

**CITY OF RYE
1051 BOSTON POST
ROAD RYE, NY 10580
AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
Wednesday, August 8, 2018
6:30 p.m.**

1. Pledge of Allegiance.
2. Roll Call.
3. Draft unapproved minutes of the regular meeting of the City Council held July 11, 2018 and a special meeting of July 26, 2018.
4. Presentation on Leaf Blowers by the Rye Sustainability Committee.
5. Residents may be heard on matters for Council consideration that do not appear on the agenda.
6. Public Hearing to consider a resolution in support of Chapter 433 of the laws of New York, 2013 regarding hydrant fees for Suez.
7. Continuation of Public Hearing to establish the 2019 budgeted fees and charges.
THIS PUBLIC HEARING WILL BE CONTINUED TO THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. NO PUBLIC COMMENT WILL BE TAKEN DURING THE AUGUST 8, 2018 MEETING.
8. Continuation of discussion by the Council on proposed capital projects.
9. Contract Award (2018-04) for the repairs to the World War I monument/flag pole as recommended by the Superintendent of Public works.
Roll Call.
10. Bid Award for the Solid Waste Containers bid (Bid #5-18).
Roll Call
11. Consider a resolution to transfer \$650,000 from Unassigned Fund balance to capital project fund - general capital.
Roll Call.
12. Consideration of a request by the Midland Fair committee to approve a parade to precede the Midland Elementary School Fair on Saturday, April 27, 2019 from 9:00 a.m. to 10:15 a.m.

13. Consideration of a request by the Jarden Corporation for use of City streets on Sunday, September 23, 2018 from 7:00 a.m. to 6:00 p.m. for their annual Westchester Triathlon.
14. Adoption of the 2017/2018 tax levy and tax rate for the Rye Neck Union Free School District.
Roll Call.
15. Miscellaneous communications and reports.
16. Old Business.
17. New Business.
18. Adjournment.

The next regular meeting of the City Council will be held on Wednesday, September 12, 2018.

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".

The Mayor and City Council have office hours in the Mayor's Conference Room Annex at Rye City Hall, 1051 Boston Post Road. The Mayor's Conference Room Annex is located on the 1st floor of City Hall adjacent to the Council Chambers. Hours are as follows:

Mondays 9:30 a.m. to 11:00 a.m.

Councilwoman Danielle Tagger-Epstein & Councilwoman Julie Souza

Wednesdays 9:00 a.m. to 10:30 a.m.

Mayor Josh Cohn, Deputy Mayor Emily Hurd & Councilwoman Sara Goddard

**Office hours are first come first served.
Mayor and Council attendance may vary.**

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of Rye
held in City Hall on July 11, 2018, at 7:30 P.M.

PRESENT:

JOSH COHN, Mayor
SARA GODDARD
EMILY HURD
RICHARD MECCA
JULIE SOUZA
BENJAMIN STACKS
DANIELLE TAGGER-EPSTEIN
Councilmembers

ABSENT:

None

The Council convened at 6:30 P.M. Councilman Mecca made a motion, seconded by Councilwoman Souza, to adjourn immediately into executive session at 6:30 P.M. to discuss personnel and litigation matters.

At 7:30 P.M., Councilman Stacks made a motion, seconded by Councilwoman Souza, to adjourn the executive session. The regular meeting of the City Council began at 7:39 P.M.

1. Pledge of Allegiance.

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

2. Roll Call.

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

3. Draft unapproved minutes of the regular meetings of the City Council held June 6 & 20, 2018.

Councilwoman Hurd made a motion, seconded by Councilman Mecca and unanimously carried, to adopt the minutes of the regular meeting of the City Council held June 6, 2018 and June 20, 2018.

4. Presentation of an award to honor the Department of Public Works, City of Rye, New York with the Club Civic Improvement Commendation.

Julia Burke, 72 Glendale Road and president of Rye Garden Club, presented an award to the City's Department of Public Works for their efforts in maintaining the plants throughout Rye.

Mr. Ryan Coyne, Superintendent of Public Works, thanked the Garden Club and the Council for their award.

5. Presentation on City Financials by Brendan K. Kennedy of the auditing firm of BST & Co, LLP.

Brendan Kennedy, BST & Co. LLP, presented the results of the audit of the 2017 financials. Mr. Kennedy gave a brief summary of the work done by the firm in the audit process with the City of Rye. A few City-wide observations were that personnel were well organized and knowledgeable, and the overall financial health of the City appears strong. He also reported that processes were appropriate and reasonable, and that the audit encountered no significant inquiries. Mr. Kennedy commended the Finance Department, which was very cooperative, as well as other departments in the City.

Councilman Mecca asked if there were any changes in how accounting practices were established in the past.

Mr. Kennedy responded that there was a relatively significant accounting standard for year ending 2018 involving post-employment retirement health benefits. The reporting on that item will change substantially.

Councilman Mecca asked if this increase would be reported as a non-cash future debit. Mr. Kennedy confirmed that this would be the case, with no impact on the general fund. There was discussion about this long-term tool being used from year to year.

Councilman Stacks and Mr. Kennedy discussed that bond raters were already aware of the new reporting obligation.

Councilman Mecca asked if money could be set aside for this future debt. Mr. Kennedy responded that the City could set up a reserve fund, but a future administration could decide to do something different with the money. Councilman Mecca hoped that if the public read this document in a year, they would hopefully be prepared.

Councilwoman Hurd referenced page 6 of Mr. Kennedy's report, specifically Exhibit B. There was discussion over the pension liability noted in this section of the report.

Mr. Kennedy explained that the adjustment on pension liability is the City's share of the state's shortfall, as the state is running on a deficit. There was discussion about the annual payment of the City's share of the New York State pension share.

Mayor Cohn thanked Mr. Kennedy for characterizing the City's financials. Mr. Kennedy commented that it was a positive audit. Mayor Cohn also thanked Deputy Comptroller Fazzino for his hard work.

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

Chris Shoemaker, Rye Free Reading room, announced that the annual Lawn Chair Theater will perform Shakespeare's "The Tempest" on Thursday, July 12, 2018 at 6:30 P.M., sponsored in part by the Rye Arts Center. He also announced that there will be a weekly story time program in Rye Town Park every Tuesday in the summer. Lastly, he announced that this fall, the library will be launching a spelling bee, to be held November 12, 2018.

Ray Tartaglione, 10 Hen Island, addressed the Council on the issue of sewage from Hen Island. He said that he had recently heard from residents who did not know about the community. He explained that Hen Island is a privately-owned island off the Milton Harbor, only accessible by boats. It is responsible for \$140,000 in property taxes. Mr. Tartaglione felt displeased with the City's response to his claims of sewage and mosquito issues on the island. He stated that the island had tested positive for West Nile virus. He asked the City to issue violations. Mayor Cohn responded that the Council was eager to see the results from the County inspection.

7. Consideration of a resolution to establish a test pilot program to assess the effect of removing the "except Sunday" condition from certain locations subject to a 15-minute parking rule. The test pilot program would be limited to Forest Avenue in front of Playland Market and Griffin Wines. Such a pilot program would end on November 1, 2018 and be subject to renewal if the Council deems appropriate.

Mayor Cohn said that the "except Sunday" rule is set to be tested with this program, until a time when Traffic and Pedestrian Safety Committee can comment and study further.

Councilman Mecca said residents in the beach district were not permitted to park in front of their homes from May 1 to September 30. The "except Sunday" notice removes that requirement in effect just for that particular parking area. He commented that it was a very busy area and he agreed with a more intensive review. Councilman Mecca supported the test program and looked forward to the Traffic and Pedestrian Safety Committee study.

Councilwoman Tagger-Epstein also supported the test program. She mentioned that the area was very busy and home to various safety issues and traffic implications. She thought it would be prudent to have more time to study the issue.

Councilman Stacks asked if there was enough time for the Traffic and Pedestrian Safety Committee to render an opinion. Councilman Mecca responded that Playland will be closed for the season before the deadline, and the need to park in front of those businesses during the day is diminished.

Councilwoman Hurd said that without removing the "except Sundays" provision the City was effectively allowing county Playland and Rye Town Park users to have free parking at the expense of city business owners/ residents.

Councilwoman Hurd made a motion, seconded by Councilman Mecca, to adopt the following resolution:

RESOLVED, to establish a test pilot program to assess the effect of removing the "except Sunday" condition from certain locations subject to a 15-minute parking rule. The test pilot program would be limited to Forest Avenue in front of Playland Market and Griffin Wines. Such a pilot program would end on November 1, 2018 and be subject to renewal if the Council deems appropriate.

ROLL CALL

AYES: Councilmembers Goddard, Hurd, Mecca, Souza, Stacks, Tagger-Epstein, Mayor Cohn

NAYS: None

ABSENT: None

8. Staff update on proposed capital projects and Council discussion.

Ryan Coyne, DPW Superintendent, addressed the Council. He discussed the DPW trash and recyclable pickup methods and schedule. He said he was asked for any potential deficiencies by reducing garbage pickup. He said explained a possible alternative, resulting in three less workers. While there would be a reduction in staffing, there would not be a reduction in number of trucks. There was general discussion about snow plowing, garbage placement, and operations and service.

Councilman Mecca and Councilwoman Tagger-Epstein felt that reducing services for residents could be problematic.

Councilwoman Souza and Councilwoman Goddard said that they felt more discussion in review was necessary.

Councilwoman Hurd thanked the DPW for their hard work.

Mayor Cohn held the matter of garbage pickup over to a future meeting.

Superintendent Coyne discussed the Village Hall HVAC system being antiquated and unreliable. He said it was not up to current efficiency standards. He said that the New York Power Authority had done a prior audit of the building, with some improvements having a cost benefit, and others not having a cost benefit.

Mr. Coyne also discussed a new pump station at the corner of Central and Clinton Avenues. This pump station is in the design phase and would avoid pumping into the Mamaroneck Valley

Sewer District. He said that the City would be seeking grant assistance for this project, currently with the project estimated at \$1 million.

Mayor Cohn asked when the design portion of the project would be completed, with the construction portion following. Mr. Coyne responded that the design and permitting would extend into September 2018 with bidding to follow. He confirmed that the construction phase would likely be completed in the spring of 2019.

Mr. Coyne then discussed the City's salt shed, located at Disbrow Park. He explained that the salt dome is currently located in the right part of the little league field. Its outdated dome shape is no longer used by DOT and requires extensive maintenance. It is also a bit small for the City's needs. The replacement of one with an adequate size is needed. Mr. Coyne discussed the benefits to replacement, one of which avoids the spilling of salt. The City is currently working with the consultants to analyze its location if replaced. There was an estimated cost of \$650,000 for replacing the salt shed.

Mayor Cohn commented that in looking at a possible new location, the City was hopeful that its proposed site would not need remediation. A proposed site would not be available for use until testing is performed.

Councilwoman Souza asked if \$650,000 would be all-inclusive of a replacement. Mr. Coyne responded that it is possible but there could be the added cost of possible soil remediation.

Mayor Cohn asked City Manager Serrano to gather final costs, as the Council would be deciding whether to enter the bond market with changing interest rates.

Mr. Coyne also outlined the possible Building 5 replacement at Disbrow Park, which is original to the facility. The building is structurally-deficient, the roof is in need of replacement, and the structure on the outside of the building is compromised. There was discussion of possible replacement of the second floor as well.

Mr. Coyne continued and stated that the City had two buried underground fuel tanks, one gasoline, and one diesel. They are tested every day, and while they are not currently leaking, there is always the potential. The hope is to get those tanks above ground. However, the estimated cost of this is \$250,000. Councilwoman Tagger-Epstein asked if it was common to have all of these above ground. Mr. Coyne responded that it was, with safety measures used to do so.

Councilwoman Goddard asked about Buildings 7 and 5, regarding any new renovations to these buildings possibly encroaching upon residential areas. Mr. Coyne responded that for Building 5, there currently is a second story which neighbors a residential area. He explained that the expansion of the second story would be away from that side. He also said that Building 7 runs on the property line behind the residents of Preston Street. The roof of Building 7 actually helps block the view to DPW. He said that the ultimate goal of this project is to prevent it from collapsing.

Mayor Cohn said that there were currently open bays with no doors, and asked if the vehicles would be winterized with the improvements. Mr. Coyne responded that they would be.

Mr. Coyne then continued and discussed the court facility, which currently may not conform with the requirements of the Office of Court Administration. Councilman Mecca recounted a possible old idea of moving the facility.

Councilwoman Goddard said that the \$1.5 million seemed like a stale number. There was general discussion over the change of estimates and scope since 2009 resulting in a proposed increase in cost.

With regarding to road improvements, Mayor Cohn announced that the City will start in the coming week on this year's road improvements. For bonding purposes, the Council might think more in the long term about road needs.

Mayor Cohn also said that with the help of the Finance Committee, the Council was looking hard at revenues, cost cutting, and where the City can find cash available to spend, rather than going out and borrowing and incurring debt service. The Council has focused on what it feels it prudent to spend on all are items that the City has put off too many years. Mayor Cohn emphasized that the Council was looking at how the City will pay for possible bonding.

9. Consideration to set a Public Hearing for July 26, 2018 to establish the 2019 budgeted fees and charges.

City Manager Serrano stated that the staff would like to begin the process calling for a public hearing on fees and charges for 2019. Deputy Comptroller Fazzino has worked with departments on providing the fees to the Council. The City Council would have an opportunity to weigh in on the proposed fees and charges, and the staff was hopeful to have this adopted by September 2018, prior to the budget in November.

City Manager Serrano that fees are proposed as a result of a comparison to other municipalities. Councilwoman Tagger-Epstein discussed that comparison, as well as other factors, such as how long it had been since the fee was raised. City Clerk D'Andrea added that all department heads this year were required to justify each fee, regardless of whether the fee remained the same or was raised. An additional factor was administrative cost.

Bob Zahm, 7 Ridgewood Drive, commented on the analysis of fees. He said that rather than focus solely on revenue, change in behavior or incentive should also be considered. For example, he said that there should not be a fee to fix a sidewalk, as it may deter residents from doing so. There was also general discussion on whether certain fees had been used.

Councilwoman Souza made a motion, seconded by Councilman Mecca and unanimously carried, to set a public hearing for July 26, 2018 to establish the 2019 budgeted fees and charges.

10. Consideration to set a Public Hearing for August 8, 2018 regarding a resolution in support of Chapter 433 of the laws of New York, 2013 regarding hydrant fees for Suez.

City Manager Serrano said that about a year ago, City staff and Council addressed this item and decided to move forward on the local law to allow for this charge. He explained that this was the first step to move forward on that. The City must hold a public hearing, and then order Suez to do the reallocation of the hydrant fees.

Mayor Cohn explained that in the past, the City was collecting these fee through city taxes.

Mr. Zahm, commented it would be important to know how much money is really involved in this. He said that when the City moves it from the tax base from a fee to a utility, no one would be able to deduct it. Nonprofit organizations would be required to pay this as well.

Councilwoman Tagger-Epstein said that with recent federal legislation, residents can no longer write off property taxes anyway. Imposing this would spread the usage fairly. She said that the Council does understand the conflict there; entities such as country clubs with a lot of usage would be responsible for much of the share. However, Councilwoman Tagger-Epstein said that collecting these fees has the potential to offset the impacts by the Save the Sound lawsuit and focus on needed infrastructure.

Councilman Mecca said that if the fee was removed from resident taxes, the share would be fairly allocated.

Councilwoman Hurd made a motion, seconded by Councilwoman Souza, to set a public hearing for August 8, 2018 regarding a resolution in support of Chapter 433 of the laws of New York, 2013 regarding hydrant fees for Suez.

11. Consideration of a resolution for Westchester Joint Water Works to transfer the hydrant fees.

City Manager Serrano reported that Westchester Joint Water Works did not report to the Public Service Commission, and they have agreed to move forward with the hydrant fees as well. This item was moved to the August 8, 2018 agenda.

12. Consider a resolution to authorize the City Manager to submit a WQIP grant application for funding for work related to studying the City's sewer system and repairing necessary infrastructure.

City Manager Serrano explained that the City was working to satisfy certain required projects as a result of the Save the Sound litigation. He explained that the City would like to move forward with an application to the Water Quality Improvement Program, which is a grant with a 25% match from the City. He felt that the City had a very strong grant application, and there could be possibly \$4.3 million dollars on projects.

Councilwoman Souza commented that upon looking at the largest line item in the project list, there is a proposed \$2 million in sewer line repairs. Corporation Counsel Wilson explained that the SSES Phase 1 and 2 projects would be accessible shortly online.

Councilwoman Souza made a motion, seconded by Councilman Stacks and unanimously carried, to authorize the City Manager to submit a WQIP grant application for funding for work related to studying the City's sewer system and repairing necessary infrastructure.

13. Consideration to set a public hearing to amend Rye City Code Chapter 167 "Streets and Sidewalks" regarding repaving requirements after road openings and required deposits.

Mayor Cohn said that the Council does not yet have information on street opening. Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein and unanimously carried, to set a public hearing July 26, 2018 to amend Rye City Code Chapter 167 "Streets and Sidewalks" regarding repaving requirements after road openings and required deposits.

14. Consideration to authorize the City Manager to execute an amended access easement for City owned infrastructure between the City of Rye and Rye Country Day School.

City Manager Serrano explained that the City has a sewer line that runs under Rye Country Day School. Rye Country Day would like to improve the area with hardscaping. The proposal here is to remove the City's obligation to restore the area to its original condition; the burden would fall on Rye Country Day School.

Councilman Mecca made a motion, seconded by Councilwoman Tagger-Epstein and unanimously carried, to authorize the City Manager to execute an amended access easement for City-owned infrastructure between the City of Rye and Rye Country Day School.

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

There was nothing under this agenda item.

16. Miscellaneous communications and reports.

Councilwoman Souza announced that the Annual Sidewalk Sale is scheduled for July 26-28, 2018.

Councilman Stacks announced that on behalf of the Rye Golf Club, the Ladies Member-Guest tournament would be held Tuesday, July 17, 2018.

Councilwoman Tagger-Epstein paid respect to Carolyn Cunningham, Rye resident, who brought recycling to Rye many years ago. Councilwoman Tagger-Epstein said that she recently attended the Edith Reed Sanctuary Board meeting. She encouraged all to visit the area. On the Human Rights Commission, she reported that the group had been in close contact with the Human Rights Commission at the County level in order to work together and be more aligned to see what other municipalities are doing. They have asked Rye to host one of the first joint sessions of the County and other municipalities on September 20, 2018.

Councilwoman Hurd announced that on behalf of the Boat Basin, George Szczerba has stepped down as a commissioner. She thanked him for his service. She also reported that those

working on New York Rising projects continue to coordinate with the Governor's office. There will be forthcoming cost estimates for several alternative projects. Councilwoman Hurd also stated that the Rye Town Park restaurant, Barley on the Beach, should be opening in the next few weeks. She also said that the park would host a sand castle making competition on July 21, 2018. Further, she encouraged anyone interested to explore the library programs in the park. Lastly, Councilwoman Hurd thanked both the career and auxiliary officers for their work on the 4th of July, which made the fireworks event successful.

17. Old Business.

Mayor Cohn updated the Council and residents that he and City Manager Serrano and City Engineer Coyne had a conversation with Con Edison with respect to the recent street work. The parties had arrived at an agreement that would allow Con Edison to start work on the Boston Post Road moving toward Old Post Road. Should the work be completed quickly enough, they would be able to move to Parsons Street in the sidewalk area. Mayor Cohn was pleased that Con Edison was not permitted to disrupt the busy season near the beach, Rye Town Park, and Forest Avenue. Should school begin before Con Edison reached Parsons Street, they would not be permitted to move forward on that segment of the project.

Mayor Cohn asked the Council if the Tunnel Advisory Committee should be disbanded, since the efforts to build a tunnel to Long Island were abandoned. Councilwoman Goddard made a motion, seconded by Councilman Mecca, to disband the Tunnel Advisory Committee.

