

Project Description:

The project would provide funding to design and implement additional traffic and pedestrian safety improvement at Osborn School. The school is located at one of the City’s busiest intersections. In August 2010 the City implemented a lane reduction program on BPR (i.e. “diet”), however some are seeking additional improvements. There is no perfect “fix”. Improvements are complicated and involve challenging trade-offs between driver and pedestrian demands for both convenience and safety. Project cost includes the potential installation of a traffic signal and pedestrian crossing at the Sonn Drive/BPR intersection.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$25,000
Construction	\$175,000
Construction Inspect./Other	\$0
Total	\$200,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Grants and Aid:	\$0	\$0	\$200,000	\$0	\$0	\$200,000

Project Need/Issues:

The project would provide additional measures to improve traffic and pedestrian safety at Osborn School and specifically the Sonn/BPR intersection and potential improvements on Osborn Road to address off-site vehicle queuing. The School District is considered a potential source of funds or a grant.

Operating Cost Considerations:

There would be an increase in signal maintenance costs to the City. An additional crossing at Sonn Drive may also require the expense of an additional crossing guard.

Project Name:	Stuyvesant Avenue Pedestrian Improvements
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2017
Project End Date:	2017

Project Description:

This project is new to this year’s CIP. It involves widening and paving the approximately 0.5-mile length of Stuyvesant Avenue between Old Milton Road and Van Wagenen Avenue to provide a designated walkway. The project assumes widening the road by 10-12 feet to add 5-6 foot shoulders/walkway/bikeway on each side of the existing 20-foot wide road.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design/Survey	\$50,000
Construction	\$0
Construction Inspect./Other	\$0
Total	\$750,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
Grants and Aid:	\$0	\$50,000	\$700,000	\$0	\$0	\$750,000

Project Need/Issues:

Drainage measures may also be required. The most effective design is to reconstruct the entire roadway, but considered cost prohibitive. Existing right-of-way encroachments would need to be removed. Increased roadway width may increase vehicle travel speeds.

Operating Cost Considerations:

Future repaving and maintenance costs will be required for the expanded roadway.

Project Name:	Boston Post Road/Parsons Street Roundabout
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2017
Project End Date:	2017

Project Description:

This project is new to this year’s CIP and involves the design and construction of a roundabout on Boston Post Road at Parsons Street. In addition, the project would include a shifting of Boston Post Road within existing right-of-way to the west and the construction of a new parking area on the east side of the relocated roadway adjacent to school property. Existing driveways from Rye Nature Center and Rye Presbyterian Church would also have to be accommodated in the design. The City’s consultant will begin conceptual design and cost estimates in the summer of 2014.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$50,000
Construction	\$600,000
Construction Inspect./Other	\$0
Total	\$650,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
Grants and Aid:	\$0	\$0	\$650,000	\$0	\$0	\$650,000

Project Need/Issues:

A roundabout at this location would potentially have multiple benefits, including improved traffic flow during peak school drop-off and pick-up periods, traffic calming benefits, creation of additional parking for the school adjacent to school property and providing an alternative vehicle access to Rye Nature Center thereby avoiding the estimated \$1.1 Million cost of replacing the existing nature center bridge.

Operating Cost Considerations:

Project will not affect operating costs.

Project Name:	Boston Post Road/Old Post Road Traffic Signal Replacement
Project Type:	Transportation
Department:	Engineering
Project Priority:	Moderate
Project Start Date:	2019+
Project End Date:	2019+

Project Description:

The project would replace the existing traffic signal at the intersection of Boston Post Road and Old Post Road (i.e. in front of Osborn Home). The existing signal is nearing the end of its useful life and does not use LED technology, which is the current NYSDOT standard. The project would also provide for pedestrian enhancements including potentially crosswalks, pedestrian phases and other potential safety improvements.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$20,000
Construction	\$180,000
Construction Inspect./Other	\$0
Total	\$200,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Grants and Aid:	\$0	\$0	\$0	\$20,000	\$180,000	\$200,000

Project Need/Issues:

A pedestrian signalized crossing of Boston Post Road at this location has been identified as a priority given the volume of pedestrian activity and proximity to Osborn Elementary School and Rye HS/MS. This project may require coordination with *Osborn School Traffic and Pedestrian Safety Improvements*.

Operating Cost Considerations:

Continuation of existing traffic signal maintenance costs.

Recreation Projects

Project Name:	Damiano Center HVAC
Project Type:	Recreation
Department:	Recreation
Project Priority:	Urgent
Project Start Date:	2015
Project End Date:	2015

Project Description:

The project proposes to replace the existing HVAC system at Damiano Center.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$28,200
Construction Inspection	\$0
Total	\$28,200

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues:	\$28,200	\$0	\$0	\$0	\$0	\$28,200

Project Need/Issues:

The existing system is failing and requires replacement.

Operating Cost Considerations:

Operating costs would reduce with more energy efficient system that require less maintenance.

Project Name:	Gagliardo Park Restrooms & Park Improvements
Project Type:	Building/Facilities – Recreation
Department:	Recreation
Project Priority:	High
Project Start Date:	2015
Project End Date:	2015

Project Description:

Gagliardo Park has seen some upgrade over the past years due to CDBG Grants which replaced the playground and picnic shelter. The restroom facility/storage is in need of a facelift, requiring handicap accessibility, as the park is not staffed. A slightly larger block building (12 X 20) would replace the current facility. Cost would be for a pre-fab building (CXT Concrete Buildings: \$62,000 on GSA Contract). The park also needs new playground equipment.

The basketball and volleyball courts need to see similar upgrades, as the pavement is showing age with large cracks. The basketball backboards are old and need replacement. In addition to the volleyball court being divided for other uses, the basketball court would need to be patched and repave approximately 171’ of walkway.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$172,000
Construction Inspect./Other	\$0
Total	\$172,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
General Revenues:	\$172,000	\$0	\$0	\$0	\$0	\$172,000

Project Need/Issues:

Project is required to improve user safety and level of play. Project would also reduce maintenance costs and ease of facility maintenance. City is exploring less expensive alternatives.

Operating Cost Considerations:

More efficient systems would help keep costs down; easier maintenance



Project Name:	Tennis Court Improvements
Project Type:	Recreation
Department:	Recreation
Project Priority:	Moderate
Project Start Date:	2016
Project End Date:	2019

Project Description:

Replacement of lighting units at recreation park tennis courts and multi-purpose area (2018) and resurfacing/reconstruction of four tennis courts (2016 and 2018).

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$600,000
Construction Inspect./Other	\$0
Total	\$600,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Debt:	\$0	\$120,000	\$0	\$180,000	\$120,000	\$600,000

Project Need/Issues:

Replacement for efficiency and cost saving measures. Existing tennis lighting is over 25 years old. Existing tennis courts require a complete resurfacing including removal of the existing surface. Estimated cost per court is \$60,000.

Operating Cost Considerations:

Systems that allow for multiple light and energy levels can provide considerable energy savings. These systems allow activities with different lighting needs to share a facility, without wasting energy by providing excessive lighting for activities that don't require it. There will also be a reduction in repainting costs associated with the existing courts.



Project Name:	Nursery Field Rehabilitation
Project Type:	Recreation
Department:	Recreation
Project Priority:	Moderate
Project Start Date:	2015
Project End Date:	2015

Project Description:

The project proposes to improve drainage conditions at Nursery Field by stripping the existing topsoil and amending it with sand and compost. The field would be crowned and additional drainage measures would be installed.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$50,000
Construction	\$400,000
Construction Inspection	\$0
Total	\$450,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Grants and Aid:	\$450,000	\$0	\$0	\$0	\$0	\$450,000

Project Need/Issues:

A 2011 study prepared by Woodard and Curran Engineers identified the feasibility and cost of improving drainage conditions at Nursery Field. These improvements would increase field use, which is currently restricted after rain events.

Operating Cost Considerations:

Operating costs would remain unchanged from current conditions.

Project Name:	Upper Picnic Shelter Replacement
Project Type:	Recreation
Department:	Recreation
Project Priority:	Moderate
Project Start Date:	2018
Project End Date:	2018

Project Description:

This project calls for the replacement of the upper picnic shelter at Recreation Park, with the shelter and installation costing \$65,000 and its concrete pad costing \$25,000 (as per quote from Litchfield Landscape).

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$90,000
Construction Inspect./Other	\$0
Total	\$90,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues:	\$0	\$0	\$0	\$90,000	\$0	\$90,000

Project Need/Issues:

The Upper Picnic Shelter is showing signs of age and deterioration. Recent improvements allow this project to be deferred to 2018. Since picnics are the one of the main revenue source for the department, a new, larger and efficient design could increase the number of rentals annually. Improved drainage around the site would also benefit this facility. One of the main revenue sources is from Picnic rental fees. As the shelter deteriorates, it makes it more difficult to attract renters to the facility.

Operating Cost Considerations:

Initially, decrease in maintenance costs for upkeep and repairs.



Project Name:	Disbrow Park Improvements
Project Type:	Recreation
Department:	Recreation
Project Priority:	Moderate
Project Start Date:	2017
Project End Date:	2017

Project Description:

The project proposes correcting drainage issues by installing a synthetic turf field in the existing footprint of the athletic facilities.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$1,600,000
Construction Inspection	\$0
Total	\$1,600,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
Grants and Aid:	\$0	\$0	\$1,600,000	\$0	\$0	\$1,600,000

Project Need/Issues:

A 2011 study prepared by Woodard and Curran Engineers identified the ability to solve drainage issues at Disbrow Park by installing a synthetic turf field. The field would include one baseball field, one softball field, and one soccer field (overlapping the baseball and softball fields.)

Operating Cost Considerations:

Operating costs would remain unchanged from current conditions.

Project Name:	Recreation Park Landscape and Signage Improvements
Project Type:	Recreation
Department:	Recreation
Project Priority:	Low
Project Start Date:	2019
Project End Date:	2019

Project Description:

The project involves providing additional landscaping at City recreation facilities. The area of Recreation Park where the parking lot was expanded needs to be screened and beautified with numerous plantings to create a visual barrier and offer a more attractive surrounding when using the lower end of the park. Trees were removed for the parking lot and should be replaced. Other fields need additional screening to provide neighbors with increased buffer areas. Additional signage is necessary as well.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$19,500
Construction Inspection	\$0
Total	\$19,500

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:	2015	2016	2017	2018	2019+	Total
General Revenues:	\$0	\$0	\$0	\$0	\$19,500	\$19,500

Project Need/Issues:

Project would provide aesthetic enhancements to park facilities and improved screening.

Operating Cost Considerations:

Additional landscape maintenance would be required by park staff after initial planting. The City will pursue a low maintenance planting program.

Project Name:	Expand Maintenance Garage
Project Type:	Recreation
Department:	Recreation
Project Priority:	Moderate
Project Start Date:	2019
Project End Date:	2019

Project Description:

The project involves the construction of a two bay addition with extra tall bay doors. Estimates are based on price per square foot of current construction costs.

Cost Estimates

30' X 40' Block Building (\$100/sq ft)	\$125,000
Electric fixtures/services	3,500
Design cost (7%)	8,000
Contingency (7%)	\$ 8,500
	<u>\$145,000</u>

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$8,000
Construction	\$137,000
Construction Inspect./Other	\$0
Total	\$145,000

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenue:	\$0	\$0	\$0	\$0	\$145,000	\$145,000

Project Need/Issues:

The department has motorized equipment that has a current replacement value of approximately \$500,000. A number of items can not be housed indoors due to lack of space and is subject to weather and potential vandalism.

Operating Cost Considerations:

It is anticipated that any increase due to utilities will be met with an equal or greater savings due to benefits of secured, covered equipment and material.

Project Name:	Damiano Center Parking Lot Renovation
Project Type:	Recreation
Department:	Recreation
Project Priority:	Moderate
Project Start Date:	Fall 2016
Project End Date:	Fall 2016

Project Description:

The Recreation building’s main parking lot and roadway to the maintenance garage is old and deteriorating. Milling and paving of the main lot and service road is important for safety as patching and filling the holes/cracks is no longer working. Curbing is also required. Project could include a new widen entrance to allow for pedestrian traffic safely from the parking lot to the crosswalk to Milton School.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$18,000
Construction Inspection	\$0
Total	\$0

Project Priority Considerations:

- Deteriorated Facility**
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019+	Total
General Revenues:	\$0	\$18,000	\$0	\$0	\$0	\$18,000
Grants and Aid:	\$0	\$0	\$0	\$0	\$0	\$0
Debt:	\$0	\$0	\$0	\$0	\$0	\$0

Project Need/Issues:

Recreation’s main parking lot and roadway to the maintenance garage is old and deteriorating. Milling and paving of the main lot and service road is important for safety as patching and filling the holes/cracks is no longer working. Curbing is also required. Project could include a new wider entrance to allow for pedestrian traffic safely from the parking lot to the crosswalk to Milton School. Coordination with the City Engineer would be required. Cost estimate was derived by square footage of existing facility by current costs of milling and paving.

Operating Cost Considerations:

Reduced costs associated with maintenance and repair of parking lot.



Enterprise Fund Projects

Project Name:	Whitby Castle Window Project
Project Type:	Restoration/Construction
Department:	Golf Club
Project Priority:	Moderate
Project Start Date:	2018
Project End Date:	2018

Project Description:

Replacement of the windows in all of the 1990's era construction/additions including the ballroom and the porch extension. The work includes extensive wood replacement, carpentry work and installation of concrete curbs and base flashing along the perimeter at the porches. Additionally the work includes extensive stucco repairs around the windows of the ballroom including the severely deteriorated recessed panels below the multi-pane windows.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$0
Site Acquisition	\$0
Engineering/Design	\$25,000
Construction	\$650,000
Construction Inspection	\$0
Total	\$0

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019	Total
General Revenues:	\$0	\$0	\$0	\$675,000	\$0	\$675,000
Grants and Aid:	\$0	\$0	\$0	\$0	\$0	\$0
Debt:	\$0	\$0	\$0	\$0	\$0	\$0

Project Need/Issues:

Alternatives to this project were performing yearly extended preventative maintenance by sanding, priming, and repainting all exterior wood trim around the window casings. This is not a true alternative though because it is simply prolonging the lifespan of the current infrastructure. The club would anticipate funding this out of a general fund surplus.

Operating Cost Considerations:

The club would anticipate seeing utility savings from the more energy efficient windows.

Project Name:	Milton Harbor Federal Channel Dredging
Project Type:	Maintenance Dredging
Department:	City of Rye Boat Basin
Project Priority:	High
Project Start Date:	Fall of 2015
Project End Date:	Winter of 2016

Project Description:

Maintenance dredging of the one mile long Federal Channel leading into the City of Rye Boat Basin as well as portions of the Municipal Boat Basin.

Estimated Project Costs:

Legal/Survey/Due Diligence	\$20,000
Site Acquisition	\$0
Engineering/Design	\$0
Construction	\$1.6 M
Construction Inspection	\$20,000
Total	\$1.64 M

Project Priority Considerations:

- X Deteriorated Facility
- X Public Safety/Legal Mandate
- X Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- X Funding Availability

Sources of Funding:

	2015	2016	2017	2018	2019	Total
Boat Revenues	\$0	\$820,000	\$0	\$0	\$0	\$820,000
Federal Grants and Aid	\$0	\$820,000	\$0	\$0	\$0	\$820,000
Debt:	\$0	\$0	\$0	\$0	\$0	\$0

Project Need/Issues:

Maintenance dredging of the one mile long Federal Channel leading into and surrounding the Boat Basin docks. Navigation of most boats in or out of the Boat Basin during the low tide window is becoming difficult to impossible. The project will require multiple states and Federal permits. The project may have to be accomplished over two years depending upon disposal site availability. Project cost estimates are derived from current volume estimates and current per cubic yard pricing. This assumes disposal at the Western Long Island Sound disposal site without capping. Federal assistance will be required.

Operating Cost Considerations:

No operating or maintenance costs anticipated.



CITY COUNCIL AGENDA

NO. 5

DEPT.: City Clerk

DATE: August 4, 2014

CONTACT: Dawn Nodarse

AGENDA ITEM Draft unapproved minutes of the regular meetings of the City Council held June 11, 2014 and July 9, 2014, as attached.

FOR THE MEETING OF:

August 4, 2014

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 meetings of the City Council held June 11, 2014 and July 9, 2014, as attached.

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on June 11, 2014 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

Announcements were made regarding upcoming events and activities that may be of interest to the community.

4. Presentation by Mayor and City Manager of Certificates of Public Service to members of the City staff who have reached milestone in their service to the City of Rye

This Agenda item will be adjourned until the September meeting.

5. Draft unapproved minutes of the regular meeting of the City Council held May 21, 2014

Councilman Mecca made a motion, seconded by Councilwoman Brett and unanimously carried, to approve the minutes of the regular meeting of the City Council held on May 21, 2014.

6. Issues Update/Old Business

Sustainable Playland (SPI) – Mayor Sack announced that County Executive Astorino has rescinded the Asset Management Agreement with SPI. He said the City will wait to hear if any other plans may be proposed for the site and will attempt to insure that all environmental impacts to any plan are fully vetted and appropriately reviewed. He added that he hopes the County will include the City in whatever else is planned going forward.

Affordable Housing Settlement – Mayor Sack said he has been invited to a meeting with County Legislator Kaplowitz regarding potentially amending the Agreement between the Department of Housing and Urban Development (HUD) and the County of Westchester regarding the Affordable Housing Settlement. The Mayor said it is his understanding that HUD wants to have the ability to make their own assessment regarding the impediments to fair and affordable housing, which was the County’s responsibility under the original agreement. The Mayor will report back to the Council regarding what happens at the meeting.

Granger Field Sewer Pipe – City Manager Culross reported that the pipe that burst under the field had been fixed.

Sustainability Committee – Councilwoman Killian reported that there have been resident complaints that the plastic bag ban is not being adhered to by some merchants. The Corporation Counsel has been asked to discuss with the Building Inspector the mechanism for issuing warning letters to the merchants. Councilman Mecca was asked to speak to the merchants at a Chamber of Commerce meeting.

Traffic and Pedestrian Safety Committee – Councilwoman Killian reported on the agenda for the next meeting.

7. Presentation on City Financials by Robert Daniele of the auditing firm of O’Connor Davies, LLP

Robert Daniele of O’Connor Davies, LLP presented the audit results for the City for fiscal year 2013. An Unmodified Opinion was issued, which is the highest level of opinion that an entity can receive. The focus of the report was on the General Fund, the main operating account of the City. The original adopted budget for revenue was \$30.9 million - 60.8% of which comes from real property taxes; 8% from non-property taxes; 6% from licenses and permits; and, 8% from State aid. Expenses originally adopted were \$32 million with an expected use of \$1.4 million from Fund Balance. Actual revenues for the year were \$34 million. Total expenses were \$32.2 million. The net earnings for the year were \$1.28 million. The City ended the year with \$12.3 million. Some of these funds are restricted for compensated absences; some funds are assigned for encumbrances; some funds are set aside for tax certiorari settlements and \$1.6 million was used to balance the 2014 budget. The remaining Unassigned Fund Balance is \$5.9 million up about \$1 million from the prior year. The unassigned portion is about 17% of next year’s budget. At the end of the current fiscal year the total bonded debt outstanding was \$18 million, broken down into governmental activities (\$16 million) and enterprise funds (\$1.9 million). Total debt service payments over the next few years on governmental activities amount to \$1.7 million, which is about 5% of the General Fund. The City advance refunded certain debt

in 2013 and was able to reduce its total debt service payments over 13 years by about \$415,000. Moody's assigned its highest credit rating (Aaa) to the City's debt.

Mayor Sack asked Mr. Daniele to report on the comments made in the report on control deficiencies in such areas as Capital Projects; Capital Assets; Journal entries; and Procurement and Bidding policy and asked the City Manager to prepare a response with a plan for corrective action.

Members of the City Council made comments and asked questions regarding aspects of the report including: increases in employee wages and benefits going forward; contingent losses; OPEB (Other Post Employment Benefits); and the correct amount that should be maintained in the City's Unassigned Fund Balance.

Mayor Sack said he had asked how the City's losses from the fraud at the Golf Club would be accounted and was told that if it needed to be accounted it would be a footnote in the 2012 audited financials, which would have to be amended. *Ted Carroll, 945 Forest Avenue*, said he believed there should be disclosure of the Golf Club fraud in the financial reports because it relates to materiality and violation of the City's internal controls.

8. Continuation of the Public Hearing to change the zoning designation of County-owned property located on Theodore Avenue and North Street to the RA-5 District to provide for the construction of affordable senior housing. It is anticipated that the Public Hearing will be held over while documents are reviewed

Mayor Sack announced that he has asked Councilmembers McCartney, Bucci and Slack to act as a City Council working group in connection with this matter. Councilman McCartney reported on what the group had done since the last meeting and explained were the City was in the SEQRA process. He said the working group will work with Tenen Environmental, the professional engineering firm that was hired by the City. Tenen will review all the information in order to determine if the City has enough information to issue a negative or positive declaration in connection with the proposed project. It is hoped that a formal memorandum will be issued prior to the July City Council meeting. City Planner Miller said the memorandum will provide some guidance for the Council, but comments at the public hearing could generate a need for further information.

Councilman McCartney made a motion, seconded by Councilman Mecca and unanimously carried, to continue the public hearing to the July City Council meeting.

9. Public Hearing to amend local law Chapter 191, Vehicles and Traffic, of the Rye City Code by amending Section §191-19, "No parking any time" to prohibit parking on the north side of Mead Place; and Section §191-19-1, "Parking prohibited certain hours" to remove the restriction of no parking on Mead Place Monday through Saturday from 7:00 a.m. to 6:00 p.m.

Councilman Mecca made a motion, seconded by Councilwoman Brett and unanimously carried, to open the public hearing.

City Manager Culross said that 100% of the neighbors have signed the petition for the change and the YMCA has also agreed to it. Brian Dempsey, Chair of the Traffic and Pedestrian Safety Committee, said that the Committee had recommended this action three years ago but at that time there was not a consensus of the neighbors.

Councilman Mecca made a motion, seconded by Councilwoman Brett and unanimously carried, to close the public hearing.

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

RESOLVED that §191-19 “No parking any time” of the Rye City Code is amended to prohibit parking on the north side of Meade Place; and be it further

RESOLVED that §191-19-1 “Parking prohibited certain hours” is amended to remove the restriction of no parking on Mead Place Monday through Saturday from 7:00 a.m. to 6:00 p.m.

ROLL CALL:

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

The Resolution was adopted by a 7-0 vote.

10. Consideration of referral to the Board of Architectural Review and the Planning Commission, the request from the Landmarks Advisory Committee to landmark the Rye Meeting House and the Bird Homestead

Jack Zahringer, Chair of the Landmarks Advisory Committee, said that the Committee would like to landmark both the Rye Meeting House and the Bird Homestead and their properties as well. Mayor Sack asked the Committee to provide a detailed explanation of why the Committee is seeking to have the properties landmarked.

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

RESOLVED, that the City Council of the City of Rye hereby refers the request of the Landmarks Advisory Committee to landmark the Rye Meeting House and the Bird Homestead to the

Planning Commission and Board of Architectural
Review for their comment.

