

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

**REGULAR MEETING OF THE CITY COUNCIL  
VIA ZOOM CONFERENCE  
Wednesday, May 11, 2022  
6:30 p.m.**

*The meeting will be held via zoom video-conferencing with no in-person location and will be broadcast on the city website. A full transcript of the meeting will be made available at a future date.*

Residents may email comments regarding the public hearing to: **publichearingcomments@ryeny.gov**. All comments must be received by 4:15 pm on the day of the meeting. The subject of the email should reference the hearing topic. Please include your name and address.

*TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE ATTEND THE MEETING VIA ZOOM VIA THIS LINK:*

<https://us06web.zoom.us/j/86275689551?pwd=QmtSc2JySIRGQ21GZlc2eHBQYktFZz09>

Or phone: (646) 558-8656 or (301) 715-8592 or (312) 626-6799  
Webinar ID: 862 7568 9551  
Password: 320560

*[The Council will convene via ZOOM CONFERENCE at 5:30 p.m. and it is expected they will adjourn into a teleconference Executive Session at 5:31 p.m. to discuss pending litigation, personnel matters and pending contracts.]*

1. Roll Call.
2. Draft unapproved minutes of the Regular Meeting of the City Council held April 27, 2022 and the Joint School Board/City Council meeting of April 23, 2022.
3. Post Ida Storm Update.
4. Consideration of a request from Rye pRYEde to use the Village Green on Wednesday, June 1, 2022 at 6:30 pm for its flag raising, followed by a march to Rye Recreation for a second flag raising.
5. Update by Public Safety Commissioner, Mike Kopy.
6. Presentation of 2022 street resurfacing plan.

7. Residents may be heard on matters for Council consideration that do not appear on the agenda.
8. Authorization to advance plans for dredging sampling at a cost not to exceed \$230,000 from the Boat Basin Unrestricted Net Assets.
9. Authorization to transfer \$26,485 from the General fund Contingency account to the Marine Unit Cost Center to for the installation of private channel markers.
10. Consideration of a Home Rule Resolution supporting A10516 /S8377, authorizing the creation of a parking district at Mead Place.
11. Consideration of a request by Christ’s Church for use of the City streets (Rectory Street) on Sunday, June 12, 2022 from 9:00 am to 1:00 pm for their annual picnic.
12. Old Business/New Business.
13. Adjournment

\* \* \* \* \*

The next regular meeting of the City Council will be held on Wednesday, May 25, 2022 at 6:30 p.m.

\*\* City Council meetings are available live on Cablevision Channel 75, Verizon Channel 39, and on the City Website, indexed by Agenda item, at [www.ryeny.gov](http://www.ryeny.gov) under “RyeTV Live”.

***UNAPPROVED MINUTES*** of the Joint Meeting of the City Council of the City of Rye and the Rye City School Board held via videoconference on April 23, 2022 at 9:00 A.M.

PRESENT:

JOSH COHN, Mayor  
BILL HENDERSON  
EMILY HURD  
CAROLINA JOHNSON  
JOSHUA NATHAN  
JULIE SOUZA  
BENJAMIN STACKS  
Councilmembers

JENNIFER BOYLE, President  
JANE ANDERSON  
CALLIE ERICKSON  
KELSEY JOHNSON  
VIVEK KAMATH  
CHRIS REPETTO  
School Board Members

GREG USRY, City Manager  
ERIC BYRNE, Superintendent of Schools  
BRIAN DEMPSEY, Chair of Traffic & Pedestrian Safety Committee

ABSENT: TOM STEIN, School Board Trustee

The City Council and the School Board convened at 9:01 a.m.

1. Roll Call

A quorum of both boards were present to conduct official business.

4. Traffic and Pedestrian Safety

This agenda item was taken out of order.

Mayor Cohn introduced this item but speaking about the traffic around The Osborn School and traffic study that will be conducted and funded by The Osborn Home senior facility, as a result of their desire for future renovations. All parties were in agreement that any traffic study will report that there is a large issue as it relates to pedestrian and bike safety, which has

been an issue for years. Brian Dempsey then spoke about working with Rye PD as it relates to crosswalk safety and pick up/drop off congestion at all of the schools.

3. State of the School's Report

Dr. Byrne started by providing a brief summary as it related to staffing for academic and social/emotional education. He then provided an update of the capital improvement projects as it related to the various school renovations for each school in the Rye City School District.