18. New Business.

There was nothing discussed under this agenda item.

19. Adjournment.

There being no further business to discuss, Councilman Mecca made a motion, seconded by Councilman Stacks and unanimously carried, to adjourn the meeting at 10:04 pm.

Respectfully submitted,

Carolyn D'Andrea
City Clerk

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of Rye
held in City Hall on July 26, 2018 at 7:30 P.M.

PRESENT:

JOSH COHN, Mayor
SARA GODDARD
EMILY HURD
RICHARD MECCA
DANIELLE TAGGER-EPSTEIN
Councilmembers

ABSENT:

JULIE SOUZA
BEJAMIN STACKS
Councilmembers

The Council convened at 6:30 P.M. Councilman Mecca made a motion, seconded by Councilwoman Hurd, to adjourn immediately into executive session at 6:30 P.M. to discuss personnel and litigation matters.

At 7:31 P.M., Councilman Mecca made a motion, seconded by Councilwoman Hurd, to adjourn the executive session. The regular meeting of the City Council began at 7:31 P.M.

1. Pledge of Allegiance.

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

2. Roll Call.

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

2a. Approval of a new volunteer firefighter.

Councilman Mecca explained that the Council was tasked with approving volunteer firefighters. Mayor Cohn said it was wonderful to have a new volunteer and that the City really needs volunteers for the Fire Department.

Councilman Mecca made a motion, seconded by Councilwoman Hurd and unanimously carried, to approve **Sam Carvallo** to the Rye Fire Department as a volunteer member.

Councilwoman Tagger-Epstein made a statement correcting a recent statement in the Rye Record that volunteers were leaving in droves. She stated that two members of the volunteer

department were hired as paid members, and one person moved out of Rye.

3. Public Hearing to establish the 2019 budgeted fees and charges.

Mayor Cohn said that it was important to give the Finance Committee an opportunity to comment on the staff's proposed recommendations and analysis of the 2019 budgeted fees and charges.

There was discussion on the possible timeline regarding fees to give residents ample time to comment in a public hearing. Councilwoman Tagger-Epstein asked that a time certain be reached to let residents know when they would be able to review and comment on proposed fees.

Councilman Mecca made a motion, seconded by Councilwoman Tagger-Epstein, to open the public hearing. The public hearing was then adjourned and kept open through the August and September 2018 meetings.

4. Public hearing to amend Rye City Code Chapter 167 "Streets and Sidewalks" regarding repaving requirements after road openings and required deposits.

Ryan Coyne, City Engineer and DPW Superintendent, addressed the Council. He explained that the proposed amended law would address street openings and the requirements to restore the roads to their original condition. He explained the proposed changes in detail, in that each contractor would be required to repair the roadway in more strict ways than are currently required, putting the City in a better position.

Councilman Mecca confirmed that this amendment deals with City roads only, and not County or State roads. Mr. Coyne said that the proposed amendments would put the City streets in a better position than the County streets' requirements. There was discussion about utilities and contractors with street openings. Those working on 50 feet of mains would be required to repair "curb to curb."

Councilwoman Goddard asked about deposits with regard to street opening permits.

Mayor Cohn asked how the City compared with its neighbors. Mr. Coyne responded that this law is modeled after Scarsdale's new law, which is one of the more stringent approaches to restoration. He also mentioned Beacon as well.

Councilwoman Hurd commented that she was so glad we are doing this. She asked about monetary penalties on time limits expiring. There was discussion about possibly imposing penalties. The issue was raised of utilities, such as Con Ed, needing additional time.

Councilman Mecca asked about the requirement for extending the trench 5 feet each way. He asked if the proposal was to require repair back to the concrete sub-base level. Mr. Coyne responded that they were not proposing to change that section of the code that deals with repairing roads with the same materials. There was then discussion on street cuts.

Councilwoman Tagger-Epstein asked about enforcement with the proposed law to hold those requiring street openings accountable for repair. Mr. Coyne responded that appropriate DPW staff were needed to ensure that inspections were completed.

Councilwoman Goddard asked that Scenario F of the chart/ diagram referred to in the law be amended to read “36 months” instead of previous three years to avoid any confusion.

Councilwoman Hurd made a motion, seconded by Councilman Mecca and unanimously carried, to open the public hearing on Chapter 167.

There were no statements made during the public hearing.

Councilwoman Hurd made a motion, seconded by Councilman Mecca and unanimously carried, to close the public hearing on Chapter 167.

Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein, to amend Chapter 167 of the Rye City Code as follows:

**CITY OF RYE
LOCAL LAW NO. 5 2018**

A local law to amend Chapter 167-12 “Resurfacing” of the Code of the City of Rye by amending Section 167-12C, as follows:

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

Section 1: Chapter 167 Streets and Sidewalks

§ 167-12. Resurfacing.

C. Asphalt/composite pavement.

(1) Asphalt concrete surface on existing concrete base.

(a) Prior to the replacement of the asphalt concrete surface, the subgrade shall be properly prepared and a reinforced concrete foundation of required thickness and proportions shall be placed thereon, all in accordance with the requirements of concrete pavements outlined before.

(b) The existing asphalt concrete pavement shall then be restored in accordance with subsection 2 Asphalt Concrete Pavement, below.

(2) Asphalt concrete pavement. All final pavement restoration limits shall follow the guidelines depicted in the minimum pavement restoration limits diagram as adopted by the City Council, and amended from time to time. The minimum pavement restoration limits diagram shall be

maintained by the City Engineer. The edges of all trenches shall receive a liberal application of asphaltic emulsion to seal edges.

D. All asphalt patches shall be sealed using hot-joint sealer on all joints formed between old pavement and new work.

E. Other surfaces. Any other surfaces disturbed by reason of the work performed under the permit shall be restored by the permittee as directed by the City Engineer.

F. It shall be the duty of the permittee to guarantee and maintain the site of the excavation work in the same condition as it was prior to the excavation for two years after restoring it to its original condition.

G. Work may be done by City. The City Engineer may, at his discretion, cause any or all of the work contemplated in this article to be done by the City's own forces, or by contract or otherwise, in which case the City shall be reimbursed for any expense incurred thereby in accordance with the provisions of § 167-7D of this article, and the permittee shall have no claim against the City for loss of anticipated profits or for any other losses by reason thereof.

Section 2: Severability.

If any clause, sentence, paragraph, section or part of any section of this title shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy and in which such judgment shall have been rendered.

Section 3: Effective date.

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

ROLL CALL

AYES: Councilmembers Goddard, Hurd, Mecca, Tagger-Epstein, Mayor Cohn

NAYS: None

ABSENT: Councilmembers Souza and Stacks

5. Update by the Finance Committee.

Greg Usry, Finance Committee Chair, addressed the Council to provide an update of the City of Rye Finance Committee. Mr. Usry said he continues to see that that most important issue is the deferred maintenance of capital infrastructure. He said that over the last six weeks, the Finance Committee studied nonprofit entities that the City supports, including the Rye Arts Center, Rye Nature Center, and Library. He said that the Arts Center lease was renewed two years ago, so negotiate or change much at this point. However, the Rye Nature Center has been

operating on an outstanding agreement, so this may be an opportunity to review. He said that the past operating agreement was extraordinarily ambiguous as to sharing of responsibility. With the Library, the aid that the City provides is within the annual budget.

Turning to revenues, Mr. Usry said that the Committee had been working with City Manager Serrano and Deputy Comptroller Fazzino for the last six or eight weeks. The first step was the rain parking permits, proposed by the City Clerk. Mr. Usry said that the Committee fully supported the recommendation. He continued and stated that he received a 31 page report regarding the other fees and charges across the City, including rationales for raising fees, when each was last raised, and potential revenue increases. The Committee has begun to review and comment on these proposed fees, and Mr. Usry said they would have a complete review by the September Council meeting.

Mr. Usry said that the two most complicated revenue sources were those gained from downtown parking and from Rye Recreation. Mr. Usry said that with regard to Rye Recreation, the Committee's hope was to raise the self-supporting percentage to 45% over the next two budget cycles.

Mayor Cohn asked what the premise was underlying the desire to increase the Recreation target. For example, looking at the services they provide, if they were they low for their market. Mr. Usry responded that it was hard to come up with a comparable. Some of the fees had not changed in many years. He explained that it was more to challenge/ ask the staff to go through their entire business plan. The Committee asked Recreation to consider the services and programming provided for the City, what is being charged for those services, and considering a comparison to other communities. Mr. Usry said that it would be difficult to make a firm recommendation on Rye Recreation.

Mayor Cohn said that the Council would likely be hearing more from the Finance Committee regarding Rye Recreation. Mr. Usry said that it would be part of the Committee's September presentation.

Mr. Usry said that with downtown parking, there are five or six variables to consider, such as number of spots, parking fines, merchants, shoppers, and residents of the downtown. He felt that the City might think about hiring consultants whose job is to optimize parking under these types of constraints.

In terms of the budget process, Mr. Usry said that he hopes to increase understanding and transparency. He recommended a new format for the citizens' budget report, to be distributed at the same time the budget comes out. Mr. Usry also said that he would be making forthcoming suggestions on the budget presentation.

Mr. Usry asked about the legislation related to Suez Water with regard to releasing information on water usage. Mayor Cohn responded that the bill passed and it is on the Governor's desk. Mr. Usry strongly recommended moving forward with the sewer enterprise fund once the City is able to.

Councilwoman Tagger-Epstein thanked Mr. Usry. She said as far as Rye Recreation, she asked if the Committee had an opportunity to compare to other municipalities. Mr. Usry responded that they have tried to make it less about operations and more about financial results. Councilwoman Tagger-Epstein said that in reality, the 45% self-supporting goal may not be feasible as recreation is a public service and public offering. She said it needs to be an affordable option that provides to residents. Mr. Usry responded that the impression of Rye Recreation was that they may benefit from more financial discipline. He said that given the financial situation that the City finds itself in, there is room for discussion.

Councilwoman Tagger-Epstein stressed that the nonprofit entities, such as Rye Nature Center, Rye Arts Center and the Library, have a value that is not monetary.

Councilwoman Hurd discussed deferred infrastructure costs, possible bonding, and the options that the City Council will have to consider moving forward to meet the needs of the City. She asked if the Finance Committee was looking at every opportunity to cut expenses and raise revenues. She felt it was important to look at the City as a whole. She said that between the general fund unreserved balance and the non-recurring revenues, there might be \$3.5 million available for expenditures. She was hopeful to reduce the cost that the City would have to borrow or be applied toward other capital needs.

Mr. Usry said that the Finance Committee, made up of all residents, had to keep bias out of their recommendations to try to best plan for the City's financial future.

6. Resolution to transfer from the Council to the Board of Ethics FOIL appeal officer responsibility with respect to a single appeal of a FOIL determination relating to materials of the City Manager.

Councilwoman Tagger-Epstein made a motion, seconded by Councilwoman Goddard, to transfer from the Council to the Board of Ethics FOIL appeal officer responsibility with respect to a single appeal of a FOIL determination relating to materials of the City Manager.

ROLL CALL

AYES: Councilmembers Goddard, Hurd, Mecca, Tagger-Epstein, Mayor Cohn

NAYS: None

ABSENT: Councilmembers Souza and Stacks

7. Report of the City's financial position by the Deputy Comptroller.

Deputy Comptroller Fazzino addressed the Council in his annual report regarding the City's financial position. Deputy Comptroller Fazzino presented the following report on the General Fund to the Council:

“We are pleased to present the City of Rye, New York interim financial reports as of and for the six months ending June 30, 2018, with comparative totals for 2015, 2016, and 2017. Along with the attached summary of revenues and expenditures, we will provide an analysis of the components of these items. The analysis will focus on 2018 results against 2017 results.

The report will focus on the General Fund, the City's chief operating fund. The General Fund constitutes the primary operating fund of the City, in that it includes all revenues and expenditures not required by law or policy to be accounted for in other funds.

It should be remembered that unlike our comprehensive annual financial report, interim financial reports are prepared for the use of management as internal documents. These interim financial reports are unaudited and are not prepared in compliance with Generally Accepted Accounting Principles (GAAP) in that they do not include all funds of the City, do not include all GAAP-required statements and schedules, do not include notes to the financial statements, and are not necessarily formatted in accordance with GAAP. Also the information for these months is not finalized and may require adjustments throughout the year.

The General Fund constitutes the primary operating fund of the city, in that it includes all revenues and expenditures not required by law or policy to be accounted for in other funds.

2018 General Fund revenues are up \$660,016 (2.3%) compared with 2017 revenues. This amount comes from the following items:

- ❖ Property tax revenues, which represents the largest component of the increase, increased \$610,977 (2.6%) which reflects our tax rate increase, offset by refunds to taxpayers due to tax certiorari and small claims assessment review settlements and a decrease in interest and penalties collected on property taxes. In 2016, The City began foreclosure proceedings against properties with delinquent taxes, resulting in the payment of those taxes, resulting in payments of penalties and interest. The City began this process again in July of 2018 and will see a spike in penalties and interest in the 3rd and 4th quarters.

Financial Analysis of the City's General Funds – Continued

- ❖ Non-property taxes increased \$35,519 (6.3%) due to increases in sales and use tax of \$16,326 and increased utility taxes of \$17,535.
- ❖ Charges for services increased \$53,638 (5.3%) with increases in parking meter revenues of \$43,302 and recreation activity fees of \$24,212, negated by decreases in planning review fees of 23,651.
- ❖ Intergovernmental revenues increased \$19,847 (52.6%) attributed to a timing difference in billing Westchester County for prisoner transportation (\$11,709 in 2018 vs \$0 in 2017) and increased revenue from other governments for snow removal of \$7,232.
- ❖ Interest and investment income increased \$82,697 as a result of the Federal Reserve increases interest rates three times in 2017 and twice through the first 2 quarters of 2018, with two more expected by the end of 2018.
- ❖ Licenses and permit revenues decreased \$145,386 (6.9%) predominantly as a result of decreased building permit revenues. 2017 was an exceptional year for building permits and although down from 2017, 2018 building permit revenues are on pace to exceed 2018 budgeted amounts.

- ❖ Fines and forfeitures are down slightly \$2,959 (0.8%) primarily due to an increase in City ordinance and code violations of \$14,470 offset by a decrease in parking fines of \$12,197 and vehicle and traffic fines of \$4,673.
- ❖ Miscellaneous revenues increased \$15,640 (17.3%) primarily due to the sale of army surplus equipment in 2018 offset by loss of Medicare Part B subsidies received by the City, as this program ended in 2017.
- ❖ Sales and loss compensation increased \$129,544 led by increases in police overtime reimbursement of \$120,018, due to Con Edison projects in the City.
- ❖ State aid is down \$137,216 (18.1%) as a result of a decrease in 1st half mortgage tax revenues of \$139,040.

2018 General Fund expenditures are up \$1,459,407 (9.2%) compared with 2017 expenditures. This is predominantly a result of the timing of payment for the City's workers' compensation premium. The renewal date was January 1, 2018 for the 2018 policy and the renewal date for the 2017 premium was July 1, 2017. The result is an increase in employee benefits of \$1,248,287. On a positive note, the total 2018 General Fund workers' compensation expense should be down about \$30,000 versus 2017.

Other component of General Fund Expenditures are as follows:

- ❖ Overall salaries and wages decreased \$25,556 (0.4%) in 2018 compared to 2017. This is a result of retirements in late 2017 and the beginning of 2018, offsetting any administrative salary and contracted step increases.
- ❖ Equipment purchases decreased \$24,746 (10.3%). The City purchased 10 new parking paystations in 2017, replacing those installed in 2004. The cost of these machines was \$105,838, representing the majority of the decrease in equipment purchases in 2018. There were increased purchases of radio communication equipment of \$50,269, as budgeted, and police patrol equipment of \$30,384.
- ❖ Materials and supplies decreased \$90,475 (9.6%). This can be largely attributed to decreases in electricity costs of \$67,328, as the City reaps the benefits of switching to LED streetlights and tax certiorari payments of \$62,146, based on the timing of payment of settlements in 2017 versus 2018. These decreases were offset by increased salt and deicing costs of \$43,887, due to the extremely harsh winter of 2018.

Financial Analysis of the City's General Fund - Continued

- ❖ Contractual costs were down \$98,719 (2.5%), with increases in contract agency costs (Rye Free Reading Room) of \$27,500 and miscellaneous service contracts of \$120,212, negated by decreases in legal fees of \$148,264, audit fees of \$45,416, due to the timing of payment to the City's auditors, and inter-fund service charges, as budgeted of \$36,311.
- ❖ Employee benefits and taxes increased \$1,462,407 (52.9%) mostly due to the aforementioned payment of the 2018 workers compensation premium in January of 2018. There were also increases in employee hospitalization and medical costs of \$123,439 and retiree health insurance costs of \$163,828.
- ❖ Transfers to other funds were up \$236,496 (13.4%), as planned and budgeted.

If any further information is required regarding the items above, please do not hesitate to reach out to the Finance Department.

Any questions or comments that can enhance the usefulness of this report are greatly appreciated. Going forward, the Finance Department would like to present these reports each year for the 2nd quarter and 3rd quarter. Of course, if there is any item that presents immediate concern, the Finance Department will share this information with City Management as soon as possible.

A very special thanks to Finance Department staff for their assistance in preparing this report. I would also like to thank the City's Finance Committee for their support and input relating to the preparation of this report."

Councilman Mecca asked about projected revenues, such as charges for services, such as those from the building department. Mr. Fazzino responded that while the building department revenues can be hard to predict, the City has not seen a decline in building department activity. Councilman Mecca also asked about fees collected by the City for the construction at 120 Old Post Road. Mr. Fazzino confirmed that once a certificate of occupancy is issued for 120 Old Post Road, the property will be taxable. There will also be a one-time fee for capital improvements with regard to that property.

Councilwoman Tagger-Epstein confirmed with Mr. Fazzino that Con Edison was reimbursing the City for the cost of police overtime with several major projects throughout the City.

Mayor Cohn commended Mr. Fazzino for his informative and helpful presentation to the Council.

8. Continuation of discussion by the City Council on proposed capital projects.

City Manager Serrano introduced City Planner Miller to address the Council regarding proposed capital projects. He discussed the proposed police/court improvements. Mr. Miller explained that at one time, the City contemplated purchasing land to create a new facility, but that cost was estimated to be \$30 million. Today, the proposal discusses \$3 million improvements to the current facility. This proposal will expand the court facility by 2000 square feet and provide improvements deemed necessary by the Office of Court Administration (OCA). In 2010 there was a statement of deficiencies provided by the OCA. Originally, this was estimated as a \$1.5 million cost. The addition in cost today is due to a more accurate estimate of current construction and engineering costs to meet the requirements of the OCA. Mr. Miller explained that if the improvements are not complete, the OCA would have the right to withhold state aid should deficiencies remain. Councilman Mecca asked about the amount of aid the City would potentially lose if construction was not completed. City Manager Serrano responded that it could be \$1.8 million.

City Planner Miller said that in recent public work sessions, he reviewed detailed plans of proposed construction with the Council. He presented an area floor plan of the current

infrastructure and proposed changes.

Councilman Mecca started a brief discussion about fire and emergency access points.

Councilwoman Tagger-Epstein asked if the City could get a letter from OCA confirming that they would approve this plan. City Planner Miller responded that in fact, the City had received such a letter.

City Planner Miller said that at this phase, the City and consultant were continuing with a final design. Upon that design, the City will issue bid specifications.

Mayor Cohn asked if \$3 million was a good professional estimate. City Planner Miller responded that it was.

9. Update by the City Engineer/ Superintendent of DPW on certain projects

Superintendent Coyne presented an update to the Council on the following items:

- ***Salt Shed / DPW Improvements***

Superintendent Coyne said that there are three different location options at the DPW site (one where it currently exists and two alternates). He said that the cost estimates came back and are about the same for all three options, assuming that the City would not need to remove any soil from the site. Superintendent Coyne said that he did not think there would be anything of harm within the soil, but likely there could be some pesticides. There was general discussion about being certain of costs for planning purposes.