11. Discussion regarding ways to engage in historic preservation and maintain the intrinsic character of Rye's community by keeping the Smoke Shop as a central meeting place in Rye

Mayor Sack provided background on issues related to the Smoke Shop as a result of a new owner purchasing the property several years ago. The owners would like to find a way to keep the Smoke Shop but also to realize a return on their investment. They have presented a proposal that would bring in another tenant, a bank, for a portion of the building and leave the Smoke Shop. However, for several years, additional banks have been prohibited in the Central Business District. The Mayor raised three possible options, if the Council was inclined to take action: (1) lift or modify the prohibition on banks; (2) create an incentive for owners who engage in historic preservation; or, (3) the owner could request a use variance from the Zoning Board of Appeals. Neil DeLuca, one of the owners of the property, outlined his company's options: (1) ask the Smoke Shop to vacate the premises and renovate the building for another tenant; or, (2) request the City Council to make a zoning change that would allow a bank at that location. He said the bank would be willing to pay an above market rent, which would allow the Smoke Shop to continue at a below market rent. There was a discussion among the members of the Council regarding the merits of the owner's proposals, particularly the second option. Several members of the public including *Tony D'Onofrio, Owen Nee, Lindsey Russell, Bob Zahm, Ted Carroll and Amber Nee* spoke in support of keeping the Smoke Shop in its current location.

12. Discussion of the recommendation by the Traffic and Pedestrian Safety Committee that a Pilot Study be conducted to test the effect of reducing the speed limit to 25 miles per hour on Stuyvesant Avenue, and/or to remove the rocks and Belgian block in the City right of way

Brian Dempsey, Chair of the Traffic and Pedestrian Safety Committee (TPS), summarized the last discussion of this issue based on a TPS recommendation for a pilot study to reduce the speed limit to 25 miles per hour on Stuyvesant Avenue. He additionally reported on TPS evaluations of alternate suggestions provided at that meeting. They felt that converting Stuyvesant and Forest Avenues to one-way would create too much of an impact and do not recommend it. The suggestion of putting a three-foot wide patch on each side of the roadway to create a walkway was studied and would cost about \$150,000 and could have impacts on drainage. The third alternative investigated dealt with rocks and Belgian block on the side of the roads. He said the City does not have an official curb policy but added that TPS has been recommending for ten years that the rocks be removed. *Jennifer Neren* said that, as requested, she has provided the Council with data that backs up the argument she raised last time that speed does matter. *Paul Leand* of Stuyvesant Avenue said that the pilot to reduce the speed limit was a common sense issue and a community issue and the problem on Stuyvesant Avenue is that there is no time for people to move out of the street to avoid a car. There was a lengthy Council discussion which touched on the data provided by Ms. Neren; the TPS recommendation regarding the speed pilot being done at this location; the need for identifying a goal for the pilot;

removing the rocks and Belgian block that are in the right-of-ways; the possibility of reducing the speed limit throughout the City; utilizing speed bumps; and the use of signs to reduce speed. The City Manager was asked to provide an estimate of what it would take and cost to widen Stuyvesant Avenue. Corporation Counsel Wilson recommended that the City hold a public hearing on a local law to reduce the speed limit before implementing the proposed pilot. Ms. Wilson was asked to prepare a local law so the Council could set a public hearing at its next meeting.

13. Consideration to set a Public Hearing for July 9, 2013 to amend local law Chapter 76, "Dogs", Section §76-5, "Running at large prohibited" and Section §76-6, "When lease required" to establish regulations for the leasing of dogs at Rye Town Park

Councilwoman Brett summarized the issues regarding dogs being off leash in Rye Town Park, which is currently against the law. There is a conflict between people who want to use the park and not worry about dogs being off leash and the people who want to exercise their dogs in the park off leash. There was discussion at the last Rye Town Park Commission meeting about the City adopting a law that would allow dogs to be off their leashes in certain locations and at certain hours. Ms. Brett said that in order to implement such legislation there would need to be cooperation from the dog owners that they will adhere to the hours restrictions, as well as enforcement on the part of the City. Public comment was made both in favor and against dogs being allowed to be off their leashes in the park. Those speaking included *Patsy Guido, Suki van Dijk, Linda Wells and Deirdre Curran*.

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

WHEREAS, the Council wishes to consider amending Chapter 76, "Dogs" of the Code of the City of Rye by amending Sections 76-5 to establish regulations to allow dogs to be at large during certain hours at Rye Town Park; and

WHEREAS, it is now desired to call a public hearing on such proposed amendments to the law, now, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on July 9, 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

PUBLIC NOTICE
CITY OF RYE

**A Local Law to amend Chapter 76, “Dogs”, §76-5,
“Running at large prohibited” to establish regulations
to allow dogs to be at large during certain hours
at Rye Town Park**

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 9th day of July 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, at which time interested persons will be afforded an opportunity to be heard concerning a proposal local law to amend Chapter 76, “Dogs”, §76-5, “Running at large prohibited” to establish regulations to allow dogs to be at large during certain hours at Rye Town Park.

Copies of said proposed local law may be obtained from the office of the City Clerk.

Dawn F. Nodarse
City Clerk
Dated: June 27, 2014

14. Consideration to set a Public Hearing for July 9, 2014 on a proposed local law amending Article 6, “Council” of the Charter of the City of Rye to amend §C6-2 “Powers and duties” to add Section G to provide all Council members with the same authority as the Mayor as outlined in Section C7-1G to “examine the books, papers and accounts of any board, commission, department, office or agency of the city.”

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

WHEREAS, the Council wishes to consider amending Article 6, “Council”, of the Charter of the City of Rye by amending §C6-2, “Powers and duties” in order to provide the Council the same authority as the Mayor to examine the books, papers and accounts of any board, commission, department, office or agency of the city ; and

WHEREAS, it is now desired to call a public hearing on such proposed amendments to the law, now, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on July 9, 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

PUBLIC NOTICE
CITY OF RYE

A Local Law to amend Article 6, “Council”, §C6-2, “Powers and duties” of the Charter of the City of Rye by adding §G to provide all Council members with the same authority as the Mayor as outlined in §C7-1G to “examine the books, papers and accounts of any board, commission, department, office or agency of the city.”

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 9th day of July 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, at which time interested persons will be afforded an opportunity to be heard concerning a proposal local law to amend Article C, “Council, §C6-2, “Powers and duties” of the Charter of the City of Rye by adding §G to provide all Council members with the same authority as the Mayor as outlined in §C7-1G to “examine the books, papers and accounts of any board, commission, department, office or agency of the city.”

Copies of said proposed local law may be obtained from the office of the City Clerk.

Dawn F. Nodarse
City Clerk
Dated: June 27, 2014

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

Bob Zahm, 8 Ridgewood Drive, asked if the meetings of the Traffic and Pedestrian Safety Committee were announced and agendas published prior to the meetings. He was told that the agendas are not published but the meetings are announced on the calendar on the City website.

He said he wanted to express his concerns about the intersection of Central Avenue and Boston Post Road and the parking space between the two crosswalks.

16. Presentation of the City of Rye Stormwater Management Program 2013 Annual Report

City Engineer Ryan Coyne presented the 2013 Annual Report on the City's Stormwater Management Program as required by law. In 2003 the New York State Department of Environmental Conservation (DEC) came out with Phase II regulations which require municipalities to develop a Stormwater Management Program. The MS4 report must be presented at a public meeting. There are six different tasks required: (1) Public Education and Outreach where the City develops flyers and tries to educate the public on stormwater measures; (2) Public Involvement and Participation, which includes this presentation and the work of the Planning Commission, Board of Architectural Review and Conservation Commission/Advisory Council in reviewing plans; (3) Illicit Discharge Detections and Elimination, which requires that stormwater and sewage are kept separate; (4) and (5) Construction and Post-construction Measures, which involve obtaining Surface Water Control Permits, which require installation of silt fences and other erosion control measures; and (6) Municipal Operations and Good Housekeeping, which is things the City does such as sweep the streets and clean the drains in the Spring.

17. Resolution to revise the Mission Statement for the Finance Committee

This Agenda item was adjourned.

18. Presentation on Smart Parking Technology

Jerome Theunissen, a Rye High School Senior doing an internship with the Sustainability Committee, made a presentation on his research into Streetline, Inc., a company that specializes in Smart Parking. He gave an overview of issues for both shoppers and merchants based on the difficulty in finding parking in the Central Business District at certain hours. He briefly explained the types of technology that are offered by the company, and how it could be used to benefit both shoppers and merchants and also provide data for officials to use in determining the best ways to deal with parking issues in Rye.

19. Resolution ratifying the appointment of one member to the Emergency Medical Services Committee for a three-year term ending June 30, 2017.

Mayor Sack made a motion, seconded by Councilman McCartney and unanimously carried, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye hereby approves the reappointment of Bart DiNardo, the City of Rye Community Representative to the Emergency Medical Services committee for a three-year term ending on June 30, 2017.

20. Bid Award for the Annual Street Resurfacing contract (Contract #2014-02)

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

RESOLVED that the City Council of the City of Rye hereby awards Contract 2014-02 - Annual Street Resurfacing to Bilotta Construction Corp., the lowest responsible bidder, in the amount of Four Hundred Eighty-Six Thousand, One Hundred Fifty-Six dollars (\$486,156.00).

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.

20A. One appointment to the Board of Architectural Review

Mayor Sack made a motion, unanimously approved by the Council to appoint John Barrett to the Board of Architectural Review for a three-year term expiring on January 1, 2017.

21. Appeal of denial of FOIL requests by Timothy Chittenden

This Agenda item was adjourned until the July Council meeting.

22. Appeal of denial of FOIL request by David McKay Wilson

David McKay Wilson has appealed the response by the City to his FOIL request seeking “the document sent from the state of NY, to the Rye City Assessors Department in 2014, which indicates that more than 400 Rye homeowners should be removed from the list of those receiving an exemption under the state’s STAR program”. Corporation Counsel Wilson said that the request was originally denied under the unlawful invasion of personal privacy exemption. She said she believes it is still applicable, but also believes that Section 425 of the Real Property Tax Law specifically exempts disclosure of this information. The section of the Real Property Tax Law deals with the Enhanced Star Exemption. The screenshot that the Assessor must agree to whereby she must confirm that she will not disseminate the information beyond her office also lends weight to the interpretation that the statutory prohibition would apply not only to the Enhanced Star Exemption but also the Regular Star Exemption. Councilwoman Killian said that the list does not indicate that someone is not following the rules regarding Star, but is merely a list of those who do not qualify any longer for the exemption. Councilman Slack said he

believed this case was a close call and there is a misperception about what the list is, which is driving the idea that it is useful to get it out to the public. He added that the State's requirement for the Assessor to say that she will not disclose the information indicates that the State views this information as personal and that it should be exempt and protected from disclosure.

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

RESOLVED that City Council of the City of Rye hereby denies the appeal of the response to the FOIL request submitted by David McKay Wilson seeking "the document sent from the state of NY, to the Rye City Assessors Department in 2014, which indicates that more than 400 Rye homeowners should be removed from the list of those receiving an exemption under the state's STAR program. The document includes the names and addresses of those who were deemed ineligible to receive the STAR exemption".

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.

23. Miscellaneous Communications and Reports

There was nothing reported under this Agenda item.

24. New Business

There was nothing reported under this Agenda item.

25. Adjournment

There being no further business to discuss Mayor Sack made a motion, seconded by Councilman McCartney and unanimously carried, to adjourn the regular meeting and go into executive session to discuss a personnel matter and not return into regular session at 12:12 a.m.

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 July 9, 2014 at 7:30 P.M.

PRESENT:

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

ABSENT: TERRENCE McCARTNEY, Councilman

The Council convened at 7:00 p.m. Councilman Mecca made a motion, seconded by Councilwoman Bucci and unanimously carried to immediately adjourn into executive session to discuss collective bargaining. Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried, to adjourn the executive session at 7:35 p.m. The regular meeting convened at 7:40 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. Introduction of Police Commissioner William A. Pease, Jr. and recognition of Lt. Scott J. Craig, Sgt. Julio C. Rossi and Police Officer James P. Foti

City Manager Culross welcomed retired Police Commissioner William A. Pease, Jr. back to the position. Commissioner Pease introduced Lt. Scott Craig and Sgt. Julio Rossi, members of the Department who have recently been promoted, and Officer James Foti, who has recently transferred to the Rye Police Department from Mount Vernon.

4. General Announcements by the Council

Announcements were made regarding meetings, events and activities that may be of interest to City residents. Additionally, in recognition of the upcoming 50th Anniversary of the dedication of City Hall, Mayor Sack announced that the Mayor Morehead Benefactor Campaign has been established. Information regarding the campaign can be found on the City website.

5. Draft unapproved informal minutes of the regular meeting of the City Council held June 11, 2014

This agenda item was deferred.

6. Issues Update/Old Business

Corporation Counsel Wilson provided a status update on the Beaver Swamp Brook litigation. A conference call was held with the Town of Harrison, the City of Rye and an Administrative Law Judge who is serving as a mediator. The City was unable to agree to consent to Harrison's proposed revisions to the Project Home Run area. The City is working with a consultant on what would be the best resolution regarding flood storage capacity and impacts to the wetland at the site. It is hoped that the consultant will have an answer within a week or two. A proceeding is scheduled in Harrison for the third week of September in front of the actual Administrative Law Judge.

7. Continuation of the Public Hearing to change the zoning designation of County-owned property located on Theodore Avenue and North Street to the RA-5 District to provide for the construction of affordable senior housing

Councilman Slack provided an update from the Council sub-committee that has been working with Tenan Environmental on an independent review of the environmental situation at the property. Tenan has been collecting information from the State and County. It is hoped that they will be able to complete their work by the next meeting, when they will make a presentation of their findings.

Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried, to adjourn the public hearing to the August 4th City Council meeting.

8. Public Hearing to amend local law Chapter 76, "Dogs," Section §76-5, "Running at large prohibited" and Section §76-6, "When leash required" to establish regulations for the leashing of dogs at Rye Town Park

Councilwoman Brett made a motion seconded by Councilwoman Killian and unanimously carried, to open the public hearing.

Councilwoman Brett provided an overview on the conflicts between people who want to allow dogs to be off leash in the park and people who want dogs them leashed. She also

provided an overview of what was discussed at the last Rye Town Park Commission meeting; the work of a “Dog Sub-committee” that has been established to work on the issues; and their idea to create a registration system for people who want to keep their dogs off leash. Corporation Counsel Wilson spoke about liability issues if dogs were allowed off leash in the park.

Members of the public spoke about the proposed local law. *Susan van Dijk* and *Deirdre Curran* expressed their support for the proposed local law, with Ms. Curran asking the Council to consider also including hours later in the day when dogs can be off leash as well. *Linda Wells and Bill Bisceglia*, both board members of the Friends of Rye Town Park, presented a suggestion on behalf of the Friends for creating an enclosed dog run in the park near the corner of Dearborn and Forest Avenues. *Jamie Jenson* said the best solution would be to have an enforced off leash solution but did not agree with the location for a dog run proposed by the Friends of Rye Town Park. *Joan Steer* did not agree that a contained area was the best solution.

Mayor Sack made a motion, seconded by Councilwoman Brett and unanimously carried, to keep the public hearing open until the September 10th City Council meeting.

9. Public Hearing to amend local law Article 6, “Council” of the Charter of the City of Rye to amend §C6-2 “Powers and duties” to add Section G to provide all Council members with the same authority as the Mayor as outlined in Section C7-1G to “examine the books, papers and accounts of any board, commission, department, office or agency of the city.”

Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried to open the public hearing.

Mayor Sack said that the reason for the proposed local law was to provide all members of the Council with the same powers as the Mayor to examine the books and records of the City.

There was no one from the public who wished to speak on the proposed local law.

Councilman Mecca made a motion seconded by Councilwoman Brett and unanimously carried, to close the public hearing.

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

**CITY OF RYE
LOCAL LAW NO. 2 2014**

**A Local Law to amend Article 6, “Council”, §C6-2,
“Powers and duties” of the Charter of the City of Rye
by adding section G to provide all Council members with
the same authority as the Mayor as outlined in**

**§C7-1G to “examine the books, papers and
accounts of any board, commission, department,
office or agency of the city.”**

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

Section 1: Article 6. Council

§C6-2. Powers and duties.

- A. The legislative power of the city and the determination of all matter of policy shall be vested in the Council.
- B. It shall be the duty of the Council to require that all city officers faithfully perform their duties, maintain peace and good order within the city, and cause the laws, local laws and ordinances to be enforced within the city.
- C. The Council shall appoint the City Manager as hereinafter provided and shall appoint a Corporation Counsel or hire an attorney as an independent contractor. Such Counsel or attorney shall be engaged in the practice of law in this state for at least five years immediately preceding his appointment or hiring.
- D. The Council shall supervise the work of the boards, commissions and officers appointed by the Council or the Mayor with the approval of the Council and such boards, commissions and officers shall be responsible directly to the Council.
- E. The Council may require any officer or employee to render to it a verified account of all moneys received or disbursed by him and to appear and submit to an examination under oath by the Council or any committee thereof as to any matter in connection with his official duties. A willful refusal or neglect to obey any such order shall be deemed sufficient cause for a fine not to exceed \$100, suspension without pay for a period not exceeding two months or removal from office or employment.
- F. The Council shall award all contracts for public work and all purchase contracts, requiring competitive bidding under the General Municipal Law.
- G. The Council shall have the authority at all times to examine the books, papers and accounts of any board, commission, department, office or agency of the city.

Section 2. This local law will take effect immediately upon filing in the Office of the Secretary of State.

ROLL CALL:

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

The Local Law was adopted by a 6-0 vote.

- 10. Authorization for City Manager to enter into a settlement agreement regarding the United Water rate case

City Manager Culross summarized the settlement that was reached between United Water and the City of Rye and Villages of Rye Brook and Port Chester. The request to merge United Water Westchester and United Water New Rochelle to operate as one company will not be permitted but a three year rate agreement has been negotiated, which takes effect in November, that allows for rate increases of approximately 2% in the first year and 3% in the next two years. The settlement must be approved by the New York State Public Service Commission.

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

RESOLVED, that the City Council of the City of Rye hereby authorizes the City Manager to enter into a Settlement Agreement regarding the United Water rate case.

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote.

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

Lynn Mazzola spoke about an issue with the dumpster at Seaside Johnny's in Rye Town Park.

12. Consideration to set a Public Hearing to amend local law Article 6, "Council", Section §C6-2, "Powers and duties", Article 8 "City Manager", Section §C8-6, "Powers and duties of City Manager" and Article 12 "Department of Police", Section §C12-1, "Head of Department; subordinates" of the Charter of the City of Rye to provide the City Council with the authority to approve the appointment, suspension or removal of the Police Commissioner

Mayor Sack said the City Manager would continue to have the ability to hire the Police Commissioner but, due to the importance of the position, it would be subject to the approval of the City Council.

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

WHEREAS, the Council wishes to consider amending Article 6, “Council”, by amending §C6-2, “Powers and duties”; Article 8 “City Manager” by amending §C8-2, “Powers and duties of City Manager”; and, Article 12, “Department of Police, §C12-1, “Head of Department; subordinates” of the Charter of the City of Rye in order to provide the City Council with the authority to approve the appointment, suspension or removal of the Police Commissioner; and

WHEREAS, it is now desired to call a public hearing on such proposed amendments to the law, now, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on September 10, 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

PUBLIC NOTICE
CITY OF RYE

A Local Law to amend Article 6, “Council”, §C6-2, “Powers and duties”; Article 8 “City Manager”, §C8-2, “Powers and duties of City Manager”; and Article 12 “Department of Police”, §C12-1, “Head of Department; subordinates” of the Charter of the City of Rye to provide the City Council with the authority to approve the appointment, suspension or removal of the Police Commissioner

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 10th day of September 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, at which time interested persons will be afforded an opportunity to be heard concerning a proposed local law to amend Article 6, “Council”, §C6-2, “Powers and duties”; Article 8 “City Manager”, §C8-2, “Powers and duties of City Manager”; and Article 12 “Department of Police”, §C12-1, “Head of Department; subordinates” of the Charter of the City of Rye to provide the City Council with the authority to approve the appointment, suspension or removal of the Police Commissioner.

Copies of said proposed local law may be obtained from the office of the City Clerk.

Dawn F. Nodarse
City Clerk
Dated: August 29, 2014

13. Consideration to set a Public Hearing to amend local law Chapter 197, "Zoning", of the Rye City Code by adding Section 197-15, "Special Permit for Historic Preservation in the B-2 Central Business District" to permit banks on the first floor of a building when certain conditions are met upon approval of a Special Use Permit by the City Council

Mayor Sack said the proposed local law does not reverse the ban on banks in the Central Business District, but rather creates the ability for the City Council, under certain circumstances, to allow a bank in a particular location if specific criteria are met. Corporation Counsel Wilson said she believed the proposed local law offered the most efficient process because it would put all of the authority and discretion at the City Council level to issue the special use permit. The proposed local law will be sent to the Planning Commission and Zoning Board for their review and comment

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

WHEREAS, the City Council wishes to consider amending Chapter 197 "Zoning" Code of the City of Rye, New York by adding §197-15; and

WHEREAS, it is now desired to call a public hearing on such proposed amendment to the Zoning Code, now, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on August 4, 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed amendment to the Zoning Code.

Section 2. Such notice of public hearing shall be in substantially the following form:

PUBLIC NOTICE

CITY OF RYE

Notice of Public Hearing on a proposed local law to amend Chapter 197, "Zoning", of the Rye City Code by adding §197-15, "Special Permit for Historic Preservation in the B-2 Central Business District" to permit banks on the first floor of a building when certain conditions are met upon approval of a Special Use Permit by the City Council.

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 4th day of August, 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, at which interested persons will be afforded an opportunity to be heard concerning a proposal to amend Chapter 197, "Zoning", of the Rye City Code by adding §197-15, "Special Permit for Historic Preservation in the B-2 Central Business District" to permit banks on the first floor of a building when certain conditions are met upon approval of a Special Use Permit by the City Council..

Copies of said local law may be obtained from the office of the City Clerk.

Dawn F. Nodarse
City Clerk
Dated: July 23, 2014

14. Consideration to set a Public Hearing to amend local law Chapter 191, "Vehicles and Traffic", of the Rye City Code by amending Section §191-7, "Speed limits", to lower the speed limit to 25 miles per hour on select roads, including Stuyvesant Avenue, Van Wagenen Avenue, Forest Avenue, Oakland Beach Avenue, and Milton Road, during the Pilot Study recommended by the Traffic and Pedestrian Safety Committee

Mayor Sack noted that additional roads had been included in the proposed PILOT area in order to avoid traffic being pushed to other roads by people trying to avoid the lower speed limit. Brian Dempsey, Chair of the Traffic and Pedestrian Safety Committee (TPS) said that TPS is updating their PILOT study to include the additional roads. There was a discussion among the Council regarding what should be included in the PILOT law such as including a timeframe; a way of allowing for future PILOT programs; and, including the removal of rocks in the right-of-ways. A question was also raised regarding gathering speed data on the additional roads that will now be included in the PILOT program.

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

WHEREAS, the Council wishes to consider amending Chapter 191, "Vehicles and Traffic" of the Code of the City of Rye by amending Sections 191-7; and

WHEREAS, it is now desired to call a public hearing on such proposed amendments to the law, now, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on August 4, 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

**PUBLIC NOTICE
CITY OF RYE**

Notice of Public Hearing on a proposed local law to amend Chapter 191, Vehicles & Traffic of the Rye City Code by amending §191-7, “Speed limits” to lower the speed limit to 25 miles per hour on select roads, including Stuyvesant Avenue, Van Wagenen Avenue, Forest Avenue, Oakland Beach Avenue and Milton Road, during the Pilot Study recommended by the Traffic and Pedestrian Safety Committee

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 4th day of August 2014 at 7.30 P.M. at City Hall, Boston Post Road, in said City, at which interested persons will be afforded an opportunity to be heard concerning a proposal to amend §191-7, “Speed limits” to lower the speed limit to 25 miles per hour on select roads, including Stuyvesant Avenue, Van Wagenen Avenue, Forest Avenue, Oakland Beach Avenue and Milton Road, during the Pilot Study recommended by the Traffic and Pedestrian Safety Committee.