2. State of the City of Rye Report

Mayor Cohn explained the City has gone out to bond for about \$15 million. He noted that most of the money will go to Capital Improvement projects that include sewer replacement, DPW facility improvements, and City Hall improvements. Mayor Cohn discussed the new Public Safety Commissioner, Michael Kopy, and his involvement with school traffic issues. He noted several new hires with Rye Fire, and the promotion of John McDwyer to Captain. The new zoning changes were also discussed, as was the moratorium on rock chipping.

City Manager, Greg Usry, noted that the City is focused on four main areas at this time: the Post Ida flood, the CapEx program, Police and Fire, and the investment of time, money, and resources on communication from the City. He briefly mentioned the City's new phone app and noted that the City hopes to bring emergency communication to the app in the future.

5. Post-Ida Flood Update

Mayor Cohn discussed the various projects the City has in the works in an effort to mitigate potential future flooding incidents. He discussed the many factors that create the flooding problem that the City has. He also mentioned the various studies and funding initiatives that will help to improve City response to future flooding incidents.

City Manager, Greg Usry, spoke about the tremendous amount of time and resources that City Staff have put into flood response and mitigation. He discussed the City's efforts to help residents raise their homes above flood levels, and noted that the waiving of permit fees with the Building Department has been extended until September 2022. Mr. Usry added that the City is moving forward with many flood mitigation projects and studies.

The School Board thanked the Council and City Manager for the time and attention that has been put into flood response and mitigation.

There being no further business for the two boards to discuss, Mayor Cohn adjourned the joint meeting at 10:31 a.m.

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 April 27, 2022, at 7:00 P.M.

PRESENT:

JOSH COHN, Mayor  
BILL HENDERSON  
EMILY HURD  
CAROLINA JOHNSON  
JOSHUA NATHAN  
JULIE SOUZA  
BENJAMIN STACKS  
Councilmembers

The Council convened at 5:30 P.M. by videoconference pursuant to the NYS Legislature waiving requirements of the Open Meetings Law. Councilman Stacks made a motion, seconded by Councilwoman Souza, to adjourn briefly into executive session to discuss litigation and personnel matters. The Council reconvened in a public videoconference at 7:00 P.M. The meeting was streamed live at [www.ryeny.gov](http://www.ryeny.gov) for public viewing.

1. Roll Call.

Mayor Cohn opened the meeting with acknowledgement of the passing of former Deputy Mayor Richard Mecca on April 15, 2022. Mr. Mecca's tremendous collegiality and dedicated public service transcended partisanship, and the City of Rye will miss his energy, wisdom, humor, and friendship. The Council observed a moment of silence for Mr. Mecca.

The City Clerk called the roll; a quorum was present.

Mayor Cohn announced that at the next City Council meeting on May 11th the topic of Nursery Field will be reopened for review, but not a vote. Mayor Cohn asked the Council to refresh themselves via the information on the City's website, and Councilwoman Johnson encouraged use of the new Rye app.

2. Draft unapproved minutes of the Regular Meeting of the City Council held April 6, 2022.

Councilmember Souza made a motion, seconded by Councilmember Stacks, to approve the minutes of the Regular Meeting of the City Council held April 6, 2022. The Council approved the minutes.

3. Post-Ida Storm Update.

Mayor Cohn provided an update. He stated that the Army Corps of Engineers indicated it was ready to begin its scoping effort, the second step after a federal interest determination. Still undetermined is how the Corps will spend the approved \$350,000, but there will be progress in upcoming months. City Manager Greg Usry added that Ramboll will present to the Council on May 17th. Ramboll will present a summary of about 20 different mitigation options for the

watershed. Councilmember Henderson asked how Ramboll can start without a plan. Mayor Cohn replied that Ramboll does not know whether they are limited in the projects they can tag or they have a broader horizon, but study of the watershed will begin, regardless. Currently it is undetermined if they will pursue CAP 205 or general investigation.

4. Authorization for the City Manager to execute an updated short-term extension contract with Westchester Power with a new price target not-to-exceed 13.9 cents/kilowatt hour (instead of 12.5 cents as originally drafted).

City Manager Usry explained that the price change is reflective of volatility in the electric rates market. The prior authorization was at a price not-to-exceed, and the continued volatility and price pressure in the market has caused Westchester's bids to exceed that number; they were not able to award without making the change.

Councilman Stacks speculated the change was due to inflation. (The item was taken, then adjourned until later in the evening when Westchester Power was present to address the Council).