Superintendent Coyne discussed potential Building 5 improvements at DPW. He said that with respect to cost, there would be a difference based on whether the City would use brick or metal material, as well as other factors. The cost could be \$2.75 million.

There was discussion about building a new structure with the option to build a second story later. Councilwoman Goddard added that the added cost of the second story would come either now or later.

Councilman Mecca asked if moving the salt shed opened up the possibility for regaining that area. Superintendent Coyne agreed that it would open up that possibility.

- ***Street Paving***

Superintendent Coyne announced that the annual paving had begun. So far, portions of Forest Avenue, Apawamis and Central Avenue had been paved.

- ***Fireman's Circle***

Superintendent Coyne said that for this capital project, materials were on order. He

planned for the project to begin in mid-August, 2018.

- ***Electric vehicles***

Superintendent Coyne said that electric vehicles were on order, with delivery imminent. The cars will then be programmed accordingly for the City's needs. He said that he expected all four vehicles to be ready after Labor Day 2018. There will be two charging stations: one at DPW and one at City Hall.

- ***Con Edison Updates and Projects***

Superintendent Coyne said that the Con Edison gas main work was coming along in the Ralston/ Grapal Street area. Mayor Cohn asked if Con Edison was far beyond their time limit for that project. Superintendent Coyne responded that he would check and get back to the Council on that question.

Superintendent Coyne said that other projects to begin were the winter load relief, and main replacement on Oakland Beach Avenue.

- ***Refuse collection***

Superintendent Coyne said that he spoke during the last Council meeting about the different options with regard to refuse collection, trucks and personnel. Mayor Cohn asked if Mr. Coyne had studied other municipalities. He also asked what would happen with excess garbage.

Superintendent Coyne responded that he did study the operations of other municipalities. He reported that Harrison, White Plains New Rochelle did curb side collection. In New Rochelle, one would need a doctor's note for rear yard collection. All of the communities mentioned have refuse collection twice a week. He said that Port Chester has rear yard collection, but also allows drop off with a fee. Scarsdale does not have a transfer station, but they have employee staffing the trash drop off six days a week. There was discussion regarding recycling and composting.

Councilman Mecca said that all other communities seem to offer the collection twice per week. There was discussion about how Rye currently manages refuse collection, including operations with two employees per truck for rear yard pickup. Currently, residents are not required to own a standard of type of can. However, with curbside pickup, the automated trucks would require a standard can.

Councilwoman Tagger-Epstein said she was not in support of removing the twice a week pickup services. She referenced other municipalities and the maintenance of service levels at twice per week.

Superintendent Coyne said that with respect to cost savings, moving to once week at the curb would eliminate three employee positions, saving between \$240,000 and \$360,000. However, DPW is thin with employees as it is and would have to counter that loss with privatizing certain things, such as snow maintenance. The snow maintenance would cost between

\$100,000 and \$150,000 per year.

Mayor Cohn recapped the changes that would be made should the refuse process change, such as outsourcing now removal, moving toward automatic trucks, and the homeowner's responsibility to purchase a standard can.

Councilwoman Tagger-Epstein said that for a savings of \$200,000, she felt the City could not justify a huge reduction in services for not only garbage, but for storms.

Councilman Mecca said he was not in favor of the proposal to reduce refuse services. He said if the Council considered moving forward, it should hold a public hearing. He felt that the citizens of Rye may not be for this challenge for the next ten years with the taxes they pay.

Councilwoman Goddard thanked Superintendent Coyne for the great information. She agreed with Councilman Mecca that with the taxes paid, there is a level of service expected. She said she would like to think about it a little bit more.

Councilwoman Hurd said that she agreed with Councilmembers Goddard, Tagger-Epstein and Mecca that this is not worth pursuing, but that she appreciated the deep dive into it. She felt it important to maintain the quality of service and the value of the staff.

Councilwoman Tagger-Epstein thanked Superintendent Coyne and asked him to express how valued the DPW staff is for the community.

Councilwoman Goddard asked about privatization of sidewalk maintenance in the event of a storm. She said it was favorable having DPW members who can respond to issues as they arise as opposed to a private firm that cannot. She also said that she suspected that the cost savings are even less than presented.

Councilwoman Tagger-Epstein said that the more storms at the extreme levels seen in the last few years is hard to quantify.

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

City Manager Serrano explained that certain items were being recommended to the Council to formally declare as surplus. The items were as follows:

DPW:

2000 Ford F550 super duty vin # FDAF57F9YED45323, mileage 47,908 (old tk 6)
1998 Mack vin# VG6BA09B7WB701850, mileage 42,524 (old S-10)
2006 International4200 SAB LP vin# IHTMLAFL26H239966, mileage 47,782 (old R-1)
1988 Case Loader Ser# JAKOOI9355, hrs 421
John Deere 6x4 Gator PID# W006X4XO18667

PD:

2011 Ford Crown Vic vin# 2FABP7BVIBX156158, Mileage 88,139 (old car 18)
2009 Ford Crown Vic vin # 2FAHP71V39X142784, Mileage 96,577.5 (old car 31)
2010 Ford Crown Vic vin # 2FABP7BV5AX144383, Mileage 85,717 (old car 10)
2011 Ford Crown Vic vin # 2FABP7BVXBX156157, Mileage 83,130 (old car II)

STAFF:

2005 Honda Accord Hybrid vin # JHMCN36545C011655, Mileage 190,677 (staff)
1997 Chevy S I 0 Pick-up vin # I GCCS1946V8183433, Mileage 36,341 (staff)

MARINA

2001 Chevy pick-up vin # IGCEK14VXIZS88814, Mileage 35,909
1979 Ford Tractor vin # 613851

Councilwoman Hurd made a motion, seconded by Councilwoman Hurd and unanimously carried, to adopt the following resolution:

WHEREAS, the City has been provided with a list of City equipment identified as being obsolete or will become obsolete during 2018, and,

WHEREAS, the City Engineer has recommended that said equipment from the departments of the Police, Recreation, Fire, general vehicles and Public Works be declared surplus, now, therefore, be it

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

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

ROLL CALL

AYES: Councilmembers Goddard, Hurd, Mecca, Tagger-Epstein, Mayor Cohn
NAYS: None
ABSENT: Councilmembers Souza and Stacks

11. Ratification of a letter to Senator Schumer regarding small cell surplus.

Mayor Cohn explained that this letter was drafted to request that Senator Schumer oppose legislation removing state and local governments from the process to assert any regulatory authority over small-cell installations within the municipality's right-of-way.

Councilwoman Hurd made a motion, seconded by Tagger-Epstein and unanimously carried, to ratify a letter to Senator Schumer regarding S3157, "Streamlining the Rapid Evolution of... Small Cell Deployment Act."

12. One appointment to the Rye Boat Basin Commission, by the Council, to fill a term expiring on January 1, 2021.

Councilwoman Hurd made a motion, seconded by Councilman Mecca and unanimously carried, to appoint Mary Ellen Pilkington, upon recommendation of the Boat Basin Commission, to fill an unexpired term of the Boat Basin Commission ending January 1, 2021.

13. Resolution to extend the waiver of Chapter 144-8(D) and (G) of the Rye City Code to permit Barley on the Beach to operate a single food truck at the Town of Rye Park Beach North Gate, adjacent to the Rye Town Park Restaurant Site through September 30, 2018.

Councilwoman Hurd asked that if a resolution is passed, that it references the North Gate concession specifically; at this point, there is uncertainty about whether the food truck is set to be in the correct location.

Councilwoman Hurd made a motion, seconded by Councilman Mecca and unanimously carried, to extend the waiver of Chapter 144-8(D) and (G) of the Rye City Code to permit Barley on the Beach to operate a single food truck at the Town of Rye Park Beach North Gate concession, adjacent to the Rye Town Park Restaurant Site through September 30, 2018.

Councilman Mecca mentioned an old business item, the parking restrictions in front of Playland Market. He asked if the sign that said “except Sundays” was permissive and not a restrictive sign in the summer, as the area as a whole does not allow parking in the summer time.

Corporation Counsel Wilson said that regardless of the outcome of the current pilot study parking program at that location, the language on the parking regulations would be clarified in the future.

14. Adjournment.

There being no further business to discuss, Councilman Mecca made a motion at 10:37 P.M., seconded by Councilwoman Tagger-Epstein and unanimously carried, to adjourn the regular meeting of the City Council.

Respectfully submitted,

Carolyn D’Andrea
City Clerk



CITY COUNCIL AGENDA

NO. 6

DEPT.: City Manager's Office

DATE: August 3, 2018

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Public Hearing to consider a resolution in support of Chapter 433 of the laws of New York, 2013.

FOR THE MEETING OF:

August 8, 2018

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: That the Council hold a Public Hearing to consider a resolution to authorize the Public Service Commission to order SUEZ to transfer hydrant fees from the tax base to all users.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Under Chapter 433 of the laws of New York, 2013 a public hearing is required to be held for the public to provide comments on a proposal to transfer hydrant fees from the tax base to all customers. After the public hearing, if the Council approves to move forward with the transfer, the Council must approve a resolution authorizing the Public Service Commission, upon application by the City, to order the costs for infrastructure maintenance and access to be charged to all customer classes located in such Municipality.

CHAPTER TEXT:

LAWS OF NEW YORK, 2013
CHAPTER 433

AN ACT in relation to authorizing the public service commission, upon application by a municipality, to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality

Became a law October 23, 2013, with the approval of the Governor. Passed by a majority vote, three-fifths being present. The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. 1. Notwithstanding any law to the contrary, a municipality may apply to the public service commission to have any costs for infrastructure maintenance and access it is charged by a water-works corporation to instead be charged to all customers across all customer classes located in the municipality provided the municipality has held a public hearing with notice on the matter and has adopted a resolution and determined by a majority vote of the total voting strength of its governing body if that it is in the overall public interest to have such costs charged to all customers across all customer classes. Any savings achieved as a result of this action shall be applied to the property tax levy of the municipality which has adopted such a resolution in an amount equal to such savings in the following fiscal year. Within 120 days after receiving an application pursuant to this act, the public service commission is empowered and directed to issue an order requiring that costs for infrastructure maintenance and access be included in the rates charged to all customer classes and apportioned among all customers located in the municipality and that such municipality shall not be charged separately or additionally for costs for infrastructure maintenance and access. The public service commission shall have the power to request any information that it may deem necessary from the water-works corporation or municipality so that it may issue an order as required by this section and may require that such information or application be in the form and manner as the commission may request. 2. Definitions. For purposes of this act:

a. "costs for infrastructure maintenance and access" means all costs associated with maintenance and operation of infrastructure and equipment used in connection with the sale, furnishing, transmission and distribution of water for domestic, commercial, public and emergency purposes and shall also mean costs or charges associated with municipal access to infrastructure or equipment.

b. "Municipality" shall mean a city, town or village located in the county of Westchester.

c. "water-works corporation" shall have the same meaning as that term is defined in section 2 of the public service law.

§ 2. This act shall take effect immediately. EXPLANATION—Matter in italics is new; matter in brackets[-] is old law
to be omitted.

CHAP. 4 33 2

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

DEAN G. SKELOS
Temporary President of the Senate

SHELDON SILVER
Speaker of the Assembly



CITY COUNCIL AGENDA

NO. 7

DEPT.: Finance

DATE: August 3, 2018

CONTACT: Joseph Fazzino, City Comptroller

AGENDA ITEM: Continuation of Public Hearing to establish the 2019 Budgeted Fees and Charges.

THIS PUBLIC HEARING WILL BE CONTINUED TO THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. NO PUBLIC COMMENT WILL BE TAKEN DURING THE AUGUST 8, 2018 MEETING.

FOR THE MEETING OF:

August 8, 2018

RYE CITY CODE:

CHAPTER
SECTION

RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Public Hearing to establish the 2019 fees and charges which will be incorporated into the City's 2019 Budget.

THIS PUBLIC HEARING WILL BE CONTINUED TO THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. NO PUBLIC COMMENT WILL BE TAKEN DURING THE AUGUST 8, 2018 MEETING.

Please see attached memo from Mr. Fazzino, Deputy Comptroller and fee schedule.

**CITY OF RYE
MEMORANDUM**

TO: Marcus Serrano, City Manager
City of Rye Finance Committee

FROM: Joseph Fazzino, Deputy City Comptroller

RE: City Staff 2019 General Fund Fee Proposal

DATE: July 25, 2018

In the fall of 2017, the Federal Government enacted the Tax Cuts and Jobs Act of 2017, resulting in changes to the federal tax system for both businesses and individuals. This new federal law places limitations on the deductibility of state and local taxes, obviously effecting City of Rye taxpayers. As part of the Public Hearing on the budget, City management was questioned as to whether measures would be taken to deal with the potential negative impact of the legislation, including loss of certain elastic revenues, such as building permit revenue and mortgage tax revenue.

Beginning in 2018, City Staff was tasked with looking at fees pertaining to their departments and identifying where there was opportunity to increase these fees. They were instructed to compare their fees to neighboring municipalities. They were also instructed to look at the cost of providing a service and analyze whether or not they were recovering these costs, based on the fee charged to provide the service.

In May, City department heads submitted their recommended fees for the 2019 budget year. Subsequently they have provided memorandums providing justification for changes to their department's fees as well as justification for not changing fees. I have included any submissions from City Staff, as well as the proposed fee schedule. Obviously, some fees will not yield a significant source of revenue based on cost or level of activity. For purposes of this memo, I have summarized below significant potential revenue increases.

Please keep the following in mind: increases for parking permits are not included as they have been previously discussed and approved by the City Council. Also, changes to Police revenues were made by the former Commissioner of Public Safety. I am currently working with Police Department Staff to obtain adequate support for the proposed changes. Finally, fees pertaining to the Recreation Department are not finalized as the Superintendent of Recreation will be meeting with the Recreation Commission in the coming days to discuss further potential revenue increases. As of right now there are proposed increases in day camp fees only.

Potential 2019 Budgeted Revenue increases are as follows:

Surface Water Control Fees -	\$47,500
Recreation Day Camp Fees -	\$32,000
Alarm Permits (Need more info from Police)	\$75,000
Street Opening Permits	\$30,000
Street Opening Surcharge (Source of Street Resurfacing Funding)	\$50,000
Parking Fines	\$50,000
Total	\$284,500

Within the coming weeks, Staff looks forward to receiving input from the Finance Committee regarding these proposed fees. Please advise me if you would like to meet with individual departments or send me any questions or requests for further information and I will pass them along to the department heads.

The hope is for the City Council to adopt this fee schedule, along with any modifications suggested by the Finance Committee or the public, at the September 12 City Council meeting. As always, I am available to provide any additional assistance if necessary.

Respectfully submitted,

Joe Fazzino
Deputy City Comptroller

CITY OF RYE, NEW YORK
GENERAL FUND
ANNUAL BUDGET
FOR FISCAL YEAR ENDING DECEMBER 31, 2018

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2017	2018	2019
<u>ASSESSOR'S OFFICE</u>					
GENERAL					
Standard Photocopy Fee Letter/Legal per page		1999	0.25	0.25	0.25
MAPS					
City Maps 3'x5"		1996	15.00	15.00	15.00
Aerial Map		1996	15.00	15.00	15.00
Drain & Sewer map from blueprints (blue on white)		1996	60.00	60.00	60.00
Standard Tax Map		1996	15.00	15.00	15.00
Tax index map (40"x64")		1996	15.00	15.00	15.00
Topographical maps		1996	60.00	60.00	60.00
<u>BOARD OF APPEALS</u>					
GENERAL					
Multi & Commercial Appeals	197-84	2016	700.00	700.00	700.00
Single Family Appeals	197-84	2016	500.00	500.00	500.00
Adjourned Applications		2003	100.00	100.00	100.00
Revised Plans		2003	75.00	75.00	75.00
<u>BUILDING</u>					
ELECTRICAL					
Electrical permits in existing building where a building permit is not required: for multiple residences, commercial or industrial buildings	68-12	2011	100.00	100.00	120.00
Electrical Permits in existing buildings where a building permit is not required: for one & two family dwellings with contracts valued at \$500 or more	68-12	2014	100.00	100.00	120.00
GENERAL					
Building Permits (1) - minimum fee	68-12	2011	75.00	75.00	100.00
Building Permits (2a) - add'l charge per \$1,000 est. work (residential)	68-12	2013	17.00	17.00	17.00
Building Permits (2b) - add'l charge per \$1,000 est. work commercial)	68-12	2012	30.00	30.00	30.00
Building Permit (3) - penalty for work begun without permit	68-12D, 197-84E	2016	1,500.00	1,500.00	1,500.00
Certificate for Commercial Buildings	68-12	2011	175.00	175.00	225.00
Certificate of Occupancy: to be paid with application for building permit	68-12	2011	100.00	100.00	125.00
Changes in Approved Plans	68-12	2016	500.00	500.00	550.00
Demolition Permits - Commercial and residential structures	68-12	2010	2,000.00	2,000.00	2,500.00
Demo Pmts - In-ground pools tennis crts detached garages	68-12	2010	750.00	750.00	900.00
Demo Pmts - Sheds, above ground pools, pool decks, gazebo	68-12	2011	200.00	200.00	225.00
Fence Permit	68-12	2016	100.00	100.00	115.00
Generator Permit	68-12	2014	300.00	300.00	400.00
Sign Permit	68-12	2016	100.00	100.00	125.00
New Certificate for old buildings	68-12	2016	300.00	300.00	350.00
Pre-date letters		2016	200.00	200.00	225.00
Rock Removal / Chipping		2016	250.00	250.00	300.00
Roof Replacement		2016	175.00	175.00	200.00
Change of Occupancy		2016	175.00	175.00	200.00

CITY OF RYE, NEW YORK
GENERAL FUND
ANNUAL BUDGET
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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2017	2018	2019
PLUMBING					
<i>Oil or gas heating permits in existing building w/o building permit required:</i>					
New heating equipment installation or replacement	68-12	2013	150.00	150.00	200.00
Plumbing - No building permit required (min)	68-12	2016	200.00	200.00	200.00
Plumbing - for each fixture above 5	68-12	2011	5.00	5.00	5.00
Sewer or storm drain connection (per)	68-12	2016	100.00	100.00	100.00
 <u>CITY CLERK</u>					
FIRE PREVENTION					
Explosive Inspection Fee	98-41	2005	115.00	115.00	REMOVE
Fireworks Display (each)	98-45	2010	750.00	750.00	1,000.00
Installation of liquefied petroleum gas	98-82	2005	57.00	57.00	REMOVE
Place of assembly 100 or more people	98-101	2005	115.00	115.00	350.00
Storage of Flammable liquids (permits & insp.)	98-51	2005	115.00	115.00	REMOVE
Storage of lumber (in excess of 100,000 bd. ft.)	98-85	2005	57.00	57.00	REMOVE
Storage of underground tanks <1100 gal.(permits & insp.)	98-57	2005	57.00	57.00	REMOVE
Storage of underground tanks >1100 gal. (permits & insp.)	98-57	2005	115.00	115.00	REMOVE
Welding & cutting	98-130	2001	55.00	55.00	REMOVE
 GENERAL					
Auctioneer	56-3	2010	500.00	500.00	750.00
Birth Certificate	NYS-Governed		10.00	10.00	10.00
Blasting Permit	98-41	2018	500.00	750.00	1,500.00
Cabaret	50-5	2012	200.00	200.00	750.00
Christmas Tree Sale Refundable Bond	98-124	2001	45.00	45.00	45.00
Christmas Tree Sales: Inspection	98-124	2003	100.00	100.00	100.00
Code of the City of Rye	AT-COST	2005	300.00	300.00	400.00
Code of the City of Rye - Supplement		2005	n/a	n/a	n/a
Codes: Zoning	AT-COST	2005	n/a	n/a	REMOVE
Coin operated Dry Cleaning Establishment	98-29	2005	n/a	n/a	n/a
Coin operated Laundry: Establishment	98-36	2005	n/a	n/a	n/a
Death Transcript	NYS-Governed		10.00	10.00	10.00
Dog License: Neutered Dog - Owner's Cost	76-5	2015	15.00	15.00	21.00
Breakdown of Owner's Cost:					
City of Rye Fee	76-5	2015	14.00	14.00	20.00
NYS Fee	NYS-Governed		1.00	1.00	1.00
Off Leash Fee (Rye Town Park)		2016	25.00	25.00	30.00
Dog License: Non-Neutered Dog - Owner's Cost		2015	23.00	23.00	28.00
Breakdown of Owner's Cost:					
City of Rye Fee	76-5	2015	20.00	20.00	25.00
NYS Fee	NYS-Governed		3.00	3.00	3.00
Dog Redemption: with current license	76-4	1977	n/a	n/a	n/a
Dog Redemption: without current license	76-4	1977	n/a	n/a	n/a
Dry Cleaning Establishment	98-22	2005	90.00	90.00	100.00
Debris Collection Container:	167-14	2001	40.00	40.00	40.00
Filming: Private Property Per Day	93-6	2016	800.00	800.00	1,000.00
Filming: Public Property (Maximum)	93-6	2012	25,000.00	25,000.00	30,000.00
Filming: Public Property (Minimum)	93-6	2001	1,600.00	1,600.00	1,800.00
Junk Merchant: Establish place of business	113-4	2005	n/a	n/a	n/a
Junk Peddler	113-4	2005	n/a	n/a	n/a
Laundromat	121-4	2005	n/a	n/a	n/a