Copies of said local law may be obtained from the office of the City Clerk.

Dawn F. Nodarse
City Clerk
Dated: July 23, 2014

15. Consideration to set a Public Hearing to amend local law Chapter 191, “Vehicles and Traffic”, of the Rye City Code by amending Section §191-20, “Parking time limited”.

Subsection (B) “Two-hour limit” to prohibit parking on the north side of Central Avenue from the west side of the bridge over the Blind Brook to Walnut Street and Section §191-21, “Parking, standing or stopping” to prohibit parking on the north side of Central Avenue from the Boston Post Road to the west side of the Blind Brook

Brian Dempsey, Chair of the Traffic and Pedestrian Safety Committee, explained the reasoning for the proposed local law. There was a brief discussion on the advisability of reducing the number of on-street parking spaces in an area where business is expanding.

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

WHEREAS, the Council wishes to consider amending Chapter 191, “Vehicles and Traffic” of the Code of the City of Rye by amending §191-20 (B) and §191-21; and

WHEREAS, it is now desired to call a public hearing on such proposed amendments to the law, now, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on August 4, 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

**PUBLIC NOTICE
CITY OF RYE**

Notice of Public Hearing on a proposed local law to amend Chapter 191, Vehicles & Traffic of the Rye City Code by amending §191-20, “Parking time limited” Subsection (B) “Two-hour limit” to prohibit parking on the north side of Central Avenue from the west side of the bridge over the Blind Brook to Walnut Street and §191-21, “Parking, standing or stopping” to prohibit parking on the north side of Central Avenue from the Boston Post Road to the west side of the Blind Brook

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 4th day of August 2014 at 7.30 P.M. at City Hall, Boston Post Road, in said City, at which interested persons will be afforded an opportunity to be heard concerning a proposal to amend §191-20, “Parking time limited” Subsection (B) “Two-hour limit” to

prohibit parking on the north side of Central Avenue from the west side of the bridge over the Blind Brook to Walnut Street and §191-21, "Parking, standing or stopping" to prohibit parking on the north side of Central Avenue from the Boston Post Road to the west side of the Blind Brook.

Copies of said local law may be obtained from the office of the City Clerk.

Dawn F. Nodarse
City Clerk
Dated: July 23, 2014

16. Consideration to set a Public Hearing to amend local law Chapter 191, "Vehicles and Traffic", of the Rye City Code by amending Section §191-20, "Parking time limited", Subsection (E) "Fifteen-minute limit" to designate two parking spaces on the south side of Sylvan Road closest to Midland Avenue as fifteen minute parking spaces

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

WHEREAS, the Council wishes to consider amending Chapter 191, "Vehicles and Traffic" of the Code of the City of Rye by amending §191-20 (E); and

WHEREAS, it is now desired to call a public hearing on such proposed amendments to the law, now, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on August 4, 2014 at 7:30 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

**PUBLIC NOTICE
CITY OF RYE**

Notice of Public Hearing on a proposed local law to amend Chapter 191, Vehicles & Traffic of the Rye City Code by amending §191-20, "Parking time limited"

Subsection (E) “Fifteen-minute limit” to designate two parking spaces on the south side of Sylvan Road closest to Midland Avenue as fifteen minute parking spaces

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 4th day of August 2014 at 7.30 P.M. at City Hall, Boston Post Road, in said City, at which interested persons will be afforded an opportunity to be heard concerning a proposal to amend §191-20, “Parking time limited” Subsection (E) “Fifteen-minute limit” to designate two parking spaces on the south side of Sylvan Road closest to Midland Avenue as fifteen minute parking spaces.

Copies of said local law may be obtained from the office of the City Clerk.

Dawn F. Nodarse
City Clerk
Dated: July 23, 2014

17. Resolution to transfer \$10,000 from the Contingency account to fund the restoration and placement of the City of Rye Mile Markers.

Councilwoman Brett said that Mile Markers 25 and 26 have been looked at by a conservator for restoration and the City has an estimate for restoration of both stones. It will cost approximately \$5,000 for the restoration and another \$5,000 for the replacement of the stones.

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

WHEREAS, City staff has determined that the amounts required for the cost of restoration and placement of the City of Rye Mile Markers were not anticipated and were not provided for in the adopted 2014 budget, and;

WHEREAS, the General Fund Contingent Account has a balance of \$150,000, now, therefore, be it;

RESOLVED, that the City Comptroller is authorized to transfer \$10,000 from the General Fund Contingent Account to the Street Maintenance Account.

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote.

Mayor Sack made a motion, seconded by Councilman Slack and unanimously carried to adjourn into executive session at 10:05 p.m. to discuss potential litigation matters. Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried, to adjourn the executive session at 10:57 p.m. The regular meeting reconvened at 11:00 p.m.

18. Designation of two members to the Boat Basin Nominating Committee

Mayor Sack made a motion, unanimously approved by the Council, to designate George Szczerba (Commission Member not up for reelection) and Alan Caminiti (Permit holder elected to Nominating Committee in 2013 election) to the 2014 Boat Basin Commission Nominating Committee.

19. Appeal of denial of FOIL requests by Timothy Chittenden

Corporation Counsel Wilson discussed the various FOIL appeals:

Appeal No. 1: “All correspondence, including emails, to and from Kristen Wilson and any member of the Rye City Council and any other employee, official or agent of the City of Rye with regard to the City of Rye insurance claim filed on or about August 15, 2013.” Ms. Wilson said that responsive records, which had originally been sent to the wrong email address, were sent to the requestor today and other responsive records were withheld pursuant to Public Officers Law §87(2)(e) (iii) and (g). She advised that the Council grant the appeal to the extent the records were not provided until today but uphold the exemptions under which the documents were denied.

Mayor Sack made a motion, seconded by Councilman Mecca, to adopt the following Resolution:

RESOLVED, that the appeal of the response to a FOIL request submitted by Timothy Chittenden for “All correspondence, including emails, to and from Kristen Wilson and any member of the Rye City Council and any other employee, official or agent of the City of Rye with regard to the City of Rye insurance claim filed on or about August 15, 2013” is granted to the extent that the records were not provided until today, but denied as to the exemptions under which certain records were originally withheld (POL §87(2)(e)(iii) and (g)) and the denial is expanded to include the exemption under POL §87(2)(a).

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote.

Appeal No. 2: “All car to car computer transmissions, headquarters (HQ) to car and car to HQ computer transmissions, all license plates run through on any car or HQ computer, all video or digital recordings of in and outside of HQ, all recordings of the HQ phones from 4 p.m. to midnight (B tour) on March 18, 2014.” Ms. Wilson said the request was denied for the following reasons: car to car transmissions and HQ to car transmissions was denied under POL §87(2)(g) as inter-agency communications; there were no records responsive to the request for license plate runs; the video recording of inside and outside of HQ was denied under POL §87(2)(e); and the recordings of the HQ phones from 4 p.m. to midnight was denied under POL §87(2)(b).

Mayor Sack made a motion, seconded by Councilman Mecca, to adopt the following Resolution:

RESOLVED, that the appeal of a response to a FOIL request submitted by Timothy Chittenden for “All car to car computer transmissions, headquarters (HQ) to car and car to HQ computer transmissions, all license plates run through on any car or HQ computer, all video or digital recordings of in and outside of HQ, all recordings of the HQ phones from 4 p.m. to midnight (B tour) on March 18, 2014” is hereby denied according to the following sections of the Public Officer Law: car to car transmissions and HQ to car transmissions was denied under POL §87(2)(g); there were no records responsive to the request for license plate runs; the video recording of inside and outside of HQ was denied under POL §87(2)(e); and the recordings of the HQ phones from 4 p.m. to midnight was denied under POL §87(2)(b).

ROLL CALL:

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

The Resolution was adopted by a 5-1 vote.

Appeal No. 3: “All letters, memorandums, correspondence and all other documents concerning the suspension, resignation and reinstatement of Rye Police Auxiliary Police Officer John Holmes since 1/1/2009.” Ms. Wilson said that the responsive records were sent to the requestor with redactions made pursuant to POL §87(2)(b) to protect the personal privacy of a complaining witness.

Mayor Sack made a motion, seconded by Councilman Mecca, to adopt the following Resolution:

RESOLVED, that the appeal of a response to a FOIL request submitted by Timothy Chittenden for “All letters, memorandums, correspondence and all other documents concerning the suspension, resignation and reinstatement of Rye Police Auxiliary Police Officer John Holmes since 1/1/2009” is hereby denied because the responsive records were sent to the requestor with redactions made pursuant to POL §87(2)(b).

ROLL CALL:

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

The Resolution was adopted by a vote of four in favor with two abstentions.

Appeal No. 4: “All emails to and from William Connors, Robert Falk and any City of Rye official including but not limited to the Rye City Council, City Manager, Corporation Counsel and the City Clerk concerning the arrest of John Holmes, the suspension of John Holmes, the reinstatement of John Holmes and any uniforms provided by John Holmes since 1/1/2013.” Ms. Wilson said that the requestor was provided with the actual documents but the emails were denied under POL §87(2)(g) as inter-agency materials where were not FOILable.

Mayor Sack made a motion, seconded by Councilman Mecca, to adopt the following Resolution:

RESOLVED, that the appeal of the response to a FOIL request submitted by Timothy Chittenden for “All emails to and from William Connors, Robert Falk and any City of Rye official including but not limited to the Rye City Council, City Manager, Corporation Counsel and the City Clerk concerning the arrest of John Holmes, the suspension of John Holmes, the reinstatement of John Holmes and any uniforms provided by John Holmes since 1/1/2013” is hereby denied because the requestor was provided with the actual documents but the emails were denied under POL §87(2)(g).

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote.

Appeal No. 5: “All records of the Motor Vehicle Accident that occurred on the night of May 2, 2014, on Boston Post Road at or near the intersection with Sonn Drive including but not limited to all incident reports, all accident reports, photos and diagrams from all agencies, all cad dispatch reports, all reports and cad dispatch reports for all other involved agencies dispatched and all supplementary reports.” Ms. Wilson said the request was originally denied because it was under investigation by another agency, but any routine cad report would be disclosable if it was in the City’s possession. She advised the Council to grant the appeal to the extent there are any cad or other routine reports that are available in the City. Councilman Slack suggested that the cad reports should be reviewed to see if they fall under another exemption under FOIL and only provide the reports that do not fall under one of the exemptions.

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

RESOLVED, that the appeal of the denial of a FOIL request submitted by Timothy Chittenden for “All records of the Motor Vehicle Accident that occurred on the night of May 2, 2014, on Boston Post Road at or near the intersection with Sonn Drive including but not limited to all incident reports, all accident reports, photos and diagrams from all agencies, all cad dispatch reports, all reports and cad dispatch reports for all other involved agencies dispatched and all supplementary reports” is granted to the extent that there are cad reports which are routine investigatory reports that don’t reveal anything about the undergoing investigation.

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote.

Appeal No. 6: “All names of all attorneys and all invoices for all legal fees and expenses from all attorneys for all litigation, including but not limited to, any litigation involving Cosimo Panetta v. the City of Rye, any agent of the City of Rye and any boards and commissions.” Ms. Wilson recommended granting the appeal to the extent that the requestor will be provided a link by close of business on Friday subject to the appropriate redactions being made.

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

RESOLVED that the appeal of a response to a FOIL request submitted by Timothy Chittenden for “All names of all attorneys and all invoices for all legal fees and expenses from all attorneys for all litigation, including but not limited to, any litigation involving Cosimo Panetta v. the City of Rye, any agent of the City of Rye and any boards and commissions” is hereby granted subject to any necessary redactions and that the responsive documents will be provided by close of business on Friday.

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote.

Appeal No. 7: “All video and digital recordings from the Locust Avenue Firehouse on May 25, 2014 from 6 p.m. to midnight.” Ms. Wilson said that the requestor was provided with a response indicating that the City had possession of the equipment but we were unable to tape it. He was provided an opportunity to come in and view it if he could or with an IT person of his choosing. She recommended that the City deny the appeal.

Mayor Sack made a motion, seconded by Councilman Mecca, to adopt the following Resolution:

RESOLVED, that the appeal of the response to a FOIL request submitted by Timothy Chittenden for “All video and digital recordings from the Locust Avenue Firehouse on May 25, 2014 from 6 p.m. to midnight” is hereby denied.

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote.

Appeals Nos. 8 and 10: “All records since January 1, 2011, of all emails, cell phone calls and text messages to and from Robert Falk and: Jill Donovan, Franco Compagnone, Christine Incalcaterra, Richard Runes, Louis Olivier” and “All records from 1/1/2008 thru 12/31/2010 of all emails, cell phone calls and text messages to and from Robert Falk and: Jill Donovan, Franco Compagnone, Christine Incalcaterra, Richard Runes, Louis Olivier.” Ms. Wilson recommended

that no Council action was necessary because City staff is still gathering the documentation and the requestor has been notified of that fact. No Council vote was taken.

Appeal No. 9: “All documents, all building department records (including but not limited to building permits and statements of final costs), all formulas used, all industry standards used and any other records used by the City of Rye to raise Manursing Island Club’s property assessment from \$274,875 to \$334,875 in 2010 or 2011.” Ms. Wilson said that responsive records were sent to the requestor but he believes there are more records. She recommended denying the Appeal because there are no other records.

Mayor Sack made a motion, seconded by Councilman Mecca, to adopt the following Resolution:

RESOLVED, that the appeal of a response to a FOIL request submitted by Timothy Chittenden for “All documents, all building department records (including but not limited to building permits and statements of final costs), all formulas used, all industry standards used and any other records used by the City of Rye to raise Manursing Island Club’s property assessment from \$274,875 to \$334,875 in 2010 or 2011” is hereby denied because the requestor was provided with records responsive to the request.

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote.

20. Miscellaneous Communications and Reports

Councilwoman Brett noted that the Parsons family donated the Square House and all of the land that is the Village Green and the Library to the City.

21. New Business

Mayor Sack said that Councilwoman Killian, Councilwoman Mecca and Councilwoman Bucci will serve on a Council subcommittee to conduct a search for a new City Manager.

22. Adjournment

There being no further business to discuss Councilman Mecca made a motion, seconded by Councilwoman Brett and unanimously carried, to adjourn the meeting at 11:30 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk



CITY COUNCIL AGENDA

NO. 6

DEPT.: City Council

DATE: August 4, 2014

CONTACT: Mayor Joseph Sack

AGENDA ITEM: Issues Update/Old Business

FOR THE MEETING OF:

August 4, 2014

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.: Planning DATE: August 4, 2014
CONTACT: Christian K. Miller, AICP, City Planner

AGENDA ITEM: Continuation of the Public Hearing to change the zoning designation of County-owned property located on Theodore Fremd Avenue and North street to the RA-5 District to provide for the construction of affordable senior housing.

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER 197
SECTION 3

RECOMMENDATION: That the City Council continue the Public Hearing to amend the zoning designation of the County-owned property on Theodore Fremd Avenue.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The petitioner, Lazz Development/Pawling Holdings, seeks an amendment to the City Zoning Map to change the zoning district designation of an approximately 2.0-acre property located on Theodore Fremd Avenue and North Street. The request would change the zoning of the Westchester County-owned property from the B-6, *General Business*, District and the B-1, *Neighborhood Business*, District to the RA-5, *Senior Citizen's Apartment*, District. The petitioner is seeking to construct fifty-four (54) units of age-restricted housing located in two buildings. The proposal would be limited to those over age 55 and consist of 44 one-bedroom units and 10 two-bedroom units. The proposed units would also be affordable and 27 of these units would count towards Rye's contribution to the 750 units of fair and affordable housing Westchester County is obligated to provide as part of a stipulation of settlement with the U.S. Department of Housing and Urban Development (HUD). It is noted that the proposed zoning change is the same district as adopted by the City Council in the mid-1980s to accommodate the nearly 100 units of affordable senior housing at 300 Theall Road. The matter was referred to the City Planning Commission and a recommendation memo was provided to the City Council. Westchester County has provided its advisory comments on the matter.

(continued)

Additional information has been provided by the petitioner; these documents are available on the City website* and include the following:

- 1 – Proposed Conceptual Site Plan
 - 2 – Letter from Westchester County Department of Planning / Department of Health
 - 3 – Aerial photos of site: 1925 through 2013
 - 4 – Soil testing results: Ralph G. Mastromonaco, P.E., P.C.
 - 5 – Soil test Technical Report: York Analytical Laboratories, Inc.
 - 6 – Full Environmental Assessment Form
 - 7 – Traffic Analysis and Commentary: Ralph G. Mastromonaco, P.E., P.C.
 - 8 – City of Rye Police Department Incident Reports
 - 9 – Team Environmental Consultants, Inc.: Phase 1 Environmental Site Assessment Report
- Theodore Fremd Property Taxes
Documents obtained from Westchester County through a FOIL request

- 08/04/14 – memo from Matthew Carroll, P.E. / Tenen Environmental providing a Review of Environmental Conditions
- 08/04/14 – memo from Matthew Carroll, P.E. / Tenen Environmental providing a Review of the Environmental Assessment Form

** Documents are available at www.ryeny.gov under Digital Documents in folder “Theodore Fremd Senior Housing Zoning District Change”

MEMORANDUM

To: Rye City Council

From: Matthew Carroll, P.E. / Tenen Environmental

Date: August 4, 2014

Subject: Theodore Fremd Senior Housing Zoning District Change
150 North Street – Rye, New York
Review of Environmental Conditions

The City of Rye has retained Tenen Environmental to review the environmental information pertaining to contamination on the above property (the Site) to support the Rye City Council in their determination of whether the environmental impacts identified at the Site are a significant adverse impact and, specifically, whether the proposed action may have an impact on human health concerns associated with exposure to new or existing sources of contaminants. This memorandum briefly describes the proposed action and environmental setting, summarizes the Site's regulatory history and findings of prior environmental investigations, and provides recommendations for further actions.

Summary of Proposed Development and Site Setting

The Site is a 2.08-acre lot fronting North Street and Theodore Fremd Avenue in the City of Rye, Westchester County, New York. The proposed future use of the property is senior affordable housing, which requires a change in zoning designation to RA-5, *Senior Citizens Apartment*.

The Site has been largely vacant since at least 1925, with the exception of a small shed. A Phase I environmental site assessment (ESA) did not identify previous uses at the Site that would likely use petroleum or hazardous materials. The Site is located downgradient of two adjoining, gasoline service stations (Valero Service Station located at 300 Theodore Fremd Avenue and Banahan Brothers Service Station located at 310 Theodore Fremd Avenue).

Surficial geology of the project Site is mapped as glacial till consisting of poorly sorted sands. The Site is located over an unconfined aquifer consisting of sand and gravel oriented in a north-south direction. Bedrock was encountered at depths ranging from six to fifteen feet below grade (ft-bg), with the shallowest depths in the northern portion of the property. Groundwater flow is to the north-northeast. The depth to groundwater is approximately one to three feet below grade (ft-bg). Several wells on the property have existed since the initial 1992 investigation and have been routinely used as groundwater gauging and sample collection points.

Documents Reviewed

In the course of this review, the following sources were accessed:

- City of Rye, Theodore Fremd Senior Affordable Housing Zoning Change documentation, <http://www.egovlink.com/rye/docs/menu/home.asp>, <http://www.ryeny.gov/TFseniorhousingZDC.cfm>
- NYSDEC, Spill case file, 150 North Street, FOIL 14-1956.

- NYSDEC, Spill report and remedial documents, 300 Theodore Fremd Avenue, FOIL 14-0480.
- NYSDEC Spill report and remedial documents, 310 Theodore Fremd Avenue, FOIL 14-0479.
- Westchester County Department of Health, FOIL 14-348.
- Documents provided by John Shoemaker, Rye citizen. http://www.egovlink.com/public_documents300/rye/published_documents/Theodore%20Fremd%20Senior%20Housing%20Zoning%20District%20Change/Documents%20obtained%20through%20FOIL.pdf

Prior Environmental Investigation and Remediation at the Site

In 1992, a Phase I environmental study and subsurface investigation was completed at the property. The investigation included the advancement of soil borings to evaluate soil conditions and depth to bedrock. Groundwater monitoring wells were also installed. Results of the soil and groundwater analyses revealed elevated concentrations of petroleum-related compounds in both the soil and groundwater. The petroleum constituents above relevant standards were the compounds benzene, toluene, ethylbenzene and xylenes.

In 1993, an additional subsurface investigation was completed and included surface soil sampling, advancement of soil borings and the installation of groundwater monitoring wells. Results of the surface and subsurface soil analyses did not detect petroleum compounds, however, elevated concentrations of petroleum-related compounds were observed in the groundwater, with the highest recorded levels identified within the western portion of the property.

In 1994, a Site assessment conducted by the New York State Department of Environmental Conservation (NYSDEC) confirmed that the groundwater within the western portion of the property was impacted by petroleum-related compounds. NYSDEC subsequently contracted remediation contractors to further assess the conditions of the soil and groundwater and to employ remedial technologies for site closure.

Remediation, consisting of a high vacuum extraction (HVE) system, commenced in August 1996. The HVE system collected groundwater for on-site treatment and was operated for several years until it was no longer effective (i.e., no further decrease in the remaining residual concentrations). By February 2009, the groundwater concentrations were below relevant guidance levels in the sampled monitoring wells. Spill number 93-03102 for the Site was closed by the NYSDEC on August 19, 2009.

Current Site Conditions

Following closure of Spill number 93-03102, additional soil and groundwater samples have been collected. Soil concentrations were compared to the NYSDEC unrestricted use and restricted-residential use soil cleanup objectives (SCOs). Groundwater concentrations were compared to the NYSDEC Class GA standards, which are based on the best usage of the groundwater as drinking water. At the Site, drinking water will be provided by a regulated utility, United Water. Several other uses are considered by NYSDEC, although guidance and standards are not promulgated for every compound. The concentrations were also compared with levels for fish propagation, fish survival, wildlife protection and aesthetic considerations for fresh water; these are considered due to the presence of potential surface water bodies (i.e., wetlands and stream) at the Site.

Groundwater sampling was completed in 2010, 2013 and 2014 and showed that dissolved concentrations of petroleum constituents were again present above the Class GA standards, albeit at concentrations lower than the pre-remediation concentrations.

The most recent groundwater samples were collected in 2014 from two monitoring wells, designated NE and NW. Only one compound, benzene, was detected above the Class GA standards. The concentration was 27.2 micrograms per liter (ug/L) in well NE, above the standard of 1 ug/L, but significantly lower than 1,660 ug/L, the concentration of benzene detected in the 2013 sampling. The 27.2 ug/L concentration is below the standards for fish propagation, fish survival, wildlife protection and aesthetic considerations for fresh water. Note that the comparisons to fish propagation, fish survival and wildlife protection are conservative in nature as a potential stream is present but is not protected or classified by NYSDEC and is, therefore, not considered to be an important natural habitat.

In addition to the aforementioned benzene level, the 2013 sampling also identified other petroleum-related compounds above relevant standards. These concentrations are attributable to the off-site, hydraulically upgradient properties where remedial activities were completed.