CITY OF RYE, NEW YORK
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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2017	2018	2019
Marriage License	NYS-Governed	2003	40.00	40.00	40.00
Marriage Transcript	NYS-Governed	2002	10.00	10.00	10.00
Non-refundable Bid fee (per every \$50 of bid)		2001	15.00-100.00	15.00-100.00	15.00-100.00
Other Pamphlet Codes	AT-COST		8.00	8.00	8.00
Peddler, Hawker, Solicitor	144-6	2012	300.00	300.00	500.00
Additional Permit Issued		2013	75.00	75.00	REMOVE
Lost Permit Replacement		2013	5.00	5.00	REMOVE
Sign posting @ Boston Post Road & Cross Street		2018	35.00	40.00	40.00
Tourist Park or Camp App. 5 units or less	157-9	2001	n/a	n/a	n/a
Tourist Park or Camp App. 6 units or less	157-9	2001	n/a	n/a	n/a
Tourist Park or Camp license (per unit)	157-12	2001	n/a	n/a	n/a

MECHANICAL INSTALLATION LICENSE

Gas Heat	68-12	2012	150.00	150.00	250.00
Oil Heat	68-12	2012	150.00	150.00	250.00

MISCELLANEOUS LICENSES

Bowling Alleys	50-5	2005	n/a	n/a	n/a
Circus	50-5	2005	n/a	n/a	n/a
Driving Range	50-5	2005	n/a	n/a	n/a
Miniature Golf	50-5	2005	n/a	n/a	n/a
Moving Picture House	50-5	2005	n/a	n/a	n/a
Public Exhibition	50-5	2005	90.00	90.00	90.00
Public Hall	50-5	2005	90.00	90.00	90.00
Shooting Gallery	50-5	2005	n/a	n/a	n/a
Skating Rink	50-5	2012	n/a	n/a	n/a
Taxi Cab License	180-12	2012	130.00	130.00	200.00
Taxi Driver License	180-8	2012	75.00	75.00	100.00
Theater	50-5	2005	n/a	n/a	n/a

PARKING

Non-Resident Commuter (Includes Tax)	191-47	2014	760.00	760.00	1,400.00
Resident Commuter (Includes Tax)	191-47	2014	760.00	760.00	1,000.00
Merchant Parking: Full Year (Non-Taxable)	191-47	2017	500.00	500.00	500.00
Merchant Parking: 6 Months (Non-Taxable)	191-47	NEW	n/a	n/a	300.00
Taxi Stall Rental (Plus tax)	2005	2016	1,050.00	1,050.00	1,050.00
Guest Parking Overnight (max. 14 days per night)		2014	15.00	15.00	25.00
Replacement Sticker (without old sticker)	191-47	2017	300.00	300.00	n/a
Replacement Sticker (with old sticker)	191-47	2017	20.00	20.00	n/a
Resident All Day/All Night	191-47	2017	900.00	900.00	900.00
Resident All Night	191-47	2017	480.00	480.00	480.00
Snow Field Parking		2016	200.00	200.00	300.00
Special Permits (Theo. Fremd Lot)*		2003	n/a	n/a	200.00
Commuter Parking Waitlist Fee (One-time Fee)		2017	100.00	100.00	100.00
Commuter Meters - Daily Rate (12 hours)		2013	5.00	5.00	7.00
Paystation rate per hour		2012	1.00	1.00	1.00
Additional Car on Permit		2018	n/a	n/a	20.00

ENGINEERING

GENERAL

Constructed or Replaced Curb		2014	50.00	50.00	50.00
Constructed or Replaced Depressed Curb (min)		2014	50.00	50.00	n/a
Constructed or Replaced Driveway (min)		2014	50.00	50.00	50.00
Constructed or Replaced Sidewalks (min)	167-8	2014	50.00	50.00	50.00

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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2017	2018	2019
Construction Debris Containers (per day)	167-14	2014	100.00	100.00	250.00
Street Obstructions, Storage of Materials, Operating Machinery, loading & unloading, scaffolding & bridging	167-13	2014	150.00	150.00	250.00
Street Opening: Curbing-Asphalt/Concrete/Flag		2014	250.00	250.00	n/a
Street Opening: Sidewalk Area-Asphalt/Concrete/Flag		2014	250.00	250.00	n/a
Street Opening: Street Area-Asphalt	167-9	2014	250.00	250.00	500.00
Street Opening: Street Area-Concrete		2014	250.00	250.00	n/a
Street Opening: Test Holes (keyhole method) (each)	167-9	2014	250.00	250.00	n/a
Street Opening: Unpaved Areas		2014	250.00	250.00	250.00
Street Opening Permit Surcharge		2014	200.00	200.00	500.00
Street Opening Public Service Fee(per LF, over 72 FT length)	167-9	2014	5.00	5.00	n/a
Surface Water Control Application fee (Stand Alone)	173-9	2013	200.00	200.00	500.00
STREETS/SIDEWALKS					
Construction Manhole/Catch Basin (min)		2012	180.00	180.00	250.00
Driving Pipes (min)		2012	100.00	100.00	n/a
Install Underground Tank/Vault (min)		2012	110.00	110.00	n/a
Plumbing Connection to Structures:					
Manholes/Catch Basin (min)	1.67	2012	45.00	45.00	250.00
Plumbing Connection to Structures:					
Sewer or Drain Line (min)		2012	35.00	35.00	250.00
<u>FIRE</u>					
GENERAL					
Inspection Fee (per inspection)		2018	135.00	150.00	200-300
Return Inspection		2012	50.00	50.00	150.00
Tank Removal Inspection		2010	100.00	100.00	150-200
<u>PLANNING</u>					
COASTAL ZONE MANAGEMENT					
Waterfront Consistency Review Application	73-6	2012	825.00	825.00	950.00
GENERAL					
Copies of Subdivision or site plans - complete sets only (per sheet)		2012	12.00	12.00	15.00
Informal review	197-84.F. (1) (A)	2012	n/a	n/a	n/a
Preliminary Application (up to 10 parking spaces)	197-84.F. (1) (B)	2013	1,000.00	1,000.00	1,125.00
Preliminary Application - Add'l charge per required parking space over 10 spaces		2012	n/a	n/a	n/a
Modification or Extension of Preliminary Application	197-84.F. (1) (D)	2012	n/a	n/a	n/a
Final Application (up to 10 parking spaces)	197-84.F. (1) (C)	2013	1,300.00	1,300.00	1,500.00
Final Application - Add'l charge per required parking space over 10		2012	n/a	n/a	n/a
Modification or Extension of Preliminary Application	197-84.F. (1) (G)	2012	n/a	n/a	n/a
Inspection Fee (Fee + 7.0% cost of improvement)	197-84.F. (1) (H)	2012	550.00	550.00	650.00
Construction and Use without prior approval	197-84.F. (1) (J)	2013	2,800.00	2,800.00	3,500.00
Modification of Tree Preservation Plan by the City Planner		2012	500.00	500.00	500.00
Tree Replacement, fee in lieu of	170-15.D. (9)	2013	1,900.00	1,900.00	1,900.00

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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2017	2018	2019
SUBDIVISION REVIEW					
Informal Review	170-5.D.	2013	675.00	675.00	750.00
Preliminary Application	170-6.B. (4)	2012	825.00	825.00	950.00
Preliminary Application - Add'l charge per lot		2012	390.00	390.00	450.00
Waiver of Preliminary Application - Add'l charge per lot		2012	n/a	n/a	n/a
Modification or Extension of Preliminary Application	170-11.B.	2012	n/a	n/a	n/a
Final Application	170-7.A.	2012	1,120.00	1,120.00	1,300.00
Final Application - Add'l charge per lot		2012	385.00	385.00	450.00
Modification or Extension of Final Application	170-11.B.	2012	n/a	n/a	n/a
Waiver of Penalty Application	170-7.A.	2012	n/a	n/a	n/a
Inspection Fee - 7% of cost of improvement plus \$50 per lot, or \$500, whichever is greater	170-8.B. (3)	2012	550.00	550.00	650.00
Modification of Tree Preservation Plan by City Planner		2012	500.00	500.00	575.00
Tree Replacement, fee in lieu of	170-17.A.(1)	2013	1,900.00	1,900.00	2,200.00
Fee in lieu of Parkland - In trust-minimum (dollars per square foot of lot area)	170-17.A. (1)	2012			
<i>R-1 One Family District</i>			0.14	0.14	0.17
<i>R-2 One Family District</i>			0.25	0.25	0.30
<i>R-3 One Family District</i>			0.35	0.35	0.42
<i>R-3 One Family District (Floodplain)</i>			0.25	0.25	0.30
<i>R-4 One Family District</i>			0.40	0.40	0.48
<i>R-4 One Family District (Floodplain)</i>			0.25	0.25	0.30
<i>R-5 One Family District</i>			0.49	0.49	0.59
<i>R-5 One Family District (Floodplain)</i>			0.25	0.25	0.30
<i>R-6 One Family District</i>			0.57	0.57	0.69
<i>R-6 One Family District (Floodplain)</i>			0.25	0.25	0.30
<i>RT Two-Family district (1 and 2 Family Residence)</i>			0.57	0.57	0.69
<i>RS School & Church District (1 Family Residence)</i>			0.35	0.35	0.42
<i>RA-1 District (1 Family Residence)</i>			0.57	0.57	0.69
<i>RA-1 District (2 Family Residence)</i>			0.41	0.41	0.50
<i>RA-2 District (1 Family Residence)</i>			0.57	0.57	0.69
<i>RA-2 District (2 Family Residence)</i>			0.49	0.49	0.59
<i>RA-3 District (1 and 2 Family Residence)</i>			0.57	0.57	0.69
<i>RA-4 District (1 and 2 Family Residence)</i>			0.57	0.57	0.69
<i>B-1 Business District (1 and 2 Family Residence)</i>			0.57	0.57	0.69
Apportionment Application	170-11.C.	2012	650.00	650.00	750.00
Construction and Use without prior approval	170-6.B.	2006	2,730.00	2,730.00	3,500.00
RE-ZONING APPLICATIONS			2013	1,300.00	1,300.00
WETLANDS/WATER COURSES					
Application Fee	195	2012	985.00	985.00	1,100.00
Inspection Fee	195	2012	550.00	550.00	600.00
Appeal of Determination	195	2012	550.00	550.00	650.00
Extension of Prior Approval		2012	600.00	600.00	700.00
Outdoor Dining Fee		2009	500.00	500.00	650.00
<u>POLICE</u>					
ALARMS					
Alarms permit - Fire/Burglar - New Permit - Residential	46.5	2017	50.00	50.00	100.00
Alarms permit - Fire/Burglar - Annual Renewal - Residential	46-5	2006	35.00	35.00	50.00
Alarms permit - Fire/Burglar - New Permit - Commercial	46-5	2017	100.00	100.00	150.00
Alarms permit - Fire/Burglar - Annual Renewal - Commercial	46-5	2017	50.00	50.00	100.00

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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2017	2018	2019
False alarm: 2nd call per annum*(Requires change to Code)	46-8	2010	50.00	50.00	100.00
False alarm: 3rd, 4th call each per annum		2003	100.00	100.00	150.00
False alarm: over 4 per annum		2003	200.00	200.00	200.00

GENERAL

Auxiliary Police Services Event Fee		2012	200.00	200.00	OMIT
Motor vehicle accident reports (available online)		2016	10.00	10.00	25.00
Flash Drive option for digital photos		2016	25.00	25.00	25.00
Good Conduct Certificates		2012	75.00	75.00	100.00
Mooring Permits (per permit)		2003	150.00	150.00	150.00
Police report copies (per copy, victims of crimes no charge)		1990	0.25	0.25	0.25
Redemption of Shopping Carts	164-6	2012	50.00	50.00	50.00
Reprints of Photographs		2012	30.00	30.00	30.00
Subpoena Fees for Records (min)		2012	30.00	30.00	30.00

LOCAL ORDINANCE

Failure to shovel snow after a storm	167-48	2011	50.00	50.00	75.00
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BILLABLE OVERTIME HOURLY RATES:

Police Lieutenants	2016	142.00	142.00	142.00
Police Sergeants	2016	134.00	134.00	134.00
Police Officers	2016	118.00	118.00	118.00
Parking Enforcement Officers	2016	76.00	76.00	76.00
Parking Enforcement Officers - Double Time	2016	102.00	102.00	102.00

PUBLIC WORKS

GENERAL

Collection of bulky metals at curbside (minimum)	157-34	2012	35.00	35.00	n/a
Collection of bulky waste in excess of 2 cubic yards (min)	157-34	2012	35.00	35.00	250.00
Penalty for amounts not paid within 60 days	157-34	2001	25.00	25.00	50.00
Penalty for amounts not paid within 90 days	157-34	2001	25.00	25.00	50.00
Add'l penalty for amounts not paid if collection by levy is required	157-34	2001	25.00	25.00	250.00

RECREATION

ATHLETIC FIELD USE SURCHARGE (per person/per prog)	2011	15.00	15.00	20.00
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BUILDING FEES

*Descriptions changed to be more relevant to Rec facilities

Lower Level Multi Purpose Room (per hour)* # ^	2017	110.00	110.00	110.00
Upper Level Rooms (per hour) * #	2017	90.00	90.00	90.00
Lower Level Multi Purpose Room: Non-Profit (per hour)	2018	75.00	90.00	90.00
Upper Level Rooms: Non-Profit Rate (per hour)	2017	70.00	70.00	70.00
Lower Level Multi Purpose Room Event Party (4 Hours)	2011	575/675	575/675	575/700
Birthday Party: Basic Program Restricted time frame (2 hrs)	2018	225/325	225/350	225/350
Upper Level Room Event Party: (4 hours)	2011	475/575	475/575	475/600
Maintenance Coverage (per hour) Full-time	2014	60.00	60.00	60.00
Maintenance Coverage (per hour) Part-time	2014	40.00	40.00	40.00
Alcohol Permit Fee - Event Parties	2017	75.00	75.00	75.00
Event Party Security Deposit (Refundable)	2014	150.00	150.00	150.00

*Long - term rentals receive a discounted rate to be determined by the Superintendent of Recreation

^High School Booster Clubs receive discounted rate room rental for sports dinners - birthday party rate

| Community Groups do not pay for room rentals during regular business hours; community groups include but are not limited to: scouts, republican and democratic clubs, garden clubs, Women's Club of Rye, Rye Auxilliary Police, Rye Fire Department

Each school receives one free room rental as a sponsorship towards their school fund raiser

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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2017	2018	2019
DAY CAMP					
Day Camp - 2 week full day session (resident)		2018	555.00	565.00	570.00
Day Camp - 6 week basic (non-resident)		2018	1,610.00	1,640.00	1,660.00
Day Camp - 6 week basic (resident)		2018	805.00	820.00	830.00
Day Camp - 6 week extended program (resident)		2012	n/a	n/a	n/a
Day Camp - Swim group		2014	85.00	85.00	90.00
Day Camp - Swim lessons (with group)		2016	125.00	125.00	130.00
Kiddy Camp (resident)		2018	745.00	760.00	770.00
Kiddy Camp - 2 week session (resident)		2012	n/a	n/a	n/a
Registration fee after deadline		2015	25% Inc	25% Inc	25% Inc
Camp 78 - 5-day week		2018	260.00	275.00	325.00
Camp 78 - 4-day week		2018	n/a	230.00	260.00
Camp Withdrawal Fee		2014	25% of Fee	25% of Fee	25% of Fee
INDOOR RECREATION					
Daily Fees (resident/non-resident)		2010	5.00/10.00	5.00/10.00	5.00
OUTDOOR RECREATION					
All day field permit (10am-6pm)		2011	700.00	700.00	700.00
Field permit (2 hrs.) *		2011	200.00	200.00	250.00
Field/Facility Use - Basketball - Outdoor lights (2hrs)		2009	160.00	160.00	250.00
Softball - Men's Adult (per team)		2018	390.00	400.00	420.00
Softball - Woman's Adult (per team)		2018	340.00	350.00	370.00
Movie Shoot parking lot rental per lot (per day)		2016	1,200.00	1,200.00	2,000.00
*50% Reduced rate available if facility does not require field prep					
PICNIC					
Non-profit/Sport League Groups		2012	50.00	50.00	50.00
Refundable Deposit (Part of Fee)		2015	100.00	100.00	n/a
Weekday Picnic (4-Dark)		2011	165.00	165.00	175.00
Up to 75 (Resident/Non Resident)		2017	225/350	225/350	225/350
75 to 150 (Resident/Non Resident)		2017	425/550	425/550	425/550
Free events for City of Rye organizations such as Rye Auxiliary Police and Rye Fire Department					
TENNIS					
Permit - Adult (19 & over)		2011	110.00	110.00	120.00
Permit - Family (max. 5)		2011	285.00	285.00	n/a
Permit - Individual (non-resident)		2011	220.00	220.00	240.00
Permit - Junior (6-18 years)		2011	60.00	60.00	70.00
Permit - Senior (60+)		2011	75.00	75.00	80.00
Daily Fee (resident only; Adult/Junior or Senior)		2014	13.00/8.00	13.00/8.00	13.00/8.00
Guest of Permit Holder - Hourly fee (Adult/Junior or Senior)		2014	13.00/8.00	13.00/8.00	13.00/8.00
Private lessons: Per half hour		2017	40.00	40.00	40.00
Private lessons: Per hour		2017	55.00	55.00	75.00
Non-Resident Senior		2014	150.00	150.00	160.00
Clinic - Adult Tennis (Per class)		2017	25.00	25.00	25.00
Clinic - Child Tennis (Per class)		2017	23.00	23.00	23.00

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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2017	2018	2019	
BOARD OF APPEALS						
GENERAL						
Multi & Commercial Appeals	197-84	2016	700.00	700.00	700.00	
Single Family Appeals	197-84	2016	500.00	500.00	500.00	
Adjourned Applications		2003	100.00	100.00	100.00	
Revised Plans		2003	75.00	75.00	75.00	
CITY CLERK						
FIRE PREVENTION						
Explosive Inspection Fee	98-41	2005	115.00	115.00	REMOVE	n/a
Fireworks Display (each)	98-45	2010	750.00	750.00		1000
Installation of liquefied petroleum gas	98-82	2005	57.00	57.00	REMOVE	has never been enforced
Place of assembly 100 or more people	98-101	2005	115.00	115.00		350
Storage of Flammable liquids (permits & insp.)	98-51	2005	115.00	115.00	REMOVE	n/a
Storage of lumber (in excess of 100,000 bd. ft.)	98-85	2005	57.00	57.00	REMOVE	no lumberyards in Rye
Storage of underground tanks <1100 gal.(permits & insp.)	98-57	2005	57.00	57.00	REMOVE	has not been enforced
Storage of underground tanks >1100 gal. (permits & insp.)		2005	115.00	115.00	REMOVE	has not been enforced
Welding & cutting	98-130	2001	55.00	55.00	REMOVE	has never been enforced
GENERAL						
Auctioneer	56-3	2010	500.00	500.00		750
Birth Certificate	NYS-Governed		10.00	10.00		10
Blasting Permit	98-41	2018	500.00	750.00		1500
Cabaret	50-5	2012	200.00	200.00		750
Christmas Tree Sale Refundable Bond	98-124	2001	45.00	45.00		45
Christmas Tree Sales: Inspection	98-124	2003	100.00	100.00		100
Code of the City of Rye	AT-COST	2005	300.00	300.00		400
Code of the City of Rye - Supplement		2005	n/a	n/a	n/a	included in the Code - they send automatic supplements
Codes: Zoning	AT-COST	2005	n/a	n/a	REMOVE	The City has gone green in this initiative
Coin operated Dry Cleaning Establishment	98-29	2005	n/a	n/a	n/a	n/a in Rye
Coin operated Laundry: Establishment	98-36	2005	n/a	n/a	n/a	n/a in Rye
Death Transcript	NYS-Governed		10.00	10.00		10
Dog License: Neutered Dog - Owner's Cost	76-5	2015	15.00	15.00		21
Breakdown of Owner's Cost:						
City of Rye Fee	76-5	2015	14.00	14.00		20
NYS Fee	NYS-Governed		1.00	1.00		1
Off Leash Fee (Rye Town Park)		2016	25.00	25.00		30
Dog License: Non-Neutered Dog - Owner's Cost		2015	23.00	23.00		28
Breakdown of Owner's Cost:						
City of Rye Fee	76-5	2015	20.00	20.00		25

CITY OF RYE, NEW YORK
GENERAL FUND
ANNUAL BUDGET
FOR FISCAL YEAR ENDING DECEMBER 31, 2018

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2017	2018	2019	
NYS Fee	NYS-Governed		3.00	3.00		3 NYS Mandated Fee
Dog Redemption: with current license	76-4	1977	n/a	n/a	n/a	
Dog Redemption: without current license	76-4	1977	n/a	n/a	n/a	
Dry Cleaning Establishment	98-22	2005	90.00	90.00		100 Clerk's office does not think this has ever been enforced, but would like to in 2019
Debris Collection Container:	167-14	2001	40.00	40.00		40
Filming: Private Property Per Day	93-6	2016	800.00	800.00		1000 High demand, great deal of admin time between Clerk and PD
Filming: Public Property (Maximum)	93-6	2012	25,000.00	25,000.00		30,000 High demand, great deal of admin time between Clerk and PD
Filming: Public Property (Minimum)	93-6	2001	1,600.00	1,600.00		1800 High demand, great deal of admin time between Clerk and PD
Junk Merchant: Establish place of business	113-4	2005	n/a	n/a	n/a	
Junk Peddler	113-4	2005	n/a	n/a	n/a	
Laundromat	121-4	2005	n/a	n/a	n/a	
Marriage License	NYS-Governed	2003	40.00	40.00		40 NYS Governed
Marriage Transcript	NYS-Governed	2002	10.00	10.00		10 NYS Governed
Non-refundable Bid fee (per every \$50 of bid)		2001	15.00-100.00	15.00-100.00		
Other Pamphlet Codes	AT-COST		8.00	8.00		8 never used, but keep it in case
Peddler, Hawker, Solicitor	144-6	2012	300.00	300.00		500 Huge administrative burden for Clerk and PD
Additional Permit Issued		2013	75.00	75.00		REMOVE never used
Lost Permit Replacement		2013	5.00	5.00		REMOVE never used
Sign posting @ Boston Post Road & Cross Street		2018	35.00	40.00		40
Tourist Park or Camp App. 5 units or less	157-9	2001	n/a	n/a	n/a	
Tourist Park or Camp App. 6 units or less	157-9	2001	n/a	n/a	n/a	
Tourist Park or Camp license (per unit)	157-12	2001	n/a	n/a	n/a	
MECHANICAL INSTALLATION LICENSE						
Gas Heat	68-12	2012	150.00	150.00		250 Administrative cost and time
Oil Heat	68-12	2012	150.00	150.00		250 Administrative cost and time
MISCELLANEOUS LICENSES						
Bowling Alleys	50-5	2005	n/a	n/a	n/a	
Circus	50-5	2005	n/a	n/a	n/a	
Driving Range	50-5	2005	n/a	n/a	n/a	
Miniature Golf	50-5	2005	n/a	n/a	n/a	
Moving Picture House	50-5	2005	n/a	n/a	n/a	
Public Exhibition	50-5	2005	90.00	90.00		90 never used
Public Hall	50-5	2005	90.00	90.00		90 never used
Shooting Gallery	50-5	2005	n/a	n/a	n/a	never used
Skating Rink	50-5	2012	n/a	n/a	n/a	never used
Taxi Cab License	180-12	2012	130.00	130.00		200 Huge administrative burden, comparison with other municipalities
Taxi Driver License	180-8	2012	75.00	75.00		100 Huge administrative burden, comparison with other municipalities
Theater	50-5	2005	n/a	n/a	n/a	

CITY OF RYE, NEW YORK
GENERAL FUND
ANNUAL BUDGET
FOR FISCAL YEAR ENDING DECEMBER 31, 2018

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGEE	2017	2018	2019
<u>PARKING</u>					
Non-Resident Commuter (Includes Tax)	191-47	2014	760.00	760.00	1400 incredibly high demand with very little supply; comparison with other municipalities; resident feedback
Resident Commuter (Includes Tax)	191-47	2014	760.00	760.00	1000 incredibly high demand with very little supply; comparison with other municipalities; resident feedback
Merchant Parking Full-Year (Non-Taxable)	191-47	2017	500.00	500.00	500 constant pushback from merchants about the high fee, especially when trying to
Merchant Parking Half-Year (Non-Taxable)	191-47		n/a	n/a	300 run a business and not being able to find parking
Taxi Stall Rental (Plus tax)	2005	2005	700.00	700.00	700 Many cannot afford the stalls due to competition with Uber/ Lyft
Guest Parking Overnight (max. 14 days per night)		2014	15.00	15.00	25 Rare, but parking is in high demand
Replacement Sticker (without old sticker)	191-47	2017	300.00	300.00	n/a
Replacement Sticker (with old sticker)	191-47	2017	20.00	20.00	n/a
Resident All Day/All Night	191-47	2017	900.00	900.00	900 Many of the residents renting in the downtown cannot afford more than this fee
Resident All Night	191-47	2017	480.00	480.00	480 Just raised this two years; the user base are renters who have pushed back on raising this fee
Snow Field Parking		2016	200.00	200.00	300 Administrative costs of both clerk processing and DPW cleanup is burdensome
Special Permits (Theo. Fremd Lot)*		2003	n/a	n/a	200 Bringing back the "green meter" program - \$200 base with "pay by day" at the meters
Commuter Parking Waitlist Fee (One-time Fee)		2017	100.00	100.00	100 Fee recently imposed.
Additional Car on Permit		2018	n/a	n/a	20 Permit program will allow for one car, with a \$20 fee for each additional car up to 5



POLICE DEPARTMENT

City of Rye, New York
21 McCullough Place
Rye, N. Y. 10580
Phone: (914) 967-1234
FAX: (914) 967-8341



Michael C. Corcoran, Jr.
Commissioner of Public Safety

TO: Mr. Joseph Fazzino
FROM: Commissioner Michael C. Corcoran, Jr. *mdc02*
DATE: May 10, 2018
SUBJECT: Fees 2019

POLICE

2019

Recommendation

ALARMS	
Alarms permit - Fire/Burglar - New Permit - Residential	\$100.00
Alarms permit - Fire/Burglar - Annual Renewal - Residential	\$50.00
Alarms permit - Fire/Burglar - New Permit - Commercial	\$150.00
Alarms permit - Fire/Burglar - Annual Renewal - Commercial	\$100.00
False alarm: 2nd call per annum*(Requires change to Code)	\$100.00
False alarm: 3rd, 4th call each per annum	\$150.00
False alarm: over 4 per annum	\$200.00

GENERAL

Auxiliary Police Services Event Fee

OMIT

Motor vehicle accident reports (available online)	\$25.00
Flash Drive option for digital photos	KEEP SAME
Good Conduct Certificates	\$100.00

Mooring Permits (per permit)

OMIT FROM PD (Boat Basin??)

Police report copies (per copy, victims of crimes no charge)	KEEP SAME
Redemption of Shopping Carts	KEEP SAME
Reprints of Photographs	KEEP SAME
Subpoena Fees for Records (min)	KEEP SAME

Failure to shovel snow after a storm \$75.00

JUSTIFICATION

Our recommended fee increases are the result of the fee structure being in place for a number of years as well as the relevant fines being consistent with what is charged in comparison communities: Rye Brook, Harrison and Scarsdale.

Justification to “KEEP THE SAME” fees is because these are areas that are rarely utilized by the public and would not result in a windfall of revenue.

Auxiliary Police Event Fee has never been charged since I have been here and no one recalls such a charge even among my predecessors. I believe that it is a nice service to provide to residents when our Auxiliary officers are available.

FIRE

We have researched the fee schedule for fire inspections in our neighboring communities, including Port Chester, Rye Brook and Harrison. (We didn't hear back from Mamaroneck)

There seems to be a broad range of fees and methods of applying those fees. The most common methods appear to be.

- Charge an annual operating fee (applied to Places of Assembly 50 or more people)
- Charge flat rate inspection fee, with some municipalities charging re-inspection fees for violations (Rye's model)
- Charge annual inspection based on square footage and or occupancy type.

Fees range from \$100 to \$750

It seems that charging a flat rate, as the City of Rye currently does, remains the most sensible method.

The fee that is currently charged by The City of Rye is on the low side in comparison to other municipalities.

I would recommend raising the fees charged for all inspections as follows

- Current Fire Inspection fee \$150.00 raise to \$200 - \$300
- Current Re-inspection fee \$75.00 raise to \$150.00
- Current inspection fee for oil tank removal \$100.00 raise to \$150.00 - \$200.00

JUSTIFICATION

The justification for the increase would be to ensure fees are consistent with the aforementioned municipalities.

Please contact me with any questions.

**CITY OF RYE
MEMORANDUM**

TO: Marcus Serrano, City Manager
Mayor Cohn and the City Council

FROM: Joseph Fazzino, Deputy City Comptroller

RE: Parking Fines

DATE: July 16, 2018

Upon reviewing local laws pertaining to parking violations, the Finance Department discovered and confirmed with Corporation Counsel that City Staff has the authority to change the fine associated with a parking violation at its discretion, as well as change the reduction of a parking fine due to early payment. I have attached copies of the applicable local laws. I believe, however, that it is necessary that Staff present any proposed changes to parking fines to the City Council and public.

Finance Department Staff, with the assistance of the Police Department, has gathered parking fine information from neighboring municipalities. A copy of this analysis is attached. The focus was on the most frequently issued fines. Although there were several fines where the City exceeded the average of the other communities, there were also other instances where the City's fine was below the average and in some cases, well below the average.

To put the City more in line with the average fines and to control behavior in certain lots, the Finance Department proposes increases to the following parking fines:

Expired meter:	\$25 to \$30
Prohibited Parking	\$25 to \$40
Overtime Parking	\$25 to \$30
Expired Inspection	\$25 to \$50
Expired Registration	\$25 to \$50
No Permit	\$25 to \$50
Double Parking	\$25 to \$75
Blocked Driveway	\$25 to \$50
12" From the Curb	\$25 to \$30

There is no information available to Staff identifying the last time any of the above fines were changed or increased. I have been with the City since 2003 and these fines have remained the same. Based on parking fines paid in 2017, the increases proposed above would generate an additional \$112,000 in revenues.

Current City policy, also unchanged since 2003, allows for the reduction of a \$25 parking fine to \$15. This reduction occurs only if the violator's license plate has three parking violations or less within the previous 12 months and that each violation is paid within 48 hours of issuance. Roughly 1,400 tickets were paid at a reduced rate in 2017, which translates to increased revenue of \$14,000 if this option was eliminated completely going forward. The consensus among City staff is that the reduction of the fine is an incentive for a violator to pay, especially first-time offenders, instead of requesting a court date to dispute the ticket and possibly have the fine reduced or dismissed. Moving forward, Finance Department Staff proposes a \$10 reduction for fines \$35 dollars or less, beginning in 2019.

While prior year history is certainly a useful indicator of potential overall revenue increases, the amount collected for any given fine is dependent on a number of factors, including but not limited to, the level of activity by enforcement officers issuing violations, the type of violation issued, the amount of the fine and any associated penalties, the ultimate adjudication of the violation, and timeliness of payment. Based on the proposed increases listed above and remaining consistent with the City's conservative budgeting practices, I am recommending increasing the 2019 budgeted parking fine revenue by \$50,000 from \$325,000 to \$375,000.

Respectfully submitted,

Joe Fazzino
Deputy City Comptroller

Violation	Rye	White Plains	Harrison	Scarsdale	Port Chester	Larchmont	Bronxville	Pelham	Mamaroneck	Mount Vernon	Bedford	Average	Avg. Excluding Rye
Handicap	\$ 150	\$ 130	\$ 250	\$ 130	\$ 125	\$ 180	\$ 110	\$ 100	\$ 50	\$ 160	\$ 130	\$ 138	\$ 137
Overtime	25	25	25	25	35	25	35	25	15	35	40	28	29
Fire Hydrant	150	100	100	75	135	100	70	100	50	100	N/A	98	92
Meter Parking	25	25	25	35	35	25	25	25	15	35	40	28	29
Viol Snow Ord	75	55	50	30	35	50	35	40	50	60	20	45	43
Crosswalk	75	50	50	50	60	50	70	50	50	N/A	40	55	52
No Permit	25	50	50	30	60	N/A	35	75	25	50	40	44	46
Blocked Driveway	25	50	75	30	60	50	35	50	20	50	20	42	44
12" Curb	25	50	35	30	35	N/A	35	40	50	N/A	N/A	38	39
Double Parking	25	100	50	50	80	100	70	75	25	125	N/A	70	75
Expired Inspection	25	50	N/A	60	80	50	35	40	50	100	40	53	56
Expired Registration	25	50	N/A	60	80	50	35	40	50	100	40	53	56
No Parking	25	55	N/A	30	35	50	35	75	25	N/A	20	39	41

§ 191-32. Penalties for offenses against special parking provisions. [Amended 9-19-1984 by L.L. No. 13-1984; 4-6-1988 by L.L. No. 5-1988; 12-16-1992 by L.L. No. 22-1992; 12-15-2010 by L.L. No. 11-2010¹]

Every person convicted of a violation of Article VII or Article VIII or any order, rule, regulation or special direction made thereunder shall be punished by a fine of not less than \$50 nor more than \$200 or by imprisonment for not more than five days, or by both such fine and imprisonment. Failure to pay such fine on or before the appearance date or upon conviction shall result in an additional charge equal to the imposed fine. Failure to pay the fine within 45 days of the appearance date or date of conviction shall result in an additional charge equal to three times the initial fine. Failure to pay the fine and additional charges within 75 days of the appearance date or date of conviction will result in the assessment of an additional administrative fee equal to 40% of the total of the fines and late charges then due.

§ 191-33. Penalties for parking offenses in certain areas. [Amended 7-21-1976 by Ord. No. 11-1976; 4-6-1988 by L.L. No. 5-1988; 12-16-1992 by L.L. No. 22-1992; 12-15-2010 by L.L. No. 11-2010²]

Every person convicted of a violation of Article III or any order, rule, regulation or special direction made thereunder, occurring along Forest Avenue between Cornell Place and Sanford Street and along the streets east of Forest Avenue between Cornell Place and Sanford Street, inclusive, shall, for the first conviction thereof, be punished by a fine of not less than \$50 nor more than \$200. Failure to pay such fine on or before the appearance date or upon conviction shall result in an additional charge equal to the imposed fine. Failure to pay the fine within 45 days of the appearance date or date of conviction shall result in an additional charge equal to three times the initial fine. Failure to pay the fine and additional charges within 75 days of the appearance date or date of conviction will result in the assessment of an additional administrative fee equal to 40% of the total of the fines and late charges then due.

1. This local law also provided that it would take effect 3-1-2011.
2. This local law also provided that it would take effect 3-1-2011.

§ 191-34. Penalties for parking offenses generally. [Amended 9-19-1984 by L.L. No. 13-1984; 4-6-1988 by L.L. No. 5-1988; 12-16-1992 by L.L. No. 22-1992; 12-15-1993 by L.L. No. 12-1993; 12-15-2010 by L.L. No. 11-2010³]

Except as otherwise provided in §§ 191-32 and 191-33, every person convicted of a violation of Article III or any order, rule, regulation or special direction made thereunder shall be punished by a fine of not less than \$50 nor more than \$200. Failure to pay such fine on or before the appearance date or upon conviction shall result in an additional charge equal to the imposed fine. Failure to pay the fine within 45 days of the appearance date or date of conviction shall result in an additional charge equal to three times the initial fine. Failure to pay the fine and additional charges within 75 days of the appearance date or date of conviction will result in the assessment of an additional administrative fee equal to 40% of the total of the fines and late charges then due.

§ 191-35. Penalties for offenses generally. [Amended 9-19-1984 by L.L. No. 13-1984; 4-6-1988 by L.L. No. 5-1988; 12-16-1992 by L.L. No. 22-1992]

Every person convicted of a violation of this chapter or any order, rule, regulation or special direction thereunder for which another penalty is not provided shall, for the first conviction thereof, be punished by a fine of not less than \$25 nor more than \$50. Failure to pay such fine on or before the appearance date or upon conviction shall result in an additional charge equal to the imposed fine. Failure to pay the fine within 45 days of the appearance date or date of conviction shall result in an additional charge equal to three times the initial fine. Failure to pay the fine and additional charges within 75 days of the appearance date or date of conviction will result in the assessment of an additional administrative fee equal to 40% of the total of the fines and late charges then due.

3. This local law also provided that it would take effect 3-1-2011.

**CITY OF RYE
LOCAL LAW NO. 12 - 1993**

A local law amending Chapter 191, Vehicles and Traffic, of the Code of the City of Rye with respect to fines and fees.

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

Section 1. Section 191-34 of Part 1, Article VI of Chapter 191, Vehicles and Traffic, of the Code of the City of Rye is hereby amended to read as follows:

§ 191-34. Penalties for parking offenses generally.

Except as otherwise provided in §§ 191-32 and 191-33, every person convicted of a violation of Article III or any order, rule, regulation or special direction made thereunder shall be punished by a fine of not less than twenty-five dollars (\$25.) nor more than fifty dollars (\$50.). In the event payment is received by the City of Rye Traffic Violations Bureau within forty eight (48) hours following the issuance of said violation, the minimum said fine shall be reduced to not less than fifteen dollars (\$15.), provided that the violator has not received three (3) prior parking violations within a year. Failure to pay such fine on or before the appearance date or upon conviction shall result in an additional charge equal to the imposed fine. Failure to pay the fine within forty-five (45) days of the appearance date or date of conviction shall result in an additional charge equal to three (3) times the initial fine. Failure to pay the fine and additional charges within seventy-five (75) days of the appearance date or date of conviction will result in the assessment of an additional administrative fee equal to forty percent (40%) of the total of the fines and late charges then due.

Section 2. Subsection C of Section 191-38.1 and Section 191-39 of Part 2, Article VII of Chapter 191, Vehicles and Traffic, of the Code of the City of Rye is hereby amended to read as follows:

§ 191-38.1 Resident meter parking permit zone.