One well in the southwest portion of the Site was sampled in 2013, but not 2014. Concentrations of three petroleum-related compounds were detected above the Class GA standards. Two compounds were detected slightly above the guidance for fish propagation. As noted above, this is a conservative comparison as the Site is not considered to be an important natural habitat. It is likely that the concentrations in this well will have decreased, similar to well NE; however, it is assumed that similar levels are present for the purposes of this analysis.

Soil sampling at the Site was conducted in April 2014 on behalf of the Applicant and in coordination with the Westchester County Department of Health (WCDOH). A comparison of the results to the current NYS Part 375 unrestricted use and restricted-residential use soil cleanup objectives (SCOs) indicates that acetone, arsenic, chromium, chrysene and lead were detected above the unrestricted use SCOs. Both arsenic and lead were also detected above the restricted-residential use SCOs, the appropriate comparison given the proposed Site use. Arsenic was detected at a concentration of 19.9 milligram/kilogram (mg/kg), slightly above the restricted-residential use SCO of 16 mg/kg and lead was detected at a concentration of 613 mg/kg, above the restricted-residential use SCO of 400 mg/kg.

Current Site Regulatory Status

NYSDEC has closed spill record #93-03102, which was associated with the Site. NYSDEC is aware of the proposed future use, the concentrations of residual contamination that remain at the Site and the status of the remedial efforts at the adjoining properties. NYSDEC has not imposed any requirements for engineering or institutional controls. However, in a May 7, 2014, letter report, the Westchester County Health Department (WCDOH) detailed, and indicated that NYSDEC agreed with, the following design-specific elements to address potential impacts:

- Open parking on the first floor.
- Sub-slab depressurization system (SSDS) or impervious liner beneath the enclosed spaces for the elevator. Potential waterproofing of elevator pits.
- Three feet of fill material to act as a cap.

No other regulatory requirements or guidance has been identified for the Site. Both NYSDEC and WCDOH have reviewed the environmental data in the context of the proposed future use.

Status of Upgradient Spill Sites

The Site is located downgradient of two gasoline service stations.

The Valero Service Station is located at 300 Theodore Fremd Avenue and is associated with NYSDEC Spill numbers 0402976, 0711483, 1101225 and 1309734. Currently, all Spill records have been closed by NYSDEC. Spill numbers 0711483 and 1309734 were closed on July 1, 2014.

The Banahan Brothers Service Station is located at 310 Theodore Fremd Avenue and is associated with NYSDEC Spill number 8900699. The Spill record has been closed by NYSDEC.

Reportedly, elevated levels of gasoline constituents remain in the weathered bedrock at the Banahan Brothers property and in the soil along the border of the Site adjacent to the Valero property. This indicates that low levels of petroleum constituents are likely to remain in the groundwater at the Site, at least in the near future, given that there are no known plans for additional remediation at either of the adjoining properties. Please note that a soil sample collected on-Site in the area of the Valero property did not show elevated concentrations of petroleum-related compounds.

Conclusions and Recommendations

Existing Contamination

The historical groundwater data shows that concentrations of petroleum-related compounds at the Site have decreased following remedial activities completed at the Site and two upgradient gasoline stations, with occasional concentration spikes. The sources of the contamination (leaking underground storage tanks) have been removed from both upgradient locations. Based on the most recent sampling, conducted on March 25, 2014, residual petroleum-related constituents remain in the groundwater at concentrations above the NYSDEC Class GA Standards, which are appropriate levels for drinking water. While this is the NYSDEC goal for all groundwater quality, drinking water will be provided by a regulated utility (United Water).

The existing information indicates that the petroleum constituents have migrated to the Site from the adjoining upgradient gasoline service stations (Valero Service Station located at 300 Theodore Fremd Avenue and Banahan Brothers Service Station located at 310 Theodore Fremd Avenue) through dispersion and transport through groundwater. Remediation has been completed at the Site and both adjoining properties with oversight by NYSDEC. The remedial activities have resulted in decreased concentrations of petroleum in soil and groundwater and all Spill records have been closed; however, residual impacts remain. In order to close a Spill, NYSDEC must make a determination that the implemented remedy will “ensure adequate protection of human health and the environment”, as well as to “mitigate environmental damage” to the extent these have occurred (NYSDEC Technical Field Guidance, *Closing-Out a Spill*).

Soil sampling has shown several compounds above the NYSDEC unrestricted use SCOs, including two compounds, arsenic and lead, which are also above the restricted-residential use SCOs, the appropriate comparison given the proposed Site use as a multi-family residential development.

Development of properties with environmental impacts (i.e., residual contamination) for residential use is common practice in New York State and can be consistent with the SEQRA goal of limiting impacts to human health from exposure to new or existing sources of contamination. The requirements for such development include characterization of existing contamination and identification of potential impacts to human health. The characterization of the Site is consistent with typical investigations of petroleum releases and, as confirmed by the Spill record closure, consistent with NYSDEC requirements.

Potential Impacts to Human Health

A qualitative exposure assessment, as described in DER-10, Technical Guidance for Site Investigation and Remediation (NYSDEC, May 2010) considers five potential exposure routes: direct contact with surface soils (including incidental ingestion); direct contact with subsurface soils (including incidental ingestion); ingestion of groundwater; dermal (i.e., skin) contact with groundwater / inhalation of volatile groundwater constituents; and, inhalation of vapors (exposures related to soil vapor intrusion).

The first four exposure routes mainly relate to construction workers or environmental professionals and would be addressed through a Health & Safety Plan (HASP) as required by the Occupational Safety & Health Administration (OSHA).

The two exposure routes potentially affecting future building occupants and workers, absent engineering controls, are direct contact with surface soils and inhalation of vapors. Regarding direct contact, while petroleum-related compounds are not present at elevated levels in soil, two metals (arsenic and lead) are present at elevated levels. Inhalation of vapors is also possible given the concentrations of petroleum-related compounds in groundwater at the Site.

Recommendations

Within New York State, many properties with actual or perceived contamination have been developed for residential use, with the development including implementation of engineering and/or institutional controls (such as those identified in the WCDOH May 7, 2014 letter), to ameliorate potential impacts.

Based on our review of the data and experience on similar developments, and in order to be conservative with regard to potential impacts to future occupants of the 150 North Street Site, Tenen recommends that the following remedial design considerations be incorporated into any future development at the Site:

- Design and installation of a soil vapor intrusion mitigation system beneath occupied spaces in accordance with the New York State Department of Health (NYSDOH) *Final Guidance for Evaluating Soil Vapor Intrusion in New York State* (October 2006, or the most current version) and typical industry standards.
- Design and installation of a remedial cap in accordance with the New York State Department of Environmental Conservation (NYSDEC) *CP-51 Soil Cleanup Guidance* (October 21, 2010, or the most current version) and typical industry standards.

The above-referenced guidance documents consider different use categories and are not specific to the proposed development. The guidance documents also consider different types of building construction techniques (slab on-grade, basements, crawl spaces, etc.), which will allow for flexibility should an alternate design be proposed.

A soil vapor intrusions mitigation system vents the air beneath a building slab so that chemicals volatilizing from below do not concentrate below an occupied space; it also includes a vapor barrier or waterproofing to mitigate soil vapor or groundwater from entering the building.

A remedial cap consists of the building slab, paved areas and soil that is placed over areas with contaminant concentration that are inconsistent with the proposed use. The soil portion of the cap is tested prior to import to the Site to confirm that the appropriate SCOs are met. The NYSDEC guidance indicates that a two-foot cap is appropriate for residential and restricted-residential uses.

For the specific proposed development, the proposed engineering controls include capping the Site with a building slab, asphalt paving and imported soil; design of an open-air parking area on the majority of the first floor; and, installation of depressurization system or waterproofing (depending on the slab elevation as compared to groundwater) in the area of the first floor without parking. These remedial design considerations are generally consistent with the above guidance documents and documentation to that effect should be provided by the Applicant. Absent any additional soil testing, which may show a delineation of soil impacts, the cap should extend across the entire Site. Please note that any capping and filling should be consistent with State and local wetland regulations.

In prior meetings of the Rye City Council, the current building design has been discussed and the placement of future occupants on the second floor has been considered. In particular, if the occupants are not safe on the first floor, how can it be known they will be safe on the second floor? However, the occupants are not on the second floor to move them further from potential sources of environmental impacts but due to a design consideration where the parking acts as a venting system. Implementation of the NYSDOH guidance will incorporate venting below occupied spaces and this could be achieved with occupants present on the first floor.

MEMORANDUM

To: Rye City Council

From: Matthew Carroll, P.E. / Tenen Environmental

Date: August 4, 2014

Subject: Theodore Fremd Senior Housing Zoning District Change
150 North Street – Rye, New York
Review of Environmental Assessment Form

The City of Rye has retained Tenen Environmental to review environmental information pertaining to the above property (the Site) to support the Rye City Council in their determination of whether the environmental impacts identified at the Site are a significant adverse impact under the State Environmental Quality Review Act (SEQRA). This memorandum details our comments on the April 4, 2014 Full Environmental Assessment Form (EAF) provided by the Applicant and the July 3, 2014 memorandum from the City of Rye Department of Planning regarding the EAF.

These comments are provided to identify areas in the EAF where clarification and/or additional information should be provided by the Applicant in order to provide the City Council with a complete document for review.

The comments provided in this memorandum address incompleteness, requested documentation and error/clarifications. These comments are in addition to those included in the Department of Planning review. Both sets of comments need to be addressed in order for the City Council to have all the information necessary to make a Declaration under SEQRA.

Summary of Incompleteness

The following items were not completed and should be addressed by the Applicant.

D.2.c *ii, iv* – water demand
E.2.m – predominant wildlife species

Please also note that the following items should not be answered based on the Applicant's initial responses: B.i. *ii, iii* and D.2.t *v*.

Request for Documentation

In order to document the conclusions of the EAF, the following should be submitted.

E.2.j, k. A copy of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) with the Site highlighted should be provided by the Applicant. If any preliminary maps have been issued for this area post-Hurricane Sandy, they should also be provided.

E.2.e. The Applicant indicates that the soils are well-drained across the entire Site. Given the potential wetland and surface material of glacial till, please provide documentation from the Web Soil Survey (see: <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>) or a Site-specific survey to support this assertion.

E.2.i. A copy of a map showing Sole Source Aquifers (SSAs) with the Site location highlighted should be provided by the Applicant for review.

E.2.h. In addition to comments provided by the Department of Planning regarding wetlands, if a surface water body is present at the Site, confirmation of whether it is classified or protected by the New York State Department of Environmental Conservation (NYSDEC), as shown on their Environmental Resource Mapper (ERM), should be provided by the Applicant.

E.2.o, p. Applicant should provide documentation that the project area is not known to contain listed rare, threatened or endangered species, or associated critical habitat.

This may include a request for determination from the NY Natural Heritage Program and/or implementation of the US Fish and Wildlife Service's (USFWS) endangered species documentation process. See: <http://www.dec.ny.gov/animals/31181.html> and <http://www.fws.gov/northeast/nyfo/es/section7.htm>.

E.3.f. Applicant should provide documentation that the Site is not located in or adjacent to an archaeologically-sensitive area. This may include a final impact determination letter from the NYS Office of Parks, Recreation and Historic Preservation (SHPO) that was prepared pursuant to Section 106 of the National Historic Preservation Act of 1966.

Error/Clarification

B.g. The Applicant should answer consistent with the current regulatory status of the Site; therefore, NYSDEC approval is not required.

D.2.f. The Applicant should consider whether construction equipment will be a source of mobile air emission sources during construction operations.

D.2.m. The Applicant should consider whether construction equipment will be a source of noise that will exceed ambient noise levels.

See: http://www.dec.ny.gov/docs/permits_ej_operations_pdf/noise2000.pdf

E.1.h. This response is incorrect and should be changed to "Yes".

Additional information on the Manufactured Gas Plant (MGP) identified as NYSDEC Site ID V00571 should be provided, including, but not limited to, a Site Characterization Report (SCR).

The Applicant should also provide the map and output from the NYSDEC EAF Mapper (see: <http://www.dec.ny.gov/eafmapper/>).

The Applicant should list the Spill numbers associated with the Site and upgradient adjoining properties.

Please contact me if you need any additional information.

Christian K. Miller, AICP
City Planner
1051 Boston Post Road
Rye, New York 10580



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E-mail: cmiller@ryeny.gov
<http://www.ryeny.gov>

CITY OF RYE
Department of Planning

Memorandum

To: Frank J. Culross, City Manager

From: Christian K. Miller, AICP, City Planner

cc: Kristen K. Wilson, Esq., Corporation Council

Date: July 3, 2014

Subject: **Review of Environmental Assessment Form Regarding Petition of Lazz Development/Pawling Holdings to Change the Zoning Designation of County-Owned Property Located on Theodore Fremd Avenue and North Street to the RA-5, *Senior Citizens Apartment*, District to Provide for the Construction of Affordable Senior Housing.**

This memorandum provides a review of the applicant's submission of Part 1 of the Full Environmental Assessment Form (EAF) and a discussion of Part 2 of the Full EAF, prepared by me for the City Council's review and consideration. The EAF and all supporting documents included as part of the official record are the information used by the City Council in making its determination of significance as required by the State Environmental Quality Review (SEQR) before reaching a final decision on the proposed action.

Background

As requested by the City in May and as required by the City, the applicant prepared and submitted Part 1 of the EAF (attached hereto). Also attached is Part 2 of the EAF, which is the responsibility of the Lead Agency for the Council's review and consideration. The EAF is intended to be used as a resource for the Lead Agency in determining potential project impacts and a determination of significance (i.e. Negative or Positive Declaration). A "Negative Declaration" on the proposed action can be issued if the Council finds that the proposed action does not have any significant adverse environmental impacts. If the Council finds that there are potentially significant adverse impacts associated with the proposed action a "Positive Declaration" must be issued

Review of EAF Regarding Petition of Lazz Development/Pawling Holdings

July 3, 2014

Page 2 of 3

requiring a more involved environmental review. This review involves a number of procedural requirements and typically takes a least a year to complete.

Review of Part 1 of the EAF

The applicant is requested to amend and resubmit the EAF to correct or clarify the following:

Page 1. Description of the Proposed Action. The project description should indicated that the proposed action includes a request to action under consideration is a local law to amend the City Zoning Map to change the zoning district designation of the subject property to the RA-5 District.

Page 1. Property Owner. The property owner and contact information should be provided.

Page 2. C.2.a. Responses to these questions regarding consistency with adopted plans should be indicated as "Yes".

Page 3. C.3.c. The response is incorrect. A zoning text amendment is not proposed. A Zoning District change of the subject property to the RA-5 District is requested.

Page 4. D.2.b. This response regarding on-site wetlands should be supported with a report from a certified soil scientist. This has been previously requested since there appears to be wetland on the property that would be subject to City of Rye and/or Army Corps of Engineers jurisdiction. If wetland is determined to be on the site its boundary should flagged and indicated on a survey.

Page 5. D.2.g. Responses to these questions regarding air quality impacts should be provided.

Page 7. D.2.j. Responses to these questions regarding traffic impacts should be provided and be consistent with the information provided in the applicant's traffic study.

Page 7. D.2.l. Responses to these questions regarding hours of operation should be provided.

Page 8. D.2.n.ii. This response is incorrect and should be changed to "Yes". There will be removal on existing vegetation that could provide a light barrier or screen.

Page 8. D.2. q. This response should be revised to indicate that there may be pesticide use associated with normal lawn maintenance.

Review of EAF Regarding Petition of Lazz Development/Pawling Holdings

July 3, 2014

Page 3 of 3

Page 10. E.1.d. This response should be changed to “Yes”. Please indicate that Rye Manor (an affordable senior housing community) is located within 1,500 feet of the project site.

Page 11. E.2. d. This response should be changed. According to sub-surface investigation reports provided by the applicant groundwater appears to be located between 1-3 feet below grade and not 5+ feet as indicated by the applicant.

Page 11. E.2.h. As indicated in response to page 4, D.2.b above, this response regarding on-site wetlands should be supported with a report from a certified soil scientist.

Review of Part 2 of the EAF

Attached hereto for the City Council’s review is Part 2 of the EAF, which provides a preliminary assessment of the potential adverse environmental impacts. In response to the questions on this preliminary draft, some impacts have been identified, but all of those impacts are considered “small”. The Council should review the draft and confirm that this assessment of impacts and the characterization of impacts as either “small” or “moderate to large” are consistent with the Council’s assessment of the proposed action.

It is noted that two questions have not been completed on the form. Question 3, *Impacts on Surface Water*, have not been completed until the applicant has submitted a report from a certified soil scientist as to whether there are wetlands on the property.

Additionally, question 16, *Impact on Human Health*, should be completed based on consultation with the environmental consultant retained by the City.

A determination of significance is not required at this time since additional information is required to complete its review. If, however, based on the review of the information provided so far the Council finds that the proposed action may have a “significant adverse impact on the environment” a “Positive Declaration” should be issued and an Environmental Impact Statement and review process should be initiated sooner rather than later.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: The Courtyard at Theodore Fremd		
Project Location (describe, and attach a general location map): 150 North Street, Rye, NY 10580		
Brief Description of Proposed Action (include purpose or need): The project is to construct 58 units of affordable senior housing in two (2) five story buildings with appurtenant parking and landscaping. There is a need for affordable senior housing in the community		
Name of Applicant/Sponsor: Lazz Development/Pawling Holdings, Lou Larizza		Telephone: 914-939-5736
		E-Mail:
Address: 211 South Ridge Street		
City/PO: Rye Brook	State: New York	Zip Code: 10573
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Council: Zoning Text Amendment	
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Commission: Site Plan Approval	
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Commission: Funding Approval	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DEC: Environmental Quality	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
 B-1 Neighborhood Business District, B-6 General Business District

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? A Zoning Text Amendment is required

C.4. Existing community services.

a. In what school district is the project site located? Rye City School District

b. What police or other public protection forces serve the project site?
 City of Rye Police Department

c. Which fire protection and emergency medical services serve the project site?
 City of Rye Fire Department and EMS Service

d. What parks serve the project site?
 City of Rye Parks, Playland Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? The general nature of proposed action is residential.

b. a. Total acreage of the site of the proposed action? _____ 2.07 acres
 b. Total acreage to be physically disturbed? _____ 2.07 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 2.07 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase				58
At completion				
of all phases				58

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:

i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
If Yes:

i. Total anticipated water usage/demand per day: _____ 11,600 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
If Yes:

- Name of district or service area: United Water Westchester
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 11,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
If Yes:

- Name of wastewater treatment plant to be used: Blind Brook Wastewater Treatment Plant
- Name of district: Blind Brook Sanitary Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No

• Do existing sewer lines serve the project site?
 • Will line extension within an existing district be necessary to serve the project?
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or 1.45 acres (impervious surface)
 _____ Square feet or 2.07 acres (parcel size)
 ii. Describe types of new point sources. Buildings and pavement

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
Onsite Stormwater Management Facility

• If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No

Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 Parking area illumination with wall mounted fixtures _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

Office buildings, Commercial buildings and residential uses

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	1.45	1.45
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)	2.07	0	2.07
• Other Describe: Landscaping			0.62

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): V00571
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
Voluntary Cleanup Program

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 2-10 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: Urban Land Chatfield-Rock _____ 100 %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ 5+ feet

e. Drainage status of project site soils: Well Drained: _____ 100 % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
• Currently: _____ acres
• Following completion of project as proposed: _____ acres
• Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
If Yes:
i. Nature of the natural landmark: Biological Community Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: <u>Long Island Sound</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Local parks</u>	
iii. Distance between project and resource: _____ <u>4</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

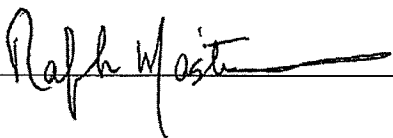
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Ralph G. Mastromonaco, P.E., P.C. Date April 4, 2014

Signature  Title _____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project: _____
 Date: _____



Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>



2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.


	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.		E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.		E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round		E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities		E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.		E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile		D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: <u>Project will be visible from Interstate 95 and area/neighboring properties</u>			<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.		E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.		E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____		E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____	DRAFT	<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. NO YES

(See Part 1. C.2.c, E.1.c., E.2.q.)

If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) NO YES

If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

NO

YES

(See Part 1. D.2.j)

If "Yes", answer questions a - g. If "No", go to Section 14.



	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

NO

YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

NO

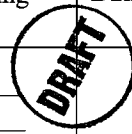
YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>



17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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CITY OF RYE
Department of Planning

Memorandum

To: Scott Pickup, City Manager

From: Christian K. Miller, AICP, City Planner

cc: Kristen K. Wilson, Esq., Corporation Counsel

Date: March 7, 2014

Subject: **Additional Analysis Related to the Request of Lazz Development/Pawling Holdings to Change the Zoning Designation of County-Owned Property Located on Theodore Fremd Avenue and North Street to the RA-5, *Senior Citizens Apartment*, District to Provide for the Construction of Affordable Senior Housing.**

The Rye City Council as Lead Agency is responsible for the assessment and evaluation of potentially significant adverse impacts pursuant to the requirements of the State Environmental Quality Review (SEQR). During the public hearing there were questions and concerns raised by the public and City Council. To assist the City Council in assessing potential impacts it is recommended that the petitioner provide the following additional information and analysis:

- **Full Environmental Assessment Form.** The petitioner has provided a short Environmental Assessment Form (EAF) with its zoning petition, which is the minimum required by SEQR. Given the nature of the public comment it is recommended that a full EAF be submitted for the Council's review. This will provide a more complete environmental assessment of the proposed zoning change and future senior housing development proposal.
- **Sub-Surface Conditions.** Concerns remain with the status of the sub-surface environmental conditions on the site. It is recommended that the petitioner prepare a Phase II environmental study that includes current testing for potential sub-surface contaminants on the site. Recent clean-up activities in the area and adjacent to the site should also be addressed and their potential impact on the site. The status of the sub-surface environmental conditions is a threshold

Additional Analysis Regarding Theodore Fremd Affordable Housing

March 7, 2014

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question for the City Council as it considers a change in zoning to allow for senior housing on a property that is currently restricted to light-industrial, commercial and other non-residential uses. The City has allowed the redevelopment of properties with prior sub-surface contamination for housing including many former gas station properties. It is anticipated that such redevelopment could be allowed in this case, provided that petitioner gives the Council current and complete information and clearance from the appropriate State and County agencies as to the specific redevelopment proposed by the petitioner.

- **Fiscal Impact Analysis.** Currently, since the County-owned property generates no property tax revenue, but also requires few municipal services. The petitioner should provide a fiscal impact analysis quantifying the anticipated total tax revenue (based on the total rent revenue of the project) and the anticipated municipal service demands. Using the existing senior housing development at 300 Theall Road will provide good comparables for potential service demands. The analysis should also try to quantify anticipated cost/revenue if the site were developed based on the uses permitted by existing zoning.
- **Traffic.** The petitioner should prepare a traffic study quantifying the anticipated trip generation of the full development of the site under the proposed RA-5 District standards and the impact on level of service at area intersections. This analysis should be compared to the anticipated traffic impact associated with development permitted by existing zoning on the property.

Upon receipt of this information the City Council will be in a better position to assess potential impacts and determine the appropriateness of the petitioner's request and whether additional mitigation measures may be necessary.

Nick Everett, Chairman
Martha Monserrate, Vice Chair
Laura Brett
Barbara Cummings
Hugh Greechan
Peter Olsen
Alfred Vitiello



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CITY OF RYE Planning Commission

Memorandum

To: Rye City Council

From: Rye City Planning Commission
Christian K. Miller, City Planner

cc: Scott Pickup, City Manager
Kristen K. Wilson, Esq., Corporation Counsel

Date: February 5, 2014

Subject: **Recommendation to the Rye City Council Regarding the Petition of Lazz Development/Pawling Holdings to Change the Zoning Designation of County-Owned Property Located on Theodore Fremd Avenue and North Street to the RA-5, *Senior Citizens Apartment*, District to Provide for the Construction of Affordable Senior Housing.**

As requested, this memorandum provides the Planning Commission's recommendation to the Rye City Council regarding the petition of Lazz Development/Pawling Holdings to change the zoning designation of Westchester County-owned property located on Theodore Fremd Avenue and North Street to the RA-5, *Senior Citizens Apartment*, District to provide for the construction of affordable senior housing. This memorandum was prepared by the City Planner and reviewed and unanimously approved by the Planning Commission at its February 4, 2014 meeting.

Background

On or about December 10, 2013, the City Council received a petition from Lazz Development/Pawling Holdings to change the zoning of a property located at 150 North Street. The approximately 2.080-acre property has frontage on North Street, but is commonly referred to by its accessible frontage on Theodore Fremd Avenue rather than its legal address of 150 North Street. The request would change the zoning of the Westchester County-owned property from the B-6, *General Business*, District and the B-1, *Neighborhood Business*, District to the RA-5, *Senior Citizen's Apartment*, District (see Exhibit 1).

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February 5, 2014

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The existing zoning districts applicable to the property do not permit multi-family housing. The proposed zoning change to the RA-5 District would permit (and limit) future construction on the property to affordable senior housing. The petitioner has represented that if the zoning change is granted, he would seek subsequent approvals from the Rye City Planning Commission to construct approximately fifty-four (54) units of affordable age-restricted housing located in two buildings. The proposal would be limited to those over age 55 and consist of approximately 44 one-bedroom units and 10 two-bedroom units.

The proposed RA-5 District for the property is the same district adopted by the City Council in the mid-1980s to accommodate the nearly 100 units of affordable senior housing on an approximately 2-acre site at 300 Theall Road, also known as Rye Manor. The proposed units would be affordable and a minimum of 27 of the units would count towards the 750 units of fair and affordable housing that Westchester County is obligated to provide within 31 eligible municipalities as part of a stipulation of settlement with the U.S. Department of Housing and Urban Development (HUD). Rye has been identified in the housing settlement as one of the 31 eligible Westchester County communities.

The subject property has long been considered for affordable housing by the City of Rye. In the early 1990s a local not-for-profit in partnership with the City of Rye sought to change the zoning of the property to construct 12 two-family units (i.e. 24 total units). That proposal and the required zoning change were never advanced due to the identification of sub-surface contamination on the property in 1993. Since that time the property has been subject to an environmental clean-up, but the City continued to periodically advocate for its use as an affordable housing site (see Exhibit 2).

Unlike the affordable housing proposal twenty years ago the City of Rye is not a partner in the construction, property ownership or administration of the affordable housing units. Westchester County is the property owner and the petitioner is the County's preferred developer for the property. The City of Rye's role is typical of any other land use application, which is to review and consider the land use policy implications of the request.

Westchester County's interest is to advance its obligation under the housing settlement. The property in Rye is unique because there are few (if any) undeveloped County-owned properties within one of the 31 eligible housing settlement communities. It's also unique because the City has a 20-year history of advocating for the development of affordable housing. Rye's historic advocacy for affordable housing does not constitute a commitment or obligation to approve the petitioner's request, but is relevant in terms of the planning context and the City's affordable housing policy.

The petitioner's interest is to develop affordable housing. The petitioner has constructed a number of affordable housing communities in the Sound Shore area,

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including 27 units in two separate projects on Cottage Street in Rye. Both of those projects required the City's Council's legislative authority to either amend the City Zoning Code or de-map an unused road right-of-way. In an August 9, 2013 letter the Petitioner received authorization from Westchester County "to seek all necessary approvals from the City of Rye..." (see Exhibit 3). This letter was provided to the City and forwarded to the City Council on August 16, 2013. This letter was expected based on a meeting City Council members and staff attended at Westchester County in June 2013. A summary of that meeting was provided to the City Council (see Exhibit 4).

The City's interest is to potentially advance identified affordable housing needs in the area consistent with its land use planning and other policies. The County has only a limited allocation of housing that it can designate as age-restricted towards the 750-unit obligation under the settlement. If that age-restricted allocation is lost to another community, there will continue to be pressure to develop the County-owned property in Rye for affordable housing without the age restriction. Age-restricted housing eliminates the potential for the generation of school-age children and the potential for a land use outcome in which potential municipal and school district service costs from the proposed development exceed anticipated property tax revenue.

Zoning Petition Review Process

Any change to the City Zoning Code or Map is a discretionary action of the City Council. As is typical in most communities, legislative actions involving land use matters are referred to the City Planning Commission for its review and comment. The specific action under consideration is a local law to amend the City Zoning Map to change the zoning district designation of the subject property to the RA-5 District. The minimum legal requirements to implement the local law are as follows:

1. *Local Law and Petition Referral.* The draft local law and petition must be referred to the Westchester County Planning Board pursuant to Section 239-m of the GML and Section 451 of the Westchester County Administrative Code. This information was forwarded to the County on December 24, 2013. The City Council cannot take an action on the petition until it receives a response from the County or until 30 calendar days has passed from the date of such referral. That response was provided on January 30, 2014 (see Exhibit 5).
2. *Public Hearing.* As with any law change a public hearing is required and notification of such hearing must be published in the City's official newspaper. Unlike New York State Town or Village Law, Section 83 of the General City Law does not require any additional notification (e.g. signage on the property, mailing of hearing notice, etc.) to property owners affected by or within the vicinity of the proposed zoning change.

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3. *SEQR.* Before making a decision on the local law, the City Council must comply with the requirements of State Environmental Quality Review (SEQR) and conduct an environmental assessment of the proposed action. The City Council has already taken the first step in this process by declaring at its December 18, 2013 meeting its intent to be Lead Agency for the environmental review. On December 24, 2013, staff circulated the Council's intent to be Lead Agency to other involved agencies. There has been no objection to the City Council being Lead Agency within the minimum required 30-day objection period. The City Council is therefore the Lead Agency at this time. As Lead Agency, the City Council must review the environmental assessment form (EAF) submitted by the applicant and conduct its own assessment of potentially adverse environmental impacts. If the Council finds that the proposed action does not have any significant adverse environmental impacts and issues a "Negative Declaration" a decision on the local law can be made. If the Council finds that there are potentially significant adverse impacts associated with the proposed action a "Positive Declaration" must be issued requiring a more involved environmental review. This review involves a number of procedural requirements and typically takes a least a year to complete.
4. *Decision.* After conducting and closing the public hearing and completing the SEQR process the City Council can make a decision. A simple majority vote is required for the adoption of the local law. A super majority vote of the Council (i.e. a minimum of three-fourths of the members) is required if twenty percent or more of property owners subject to the zoning change or within 100 feet therefrom submit a written protest to the request. Based on a preliminary review it appears that a written objection by just three property owners within 100 feet of the site would trigger a super majority vote (or 6 of the 7 City Council members) to approve the zoning request.

Westchester County HUD Settlement and Its Implications for Rye

In 2009 Westchester County entered into an agreement with the U.S. Department of Housing and Urban Development (HUD) to settle a lawsuit. The civil lawsuit was initiated by the Anti-Discrimination Center of Metro New York, Inc. The lawsuit alleged that the County failed to affirmatively further fair housing (AFFH) in its administration of federal funds including the Community Development Block Grant (CDBG) program and other federal programs. Specially, the lawsuit alleged that the County did not conduct a meaningful Analysis of Impediments (AI) to fair housing choice and did not take appropriate actions to overcome the effects of any impediments identified through that analysis. The County's failure to comply with that obligation as a recipient of federal funds was alleged to be a violation of the False Claims Act.

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There are many requirements of the stipulation of settlement. One requirement is that the County fund 750 affordable housing units within five years within eligible U.S Census Tracts of 31 municipalities in Westchester County. Eligible census tracts were identified as those having low percentages of minority populations. To date, the County has funded the construction of 27 affordable housing units in the City of Rye that count towards the 750-unit requirement. The City is not bound by the terms of the Settlement and is not required to approve any fair and affordable housing units, but has advanced affordable housing proposals when they were consistent with the land use, planning and housing objectives of the City.

A second significant requirement of the settlement is that the County is responsible for promoting and advancing a model affordable housing ordinance in each of the 31 eligible municipalities. The model ordinance, which was approved by the Monitor in October 2010, includes provisions to promote affordable housing including inclusionary zoning requirements, recommendations to increase multi-family housing zoning and other provisions. Westchester County is aggressively promoting the model ordinance, but no community is required to adopt it. In fact, most communities have not adopted it in full and many communities (including Rye) continue to review the model ordinance for its appropriateness given the existing land use planning and legal context.

A final significant requirement of the settlement relevant to Rye is that the City cannot receive CDBG and other federal funds administered by the County unless it advances fair and affordable housing. The City currently receives no such funding and therefore has no obligation.

The County and the monitor retained by HUD to oversee the implementation of the settlement have identified the County-owned property at 150 North Street as an opportunity to provide additional affordable housing in Rye. There have been conversations with the County and the City over the years both before and after the Settlement to discuss the potential for affordable housing at this location, but there has been no commitment by either party as to a specific development program. It has always been understood that any final action would require City Council approval because the property is not currently zoned for multi-family use.

In March 2013, Rye along with the other the 31 eligible communities identified in the Settlement were surprised to receive a "report card" directly from the Federal Monitor. Westchester County was not aware that report cards were being sent to communities, none of which are not party to the Settlement. The report card included an assessment of each community's existing zoning code.

In many, if not all, cases the report cards were critical of the lack of multi-family zoning in each community and repeatedly stated that more land use changes would be needed to accommodate affordable housing needs. The need was not for the implementation of the 750 units under the Stipulation, but rather the need identified in the 2005 Affordable

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Housing Allocation Plan prepared by the Westchester County Housing Opportunities Commission. This allocation plan was not adopted by the Westchester County Board of Legislators and is considered an advisory document. That document recommends the need for over 10,000 affordable housing units in Westchester County, which is significantly higher than the 750 units under the stipulation.

In the case of Rye the unadopted report allocates 167 affordable housing units in the City. The monitor's report card uses that number as the basis for his analysis of affordable housing deficiency. He notes that of the 167 units the City has already provided 27 under the Settlement leaving 140 affordable units of "required" allocation for the City. Accommodating this number of units in the City, particularly under the preferred 90/10 inclusionary development scenario recommended by the monitor will require very aggressive land use changes by the City Council.

As the City Council considers the petitioner's request it should be mindful of these non-binding affordable housing allocations. Development of additional affordable housing at this location could significantly advance the City's contribution to meeting affordable housing needs both under the settlement and the advisory housing allocation plan. At this time Westchester County has stated that a minimum of 27 of the proposed affordable housing units at the petitioner's site could be "counted" towards the housing settlement. Providing affordable housing units may help address some of the criticism of the City's land use and affordable housing policies.

Planning Analysis

The City Planning Commission supports the zoning petition and finds that the proposed use is consistent with the City's historic and future planning policies and housing objectives. In reaching this finding the Planning Commission considered the full development potential of the property under existing, planned and proposed zoning, the precedent established by the application of the RA-5 District and the compatibility of the requested change with surrounding land uses.

The petitioner has proposed a specific use and site plan for the property. As with all zone changes, however, the proper planning analysis requires an assessment not of the petitioner's specific proposal, but rather of the full development potential of the site after the zoning request is granted. Plans can and likely will change.

The petitioner's site plan accompanying his request proposes two four-story buildings, where the lowest story is unenclosed parking. The plan submitted shows approximately 75,600 square feet of total development, 90 parking spaces for an estimated 54 units and compliant with all other bulk and dimensional restrictions of the RA-5 District. This plan represents about 83% of the maximum development potential permitted under the proposed zoning. The proposed FAR of 1.0 is slightly higher than the 0.75 FAR permitted in the B-6 District located on the rear portion of the site and the 0.50 FAR

City Council Recommendation Regarding Theodore Fremd Affordable Housing

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permitted in the B-1 District located on the front of the site. The RA-5 District allows four stories within a maximum building height of 40 feet. The B-6 District allows just two stories, but the same building height of 40 feet. The B-1 District limits maximum building height to 2½ stories and 35 feet. The front yard setback for the proposed RA-5 District is 25 feet, which is greater than the 10-foot requirement for the B-1 and B-6 District. Side yard setback dimensions are also greater for the RA-5 District than the existing districts applicable to the site and the rear yard requirement is generally the same.

The RA-5 District is limited to just one use, which reads as follows:

Apartments for Senior Citizens and Handicapped. A detached residence for three or more families or housekeeping units or a group of buildings housing three or more families on one lot, undertaken by private nonprofit sponsors with public financial assistance, subject to the requirements of § 197-7.

In the event the conditions were to change after the zoning were established for the property the future use would continue to be limited to senior multi-family housing including an element of “public financial assistance” (i.e. affordable housing). On the other hand, the existing B-6 District allows a boarder range of uses including automotive uses, storage establishments, public transportation and utilities, service/contractor businesses, bus storage and repair, kennels and veterinary hospitals and limited manufacturing. The B-1 District allows offices, retail and personal service businesses, garages, apartments over stores, lodging houses, service/contractor businesses and social clubs and lodges.

The City Development Plan (1986) does not cite a specific written recommendation for the property or area, but generally encourages creating additional affordable housing opportunities in the City (see Plan, Chapter 1, *Residential Development*). The future land use plan designates this area for office (see Plan, p. 8-9). Since that time only the property at 350 Theodore Fremd Avenue has been developed as an office building under the B-1 District designation. Since the early 1990s the plan for the subject property has been for the development of the site for affordable housing. The Planning Commission believes that office as recommended in the Development Plan is not an economically viable use as evidenced by the long-standing high vacancy rate of office in the City and County and that a change in use is required. In the last few years the City has seen the conversion of a large office building to medical office and a request to amend the B-4 Office Building District to allow a hotel at 120 Old Post Road.

Residential at this location would be more compatible with the residential properties located opposite the site on Theodore Fremd Avenue than many of the uses permitted under the existing B-6 and B-1 District. The site is in close proximity to other non-residential uses including gas stations, a contractor’s yard for a landscape business, the ConEdison property and the Metro-North Railroad and Interstate 95. The Commission

City Council Recommendation Regarding Theodore Fremd Affordable Housing

February 5, 2014

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notes other multi-family communities (both affordable and market-rate) and other residential neighborhoods located adjacent to transportation corridors that bisect the City.

The use of an existing zoning district classification in the City also is in keeping with the City's land use planning objectives. The RA-5 District specifically provides for the affordable housing needs for seniors. Expanding that district to other appropriate locations in the City is considered a desirable planning objective.

SEQRA Considerations

The Planning Commission has reviewed the environmental assessment form submitted with the zoning petition. As Lead Agency the City Council should consider the following potential impacts and mitigation measures associated with the project prior to making a determination of environmental significance.

- *Sub-surface Conditions.* As the City Council considers the petitioner's request it is recommended that it secure written confirmation from Westchester County Health Department regarding the status of the sub-surface contamination on the site and the status of the environmental clean-up. The Planning Commission understands based on the petitioner's representations that the County Health Department will require that future development at the site require elevating the first habitable story above grade. The Health Department should conduct a review of the proposed plan including all proposed surface and sub-surface improvements such as utilities, stormwater drainage measures and sewer connections.
- *Sanitary Sewer Service.* There is an existing sanitary sewer line that extends from Nursery Lane under I-95 and MNR tracks through the site to an existing connection in Theodore Fremd Avenue. The existing line is compromised and is difficult to service and maintain due to the high volume, high speed vehicular and rail traffic on a major regional transportation corridor. The City does not want to continue to maintain this existing sewer line through the site and accommodate the additional sewage flow from the petitioner's development. The Commission recommends that the existing public sewer line be abandoned and that the future development on the property be required to provide a new sewer connection from Nursery Lane to an existing sewer connection in North Street. This project has been identified in the City's Capital Improvement Program (CIP) for some time at a preliminary project cost of \$150,000. This is a substantial off-site improvement and may challenge the fiscal feasibility of the project depending on the availability of funding to the petitioner. The sewer modification and extension may also require securing easements from Nursery Lane property owners and Westchester County approval of the sewer design.

City Council Recommendation Regarding Theodore Fremd Affordable Housing

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- *Drainage/Wetland Impacts.* On its site inspection of the property, the Planning Commission noted a drainage pipe that extends from Theodore Fremd Avenue and discharges stormwater runoff from this roadway onto the site. It appears that this runoff has created what may be considered a wetland under the City's Wetlands and Watercourses Law¹. The proposed development appears that it will result in the wetland loss of a relatively low-functioning wetland and require a drainage plan to replace the stormwater quantity and quality functions of this on-site wetland. If the area is considered a wetland a wetland permit from the Planning Commission will be required as part of a future site plan review process.
- *Municipal Services.* The existing property is County-owned and therefore generates no property tax revenue. The proposed zoning change to allow senior development will generate tax revenue based on the income approach (as opposed to the value of construction approach used for single-family residences). The income approach would be based on the total value of the below market rents after project completion. Since the project is age-restricted there will be no school-age children costs. There would be City expenditures for some municipal services including for sanitation, emergency medical, police, fire and recreation services.
- *Community Character and Aesthetics.* The proposed RA-5 District with a floor area ratio (FAR) of 1.0 would result in development at a greater intensity than the existing B-6 (FAR 0.75) District and B-1 (FAR 0.5) District currently on the property. Existing zoning permits buildings at or close to the same overall 40-foot building height as the proposed RA-5 District. Existing zoning is limited to commercial/general business, which is consistent with existing commercial and transportation uses abutting the site, but potentially inconsistent with the single-family residential character across the street. Overall, the bulk and scale of development under the proposed RA-5 District would likely be greater than development under existing zoning for the site, but not necessarily inconsistent with the character of the surrounding area. Reducing the scale of the building is complicated by the restriction that there can be no units located on the ground level due to the sub-surface contamination on the site. The lowest floor will be used for parking, which counts as a story under the City's Zoning Code but not towards the maximum permitted floor area since the parking is not enclosed.
- *Traffic.* The proposed RA-5 District would generate additional traffic associated with a future senior housing project. The relatively low anticipated trip generation would not adversely impact the relatively high intersection levels of service (LOS). The ITE Trip Generation Manual (ninth edition) provides trip generation

¹ Question 13 of the petitioner's EAF indicates that there are no wetlands on the property. This petitioner should provide additional information supporting this conclusion.

City Council Recommendation Regarding Theodore Fremd Affordable Housing

February 5, 2014

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rates for two different types of senior housing units. The following was calculated by Brian Dempsey (Traffic and Pedestrian Safety Chair and NYS licensed traffic engineer) assuming a 60-unit senior housing development:

Senior Adult Housing Detached: Land Use 251

- Peak AM Hour of Adjacent Street: ranges from 5 in and 8 out to 14 in and 26 out
- Peak PM Hour of Adjacent Street: ranges from 10 in and 6 out to 19 in and 12 out
- Peak AM Hour of Generator: ranges from 7 in and 10 out to 15 in and 20 out
- Peak PM Hour of Generator: ranges from 11 in and 9 out to 31 in and 24 out
- Saturday Peak Hour of Generator: 7 in and 7 out (limited studies)

Senior Adult Housing Attached: Land Use 252

- Peak AM Hour of Adjacent Street: ranges from 4 in and 8 out to 4 in and 8 out
- Peak PM Hour of Adjacent Street: ranges from 8 in and 7 out to 9 in and 7 out
- Peak AM Hour of Generator: ranges from 11 in and 12 out to 11 in and 13 out
- Peak PM Hour of Generator: ranges from 10 in and 9 out to 12 in and 9 out
- Saturday Peak Hour of Generator: 11 in and 8 out (limited studies)

A recent traffic study conducted in connection with the sustainable Playland proposal shows that the Theodore Fremd Avenue/North Street intersection operates at the highest levels of service (i.e. "A" or "B"). This level of service is maintained in a 2016 future "build" scenario in the event the sustainable Playland project moves forward. It is also noted that the property is located along an existing bus route, which could potentially reduce trip generation. Given the relatively low trip generation rates associated with senior housing and existing intersection level of service adverse traffic impacts are not anticipated with the proposed change to the RA-5 District.

- *Reduction in Impacts.* As with any project potential impacts can be reduced or minimized by either the implementation of mitigation measures or the reduction in project scope. In considering impacts, the City Council should be mindful of the fact that the proposed RA-5 District requires that future development be affordable senior housing so project and off-site improvement costs and density are a significant consideration to make such projects economically viable, particularly given the incomes proposed to be served. The RA-5 District provides for a reasonable future development intensity that can create the opportunity to advance the City's affordable housing objectives.

City of Rye, New York



Zoning Districts - Theodore Fremd Area



At a regular meeting of the City Council held March 30, 2005, Councilwoman Larr made a motion, seconded by Mayor Otis and Councilman Chu, to adopt the following resolution:

WHEREAS, The Rye Commission on Human Rights commissioned a survey in 2003 to ascertain existing and projected affordable housing needs for residents and those who serve the community; and

WHEREAS, the survey was conducted during the summer of 2004 and the results presented to the Council at it's regular meeting held March 9, 2005; and

WHEREAS, the Chairman of the Rye Commission on Human Rights made a request to the Council that it take action on several specific recommendations; now, therefore, be it

RESOLVED, that the Council strongly and unequivocally restates its interest in using the Theodore Fremd and North Street site, currently owned by the County, but in a state of contamination, to create 24 affordable housing units; and be it further

RESOLVED, that the Council urges the County to develop a complete and quick remediation plan for the Theodore Fremd and North Street site, and be it further

RESOLVED, that the City Manager urge the State Department of Environmental Conservation (DEC) to move meaningfully and expediently to develop a plan to decontaminate the Theodore Fremd and North Street site, and be it further

RESOLVED, that the Planning Commission specifically address the need for affordable housing among City employees, volunteer fire fighters and public and private school employees, as made clear from the response to the survey.

ROLL CALL:

AYES: Mayor Otis, Councilmen Chu, Cypher, Fahey, Larr and Seitz

NAYS: None

ABSENT: Councilman Hennes

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

THIS IS TO CERTIFY that I have compared the foregoing resolution with the original thereof, duly passed and adopted at a regular meeting of the Council of the City of Rye held on the 30th of March, 2005 by the affirmative vote of at least a majority of all members of said Council then in office, present and voting thereon, the vote upon passage thereof having been taken by recording the ayes and nays and duly entered in the minutes of said meeting of said Council and on file in this office, and **I DO HEREBY CERTIFY** said resolution to be a correct transcript thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the official seal of the City of Rye this 16th day of January 2016.

SEAL


DAWN F. NODARSE
CITY CLERK

Robert P. Astorino
County Executive

August 9, 2013

Mr. Louis Larizza
211 South Ridge Street
Rye Brook, New York 10573

**Subject: Proposed Theodore Fremd Senior Housing Development
 150 North Street, Rye New York**

Dear Mr. Larizza:

Please allow this correspondence to serve as formal authorization from the County of Westchester (the "County") for you to seek all necessary approvals from the City of Rye, New York (the "City") for the development of approximately twenty-five (25) to fifty (50) affordable affirmatively furthering fair housing units (the "AFFH Units") on the County-owned property located at 150 North Street in Rye, New York (the "Proposed Development").