C. Any resident of the City of Rye desiring a resident meter parking permit shall, upon application to the City Clerk and payment of an annual fee of thirty-six dollars (\$36.), receive a tag or license entitling that person to park an automobile or other vehicle in the location and places specifically designated for resident meter parking.

§ 191-39 Parking time limits.

The permitted parking time in a parking meter zone shall, except as otherwise provided, be one and a half (1.5) hours for each twenty-five cent coin of the United States of America deposited in the meter. Upon the expiration of the permitted parking time with respect to any vehicle in such designated parking space, the operator shall forthwith remove such vehicle from such parking space.

Section 3. Subsection F of Section 191-47 of Part 3, Article VIII of Chapter 191, Vehicles and Traffic, of the Code of the City of Rye is hereby amended to read as follows:

§ 191-47. Parking fees.

F. If a license or a tag, or both, is lost or destroyed or if another motor vehicle is substituted for the vehicle for which the license had been issued, a new license will be issued for the remainder of the period upon payment of a fee of five dollars (\$5.).

Section 4. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

CITY OF RYE, NEW YORK
GENERAL FUND
ANNUAL BUDGET
FOR FISCAL YEAR ENDING DECEMBER 31, 2018

FEE SCHEDULE

	last changed	FY 2017	FY 2018	PROPOSED 2019	proposed increase in review	Description	Reason for increase or decrease in the fee(s)	comparison of other communities
RECREATION				Res/Non Res				
ATHLETIC FIELD USE SURCHARGE (per person/per prog)	2011	15.00	15.00	20.00	20,000.00	Part of this fee goes to the General fund as revenue (\$10); the balance in a protected account to do field renovations as needed not budgeted for in the recreations operating budget	Increase to the fee will generate an additional \$25K per year	not many communities have this surcharge. Of those who do; \$5/per
BUILDING FEES								
*Descriptions changed to be more relevant to Rec facilities								
Lower Level Multi Purpose Room (per hour)* # ^	2017	110.00	110.00	110.00		rental fee for use of the lower level room at Damiano	very few organizations rent the facility at this price - I would not recommend an increase	room rentals vary from \$40 - 100/hr
Upper Level Rooms (per hour) * #	2017	90.00	90.00	90.00		rental fee for use of the upper level room at Damiano	very few organizations rent the facility at this price - I would not recommend an increase	room rentals vary from \$40 - 100/hr
Lower Level Multi Purpose Room: Non-Profit (per hour)	2018	75.00	90.00	90.00		rental fee for non-profit organizatinos	very few organizations rent the facility at this price - I would not recommend an increase	room rentals vary from \$40 - 100/hr
Upper Level Rooms: Non-Profit Rate (per hour)	2017	70.00	70.00	70.00		rental fee for non-profit organizatinos	very few organizations rent the facility at this price - I would not recommend an increase	room rentals vary from \$40 - 100/hr
Lower Level Multi Purpose Room Event Party (4 Hours)	2011	575/675	575/675	575/700		Event party fee for 4 hours	not recommended for increase	room rentals vary from \$40 - 100/hr
Birthday Party: Basic Program Restricted time frame (2 hrs)	2018	225/325	225/350	225/350		package party rate for kids birthday party (no alcohol)	not recommended for increase	room rentals vary from \$40 - 100/hr
Upper Level Room Event Party: (4 hours)	2011	475/575	475/575	475/600		basic fee for 4-hr event	recommended for non-resident increase	room rentals vary from \$40 - 100/hr
Maintenance Coverage (per hour) Full-time	2014	60.00	60.00	60.00				
Maintenance Coverage (per hour) Part-time	2014	40.00	40.00	40.00				
Alcohol Permit Fee - Event Parties	2017	75.00	75.00	100.00	500.00	permit to have alcohol at a party	nominal increase	\$25 - \$100; some require insurance
Event Party Security Deposit (Refundable)	2014	150.00	150.00	150.00		security deposit -refunable if party stays on time/no damage		\$100- \$350
RENTAL NOTES:								
*Long - term rentals receive a discounted rate to be determined by the Superintendent of Recreation								
^High School Booster Clubs receive discounted rate room rental for sports dinners - birthday party rate								
Community Groups do not pay for room rentals during regular business hours; community groups include but are not limited to scouts, republican and democratic clubs, garden clubs, Women's Club of Rye, Rye Auxilliary Police, Rye Fire Department								
# Each school receives one free room rental as a sponsorship towards their school fund raiser								
Full time City of Rye staff received 25% discount; part time recreation staff 15%								

CITY OF RYE, NEW YORK
GENERAL FUND
ANNUAL BUDGET
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FEE SCHEDULE

	last changed	FY 2017	FY 2018	PROPOSED 2019	proposed increase in review	Description	Reason for increase or decrease in the fee(s)	comparison of other communities
RECREATION				Res/Non Res				
DAY CAMP	last changed	FY 2017	FY 2018	PROPOSED 2019				
Day Camp - 2 week full day session (resident)	2018	555.00	565.00	570		base fee for 2-weeks of camp (Grades K-6 only)	commission voted on a 1% increase	
Day Camp - 6 week basic (non-resident)	2018	1,610.00	1,640.00	1660		non resident camp fee - double resident rate	commission voted on a 1% increase	average of + \$200 over resident fee
Day Camp - 6 week basic (resident)	2018	805.00	820.00	830	2700	resident rate for day camp (Grades K - 6)	commission voted on a 1% increase	\$520 - \$1125/ 5 or 6 weeks
Day Camp - 6 week extended program (resident)	2012	n/a	n/a	n/a				
Day Camp - Swim group	2014	85.00	85.00	90.00	350	fee for group swim lessons (Grades 3 - 6)	nominal increase; fees collected MORE than cover costs; max time per group is 40 minutes; 11 dates max per summer	most swim is included in camp fee as sites have use of their town facilities
Day Camp - Swim lessons (with group)	2016	125.00	125.00	130.00	500	swim lessons for Grades K - 2	each group swims for 40 minutes; fees collected MORE than cover cost of Lifeguards/WSI and bus costs	most swim is included in camp fee as sites have use of their town facilities
Kiddy Camp (resident)	2018	745.00	760.00	770	600	Pre school camp program for ages 3 - 5 non entering grade	commission voted on a 1% increase	\$420 - \$965/ some include swim
Kiddy Camp - 2 week session (resident)	2012	n/a	n/a	n/a		a 2-week option is no longer offered		no offered
Registration fee after deadline	2015	25% Inc	25% Inc	25% Inc		this fee "encourages" registration early; this is based of the basic camp fee		average \$100; late fee registration dates due vary.
Camp 78 - 5-day week	2018	260.00	275.00	325	24316	travel camp program for grades 7 & 8	fee increased to cover cost of specialized program	\$795 - \$1900; offerings vary in the # of weeks and sessions
Camp 78 - 4-day week	2018	n/a	230.00	260	3400	travel camp program for grades 7 & 8	fee increased to cover cost of specialized program	\$795 - \$1900; offerings vary in the # of weeks and sessions
Camp Withdrawal Fee	2014	25% of Fee	25% of Fee	25% of Fee		25% of the basic camp fee until 6/1		varies from no refunds to a percentage based on dates
Camp Notes:								
* Full time City of Rye staff received 25% discount; part time recreation staff 15%						New 2019		
INDOOR RECREATION								
Daily Fees (Volleyball/Adult Basketball)(resident/non-resident)	2010	5.00/10.00	5.00/10.00	5.00		drop in basketball or volleyball; supervisors are volunteers		
OUTDOOR RECREATION								
All day field permit (10am-6pm)	2011	700.00	700.00	700.00		not used in years - most departments are substantial less	decrease or no change recommended	\$40 - 100 per 2-hr use
Field permit (2 hrs.) *	2011	200.00	200.00	200.00		fee includes staff scarifying and lining the field other than Sport users	very few rental; maybe increase fee for weekend use to cover OT costs	\$40 - 100 per 2-hr use
Field/Facility Use - Basketball - Outdoor lights (2hrs)	2009	160.00	160.00	160.00		fee charged to use the tennis courts or bball courts Fri - Sun for a private event;	very few rental; maybe increase fee for weekend use to cover OT costs	

CITY OF RYE, NEW YORK
GENERAL FUND
ANNUAL BUDGET
FOR FISCAL YEAR ENDING DECEMBER 31, 2018

FEE SCHEDULE

	last changed	FY 2017	FY 2018	PROPOSED 2019	proposed increase in review	Description	Reason for increase or decrease in the fee(s)	comparison of other communities
RECREATION				Res/Non Res				
Softball - Men's Adult (per team)	2018	390.00	400.00	420.00	360.00	base fee charge to softball leagues - administrative charge	nominal increase suggested as fee is over \$1500 per team	
Softball - Woman's Adult (per team)	2018	340.00	350.00	370.00	160.00	base fee charge to softball leagues - less games played	nominal increase suggested as fee is over \$1300 per team	
Movie Shoot parking lot rental per lot (per day)	2016	1,200.00	1,200.00	2,000.00		fee for the inconvenience when movie shoots are in town	2018 no movies requested space; 2015 & 2016 1 or 2 movies/year	
Rental Notes:								
*50% Reduced rate available if facility does not require field prep								
PICNIC								
Non-profit/Sport League Groups/school groups weekday	2012	50.00	50.00	70.00	200.00	fee for sport groups needing picnics during the week; weekend use charged at full fee	nominal increase - 8 - 10 picnics per year	not offered
Refundable Deposit (Part of Fee)	2015	100.00	100.00	100.00		fee charged if cancellation is less than 3-weeks prior to the event		not offered
Weekday Picnic (4-Dark)	2011	165.00	165.00	175.00		week day picnic discount	nominal increase - not many booked yearly	not offered
Up to 75 (Resident/Non Resident)	2017	225/350	225/350	250/375	1000	small picnic fee	nominal increase; non residents pay more	\$75 - \$\$200
75 to 150 (Resident/Non Resident)	2017	425/550	425/550	450/575	400	large picnic fee	nominal increase; non residents pay more - only 2 booked in this category	\$125 - \$300
Picnic Notes:								
Free events for City of Rye organizations such as Rye Auxiliary Police and Rye Fire Department								

CITY OF RYE, NEW YORK
GENERAL FUND
ANNUAL BUDGET
FOR FISCAL YEAR ENDING DECEMBER 31, 2018

FEE SCHEDULE

	last changed	FY 2017	FY 2018	PROPOSED 2019	proposed increase in review	Description	Reason for increase or decrease in the fee(s)	comparison of other communities
<u>RECREATION</u>				Res/Non Res				
TENNIS								
Permit - Adult (19 & over)	2011	110.00	110.00	120	1600			\$0 - \$180
Permit - Family (max. 5)	2011	285.00	285.00	N/A				\$0 - \$280
Permit - Individual (non-resident)	2011	220.00	220.00	240	200			\$220/per
Permit - Junior (6-18 years)	2011	60.00	60.00	70	1130			\$0 - \$115
Permit - Senior (60+)	2011	75.00	75.00	80	220			\$0 - \$115
Daily Fee (resident only; Adult/Junior or Senior)	2014	13.00/8.00	13.00/8.00	10.00		simplifies the process/more reasonable to encourage play		\$4 - \$10/ varies by week day v weekend rates
Guest of Permit Holder - Hourly fee (Adult/Junior or Senior)	2014	13.00/8.00	13.00/8.00	10.00		simplifies the process/more reasonable to encourage play		\$4 - \$10/ varies by week day v weekend rates
Private lessons: Per half hour	2017	40.00	40.00	40.00		maximum fee pro can charge for lessons	maximum fee pro can charge for lessons	
Private lessons: Per hour	2017	55.00	55.00	75.00		maximum fee pro can charge for lessons	maximum fee pro can charge for lessons	
Non-Resident Senior	2014	150.00	150.00	160.00		non-resident senior - double resident rate		\$30 - \$50 or not offered
Clinic - Adult Tennis (Per class)	2017	25.00	25.00	27.00		# of lessons change per season; rate is used to determine overall price		\$18 - \$30/hr
Clinic - Child Tennis (Per class)	2017	23.00	23.00	25.00		# of lessons change per season; rate is used to determine overall price		\$18 - \$30/hr



CITY OF RYE
Department of Public Works

Interoffice Memorandum

To: Marcus Serrano, City Manager
 Joseph Fazzino, Deputy City Comptroller

From: Ryan Coyne, City Engineer 

Date: July 25, 2018

Subject: Recommendation for Modifications to the Fee Schedule

As requested, I write to expand on the existing and proposed permit fees relevant to the Departments of Public Works and Engineering. We have recommended some permits and fees be eliminated as they are no longer relevant, some fees be increased, and others to remain as is.

Below is a list of the fees along with the recommended modifications, if any.

<i><u>Fee Description</u></i>	Current Fee	Proposed Fee	Rationale
Constructed or Replaced Curb	\$50.00	\$50.00	Not a significant source of revenue
Constructed or Replaced Depressed Curb (min)	\$50.00	Eliminate	Same as Constructed or Replaced Curb
Constructed or Replaced Driveway (min)	\$50.00	\$50.00	Not a significant source of revenue
Constructed or Replaced Sidewalks (min)	\$50.00	\$50.00	Not a significant source of revenue
Construction Debris Containers (per day)	\$100.00	\$250.00	Increase due to additional staff time spent on review, approval, and inspection
Street Obstructions, Storage of Materials, Operating Machinery, loading & unloading, scaffolding & bridging	\$150.00	\$250.00	Increase due to additional staff time spent on review, approval, and inspection
Street Opening: Curbing-Asphalt/Concrete/Flag	\$250.00	Eliminate	Create one Permit Fee for all Street Openings in Paved Areas
Street Opening: Sidewalk Area-Asphalt/Concrete/Flag	\$250.00	Eliminate	Create one Permit Fee for all Street Openings in Paved Areas
Street Opening: Street Area-Asphalt	\$250.00	\$500.00	Modify to Delete "Asphalt". Increase due to additional staff time spent on review, approval, and inspection
Street Opening: Street Area-Concrete	\$250.00	Eliminate	Create one Permit Fee for all Street Openings in Paved Areas

Street Opening: Test Holes (keyhole method) (each)	\$250.00	Eliminate	Create one Permit Fee for all Street Openings in Paved Areas
Street Opening: Unpaved Areas	\$250.00	\$250.00	Not a significant source of revenue
Street Opening Permit Surcharge	\$200.00	\$500.00	This surcharge goes directly to the City's Street Resurfacing Project Budget. Increase relates to decreased lifespan of roadway due to utility cuts
Street Opening Public Service Fee(per LF, over 72 FT length)	\$5.00	Eliminate	Create one Permit Fee for all Street Openings in Paved Areas
Surface Water Control Application fee (Stand Alone)	\$200.00	\$500.00	Modify to be "Engineering Review Fee". Increase due to additional staff time spent on review, approval, and inspection
Construction Manhole/Catch Basin (min)	\$180.00	\$250.00	Increase due to additional staff time spent on review, approval, and inspection
Driving Pipes (min)	\$100.00	Eliminate	Will be considered a Street Opening
Install Underground Tank/Vault (min)	\$110.00	Eliminate	Will be considered a Street Opening
Plumbing Connection to Structures:			
Manholes/Catch Basin (min)	\$45.00	\$250.00	Increase due to additional staff time spent on review, approval, and inspection
Plumbing Connection to Structures:			
Sewer or Drain Line (min)	\$35.00	\$250.00	Increase due to additional staff time spent on review, approval, and inspection

Below is a summary of Street Opening Permits, Fees, and Surcharges for 2014- July, 2018

	2014	2015	2016	2017	as of July, 2018	Projected 2019
# Permits	273	236	215	210	92	200
Total Fee	\$76,166.00	\$74,984.00	\$58,545.00	\$66,980.00	\$62,901.00	\$100,000
Permit Fee	min. \$250 plus sliding scale	min. \$250 plus sliding scale	min. \$250 plus sliding scale	min. \$250 plus sliding scale	min. \$250 plus sliding scale	\$500
Avg. Fee per permit	\$279.00	\$317.73	\$272.30	\$318.95	\$683.71	\$500
Surcharge Fee	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$500
Total Surcharge	\$54,950.00	\$52,550.00	\$39,270.00	\$37,650.00	\$19,050.00	\$100,000

Existing minimum fee is \$250; however, the fee can increase with the size of the road opening. Therefore, the average permit fee from year to year will change depending on the nature of the proposed work. It is proposed that one consistent fee be created for all Street Opening Permits as the administration and inspection of the work is not directly related to the size of the road opening. Additionally, the large street openings are typically done by private utility companies and the roadways restorations are typically inclusive of the entire lane of traffic or entire roadway.

The existing surcharge for every road opening is proposed to be increased from \$200 to \$500 to offset the increased deterioration of the roadways due to the trench repair work. This surcharge goes directly into the Annual Street Resurfacing Project budget and not into the general fund.

With respect to the Engineering Review Fees (formerly called Surface Water Control permits); the administrative time associated with the review, issuance, and inspection of the grading, drainage, and erosion control work on residential and commercial properties have increased dramatically in recent years. It is proposed to raise the fee from \$250 to \$500 for each permit. Below is a summary table of permits issued:

SWC Permits	2014	2015	2016	2017	Projected 2019
# of Permits Issued	241	240	166	166	175
Fees Collected	\$48,200	\$48,000	\$33,200	\$33,200	\$87,500

Please feel free to contact me should you need to discuss further. I am happy to meet with you, the Finance Committee, or the City Council should you deem necessary.

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



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<http://www.ryeny.gov>

CITY OF RYE Department of Planning


Memorandum

To: Marcus Serrano, City Manager
Joe Fazzino, Acting City Comptroller

From: Christian K. Miller, City Planner

Date: July 25, 2018

Subject: **Proposed 2019 Building and Planning Department Fees**



As requested, the following provides a description and rationale for proposed fees for the City's Building and Planning Departments for 2019.

Building Department

Over the last three years, the City Building Department generates revenue of between \$1.9 and \$2.1 Million. Departmental expenses over that same period range between \$542,000 and \$661,000. Actual revenue exceeds budgeted revenue and actual expenses have been below budgeted expenses for each year. From a cost recovery perspective fees are more than capturing departmental expenses. It is noted, however that the total cost of building activity impacts other municipal expenditures such as public works, legal, assessment and the City's emergency service departments. Those cost have not been quantified here.

As requested, the Department has evaluated its fees as part of the annual fee schedule for the 2019 Budget. Table 1 provides the proposed fee schedule by fee type for the City Building Department.

Proposed 2019 Building and Planning Department Fees

July 25, 2018

Page 2 of 5

**TABLE 1
Existing and Proposed Building Department Fees
2017-2019**

ELECTRICAL	Last Changed	2017 Fee	2018 Fee	Proposed 2019 Fee
Electrical permits in existing building where a building permit is not required: for multiple residences, commercial or industrial buildings	2011	100.00	100.00	120.00
Electrical Permits in existing buildings where a building permit is not required: for one & two family dwellings with contracts valued at \$500 or more	2014	100.00	100.00	120.00
GENERAL				
Building Permits (1) - minimum fee	2011	75.00	75.00	100.00
Building Permits (2a) - add'l charge per \$1,000 est. work (residential)	2013	17.00	17.00	17.00
Building Permits (2b) - add'l charge per \$1,000 est. work commercial)	2012	30.00	30.00	30.00
Building Permit (3) - fee for work begun without permit	2016	1,500.00	1,500.00	1,500.00
Certificate for Commercial Buildings	2011	175.00	175.00	225.00
Certificate of Occupancy: to be paid with application for building permit	2011	100.00	100.00	125.00
Changes in Approved Plans	2016	500.00	500.00	550.00
Demolition Permits - Commercial and residential structures	2010	2,000.00	2,000.00	2,500.00
Demo Pmts - In-ground pools tennis crts detached garages	2010	750.00	750.00	900.00
Demo Pmts - Sheds, above ground pools, pool decks, gazebo	2011	200.00	200.00	225.00
Fence Permit	2016	100.00	100.00	115.00
Generator Permit	2014	300.00	300.00	400.00
Sign Permit	2016	100.00	100.00	125.00
New Certificate for old buildings	2016	300.00	300.00	350.00
Pre-date letters	2016	200.00	200.00	225.00
Rock Removal / Chipping	2016	250.00	250.00	300.00
Roof Replacement	2016	175.00	175.00	200.00
Change of Occupancy	2016	175.00	175.00	200.00
PLUMBING				
<i>Oil or gas heating permits in existing building w/o building permit required:</i>				
New heating equipment installation or replacement	2013	150.00	150.00	200.00
Plumbing - No building permit required (min)	2016	200.00	200.00	200.00
Plumbing - for each fixture above 5	2011	5.00	5.00	6.00
Sewer or storm drain connection (per)	2016	100.00	100.00	200.00

Proposed 2019 Building and Planning Department Fees

July 25, 2018

Page 3 of 5

Planning Department

The activities of the Planning Department are not as application or permit driven as they are with the City Building Department. Its operation provides other administrative functions and non-revenue producing services to support the long-term land use and capital planning needs of the City. As a result, fees do not cover departmental expenses. Over the last three years actual departmental revenues have ranged between \$46,000 (2016) to \$82,000 (2017). Actual Expenses have ranged between \$305,000 and \$324,000. Table 2 provides the proposed fee schedule by fee type for the City Planning Department.