At this time, it is anticipated that the AFFH Units will be available for seniors earning at or below 50% and 60% of the Westchester County Area Median Income for fifty (50) years. These AFFH Units are expected to further the County's efforts to create new fair and affordable housing units under the 2009 lawsuit titled *United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York*.

Please note, that upon receipt of all approvals from the City, the Development and any related County funding shall be subject to all necessary County approvals, including but not limited to, approvals from the County Board of Legislators, and from the County's Board of Acquisition and Contract. Further be advised that the County makes no commitment for funding at this time, and all costs incurred in connection with the Proposed Development and any required local approvals shall be your sole responsibility, whether or not said approvals are ultimately granted by the City, whether or not the County grants or denies any necessary or related approvals, or if the County, in its sole discretion, determines not to proceed with or fund the Proposed Development. This letter shall not bind the County in any respect.

Please also be aware that, although formal plans have not yet been reviewed by the County that the Proposed Development must be consistent with Westchester County affordable housing policies and guiding principles:

- It will be compliant with the Westchester County Consolidated Plan submitted to HUD for the Westchester Urban County Consortium, of which the City of Rye is a member.
- It will be consistent with and reinforce *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board’s adopted long-range land use and development policies, by contributing to the development of “a range of housing types” affordable to all income levels and by channeling development to centers where infrastructure can support growth and where public transportation can be provided.
- As noted above, it will consistent with the housing settlement reached in the case of *United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York* and will contribute toward the County’s requirement to ensure the development of seven hundred fifty (750) new affordable affirmatively furthering fair housing units in communities that meet certain demographic criteria.

We are available to discuss any questions you may have regarding this authorization and look forward to reviewing your proposal.

Sincerely,



Kevin J. Plunkett
Deputy County Executive

cc: Mary Mahon, Esq., Special Assistant to the County Executive
Robert F. Meehan, Esq., County Attorney
Edward Buroughs, AICP, Commissioner of Planning

Christian K. Miller, AICP
City Planner
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 967-7167
Fax: (914) 967-7185
E-mail: cmiller@ryeny.gov
<http://www.ryeny.gov>

CITY OF RYE
Department of Planning

CONFIDENTIAL – Memorandum

To: Scott Pickup, City Manager

From: Christian K. Miller, AICP, City Planner

cc: Kristen K. Wilson, Esq., Corporation Counsel

Date: June 14, 2013

Subject: **Summary of Meeting with Westchester County to discuss the Potential Development of Affordable Housing at County-owned Property located on Theodore Fremd Avenue near the Intersection of North Street.**

As requested, this memorandum provides a summary of our meeting today with Westchester County officials regarding the potential development of affordable housing at the approximately 2.07-acre County-owned property located on Theodore Fremd Avenue near the intersection of North Street. The meeting was requested by Westchester County and was held at the County Executive's Office. For approximately 20 years the City has advocated for the development of affordable housing at this location and has periodically had meetings with the County to discuss development possibilities.

Today's meeting was attended by the Mayor, Laura Brett, you and I as representatives from the City. From the County were representatives from the County Executive's office (Kevin Plunkett and Mary Mahon), Planning Department (Commissioner Ed Burroughs and Norma Drummond) and a representative from the County Attorneys office. Also in attendance was Lou Larriza who may be the County's preferred developer for the potential development of the site.

Summary

- *Sub-surface Environmental Conditions.* NYSDEC continues to monitor the site for the status of the environmental contaminants on the site. The last test was conducted in 2011 showed elevated levels from previous tests, but that additional tests are at the discretion of NYSDEC. The City requested that additional tests

Summary of Meeting with Westchester County

June 14, 2013

Page 2 of 2

be conducted and that it preferred that the site be clean before development occurs. Ms. Drummond stated that the County Health Department is not concerned with potential future housing development on the property provided that there is no enclosed habitable space below grade or on the first floor. The City was advised that there is currently no on-going remediation on the property.

- *Development and Land Use Review Process.* The County stated that it would select a preferred developer for the development of housing on the property. The County stated that the City would not need to be in the chain of title for the property and would not need to select a developer or eligible not-for-profit to develop the property. The City would act as it does for all land use applications, including former affordable housing applications on Cottage Street, by requiring approvals from all relevant City land use boards. As with the applications on Cottage Street, the City noted that the property is not currently zoned for the proposed development and that changes in the zoning code or variances would be required. The County understands that the City has local land use authority.
- *Development Scenario.* Mr. Larriza discussed his development concept for the site. He stated that he is seeking 48 units of senior (i.e. age 55 and over) housing on the property. The number of units is dictated by the desire to use tax credit financing for the property, which limits household income to 50% and 60% of Area Median Income (AMI). He stated that the unit mix would be one- and two-bedroom units. The project would total approximately 50,000 square feet within two 4- or 5-story buildings on the rear half of the 2.07-acre property. Parking would be located at grade level under the building to comply with the Health Department requirement that there be no habitable space below grade or on the first floor.

The County stated that County infrastructure bond money would also be used to assist with the project funding. The County confirmed that the proposed senior tax credit units would count towards the 750-unit obligation under the Housing Settlement. The County stated that only 187 out of the 750 units can be senior and that Rye would be using the last of that limited allocation.

- *Next Steps.* The County will complete its process to select a preferred developer and the City can expect an application for affordable housing development potentially in the fall. At that point, or sooner if it desires, the City will need to undertake a zoning analysis and determine what, if any, land use modifications it would like to implement to accommodate affordable development on this or potentially other properties in the City.

Robert P. Astorino
County Executive

County Planning Board

January 30, 2014

Christian K. Miller, City Planner
Rye City Planning Department
1051 Boston Post Road
Rye, NY 10580

Subject: **Referral File No. RYC 14 - 001 – The Courtyard at Theodore Fremd
Zoning Map Amendment and Site Plan
Lead Agency**

Dear Mr. Miller:

The Westchester County Planning Board has received a notice of intent to serve as Lead Agency pursuant to the NYS Environmental Quality Review Act (SEQR), as well as a one-sheet preliminary site plan (dated December 9, 2013) and related materials for the above referenced application. The applicants are petitioning the City to rezone a 2.08-acre site, currently owned by Westchester County with frontage on Theodore Fremd Avenue (County Road 54) and North Street (County Road 73), from B-6 General Business and B-1 Neighborhood Business to RA-5 Senior Citizens Apartment District. The zone change would permit the development of up to 58 units of housing on the site. If successfully rezoned, the applicant intends to apply for a site plan approval to construct a 54-unit apartment building with 95 parking spaces. All of the proposed units would be age-restricted to seniors over the age of 55 and would be affordable affirmatively furthering fair housing (AFFH) units. The unit mix would consist of 44 one-bedroom units and 10 two-bedroom units.

We have no objection to the Rye City Council assuming Lead Agency status for this review. Since this proposal involves the disposition of County-owned land as well as potential funding administered by Westchester County, we recommend that the County Board of Legislators be included as an Involved Agency with respect to SEQR.

Because we have not received full site plans, we will reserve full comment on this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code for a later date. At this time we offer the following preliminary comment:

Fair and affordable housing – development of affordable AFFH units. We support the concept of this proposal as it will add to the supply of affordable AFFH units in Westchester County. We look forward to working with both the City and the applicant as this application moves forward. We recommend that the applicant consider adding an apartment within the proposed building for a building superintendant, which is typical for a development of this size.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By: 

Edward Buroughs, AICP
Commissioner

EEB/LH

Clark Neuringer Architect

CONNECTICUT
DELAWARE
FLORIDA
MARYLAND
NEW YORK

December 10, 2013

The Honorable Mayor Douglas French
Members of the City Council
Rye City Hall
1051 Boston Post Road
Rye, New York 10580

Re: Proposed Zoning Amendment;
The Courtyard at Theodore Fremd

Dear Mayor French and Members of the City Council,

On behalf of our client, Lazz Development / Pawling Holdings, we are pleased to submit this request for an amendment to the Zoning Code of the City of Rye with respect to a proposed fifty four (54) unit rental development located at the corner of Theodore Fremd Avenue and North Street, adjacent to the existing Con Edison operations and equipment facility. The proposed development will advance a long-term planning objective of the City to provide affordable housing on this Westchester County-owned property. The proposed development would consist of 44 one-bedroom units and 10 two-bedroom units all of which will be restricted to those over age 55.

The approximately 2.1-acre property is currently within both the B-6 General Business District and B-1 Neighborhood Business District. Our proposal is to re-zone the entire property to the RA-5 Senior Citizen's Apartment District, which is the same district adopted by the City Council in the 1980s to provide for the construction of the approximately 100 units of senior affordable housing at 300 Theall Road. Current uses permitted within the B-6 District are limited to light manufacturing; garages, parking lots, and filling stations; small boat facilities; and kennels and veterinary hospitals. The portion of the property located in the B-1 District allows for business, professional office, retail, single-family dwellings and two-family residences.

The Honorable Douglas French
Page 2
December 10, 2013

Multi-family is not currently permitted in either district. We respectfully request that the City Council amend the Zoning Map to change the zoning district classification of this property to the RA-5 Senior Citizens Apartment District.


Our proposed senior citizen residential development meets or exceeds the requirements of the RA-5 District and would be a beneficial addition to the City in general and to the particular neighborhood. Our proposal represents a lower intensity of use of the property compared to what could be developed under the current limited zoning. Even under the RA-5 District requirements, our proposed residential development has several distinct positive attributes as follows:

- Area of the lot is more than double the size of minimum required.
- Total amount of buildable floor area proposed to be constructed is 17% less than permitted.
- Total amount of parking proposed is almost seven times more than minimum required.
- Total amount of open space proposed is more than double amount required.

As a result, the requested amendment would allow a residential development that would act as a transition between existing residential uses to the south and commercial uses otherwise surrounding the property. The design of our proposed site development results in a separation between the closest existing neighborhood residential building and one of our apartment buildings of a distance in excess of approximately 250 feet. As such, there would be no adverse impact on any of the existing residential areas to the south of the site. Compared to other uses that would be permitted on the site, we believe the proposed residential community would be a more attractive and beneficial use to the neighborhood.

We look forward to further reviews and discussions with you regarding the requested zoning amendment.

Sincerely,



Clark Neuringer, R.A.; NCARB

Cc: Louis Larizza, Lazz Development // Pawling Holdings

DRAFT

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LOCAL LAW
CITY OF RYE NO. _____ -2014

A Local Law to Amend the “Zoning Map of the City for Rye, New York” to Change the Zoning Designation of a Property Known on the City of Rye Tax Map as Section 146.10, Block 1, Lot 66 from B-6, *General Business*, District and B-1, *Neighborhood Business*, District to RA-5, *Senior Citizens Apartment*, District.

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

Section 1. The Zoning Map of the City of Rye, New York is hereby amended to change the zoning district designation of a property known on the City of Rye Tax Map as Section 146.10, Block 1, Lot 66 from B-6, *General Business*, District and B-1, *Neighborhood Business*, District to RA-5, *Senior Citizens Apartment*, District.

Section 2. Severability

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

Section 3. Effective Date

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

617.20
Appendix B
Short Environmental Assessment Form

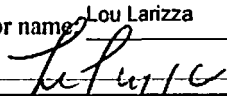
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
City of Rye Affordable Senior Housing			
Name of Action or Project: The Courtyard at Theodore Fremd			
Project Location (describe, and attach a location map): Theodore Fremd Avenue and North Street, Rye, NY			
Brief Description of Proposed Action: 1. Construct 54 units of senior affordable housing units with parking areas for 95 cars on 2.08 acres in the City of Rye, NY. 2. Approval of a City of Rye zoning text amendment to permit certain residential types in the B6 (Business) zone.			
Name of Applicant or Sponsor: Pawling Holdings, LLC		Telephone:	
		E-Mail:	
Address: 211 South Ridge Street, Suite 3R			
City/PO: Rye Brook		State: NY	Zip Code: 10573
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: City of Rye Planning Commission, City of Rye Council, the Home Fund, HIF, AHC agencies, County of Westchester DPW			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		2.08 acres	
b. Total acreage to be physically disturbed?		2.08 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.08 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): Railroad, Interstate Highway 95 <input type="checkbox"/> Parkland			

<p>5. Is the proposed action,</p> <p>a. A permitted use under the zoning regulations?</p> <p>b. Consistent with the adopted comprehensive plan?</p>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____</p>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels?</p> <p>b. Are public transportation service(s) available at or near the site of the proposed action?</p> <p>c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?</p>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
<p>9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____</p>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
<p>10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____</p>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
<p>11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____</p>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
<p>12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?</p>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
<p>13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____</p>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
<p>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:</p> <p><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional</p> <p><input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban</p>			
<p>15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?</p>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
<p>16. Is the project site located in the 100 year flood plain?</p>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
<p>17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,</p> <p>a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</p> <p>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ Existing Culvert beneath Metro North Rail Lines</p>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ Three subsurface detention vaults to be constructed beneath the parking areas. Size is generally 1000 square feet per system. The purpose is to limit flows to current levels.	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ NYS DEC database has no record of remediation 1978 to present.	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Lou Larizza</u>		Date: <u>11/6/2013</u>
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

2. The project will increase the intensity of use since the development of 54 apartments for seniors will occur on vacant land. Mitigation is proposed by providing sufficient stormwater controls to prevent flooding, and water quality treatment to reduce impacts to water courses. Traffic mitigation is considered to be mitigated by limiting occupancy to an over-55 years age group. Excess on-site parking is provided to eliminate off-street parking impacts. The site is on the County Bus route which affords opportunity to mitigate traffic. New local street sidewalks to be constructed will also help to mitigate traffic. The proposed landscaping, consisting of landscaped buffers, new trees, shrubs and decorative fencing throughout, will mitigate visual impacts. An erosion control plan in conformance with the NYS Stormwater Design Manual will be used to offset temporary impacts of erosion.

7a. Water supply: The water demand for the project of 54 units with average of a two-person occupancy is about 10,800 gallons per day. United Water Westchester provides 7.6 million gallons per day and the increase is nominal due to this project and should not impact the facilities. Mitigation of water use is provided in limiting the occupancy to an over-55 age group.

7b. Wastewater Treatment: The project is in the County's Blind Brook Sewer District and sewage flow will be treated at the Blind Brook Treatment Plant which has a capacity of 5 mgd and is currently operating at 3.3 mgd. City-owned sewers at the site are adequately sized to handle the increased flow from this project. Therefore, given the reduced water use and in turn sewage generation, the project should not adversely impact these facilities.

Long term impacts are the same as short term impacts described above.

Cumulative impacts of the development are limited due to the lack of other new projects of this type in the area.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



CITY COUNCIL AGENDA

NO. 8

DEPT.: City Manager's Office

DATE: August 4, 2014

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Public Hearing to amend local law Chapter 197, "Zoning", of the Rye City Code by adding Section 197-15, "Special Permit for Historic Preservation in the B-2 Central Business District" to permit banks on the first floor of a building when certain conditions are met upon approval of a Special Use Permit by the City Council.

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER	197
SECTION	15

RECOMMENDATION: That the City Council hold a Public Hearing to add a new section to Chapter 197, "Zoning".

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Council is asked to consider the addition of a new Section to the Zoning Law, 197-15, "Special Permit for Historic Preservation in the B-2 Central Business District" to permit banks on the first floor of a building when certain conditions are met upon approval of a Special Use Permit by the City Council.

See attached Draft Local Law.

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

A local law to amend the City Code of the City of Rye Chapter 197 “Zoning” by adding Section 197-15 “Special Permit for Historic Preservation in the B-2 Central Business District” to permit banks on the first floor of a building when certain conditions are met upon approval of a Special Use Permit by the City Council as follows:

Section 1:

Article IV, *Use Regulations*, of the Code of the City of Rye is hereby amended to add the following:

§ 197-15. Banks in the B-2, Central Business District.

- A. The Council creates this incentive-based special use permit in order to maintain the historic elements and convenience retail storefronts that contribute to the character of the City’s Central Business District. As such, the Council adopts a policy to incentivize the preservation of the character of the Central Business District by allowing in the B-2 Central Business District banks to be located on the first floor of a building located on the condition that the historic nature of the building or its contributing elements, are preserved and maintained. The purpose of this law is to advance the following goals:**
- 1. Promoting the preservation of buildings that enhance and define the historic nature of Rye over the past decades.**
 - 2. Balancing the desire for historic preservation of certain buildings with the need to allow for financially viable uses of buildings.**
 - 3. Furthering the City’s goal to provide incentive zoning techniques for development projects that meet a defined community need and desire such as historic preservation and maintaining community character.**
- B. Procedures for Special Use Permits – permit applications.**
- a. Applications for a permit shall be made to the City Clerk on forms furnished by the City Clerk’s office.**
 - b. An application for a permit shall not be deemed complete if it does not include all of the following information:**
 - i. The application fee;**
 - ii. Complete plans for the building(s), or portions thereof, that the applicant believes furthers the intent of this Section and for the bank or other uses of the building(s) on the property.**
 - iii. Full environmental assessment form in accordance with the State Environmental Quality Review Act, except that a short**

environmental assessment form may be submitted at the discretion of the City Council.

- iv. A narrative from the applicant setting forth the reasons why the proposed building(s) to be preserved would further the intent of this Section and what specific measures would be implemented to preserve the community character that the City wishes to maintain.
- v. The City Council may require additional information as needed, such as the proposed plan to maintain the historic nature of the building(s).
- vi. By filing an application, the applicant thereby consents to the entry onto his land by the City Council or other agents designated by the City Council for the purpose of undertaking any investigation, examination, survey or other activity necessary for the purposes of this chapter.

C. Special Use Permit Requirements; determining historic significance of development plan.

1. The Council will undertake a review of an application pursuant to this Section in a timely fashion and shall act within a reasonable period of time given the complexity of the application and the circumstances.
2. The Council may, at its sole discretion, refer any application for this Special Permit for Historic Preservation to the Landmarks Committee for its review and comment.
3. If the application is referred to the Landmarks Advisory Committee, the Committee shall provide any comments to the Council within thirty (30) days of the referral.
4. The City Council shall then review the development plan to determine if it furthers the goals and intent of this Section. The Applicant shall bear the burden of establishing why its building(s), or portions thereof, are an integral part of the historic nature of the B-2 Central Business District and that its application should be considered for the special use permit.
5. If the Council finds that the application furthers the intent of this Section, it shall simultaneously consider the application for the Special Use Permit and Site Development Plan in accordance with Rye City Code § 197-7. The City Council shall hold a public hearing to consider the approval of both the Special Use Permit and Site Development Plan.
6. As part of any approval of the Special Use Permit and Site Development Plan, the City Council shall consider the following conditions as part of its approval:
 - a. A restrictive covenant that preserves the building(s), or portions thereof, in its current state and any modifications to such restrictive covenant shall be reviewed and approved by the City Council; and/or
 - b. A deed restriction that preserves the building(s), or portions thereof, in its current state and any modifications to such deed restriction can only be approved by the City Council; and/or

- c. A façade easement or other restrictive easement that preserves the building(s), or portions thereof, in its current state and any modifications to such easement can only be approved by the City Council; and
- d. All covenants, restrictions, and/or easements shall be recorded in the County Clerk's office.
- e. A maintenance plan that ensures the continued upkeep of the preserved building(s), or portions thereof.
- f. A community amenity such as landscaping or other improvement to further enhance the community character in the area near the proposed development.
- g. Any other condition that the City Council deems necessary to preserve the historical nature of the building(s) and to ensure that such preservation will continue into the future regardless of the owner.

Section 3.

Section 197-86, Table of Regulations: Table B, Business Districts-Use Regulations, Column 1, Permitted Main Uses, B-2 Central Business Districts, of the Code of the City of Rye, New York is hereby amended to amend subsection (1) to read as follows:

- (1) Nonresidence main uses permitted in B-1 Districts without restrictions as to location and conversions of existing buildings, except that offices for clerical, administrative, professional and agency uses shall not be located on the first floor of a building within the A Parking District, and banks shall not be permitted on the first floor of a building in the B-2 Central Business District, **except where approved by the City Council pursuant to §197-15.**

Section 2.

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

NOTE: Proposed additions are shown in **underline and bold** and proposed deletions are shown in ~~strikethrough~~.



CITY COUNCIL AGENDA

NO. 9

DEPT.: City Manager's Office

DATE: August 4, 2014

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Public Hearing to amend local law Chapter 191, "Vehicles and Traffic", of the Rye City Code by amending Section §191-7, "Speed limits", to lower the speed limit to 25 miles per hour on select roads, including Stuyvesant Avenue, Van Wagenen Avenue, Forest Avenue, Oakland Beach Avenue, and Milton Road, during the Pilot Study recommended by the Traffic and Pedestrian Safety Committee.

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER	191
SECTION	20, 21

RECOMMENDATION: That the City Council hold a Public Hearing to lower the speed limit to 25 miles per hour on the roads outlined during the Pilot Study recommended by the Traffic and Pedestrian Safety Committee.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Traffic and Pedestrian Safety Committee has been reviewing the speed limits in the Stuyvesant Avenue corridor at the request of residents. The recommendation is to conduct a Speed Limit Modification Pilot Study whereby the speed limit would be reduced to 25 mph on Stuyvesant Avenue, Van Wagenen Avenue, Forest Avenue, Oakland Beach Avenue, and Milton Road. The Pilot Period would be for a one year period with speed measurements performed during the club season and during the off-season.

See attached Draft Local Law and information from the Traffic and Pedestrian Safety Committee.

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

A local law to amend the City Code of the City of Rye Chapter 191 “Vehicles and Traffic” Part 1, Article II “Traffic Regulations” Section 191-7 “Speed limits” to reduce the speed limit down to twenty-five miles per hour on roads, or portions thereof, for a pilot study as follows:

Section 1:

Article IV, *Traffic Regulations*, of the Code of the City of Rye is hereby amended:

§ 191-7. Speed Limits.

It shall be unlawful for any person to operate any motor vehicle or motorcycle in any street in the City at a speed in excess of 30 miles per hour, except **as indicated in subsection A** and where otherwise indicated by signs erected by the Police Department of the City.

- A. The speed limit shall be 25 miles per hour for the block bordered by Stuyvesant Avenue, Van Wagenen Avenue, Forest Avenue, Oakland Beach Avenue and Milton Road. The 25 miles per hour limit shall be posted along each of the streets indicating what sections are governed by the 25 miles per hour speed limit.**

Section 2.

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

NOTE: Proposed additions are shown in **underline and bold** and proposed deletions are shown in ~~strike through~~.



Address **Van Wagenen Ave**
Rye, NY 10580



**CITY OF RYE
MEMORANDUM**

TO: Mayor Sack and City Council
ALSO TO: F. Culross, C. Miller, R. Coyne, RPD
FROM: Traffic and Pedestrian Safety Committee
SUBJECT: Speed Limit Modification Pilot Study – Stuyvesant Avenue
DATE: February 10, 2014, Revised July 25, 2014

The Traffic and Pedestrian Safety Committee (TPS) has been reviewing the speed limits on Stuyvesant Avenue at the request of some residents who live on or near Stuyvesant Avenue. From this review a Speed Limit Modification Pilot Study was proposed by TPS in February 2014. After various public discussions with the City Council, it has been requested by the Council to consider expanding the area of the Pilot Study to include the following roadways:

- Stuyvesant Avenue – from Milton Road to the end (American Yacht Club)
- Van Wagenen Avenue – from Stuyvesant Avenue to Forest Avenue
- Forest Avenue – from Van Wagenen Avenue to Oakland Beach Avenue
- Oakland Beach Avenue – from Forest Avenue to Milton Road
- Milton Road – from Oakland Beach Avenue to Stuyvesant Avenue

The combination of these sections of the roadways essentially forms a loop through the Milton Point area.

Background

Over the years, the TPS has received requests from various residents to adjust speed limits on certain streets from the City's speed limit of 30 mph to 25 mph. In 2003, the TPS along with the City Council reviewed the lowering of speed limits and were not in favor of it due to the opinion that it would be difficult to enforce and would have limited impact.

The change was also reviewed at times by the TPS and the Assistant City Manager as well as the City Attorney and based upon an interpretation of State Law from the City Attorney at those times, it did not appear that the roadways in the City could be reduced to 25 mph. The latest version of the State Law is provided below. The requests have come for various locations such as the entire Greenhaven area, Kirby Lane, and others, with the latest coming from initially one resident who live on a side street of Stuyvesant Avenue. There is a safety benefit if vehicles actually drive slower.

As Rye is a City, the New York State Vehicle and Traffic Law (V&T) states that the City-wide Speed Limit has to be 30 mph. If Rye was a Town, then the Town-wide Speed Limit could be 25 mph. The (V&T) states,

Effective: August 17, 2012

Chapter Seventy-One. Of the Consolidated Laws (Refs & Annos)

§ Title VIII. Respective Powers of State and Local Authorities

§ Article 39. Regulation of Traffic by Cities and Villages (Refs & Annos)

→→ § 1643. Speed limits on highways in cities and villages

The legislative body of any city or village with respect to highways (which term for the purposes of this section shall include private roads open to public motor vehicle traffic) in such city or village, other than state highways maintained by the state on which the department of transportation shall have established higher or lower speed limits than the statutory fifty-five miles per hour speed limit as provided in section sixteen hundred twenty of this title, or on which the department of transportation shall have designated that such city or village shall not establish any maximum speed limit as provided in section sixteen hundred twenty-four of this title, subject to the limitations imposed by section sixteen hundred eighty-four of this title may by local law, ordinance, order, rule or regulation establish maximum speed limits at which vehicles may proceed within such city or village, within designated areas of such city or village or on or along designated highways within such city or village higher or lower than the fifty-five miles per hour maximum statutory limit. No such speed limit applicable throughout such city or village or within designated areas of such city or village shall be established at less than thirty miles per hour; except that in the city of Long Beach, in the county of Nassau, speed limits may be established at not less than fifteen miles per hour on any portion of the following highways in such city: Cleveland avenue, Harding avenue, Mitchell avenue, Belmont avenue, Atlantic avenue, Coolidge avenue, Wilson avenue and Taft avenue. No such speed limit applicable on or along designated highways within such city or village shall be established at less than twenty-five miles per hour, except that school speed limits may be established at not less than fifteen miles per hour, for a distance not to exceed one thousand three hundred twenty feet, on a highway passing a school building, entrance or exit of a school abutting on the highway and except that within the cities of Buffalo and Rochester speed limits may be established at not less than fifteen miles per hour for any portion of a highway within a city park.

Over the years, TPS has obtained various interpretations on the full meaning of the above (or earlier versions of the law as the wording was confusing) as the request to change speed limits to 25 mph has been brought up before. The latest interpretation indicates that selective roadways can be changed to a 25 mph.

While some TPS members are strongly in favor of this change in speed limit, there are also those on the TPS who feel that changing the speed limit on Stuyvesant Avenue will not have any significant effect as people drive at the speed that they are comfortable at and thus will not have the desired impact. Another concern is if one street is made 25 mph, then others may request the same, such as Forest Avenue. Logically, why would a collector street like Stuyvesant Avenue have a lower speed limit than a smaller purely residential street like Halls Lane?

The United States Department of Transportation – Federal Highway Administration in its Study entitled “Effects of Raising and Lowering Speed Limits on Selected Roadway Sections” states that “neither raising nor lowering the speed limit had much effect on vehicle speeds. The mean speeds and the 85th percentile speeds did not change more than 1 or 2 mph”. It further states that the percent compliance decreased when the speed limits were lower.

Thus, the TPS has decided that Stuyvesant Avenue be utilized as a Pilot Study to see if changing the speed limit has any true impact.

Aside from the requests from residents, Stuyvesant Avenue was determined to be an appropriate road for the test due to its unique nature of different factors including:

- No sidewalks (sidewalks would be difficult to install)
- Narrow lanes
- Horizontal and vertical curvature
- Side streets and residential driveways
- Old growth trees
- Significant number of pedestrians and joggers
- Significant number of bicyclists
- Number of children in area
- Limited areas for enforcement
- Sight distance around curves and vegetation
- Proximity to Milton School and ability to walk to
- Mix of uses – residential and the clubs
- Seasonal fluctuation in traffic
- Serves as an emergency and evacuation route
- General support of residents in area based upon informal poll

Speed Studies

The City Engineering Department has performed speed studies on Stuyvesant Avenue during the past year to measure the existing speeds. The speeds were measured both when the clubs were fully operating and during the off-season for the clubs. The speed measurements taken during the summer actually showed lower speeds than during the off-season measurements. This could be the result of two factors, (1) the speed measurements were taken at two different locations and (2), during the summer, there are more people walking and bicycling which slows up the traffic somewhat. During this time (August), the 85th percentile speed, the speed that speed limits are generally to be set at, was approximately 31 mph (Average speed 25-26 mph) and thus the speed limit of 30 mph appears appropriate. The speed studies taken during the off-season (November) indicated an 85th percentile speed of 34-35 mph (Average speed 27 mph). Thus, a higher percentage of vehicles were exceeding the 30 mph speed limit. It should also be noted that during the summer, the speed counts showed that there is about twice the amount of traffic than during the other parts of the year (approximately 3,000 vehicles per day versus 1,500).

Other Measures

The TPS and City Engineer have reviewed other measures in regards to speeds along Stuyvesant Avenue and received input from some of the residents. Preliminary discussions were held with the City's Emergency Service Departments. The City has installed measures at the intersection of Stuyvesant Avenue and Milton Road/Old Milton Road including a median. This was previously attempted with bollards but they did not last. Consideration was also given to stop signs (not desired), raised crosswalks/speed humps (these would violate the City Speed Hump Policy as Stuyvesant is classified as an Emergency Road), standard crosswalks (not recommended due to no sidewalks).

Before the Pilot Study is enacted, this policy should be reviewed by the City Council as well as the Police Department.

Additional Roadways

In addition to Stuyvesant Avenue, the City Council has suggested that additional locations be added to the Pilot Study including all or portions of Van Wagenen Avenue, Forest Avenue, Oakland Beach Avenue, and Milton Road. Speed measurements for these roadways would need to be performed to establish a baseline.

Other Issues

Two issues that has been brought up in the discussions that are related to the Speed Limit Study are the rocks on the side of the road as well as Belgian blocks extending out onto roads that are not curbed. While TPS has been a strong supported for the removal of the rocks on the side of the road for many years, this is a complex issue that, in the opinion of TPS, will need to be handled separately. The Belgian blocks are also a complex issue and may require a review of approved site plans and the City Driveway Policy.

Pilot Study Methodology

The first portion of the Pilot Study would consist of, upon approval of City Council, Corporate Council and the Police Department as well as a Public Hearing, would be to perform speed measurements on the other four roads to obtain baseline measurements at a 30 mph speed limit. The second step would be to lower the speed limit on Stuyvesant Avenue and the other four road sections to 25 mph for a one year period (or shorter period if determined by Council). Speed Measurements would be performed at the two previous locations on Stuyvesant Avenue during the club season and during the off-season. Measurements will also be performed on the other roadways.

After the one year period (or shorter), a summary report would be prepared by TPS. This would determine if there is any statistical drop in the speed travelled and if safety benefits appear to have been achieved. If desired by the Council, speed radar signs could then be installed in each direction of Stuyvesant Avenue (and possibly other locations) alerting drivers of their speed. Speed measurements would again be taken and compared to the previous measurements to study the changes and whether the speed radar signs should be pursued further.

This Pilot Study could be used as the basis for other locations in the future.



CITY COUNCIL AGENDA

NO. 10

DEPT.: City Manager's Office

DATE: August 4, 2014

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Public Hearing to amend local law Chapter 191, "Vehicles and Traffic", of the Rye City Code by amending Section §191-20, "Parking time limited", Subsection (E) "Fifteen-minute limit" to designate two parking spaces on the south side of Sylvan Road closest to Midland Avenue as fifteen minute parking spaces.

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER	191
SECTION	20

RECOMMENDATION: That the City Council hold a Public Hearing to approve the changes on Sylvan Road as outlined by the Traffic and Pedestrian Safety Committee.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Traffic and Pedestrian Safety Committee has made the recommendation to make the following changes regarding parking on Sylvan Road:

- Amend Section §191-20, "Parking time limited", Subsection (E) "Fifteen-minute limit" to designate two parking spaces on the south side of Sylvan Road closest to Midland Avenue as fifteen minute parking spaces.

See attached Draft Local Law.

Chapter 191. VEHICLES AND TRAFFIC

Part 1. General Regulations

Article III. Parking Regulations

§ 191-20. Parking time limited.

- E. Fifteen-minute limit. The parking of vehicles is hereby prohibited in the following locations for a period longer than 15 minutes between the hours of 7:00 a.m. and 7:00 p.m., except on Sundays:

Name of Street	Side	Location
Boston Post Road	East	From Central Avenue to Rectory Street
Elm Place	North	3 spaces on the north side closest to Theodore Fremd Avenue
Forest Avenue	West	From the southwest driveway of the service station to Elmwood Avenue
Purchase Street	East	From Elizabeth Street southerly for 140 feet
Purdy Avenue	North	From the east side of the post office property to Third Street
<u>Sylvan Road</u>	<u>South</u>	<u>2 spaces on the south side closest to Midland Avenue</u>
Third Street	East	From Purdy Avenue to the post office driveway
Third Street	West	From Purdy Avenue to a point 100 feet north thereof



CITY COUNCIL AGENDA

NO. 11 DEPT.: City Manager's Office DATE: August 4, 2014
CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Consideration to reschedule the Public Hearing to September 10, 2014 to amend local law Chapter 191, "Vehicles and Traffic", of the Rye City Code by amending Section §191-20, "Parking time limited", Subsection (B) "Two-hour limit" to prohibit parking for a period longer than two hours between the hours of 7:00 a.m. and 6:00 p.m., except on Sundays on the north side of Central Avenue from the west side of the bridge over the Blind Brook to Walnut Street, and Section §191-21, "Parking, standing or stopping" to prohibit parking on the north side of Central Avenue from the Boston Post Road to the west side of the Blind Brook.

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER 191

SECTION 20, 21

RECOMMENDATION: That the City Council reschedule the Public Hearing to September 10, 2014 to approve the changes on Central Avenue as outlined by the Traffic and Pedestrian Safety Committee. The Public Hearing was previously set for August 4, 2014 but was not noticed in the Journal News.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Traffic and Pedestrian Safety Committee has made the recommendation to make the following changes regarding parking on Central Avenue:

- Amend Section §191-20, "Parking time limited", Subsection (B) "Two-hour limit" to prohibit parking on the north side of Central Avenue from the west side of the bridge over the Blind Brook to Walnut Street.
- Amend Section §191-21, "Parking, standing or stopping" to prohibit parking on the north side of Central Avenue from the Boston Post Road to the west side of the Blind Brook.

Currently parking is prohibited from 30 feet west of Boston Post Road on the north side of Central Avenue; the proposed change will prohibit parking on the Central Avenue Bridge.

See attached Draft Local Law.

§ 191-20. Parking time limited.

B. Two-hour limit. The parking of vehicles is hereby prohibited in the following street locations for a period longer than two hours between the hours of 7:00 a.m. and 6:00 p.m., except on Sundays:

Name of Street	Side	Location
Blind Brook Lane	Both	
Central Avenue	North	From the west side of the bridge over the Blind Brook 30 feet west of Boston Post Road to Walnut Street
First Street	East	Parking area between Commuter Parking Area and Purdy Avenue
Highland Road	North	From Purchase Street to Club Road
Milton Road	West	From Cross Street to Rectory Street
Natoma Street	North	
New Street		(Except also on Saturday)
Orchard Avenue	North	From 300 feet from the intersection of Boston Post Road west to Theodore Fremd Avenue
Purchase Street	Both	From Natoma Street to Ridge Street
Rectory Street	South	From Milton Road to Boston Post Road
Theodore Fremd Avenue	North	First 4 parking spaces of the parking area commencing at intersection with Blind Brook
Theodore Fremd Avenue	Southeast	From its intersection with Central Avenue northeasterly for 155 feet
Wappanocca Avenue	Both	

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Chapter 191. VEHICLES AND TRAFFIC

§ 191-21. Parking, standing or stopping.

The parking, standing or stopping of vehicles is hereby prohibited in the following locations: of Central Avenue from the Boston Post Road to the west side of the Blind Brook.

Name of Street	Side	Location
Billington Court [Added 8-16-1995]	North	
Central Avenue [Added 10-20-1982]	North	30 feet west From the Boston Post Road to the west side of the Blind Brook
Central Avenue [Added 10-20-1982]	South	From Loewen Court to the Boston Post Road
Cornell Place [Amended 1-7-1976 by Ord. No. 3-1976]	Both	
Dearborn Avenue [Added 1-7-1976 by Ord. No. 3-1976]	Both	East of Forest Avenue, including the turnaround at the easterly end thereof*
Forest Avenue [Added 12-2-1981]	East	From Redfield Street to Playland Parkway
Franklin Avenue [Added 11-19-2008]	North-east	From a point approximately 30 feet north of Sonn Drive
Hewlett Avenue [Added 2-28-2001]	East	Between the crosswalks extending from Robert Crisfield Place to the fire lane driveway exit, when school is in session, from 8:00 a.m. to 9:00 a.m. and 2:30 p.m. to 3:30 p.m.

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CITY COUNCIL AGENDA

NO. 12

DEPT.: City Council

DATE: August 4, 2014

CONTACT: Mayor Joseph A. Sack

AGENDA ITEM: Discussion regarding Hen Island.

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Presentations will be made by Ray Tartaglione and members of the Kuder Island Colony, Inc. Association. The Council will have an opportunity for discussion and input on Hen Island.

Hen Island, Rye NY





Former Home of Palmer/Deveros

Hen Island, Rye NY



Hen Island Deed Covenants of 1952

“Hen Island at all times be kept free of litter, garbage, and all sewerage and drain water shall be carefully contained therein and sanitarily disposed of and no litter, garbage, sewerage or drainage shall be discharged or permitted to be discharged into the environing waters.”

An aerial photograph of Hen Island, a large green island in a body of water. The island is surrounded by a harbor filled with numerous sailboats. A utility easement is indicated by a white arrow pointing from the mainland towards the island. A County Sewer Trunk Line is also shown, with a white arrow pointing from the mainland towards the island. The text 'Hen Island' is overlaid on the image in white with a blue outline. The text 'Utility easement' and 'County Sewer Trunk Line' are also overlaid in white with blue outlines, with arrows pointing to their respective locations on the map.

Hen Island

Utility
easement

County Sewer
Trunk Line



**Abandoned Outhouses
on Hen Island**



**Outhouse presently in use
on Hen Island**



**Sewage Pit,
7 ft. from high tide water line**



Above ground sewage pit

Hen Island

450 ft

**Proximity of sewage pits to
Greenhaven Beach**





Mastrovito Cottage has no working toilet

Sewage pipe at Volpe cottage goes directly into the ground





**Infamous blue plastic garbage
can filled with human waste**



Andrew J. Spano
County Executive

Department of Health

Joshua Lipsman, M.D., J.D., M.P.H.
Commissioner

June 17, 2009

Kuder Island Colony, Inc.
PO Box 766
Rye, NY 10580

ATTN: Board of Directors

Re: Hen Island

Kuder Island Colony, Inc.
PO Box 766
Rye, NY 10580

ATTN: Board of Directors

Re: Hen Island
(C) Rye

Dear Kuder Island Colony Board:

Please be advised that a potential safety issue at Cottage #18 has been brought to your attention. There is an open pit by the edge of this abandoned cottage. In addition, the cottage is a building in disrepair and its debris may pose a fire hazard. Since building safety is a public safety department issue, Rye's Building Inspector is copied on this letter.

Also, please be reminded that there are two cottages that have pit covers made of plywood. A copy of my 5/8/09 response letter to the City of Rye, you were made aware that if the covers are part of a sewage disposal system, then the plywood covers would have to be replaced with covers made of a permanent material. I subsequently discussed this matter by telephoning Board member Mr. Gary Ederer who stated that the covers would be replaced before June.

Very truly yours,

X 766
Y 10580

Board of Directors

Hen Island
(C) Rye

Under Island Colony Board:

be advised that a potential safety issue at Cottage #18 has been
n. There is an open pit by the edge of this abandoned cottage. It
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my 5/8/09 response letter to the City of Rye, you were made aware
a sewage disposal system, then the plywood covers would have to
made of a permanent material. I subsequently discussed this ma

**Exposed sewage pit at
Cottage # 18**



Kuder Island Colony, Inc.
PO Box 766
Rye, NY 10580

ATTN: Board of Directors

Re: Hen Island
(C) Rye

Dear Kuder Island Colony Board:

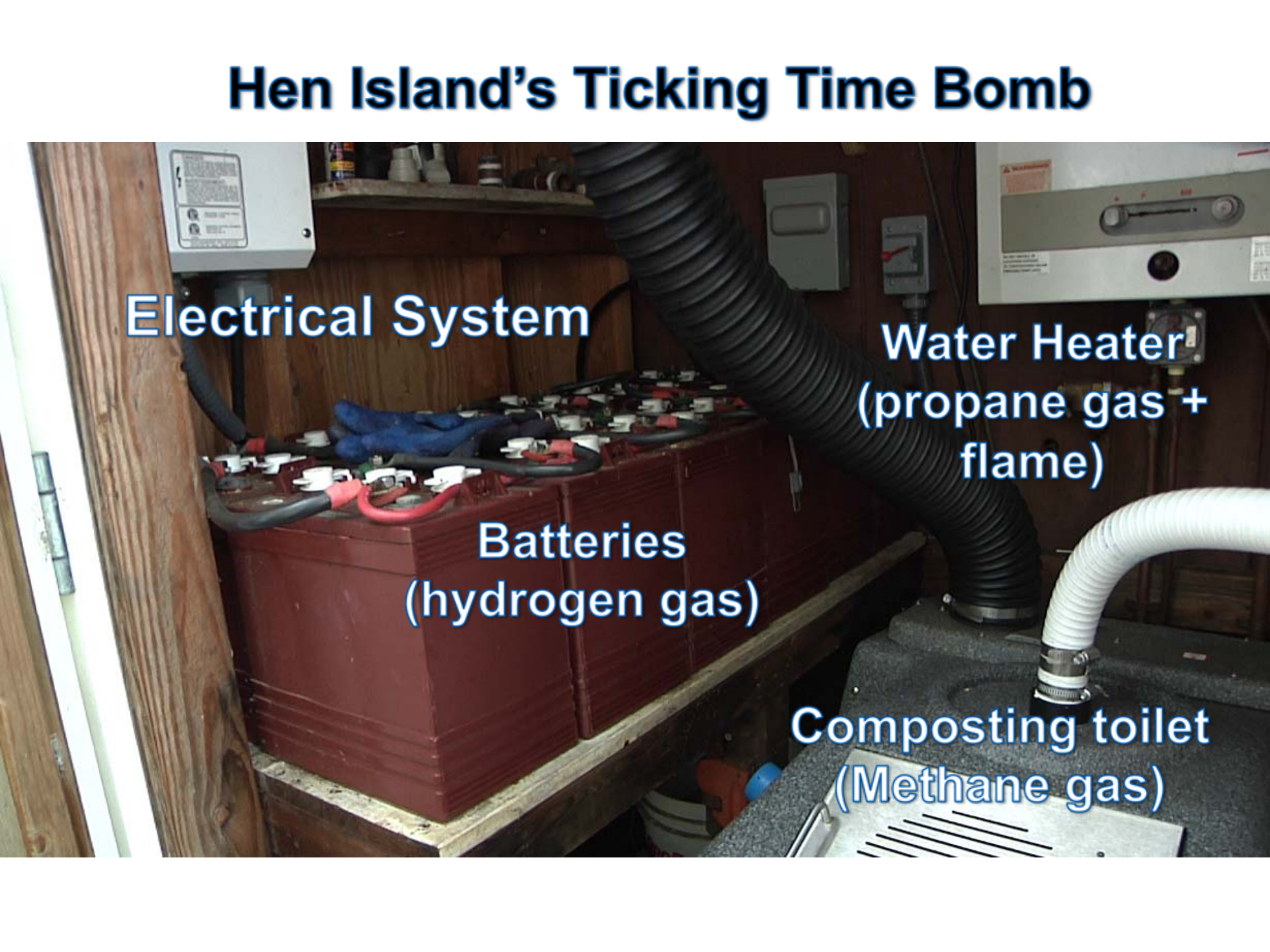
Please be advised that a potential safety issue at Cottage #18 has been brought to your attention. There is an open pit by the edge of this abandoned cottage building in disrepair and its debris may pose a fire hazard. Since building department issue, Rye's Building Inspector is copied on this letter.

Also, please be reminded that there are two cottages that have pit covers. A copy of my 5/8/09 response letter to the City of Rye, you were made a part of a sewage disposal system, then the plywood covers would have been covers made of a permanent material. I subsequently discussed this with Board member Mr. Gary Ederer who stated that the covers would be replaced in June.