TABLE 2
Existing and Proposed Planning Department Fees
2017-2019

	Last Changed	2017 Fee	2018 Fee	Proposed 2019 Fee
COASTAL ZONE MANAGEMENT				
Waterfront Consistency Review Application	2012	825.00	825.00	950.00
GENERAL				
Copies of Subdivision or site plans - complete sets only (per sheet)	2012	12.00	12.00	15.00
SITE PLAN REVIEW				
Informal review	2012	n/a	n/a	n/a
Preliminary Application	2013	1,000.00	1,000.00	1,125.00
Final Application	2013	1,300.00	1,300.00	1,500.00
Inspection Fee (Fee + 7.0% cost of improvement)	2012	550.00	550.00	650.00
Construction and Use without prior approval	2013	2,800.00	2,800.00	3,500.00
Modification of Tree Preservation Plan by City Planner	2012	500.00	500.00	575.00
Tree Replacement, fee in lieu of	2013	1,900.00	1,900.00	2,200.00
SUBDIVISION REVIEW				
Informal Review	2013	675.00	675.00	750.00
Preliminary Application	2012	825.00	825.00	950.00
Preliminary Application - Add'l charge per lot	2012	390.00	390.00	450.00
Final Application	2012	1,120.00	1,120.00	1,300.00
Final Application - Add'l charge per lot	2012	385.00	385.00	450.00
Inspection Fee - 7% of cost of improvement plus \$50 per lot, or \$500, whichever is greater	2012	550.00	550.00	650.00
Modification of Tree Preservation Plan by City Planner	2012	500.00	500.00	575.00
Tree Replacement, fee in lieu of	2013	1,900.00	1,900.00	2,200.00
Fee in lieu of Parkland - In trust-minimum (dollars per square foot of lot area)	2012			

Proposed 2019 Building and Planning Department Fees

July 25, 2018

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	Last Changed	2017 Fee	2018 Fee	Proposed 2019 Fee
<i>R-1 One Family District</i>		0.14	0.14	0.17
<i>R-2 One Family District</i>		0.25	0.25	0.30
<i>R-3 One Family District</i>		0.35	0.35	0.42
<i>R-3 One Family District (Floodplain)</i>		0.25	0.25	0.30
<i>R-4 One Family District</i>		0.40	0.40	0.48
<i>R-4 One Family District (Floodplain)</i>		0.25	0.25	0.30
<i>R-5 One Family District</i>		0.49	0.49	0.59
<i>R-5 One Family District (Floodplain)</i>		0.25	0.25	0.30
<i>R-6 One Family District</i>		0.57	0.57	0.69
<i>R-6 One Family District (Floodplain)</i>		0.25	0.25	0.30
<i>RT Two-Family district (1 and 2 Family Residence)</i>		0.57	0.57	0.69
<i>RS School & Church District (1 Family Residence)</i>		0.35	0.35	0.42
<i>RA-1 District (1 Family Residence)</i>		0.57	0.57	0.69
<i>RA-1 District (2 Family Residence)</i>		0.41	0.41	0.50
<i>RA-2 District (1 Family Residence)</i>		0.57	0.57	0.69
<i>RA-2 District (2 Family Residence)</i>		0.49	0.49	0.59
<i>RA-3 District (1 and 2 Family Residence)</i>		0.57	0.57	0.69
<i>RA-4 District (1 and 2 Family Residence)</i>		0.57	0.57	0.69
<i>B-1 Business District (1 and 2 Family Residence)</i>		0.57	0.57	0.69
Apportionment Application	2012	650.00	650.00	750.00
Construction and Use without prior approval	2006	2,730.00	2,730.00	3,500.00
RE-ZONING APPLICATIONS	2013	1,300.00	1,300.00	2,000.00
WETLANDS/WATER COURSES				
Application Fee	2012	985.00	985.00	1,100.00
Inspection Fee	2012	550.00	550.00	600.00
Appeal of Determination	2012	550.00	550.00	650.00
Extension of Prior Approval	2012	600.00	600.00	700.00
Outdoor Dining Fee	2009	500.00	500.00	650.00

Rationale for Fee Increases and Anticipated Revenues

The primary basis for the recommended fees is based on an assessment of the amount of staff time and related costs necessary to process, review and maintain permit applications.

There have been adjustments to fees based on the date the fee was last adjusted. In some cases that fee was increased based on an assumed 2.0%-2.5% annual inflation cost. This is done in those cases where the fee has not been increased in five or more years. The proposed increase is intended to cover increases in departmental expenses.

Proposed 2019 Building and Planning Department Fees

July 25, 2018

Page 5 of 5

Fees that other communities charge was considered in order to provide a relative frame of reference of the City's fees. This is not a copycat exercise, but rather an evaluation to provide a reality-check that the proposed fee is reasonable relative to other communities. This process at times can have limited value since each community processes applications and administers fees differently, making it difficult to get apples-to-apples comparisons. Rye's fees are consistent with those of neighboring communities and would tend to be on the higher side of the average for each fee.

The Department's do not impose fees to modify behavior, such as charging high fees to discourage certain activities or lowering fees to encourage desired outcomes. Fee increases derived for those reasons would be considered by the City Council as part of its budget review process and as permitted by law. This is a particularly important distinction with the Building Department fees. Some may desire, for instance, higher fees for activities that may violate the law. Those concerns should not be addressed in the fee schedule, but rather in adjustments to the penalty section of the relevant City law. Those penalties (or fines) are imposed at the discretion of the judge as part of a formal enforcement action. They are not at the discretion of the Building Department.

It is difficult to predict anticipated revenues for 2019. Based on current land development application activity the City Building and Planning Departments are expected to meet or exceed budgeted revenues for the current year. The revenue for the Building and Planning Department is dependent on local, regional and national economic conditions that may result in changes in the real estate and construction market. Fortunately, the City has been relatively conservative in estimated budget revenue, particularly for the Building Department. For the last three years actual revenue has exceeded budgeted revenue, which provides a cushion for the City in projecting anticipated future revenues. Table 3 provides of permit fee for the City Building Department between 2015-2017.

Table 3
Budgeted vs. Actual Building Department Permit Fees Only
2015-2017

	Budgeted	Actual	Difference
2017	1,570,000	2,136,233	566,233
2016	1,540,000	1,818,579	278,579
2015	1,550,000	1,947,483	397,483



CITY COUNCIL AGENDA

NO. 9

DEPT.: Engineering

DATE: August 3, 2018

CONTACT: Ryan X. Coyne, City Engineer

ACTION: Contract Award for the WWI Monument Repair and Restoration (Contract 2018-04).

FOR THE MEETING OF:

August 8, 2018

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That contract 2018-04 be awarded to the low bidder, PVS Construction, LLC, in the amount of eighty seven thousand dollars (\$87,000) as recommended by the City Engineer and to be reimbursed from insurance claim for damage.

IMPACT: Environmental Fiscal Neighborhood Other:


BACKGROUND: The WWI Monument was struck by a vehicle and damaged. Work under this contract will repair the facility. Work will be reimbursed through the insurance claim.

The City Engineer's recommendation and bid results are attached for your review.



CITY OF RYE
Engineering Department

Interoffice Memorandum

To: Marcus Serrano, City Manager
From: Ryan Coyne, PE, City Engineer 
Cc: Joseph Fazzino, Deputy City Comptroller
Date: August 3, 2018
Subject: WWI Monument Repair and Restoration Contract 2018-04

The bid opening for the above contract took place on August 2, 2018. A copy of the bid results is attached.

I have checked and tabulated the sole bid submitted and hereby recommend that the bid be awarded to PVS Construction, LLC. in the amount of \$87,000.00.

Please feel free to contact me should you need any additional information.

WWI Monument Repair and Restoration
Contract 2018-04

Bids Opened August 2, 2018

Contractor's Name	Contractor's Price Bid	Position
-------------------	------------------------	----------

PVS Construction, LLC	\$87,000.00	1



CITY COUNCIL AGENDA

NO. 10

DEPT.: Engineering

DATE: August 3, 2018

CONTACT: Ryan X. Coyne, City Engineer

ACTION: Bid Award for the Solid Waste Containers bid (Bid #5-18).

FOR THE MEETING OF:

August 8, 2018

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That Bid #5-18 be awarded to the low bidder, City Carting, Inc., in the amount of sixty four thousand four hundred forty six and forty cents (64,446.40) as recommended by the City Engineer and approved in the City's Annual Budget.

IMPACT: Environmental Fiscal Neighborhood Other:


BACKGROUND: The Solid Waste Containers are stored at DPW and hauled by the contractor to dispose of the City's refuse and street sweeper debris.

The City Engineer's recommendation and bid results are attached for your review.



CITY OF RYE
Engineering Department

Interoffice Memorandum

To: Marcus Serrano, City Manager
From: Ryan Coyne, PE, City Engineer 
Cc: Joseph Fazzino, Deputy City Comptroller
Date: August 3, 2018
Subject: Bid 5-18 – Solid Waste Container Service Contract

The bid opening for the above contract took place on August 2, 2018. A copy of the bid results is attached.

I have checked the sole bid submitted and hereby recommend that the bid be awarded to City Carting, Inc. in the amount of \$64,446.40. City Carting, Inc. has been providing the City with container services since 2010.

Please feel free to contact me should you need any additional information.

**Service Contract for Solid Waste Containers - Bid 5-18
Bid Tabulation**



		1. City Carting	
Item No. Quantity	Items of Work with Unit Prices	Unit Price	Total Price
40 Container Pulls per Year	10 cubic yard container for street sweepings and catch basin cleanings. Price per pull	\$214.31	\$8,572.40
500 Tons per Year	Price per Ton for disposal of material contained in containers for Item 1	\$90.00	\$45,000.00
50 Container Pulls per Year	30 cubic yard container for garbage	\$217.48	\$10,874.00
Engineer's Total		\$64,446.40	
Contractor's Total		\$64,446.40	

Bid Opening:
August 2, 2018



CITY COUNCIL AGENDA

NO. 11

DEPT.: City Manager

DATE: August 3, 2018

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Resolution to transfer \$650,000 from the General Unassigned Fund balance to capital project fund - general capital.

FOR THE MEETING OF:
August 8, 2018

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, City staff has determined that there are funds available in the General Fund unassigned Fund Balance to provide additional funds for general capital projects, and;

WHEREAS, these funds will be used to support current and future projects, now, therefore be it;

RESOLVED, that the City Comptroller is authorized to transfer \$650,000 from the General Fund Unassigned Fund balance to the capital project fund - general capital.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: After the release of the 2017 financial report it was determined that the fund balance has surplus funds that can be transferred to supply support for capital projects. Even with the transfer there are sufficient funds to meet the City's fund balance policy and to maintain the City's strong bond rating.



CITY COUNCIL AGENDA

NO. 12

DEPT.: City Manager

DATE: August 3, 2018

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Consideration of a request by the Midland Fair Committee to approve a parade to precede the Midland Elementary School Fair on Saturday, April 27, 2019 from 9:00 a.m. to 10:15 a.m.

FOR THE MEETING OF:

August 8, 2018

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council consider granting the request.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The Midland Fair committee is requesting the Council approve a parade to precede the Midland Elementary School Fair on Saturday, April 27, 2019 from 9:00 a.m. to 10:15 a.m.

See attached request from Julie Souza, Co-Chair, Midland Fair committee.

From: [D'Andrea, Carolyn E.](#)
To: [Serrano, Marcus A.](#)
Subject: FW: Permit for Midland Fair Parade
Date: Monday, July 23, 2018 11:30:20 AM

Request for the Midland Fair Parade to be held 4/27/19.

-----Original Message-----

From: Julie Souza [<mailto:julie.souza@yahoo.com>]
Sent: Monday, July 23, 2018 11:29 AM
To: D'Andrea, Carolyn E. <cdandrea@ryeny.gov>
Cc: Suzanne Napoli <suzanne.napoli@gmail.com>
Subject: Permit for Midland Fair Parade

Hi Carolyn,

Can we request a permit to hold the Midland Fair Parade on Saturday, April 27, 2019? The parade will start at 9:30am (with kids lining up starting around 9am from the train station and along Purchase Street) and conclude at Midland Elementary at 10am. Perhaps this can be added to the September city council agenda?

Thank you!

Julie Souza

Midland Fair co-chair



CITY COUNCIL AGENDA

NO. 13

DEPT.: City Manager

DATE: August 3, 2018

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Consideration of a request by the Jarden Corporation for use of city streets on Sunday, September 23, 2018 from 7:00 a.m. to 6:00 p.m. for their annual Westchester Triathlon.

FOR THE MEETING OF:

August 8, 2018

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council consider granting the request.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The Jarden Corporation is requesting the Council approve the use of city streets on Sunday, September 23, 2018 from 7:00 a.m. to 6:00 p.m. for their annual Westchester Triathlon. The requestor has been in contact with the Rye Police Department regarding the event and has provided the appropriate insurance certificate to the City Clerk's office.

See attached request from Eric Opdyke, Race Director.

Dear City/Town/Village Managers and Councils,

The Westchester Triathlon is an iconic event taking place each September for the past 30+ years. Each year this event raises over \$50,000 that is donated to local and national charities for a variety of causes.

I'm writing to request formal permission for use of the roadways through The City of Rye, Rye Brook, Greenwich, Northcastle, Harrison, and Port Chester.

Police officers are required at various positions on the bike and run portions of the triathlon taking place on Sunday September 23, 2018.

The bike course map link is here: <https://ridewithgps.com/routes/16044034>

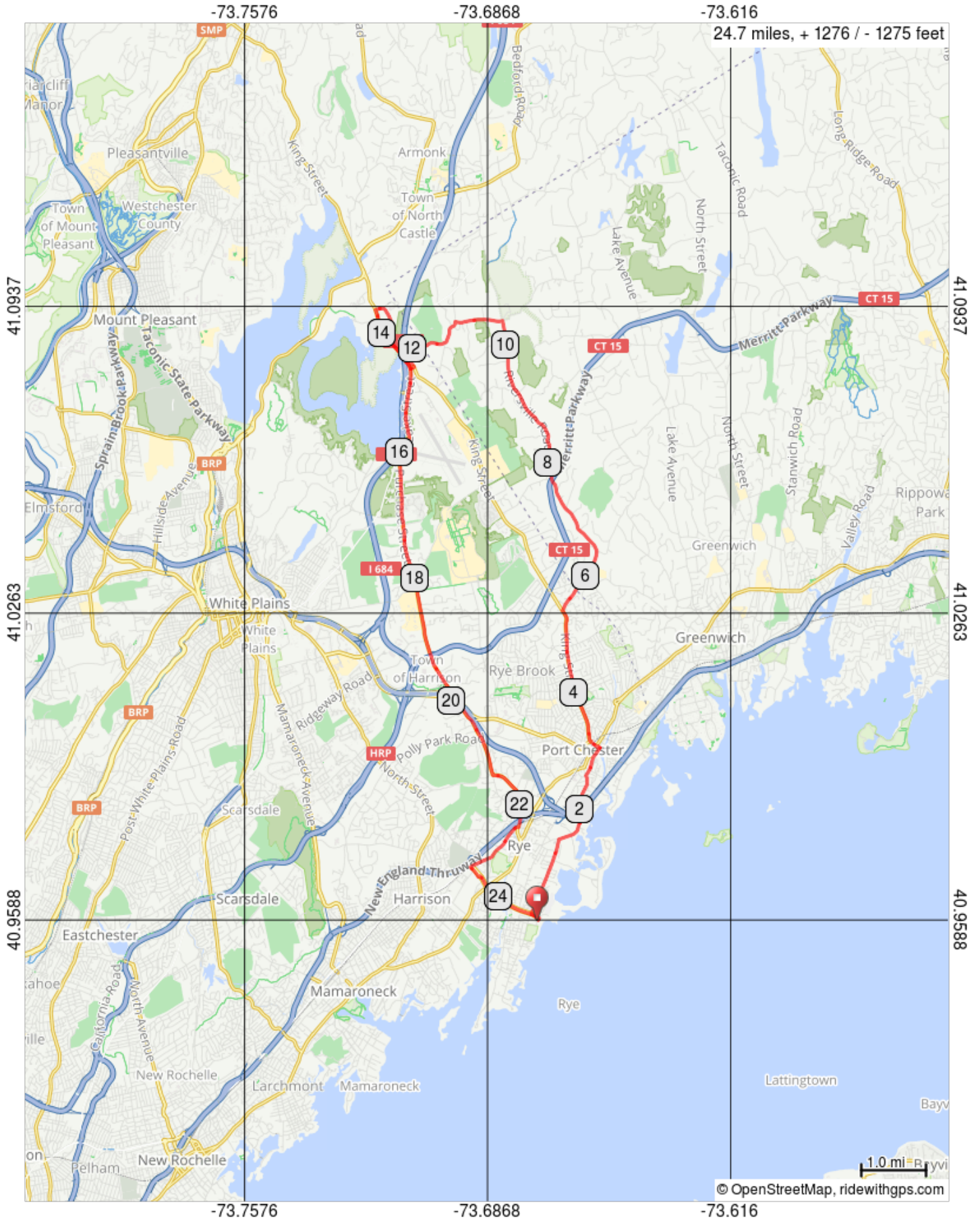
The run course map link is here (only affects Rye, Playland Park, and Rye Town Park):
<https://ridewithgps.com/routes/2211492>

I would be honored if you would grant us permission to use the roads for the race on Sunday September 23, 2018. I look forward to working with your police and traffic departments to ensure a safe and successful event for all.