Abandoned cottage / fire hazard



Hen Island's Ticking Time Bomb



Electrical System

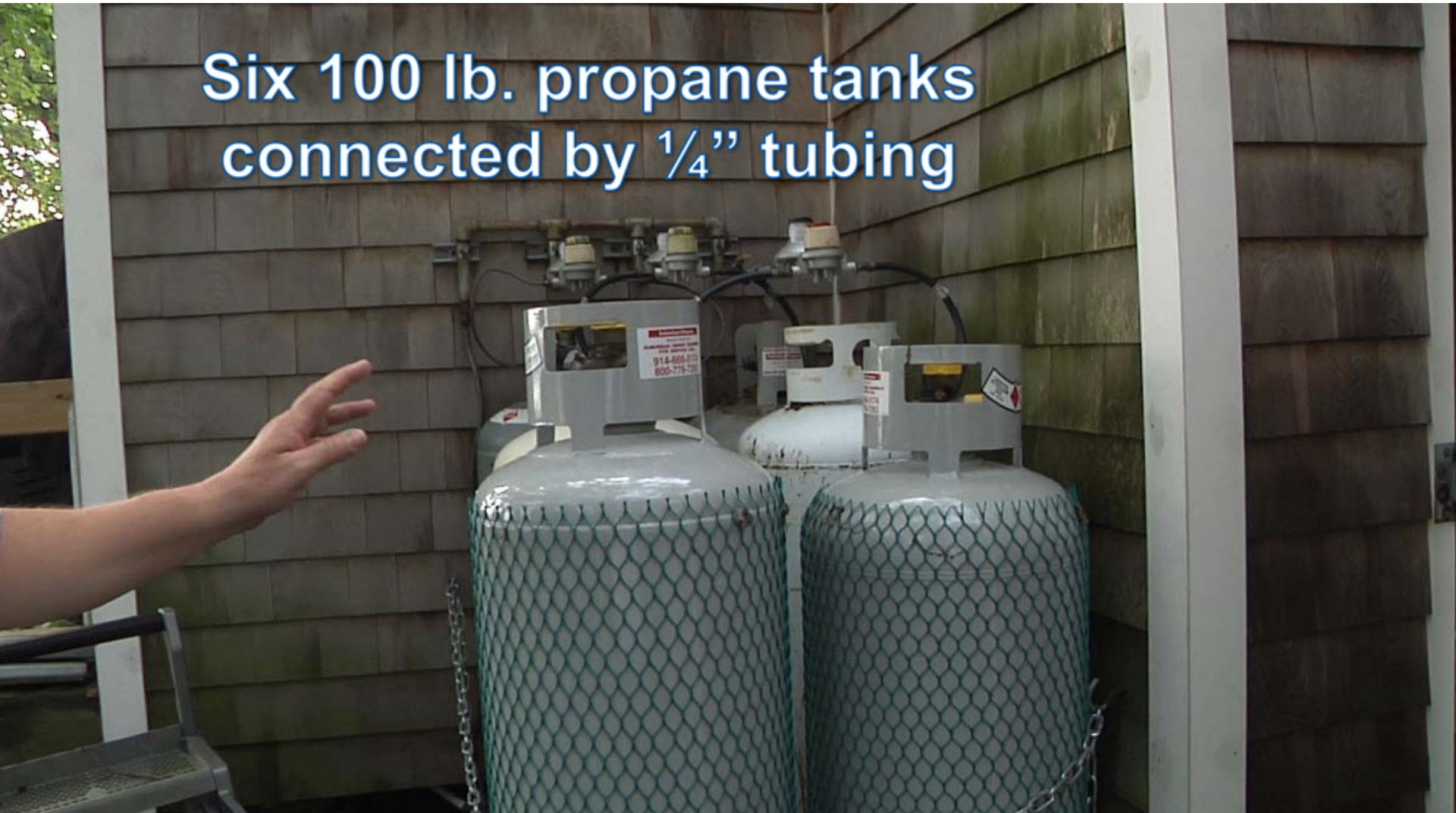
**Water Heater
(propane gas +
flame)**

**Batteries
(hydrogen gas)**

**Composting toilet
(Methane gas)**

Hen Island's Ticking Time Bomb

Six 100 lb. propane tanks
connected by $\frac{1}{4}$ " tubing



2008 Propane Explosion on Hen Island



Urine from being transported
off Hen Island to AYC Beach





Urine container arrives
at American Yacht Club



**Bird feces infected water
stored on Hen Island**



**“Covered” bird feces
infected water tank**

**Leaves hidden in
the high reeds**



Mosquito Breeding Pool





Twin - Mosquito Breeding Pools

Dead bird, WNV Indicator



NYS West Nile Virus Testing Laboratory

ARBO LAB NO	SUBMITTER SPECIMEN NO	SPECIES NAME	POOL	COUNTY	COLLECTION SITE	DATE COLLECTED	DATE RECEIVED	WN FINAL RESULT	DATE WNV COMPLETED	OTHER VIRUS RESULT
ARB12MS590120	12590120	Culex pipiens-restuans	80	Westchester	SHELDRAKE TRAIL	7/17/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590121	12590121	Culex pipiens-restuans	26	Westchester	SHELDRAKE TRAIL	7/17/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590122	12590122	Culex pipiens-restuans	32	Westchester	SHELDRAKE TRAIL	7/18/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590123	12590123	Culex pipiens-restuans	14	Westchester	SHELDRAKE TRAIL	7/19/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590125	12590125	Culex pipiens-restuans	20	Westchester	RYE NATURE CENTER	7/18/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590131	12590131	Culex pipiens-restuans	55	Westchester	RYE NATURE CENTER	7/17/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590132	12590132	Culex pipiens-restuans	10	Westchester	RYE NATURE CENTER	7/17/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590134	12590134	Culex pipiens-restuans	60	Westchester	RYE NATURE CENTER	7/18/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590135	12590135	Culex pipiens-restuans	40	Westchester	RYE NATURE CENTER	7/18/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590140	12590140	Culex pipiens-restuans	60	Westchester	HEN ISLAND	7/17/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590110	12590110	Culex salinarius	42	Westchester	TIBBETT'S BROOK PARK	7/12/2012	7/27/2012	P	7/30/2012	NEG-EEE
ARB12MS590151	12590151	Culex pipiens-restuans	51	Westchester	RICH MANOR PARK	7/17/2012	7/27/2012	P	8/1/2012	NEG-EEE
ARB12MS590152	12590152	Culex pipiens-restuans	32	Westchester	RICH MANOR PARK	7/18/2012	7/27/2012	P	8/1/2012	NEG-EEE
ARB12MS590095	12590095	Culex pipiens-restuans	36	Westchester	SHELDRAKE TRAIL	7/3/2012	7/13/2012	P	7/17/2012	NEG-EEE
ARB12MS590094	12590094	Culex pipiens-restuans	60	Westchester	SHELDRAKE TRAIL	7/3/2012	7/13/2012	P	7/17/2012	NEG-EEE
ARB12MS590091	12590091	Culex pipiens-restuans	60	Westchester	SHELDRAKE TRAIL	6/21/2012	7/13/2012	P	7/17/2012	NEG-EEE
ARB12MS590093	12590093	Culex pipiens-restuans	13	Westchester	SHELDRAKE TRAIL	7/3/2012	7/13/2012	P	7/17/2012	NEG-EEE

West Nile Mosquitoes Found On Rye's Hen Island

0

Recommend

by Anna Helhoski News 08/14/12

Share

Tweet 3

+1 0

Comments (1)

Email

Print

SOURCE:
RYE

DAILY VOICE



Publication Date:
8/4/12

Water collected out of a drain pipe next to a house on Hen Island in Rye. Photo Credit: *Courtesy of HealTheHarbor.com*

Abandoned Oil Tank Buried Along The Shoreline



Porcelain Sink Buried Along The Shoreline



Propane Tanks on Hen Island



Laundry bleach used to disinfect water



City officials en route to inspect Hen Island (2009)



“Fire hazard” / mosquito breeding site exist in same location today



2009



Illegally constructed sea wall

New cottage (left), new bathroom (right)



Original residence



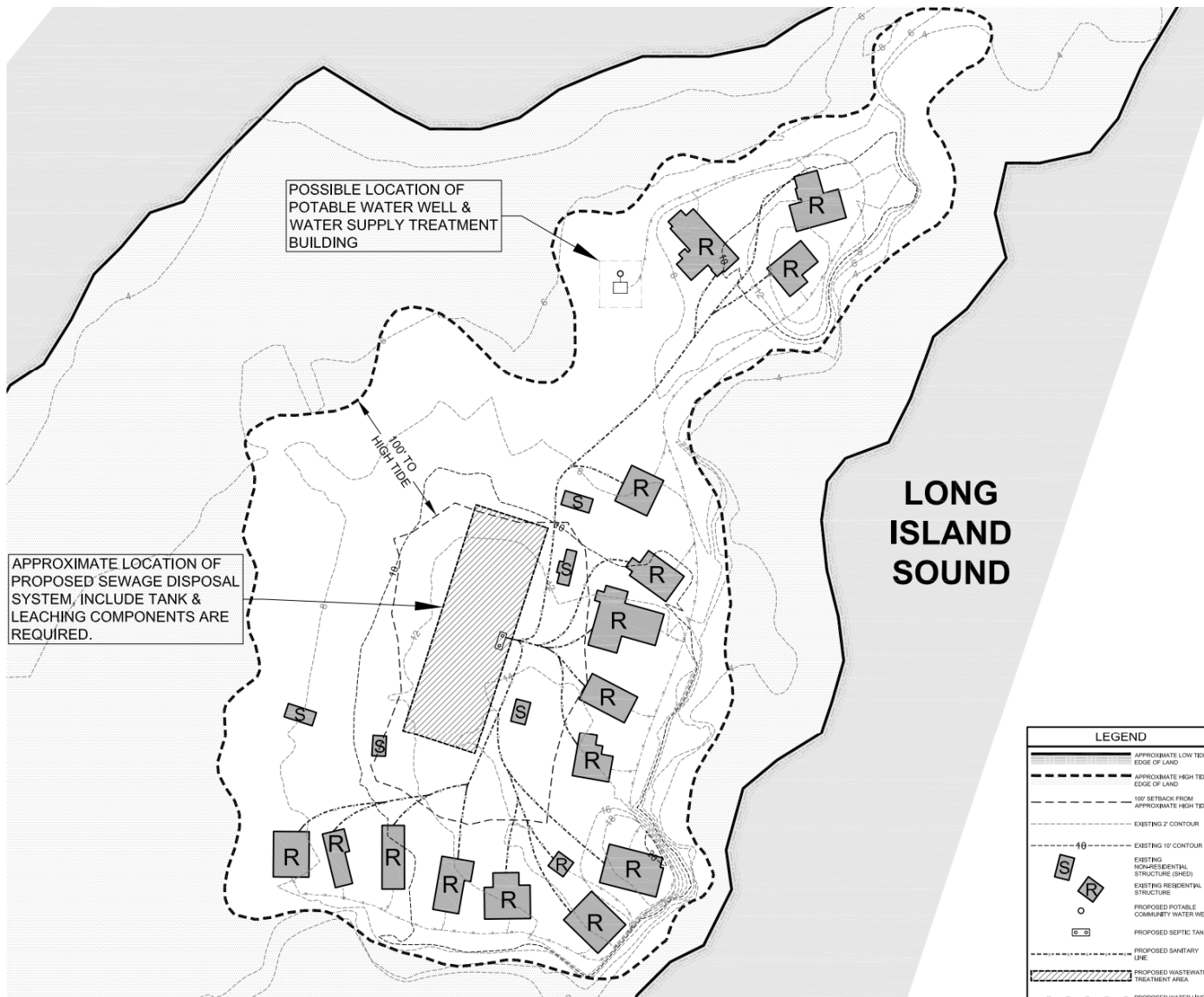
New cottage & bathroom under construction without permits



Hen Island, Rye NY



Hen Island Sewage and Water Plan



LONG ISLAND SOUND

APPROXIMATE LOCATION OF PROPOSED SEWAGE DISPOSAL SYSTEM, INCLUDE TANK & LEACHING COMPONENTS ARE REQUIRED.

POSSIBLE LOCATION OF POTABLE WATER WELL & WATER SUPPLY TREATMENT BUILDING

LEGEND	
	APPROXIMATE LOW TIDE EDGE OF LAND
	APPROXIMATE HIGH TIDE EDGE OF LAND
	150' SETBACK FROM APPROXIMATE HIGH TIDE
	EXISTING 2' CONTOUR
	EXISTING 10' CONTOUR
	EXISTING NON-RESIDENTIAL STRUCTURE (SHEED)
	EXISTING RESIDENTIAL STRUCTURE
	PROPOSED POTABLE COMMUNITY WATER WELL
	PROPOSED SEPTIC TANK
	PROPOSED SANITARY LINE
	PROPOSED WASTEWATER TREATMENT AREA
	PROPOSED WATER LINE

**NORTH ISLAND
WASTEWATER TREATMENT PLAN**
SCALE: 1" = 40'

Hen Island, Rye NY





Adreanna

May 20, 2000 – September 4, 2005



Ron Schoenfeld
Rye Neck, NY



CITY COUNCIL AGENDA

NO. 13

DEPT.: City Manager's Office

DATE: August 4, 2014

CONTACT: Frank J. Culross, City Manager

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

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER	165
SECTION	10

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

IMPACT: Environmental Fiscal Neighborhood Other:

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

See attached Draft Local Law.



CITY COUNCIL AGENDA

NO. 15

DEPT.: City Manager

DATE: August 4, 2014

CONTACT: Scott D. Pickup

AGENDA ITEM: Resolution to approve a Memorandum of Agreement between the City of Rye and the Rye CSEA Local 1000 Department of Public Works Unit.

FOR THE MEETING OF:

August 4, 2014

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: That the Council approve the resolution and enter in an agreement for the contract period of 1/1/2012 – 12/31/2015.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The City of Rye and the Rye CSEA Local 1000 DPW Unit have reached a Memorandum of Agreement. The Union ratified the proposed MOU on July 28, 2014, and the City is requesting the Council to act as follows:

WHEREAS, The City of Rye and the Rye CSEA Local 100 Department of Public Works Unit have negotiated a new Memorandum of Understanding which will replace the agreement which expired on December 31, 2011, and:

WHEREAS, The CSEA DPW Unit ratified the proposed terms of the MOA, now therefore be it;

RESOLVED, that the City Council approve the four year contract MOA between the Rye CSEA Local 1000 Department of Public Works Unit for the contract period of 01/01/2012 to 01/01/2015.

**City of Rye Public Works Unit
CSEA Local 1000 AFSCME, AFL-CIO
Proposed MOA
July 24, 2014**

1. **Wages and Retroactivity:**

NOTE: retroactive pay is limited to employees in active service and on the City's payroll as of the date of the fully executed MOA

- a) Effective January 1, 2012 the salary schedule shall increase by 2%
 - b) Effective January 1, 2013 the salary schedule shall increase by 2%
 - c) Effective January 1, 2014 the salary schedule shall increase by 2.5%
 - d) Effective January 1, 2015 the salary schedule shall increase by 2.5%
- (Article III Salaries and Wages, Section 2. Longevity – p. 2)

2. **Health Benefits:** Effective on the first pay period after full ratification of the MOA, all active employees shall pay a portion of the health benefit premium not to exceed 5% of their annual salary (this shall include employees who have previously not contributed to their health insurance premium) (Article XX Health Plan – p. 14)
3. **Tuition Reimbursement:** Effective upon ratification of the MOA, tuition reimbursement will be modified to reflect no tuition reimbursement available for members of the bargaining unit. (Article XII Tuition Reimbursement – p.10)
4. **Uniforms:** Effective January 1, 2012, the voucher program of \$450 total for boots and/or uniform items will be available for reimbursement. (Article XXVIII Uniforms – p.20)
5. **Vision Care/Hearing Plan:** Effective January 1, 2012, the rates paid out for the current vision/hearing plans shall be changed to reflect the current rates required to provide these benefits. (Article XXII Vision Care/Hearing Plan – p. 15)
6. **Longevity:** Effective January 1, 2015, the current longevity schedule shall be changed to include a longevity step at 7 years, with an increment of \$500. (Article III Salaries and Wages, Section 2. Longevity – p. 3)
7. **Bereavement:** Effective upon ratification of the MOA, add nieces and nephews to bereavement language (Article XIV Bereavement Leave – p.11)
8. **Health Insurance Buyout:** Effective January 1, 2014, to the extent permissible by law and the terms of the health insurance plan from which the employee withdraws from coverage, the City shall provide a health insurance buyout for anyone who has alternate coverage, and who chooses not to take the City offered plan. The value of the buyout shall be 25% of the Employer's net savings, and the dollar amount shall be pro-rated throughout the yearly payroll so that, if a qualifying event takes place which necessitates that the employee re-enroll, the buyout payments shall cease. (Article XX Health Plan – p. 14)

9. **Health Insurance, Line of Duty Death:** Effective upon ratification of the MOA, in case of a line of duty death, the Employer shall continue to provide full premium payments for the deceased members spouse until the spouse is eligible for continuing coverage under Medicare or obtains coverage by another source, such as an employer or spousal coverage. Dependents are also eligible for continued participation at the employer 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 by another source. (Article XX Health Plan – p. 14)
10. **Workday/Workweek:** Effective upon ratification of the MOA, Add Section C: In the event of suspension of solid waste collection due to weather, the City expects employees to report and be available for duty. An employee who does not work on the day of the suspension of collection is considered a refusal for purposes of OT, and may be subject to discipline. While on “watch crew” employees are expected to be fit for duty at all times, reachable, and available to work. Failure of the employee to meet these expectations may be subject to discipline. (Article VI Workday/Workweek – p. 5.)
11. **Workers Compensation Leave:** Effective upon ratification of the MOA, when an employee has completed a report of injury form that is signed by the Foreman, the resulting worker’s compensation absence, outside of modified duty restriction, is considered an assignment to home during regular work hours. During this assignment period, an employee is required to answer telephone calls verifying employee location. (Article XVI Workers Compensation Leave – p. 12)
12. **Probation:** Effective upon ratification of the MOA, all employees in the non-competitive and labor class in the bargaining unit will originally be appointed for a one-year probationary period. (Article VIII Probationary Employees and Seniority – p.6)
13. **Out of Title Pay:** Effective upon ratification of the MOA, any employee who is assigned to drive equipment that requires the Class “A” license and who possess the Class “A” license should be paid out-of-title pay as HMEO for the day.

CSEA NEGOTIATING COMMITTEE




CSEA LABOR RELATIONS SPECIALIST



CITY NEGOTIATING COMMITTEE



CITY OF RYE

By: 
 City Manager

CIVIL SERVICE EMPLOYEES, ASSOC., INC.
 LOCAL 1000, AFSCME, AFL-CIO
 WESTCHESTER LOCAL 860, BY THE
 CITY OF RYE PUBLIC WORKS UNIT

By: 
 President



CITY COUNCIL AGENDA

NO. 16

DEPT.: FINANCE

DATE: August 4, 2014

CONTACT: Joseph S. Fazzino, Deputy City Comptroller

ACTION: Adoption of the 2014/2015 tax levy and tax rate for the Rye Neck Union Free School District.

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

§C22-9(A)

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, the Rye Neck Union Free School District (District) has certified to the City of Rye Comptroller taxes in the amount of \$11,704,783 to be raised on property within the District located in the City of Rye, with established tax rates of \$847.987786 per \$1,000 of taxable assessed value on homestead property and \$1,096.677945 per \$1,000 taxable assessed value on non-homestead property, for the fiscal year beginning July 1, 2014 and ending June 30, 2015, now, therefore, be it

RESOLVED, that in accordance with the provisions of the City Charter, the City Comptroller is commanded to levy and collect said taxes, subject to any further amendments or approvals required by the Rye Neck Union Free School District.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The Rye Neck Union Free School District has provided the City with the allocation of the tax levy and tax rates for the Town of Rye and City of Rye. A portion of the City's share of the tax levy is attributable to STAR exemptions, which will be paid by the State to the district. The above amounts and rates are subject to adjustments and adoption by the District at their next Board of Education meeting on August 27, 2014.



CITY COUNCIL AGENDA

NO. 17

DEPT.: Engineering

DATE: August 4, 2014

CONTACT: Ryan X. Coyne, City Engineer

ACTION: Bid Award for the Peterbilt Truck Modification Bidding Specifications (Bid #2-14).

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That Bid #2-14 be awarded to the low bidder, Truck Builders of Connecticut, in the amount of seventy-five thousand seven hundred eighty dollars (\$75,780.00) as recommended by the City Engineer.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Engineering Department had made the recommendation to purchase equipment which allows for the conversion of a spare garbage truck into a multi-use truck that has the capacity to plow and salt in the winter as well as perform hauling and dump truck functions. The Council is asked to award the bid for this equipment to Truck Builders.


The City Engineer's recommendation and bid results are attached for your review.



CITY OF RYE
Engineering Department

Interoffice Memorandum

To: Frank Culross, City Manager

From: Ryan X. Coyne, PE, City Engineer 

Date: July 31, 2014

Subject: **Peterbilt Truck Modification Bidding Specifications
Bid 2-14**

I have checked and tabulated the two bids received yesterday for the above bid. The apparent low bid was from Truck Builders of CT in the amount of \$75,780.00. The second bid was from Vasso Waste Systems, Inc. in the amount of \$96,750.00.

This project was funded in the 2014 budget and includes the conversion of a spare garbage truck into a multi-use truck that has the capacity to plow and salt in the winter as well as perform hauling and dump truck functions. This project will allow the City to decommission an older salt truck without having to purchase a new, single purpose truck in excess of \$250,000.

Truck Builders of CT complies with all of our specifications, while Vasso Waste Systems, Inc. has requested several exceptions from the specifications. Being that the low bidder has complied with our specifications, we did not review the modifications to the specifications that were submitted by the second bidder.

Truck Builders did not include a bid bond with the bid; however, they have indicated that they have every intention of fulfilling the bid requirements, as stated in their attached letter.

If the Council is so inclined, I recommend that the City waive the informality of the lack of the bid bond and award the bid to the apparent low bidder, Truck Builders of CT, in the amount of \$75,780.00. Sufficient funds exist within the Building & Vehicle Budget for this project to be awarded.

Should the Council wish not to waive the informality of the omission of the bid bond, I would recommend that the bids be rejected and the work re-bid.

Please feel free to contact me should you need additional information.



TRUCK BUILDERS OF CT

61 Poland Brook Rd
Terryville, CT 06786

Phone: 860-584-1174
Fax: 860-583-5258

City of Rye
1051 Boston Post Road
Rye, NY 10580

To Whom It May Concern,

I, Kim R. Pelletier, Owner of Truck Builders of CT of Terryville, CT; have many years experience Building and Repairing Municipality Trucks.

I have submitted a bid to the City of Rye, NY for the Public Works Department to Modify their Peterbuilt Truck.

I also in the past have done repairs for the City of Rye.

I have all intentions and **WILL** fulfill your needs if Truck Builders of CT is chosen as the bidder of your choice.

If you have any questions, I am available, you may reach me at my office at 860-584-1174 or you may call my cell at 860-940-1697.

Thank You Kindly,

Kim R. Pelletier



CITY COUNCIL AGENDA

NO. 18

DEPT.: City Manager's Office

DATE: August 4, 2014

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Consideration of request to close a section of Purchase Street on Sunday, October 19, 2014 (rain date October 26), for events to be held in conjunction with the 62nd Annual Halloween Window Painting Contest.

FOR THE MEETING OF:

August 4, 2014

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the City Council approve the request.

IMPACT: Environmental Fiscal Neighborhood Other:

Closing a section of Purchase Street for activities related to the Halloween Window Painting Contest will have minimal effect on the area.

BACKGROUND: The City Manager's Office received a request from the Recreation Department asking that Purchase Street, from Locust to Chase Manhattan Bank, be closed from 8:00 am to 3:00 pm for the Annual Halloween Window Painting Contest. Special activities, including street entertainment from 10:00 am to 2:30 pm have been planned on Purchase Street during the day.

See attached.

INTEROFFICE MEMORANDUM

TO: SCOTT PICKUP, CITY MANAGER
FROM: JENNIFER GIUSTI
SUBJECT: HALLOWEEN WINDOW PAINTING 2014
DATE: JULY 28, 2014
CC: SALLY ROGOL, SUPERINTENDENT

Rye Recreation would like to request closing of Purchase Street for the 62nd Annual Celebration of the Halloween Window Painting Event. This year's event will take place on Sunday, October 19, 2014 with a rain date of Sunday, October 26, 2014.

- Closing of Purchase Street from the Square House (Boston Post Road) to Purdy Ave from 8:00 – 3:00 p.m. This will provide a safe place for the more than 1,200 youngsters and their families who participate in this event throughout the day.
- The closing of the street will be coordinated with the Rye Police Department so that all safety issues are taken into account. Rye/Port Chester EMS will be on stand-by during the day as well.
- On street entertainment will be performed between 10:00 – 2:30 p.m.

If you have any questions or concerns, please let me know.

Jennifer Giusti
281 Midland Ave.
Rye, NY 10580
(914)967-2535
Jgiusti@ryeny.gov