Sincerely,

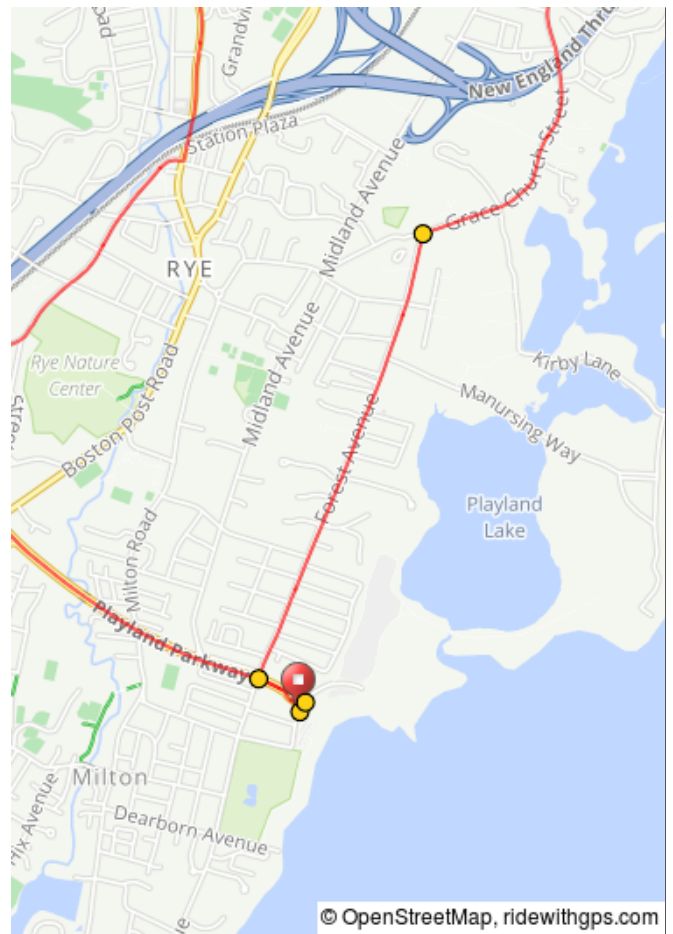
Eric Opdyke
Race Director
Westchester Triathlon
P: 203-981-6340
E: eric@rev3tri.com

Westchester Bike 2017



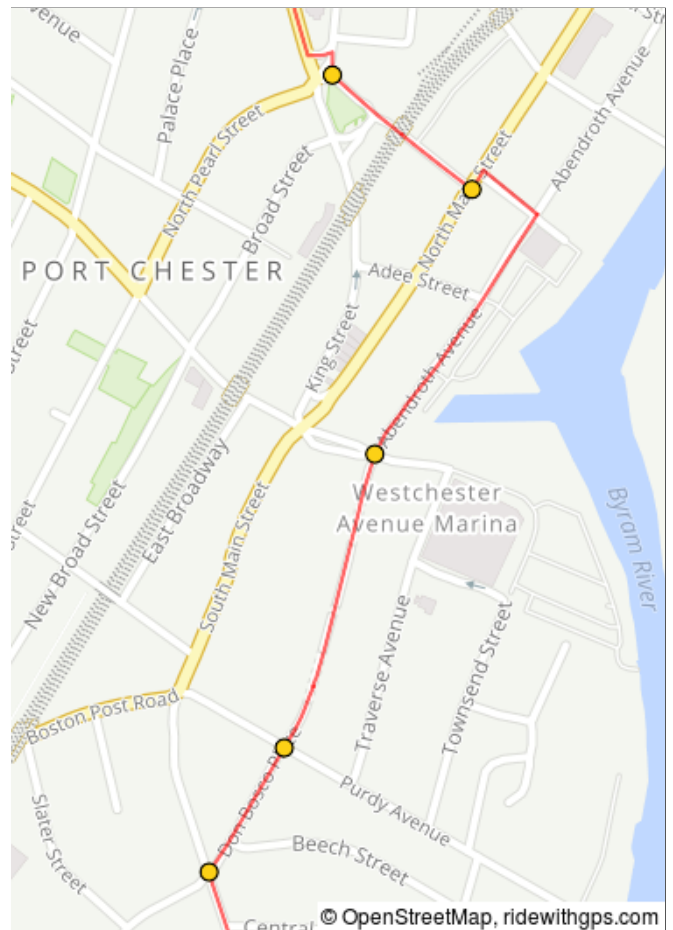
Westchester Bike 2017

Num	Dist	Type	Note	Next
1.	0.0	▶	Start of route	0.0
2.	0.0	←	L to stay on Playland Pkwy	0.1
3.	0.2	→	R at the 1st cross street onto Forest Ave	1.2
4.	1.4	→	R onto Grace Church St	1.2



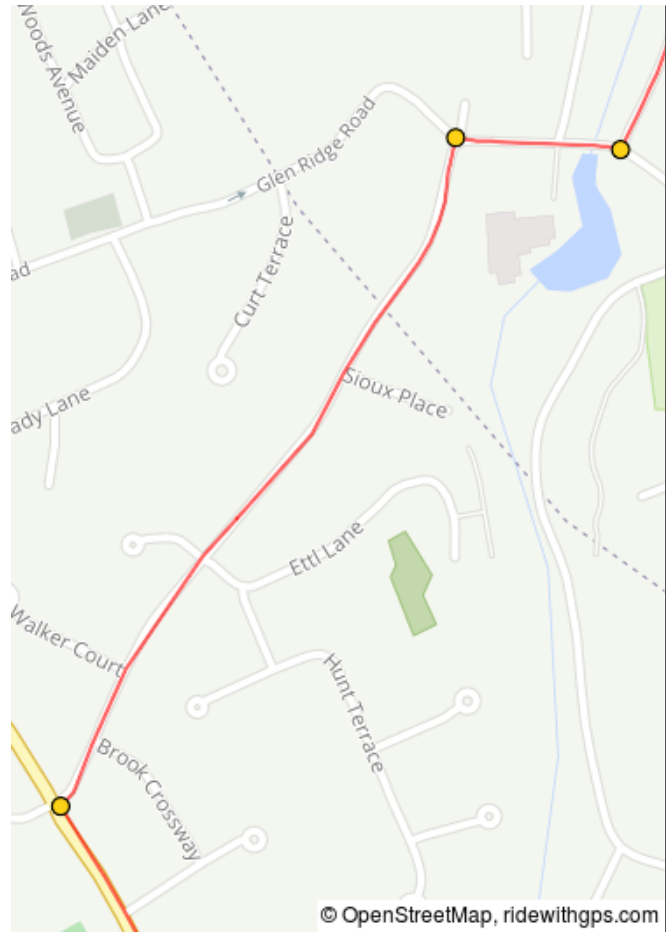
1.4 miles. +46/-23 feet

Num	Dist	Type	Note	Next
5.	2.6	→	R onto Don Bosco Pl	0.1
6.	2.7	↑	Continue onto Waterfront Pl	0.2
7.	2.9	↑	Continue onto Abendroth Ave	0.2
8.	3.1	→	R onto Willett Ave	0.1
9.	3.2	↑	Continue straight onto King St	2.1



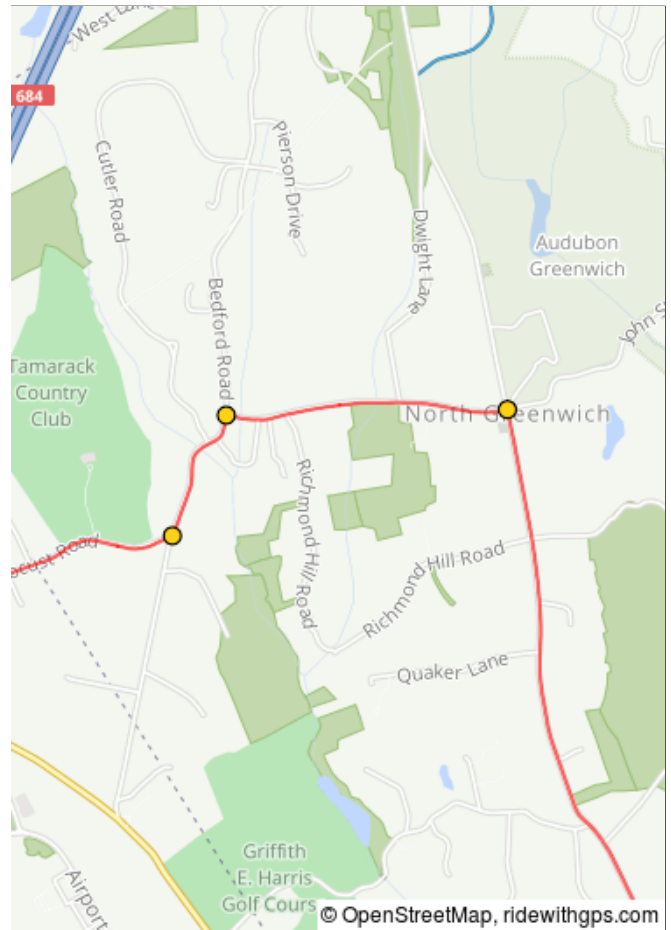
1.8 miles. +21/-13 feet

Num	Dist	Type	Note	Next
10.	5.3	➔	R onto Glenville St	0.5
11.	5.8	➔	R to stay on Glenville St	0.1
12.	5.9	➔	L onto Riversville Rd	4.5



2.7 miles. +0/-67 feet

Num	Dist	Type	Note	Next
13.	10.4	➔	L onto John St	0.7
14.	11.1	➔	L onto Bedford Rd	0.4
15.	11.5	➔	R onto Locust Rd	0.7



5.6 miles. +66/-138 feet

Num	Dist	Type	Note	Next
16.	12.2	←	Locust Rd turns L and becomes King St	0.2
17.	12.3	→	R onto NY-120A N	0.1
18.	12.4	→	R onto NY-120 N	0.5
19.	12.9	→	R onto American Ln	0.6
20.	13.6	←	L onto NY-120 S	2.5



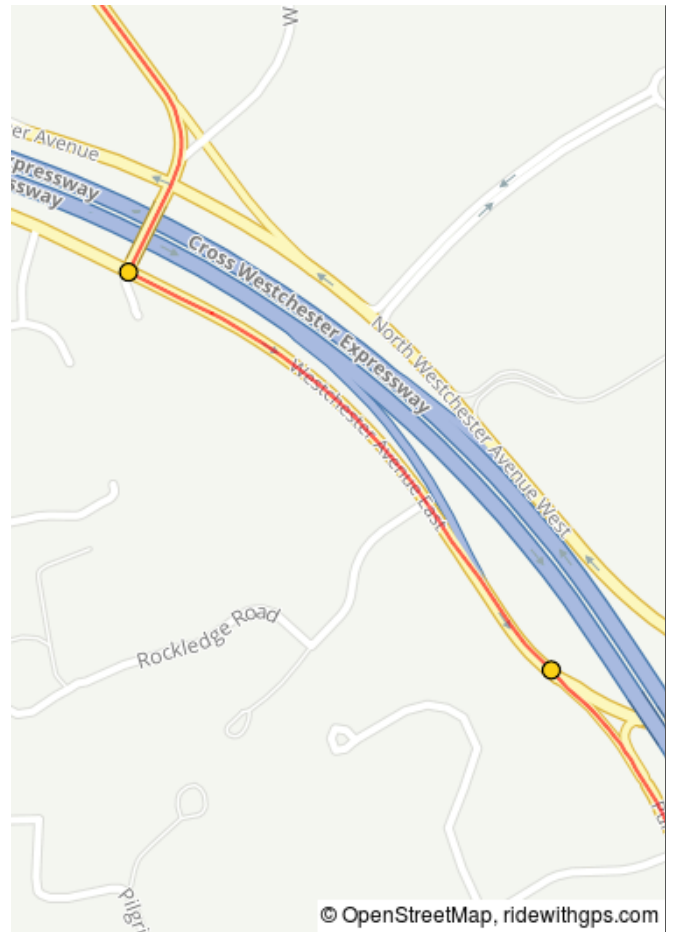
2.1 miles. +163/-58 feet

Num	Dist	Type	Note	Next
21.	16.0	←	L onto Purchase St	3.8
22.	19.8	→	Purchase St turns R and becomes Westerleigh Rd	0.1



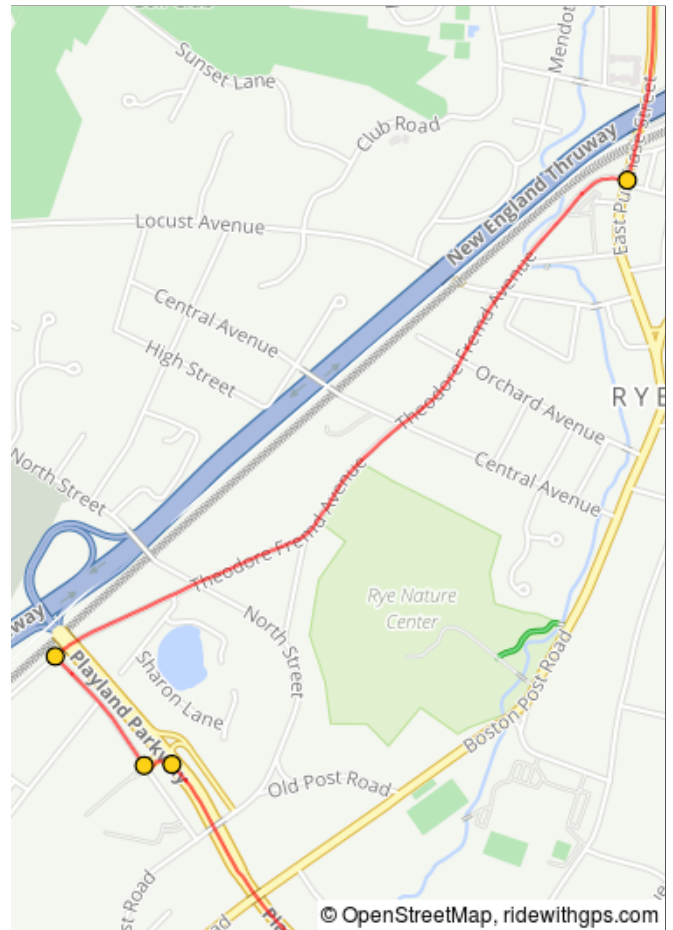
6.3 miles. +87/-262 feet

Num	Dist	Type	Note	Next
23.	20.0	←	L onto Westchester Ave	0.4
24.	20.3	→	Keep R to continue on Purchase St	2.0



0.5 miles. +0/-89 feet

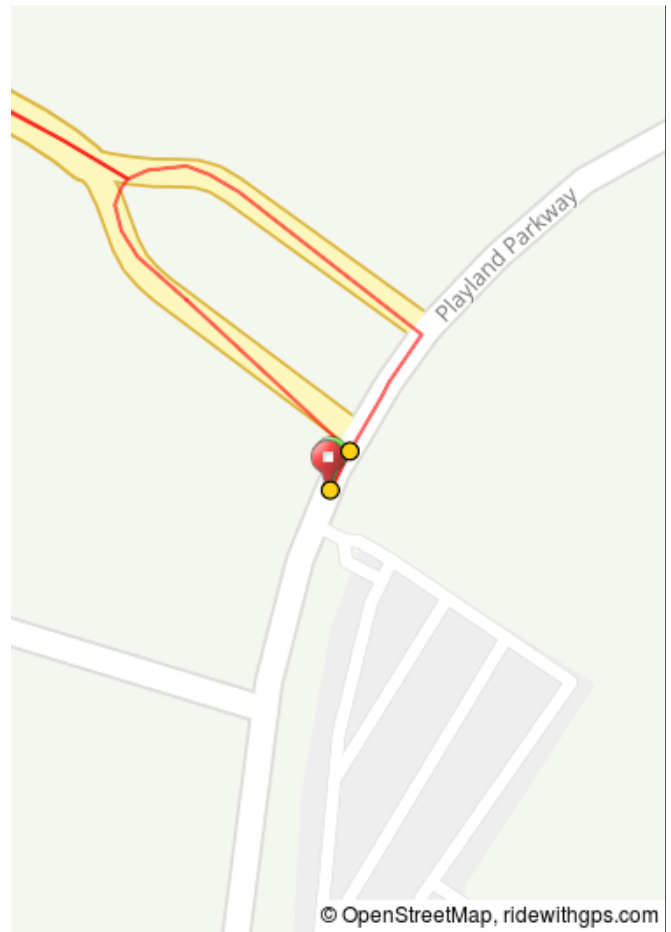
Num	Dist	Type	Note	Next
25.	22.3	→	R onto 54/Theodore Fremd Ave	1.0
26.	23.3	←	L onto 147/Playland Access Dr	0.2
27.	23.5	←	L onto the ramp to Playland	0.0
28.	23.5	↑	Merge onto Playland Access Dr/Playland Pkwy	1.1



3.2 miles. +59/-39 feet

Num	Dist	Type	Note	Next
29.	24.7	➔	R to stay on Playland Pkwy	0.0
30.	24.7	🏁	End of route	0.0

1.1 miles. +0/-0 feet



2013 Westchester Run



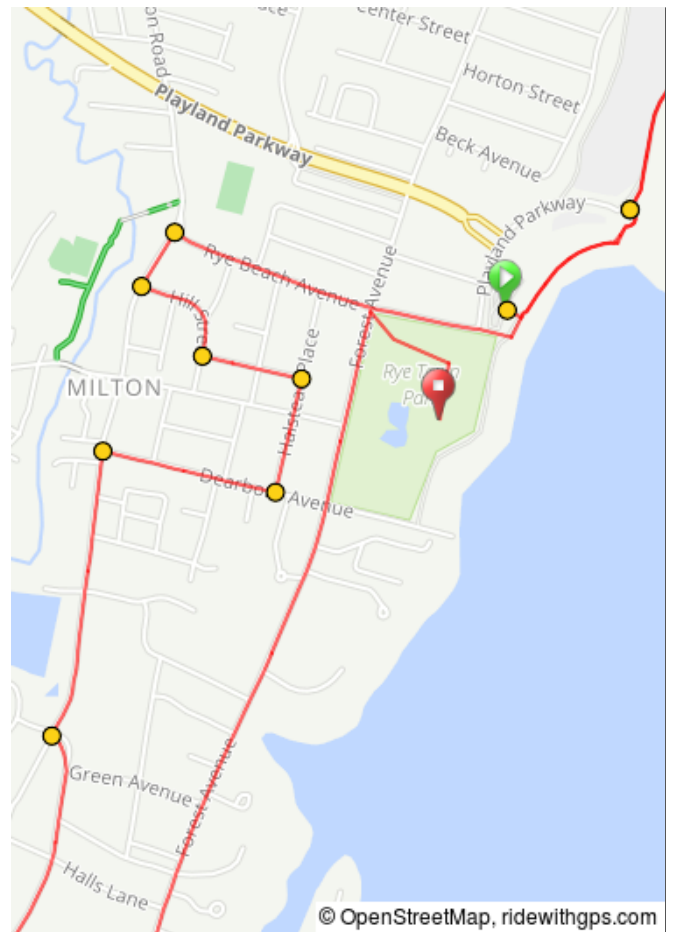
A.	Water Station	C.	Water Station
B.	Water Station	D.	Water Station



2013 Westchester Run

Num	Dist	Type	Note	Next
1.	0.0	▶	Start of route	0.2
2.	0.2	←	L onto boardwalk	1.2
3.	1.5	←	L towards Playland Circle	0.7
4.	2.2	←	L onto Milton Rd	0.1
5.	2.3	←	L onto Hill St	0.1
6.	2.4	←	L onto Ormond PI	0.1
7.	2.5	→	R onto Halsted PI	0.1
8.	2.7	→	R onto Dearborn Ave	0.2
9.	2.9	←	L onto Milton Rd	0.4
10.	3.3	←	L onto Stuyvesant Ave	1.4

3.3 miles. +102/-115 feet



Num	Dist	Type	Note	Next
11.	4.7	→	R onto Van Wagenen Ave	0.2
12.	4.8	←	L onto Forest Ave	1.4
13.	6.2	▣	End of route	0.0

2.9 miles. +32/-25 feet





FINISH -
Playland

Practice Swim Area

START -
Rye Town Beach

9

8

7

1

2

3

4

6

5

Redfield St

Rye Beach Ave

Rye Town Park & Beach

MMA sandy beach

Pier Restaurant & Tiki Bar

Playland Ice Casino



CITY COUNCIL AGENDA

NO. 14

DEPT.: FINANCE

DATE: August 3, 2018

CONTACT: Joseph S. Fazzino, Deputy City Comptroller

ACTION: Adoption of the 2018/2019 tax levy and tax rate for the Rye Neck Union Free School District.

FOR THE MEETING OF:

August 8, 2018

**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 \$11,887,159 to be raised on property within the District located in the City of Rye, with established tax rates of \$945.343651 per \$1,000 of taxable assessed value on homestead property and \$1,220.485786 per \$1,000 taxable assessed value on non-homestead property, for the fiscal year beginning July 1, 2018 and ending June 30, 2019, 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.