Dan Welsh from Westchester Power explained that the market hit a high in natural gas of almost \$8 per million BTUs, up markedly from recent weeks. The indicative prices coming in for the electric supply went as high as 14.99. Not wanting to be caught on a peak, the price was dialed back, but still significantly above 12.5 in the original MOU. There is a chance the price will not hit 13.9 but Westchester would like the chance.

If a majority of the MOUs are submitted by May 5th there is a chance for continuity of contract participation for all residents. After May 5th, with the other processes and 30-day opt-out period, at some point people would end up dropping back into utility supply for a month and then returning. With any luck there will be a swing back to catch the 13.9 level and things will settle later this year. Current world events keep natural gas prices in flux, but the MOUs will put Westchester in a position to act if there is fortuitous downward movement.

The mayor summarized that the short-term extension contract changes none of the basic rules of the program but allows the City of Rye room to purchase green energy at a higher cost, has no bearing on what the utility cost will be, and residents have the same opt-out rights as before. There is the possibility that prices could spike so high that a price cannot be secured, at which point the collective would have to regroup and create another strategy.

Councilwoman Souza made the motion, seconded by Councilwoman Johnson, to grant the short-term extension at 13.9 cents/kilowatt hour.

#### ROLL CALL

Ayes: Mayor Cohn, Councilmembers Henderson, Hurd, Johnson, Nathan, Souza, Stacks  
Nays: None  
Absent: None

6. City Council consideration of a preferred design alternative for the proposed new salt shed at the City's Public Works Facility at Disbrow Park.

Ryan Coyne, Superintendent of Public Works, introduced consultants from Stantec, Phil Katz and Joel Villaluz. Mr. Katz and Mr. Villaluz who were involved in the analysis and reporting on the construction, longevity, and visual impacts of two salt sheds, one made of wood, the other made of fabric. Both structures were designed to hold 3,000 tons of de-icing salt. Mr. Villaluz explained the proposed layout of the site on a map.

Mayor Cohn and Councilmember Henderson expressed concern about flooding and the environmental impact of the salt running into the nearby wetland. Mr. Katz confirmed the site is flood-safe, but drainage options are still being investigated, as well as a protective vegetated swale along the southern portion adjacent to the wetlands. Mr. Coyne added that a key improvement in the new salt sheds is they both allow delivering trailers to dump the salt on the floor under the roof, which is more environmentally friendly than the current method of dumping salt on the ground outside and pushing it into the structure.

Mr. Villaluz presented the floor plan and photos of the proposed timber salt shed. He confirmed for the mayor that the exterior wood paneling was purely cosmetic and would be an extra expense. The Council viewed photos of the timber salt structure with and without the exterior wood paneling. Mr. Villaluz next presented the proposed fabric salt shed. Mr. Katz noted the fabric structure would be less expensive because of simpler installation. Though the photos showed a white structure, green would blend in more effectively. The Council viewed photos of how the two salt sheds and incinerator building would appear from three vantage points. The structures have the same maximum height and functionality; the difference is cost.

Mr. Villaluz explained the cost breakdown for each option, including structure, installation, and site work. The total quoted for the timber structure was \$2,125,000 which includes \$200,000 for the optional timber siding, and the total quoted for the fabric structure was \$1,533,000. Utilizing City of Rye resources would negate some of the construction costs. Mr. Coyne said much of the site work can be handled in-house, such as moving dirt and construction of a retaining wall.

The consultants explained that the timber shed is treated with an oil-borne preservative proven to last upwards of 40 years, while the fabric shed is expected to last up to 20 years and includes a 15-year warranty. At \$12 per square foot, the cost to replace the fabric is \$180,000, but the frame would not need to be replaced. Solar panels can only be utilized on the wood structure. Structure costs would be similar without the timber siding. Rips are always a risk for fabric, but they can be repaired within reason. Mr. Katz explained that for budget reasons municipalities tend to choose fabric while DOTs opt for timber.

Mayor Cohn remarked that the fabric shed presents as a temporary structure and is not as visually appealing. Councilmember Johnson asked which salt shed is more difficult to complete in today's environment; Mr. Katz replied that was difficult to assess because the market is unstable and contractors are reluctant to give firm dates, but the lead times are the same. There was a discussion of the importance and benefit of adding solar panels to DPW buildings. Stantec can

request more information from their solar panel partners. Mr. Coyne replied that natural light is better for moving equipment, but he agreed a cost analysis was needed.

Councilmember Souza asked if salt will still be the answer in 20 years, and Mr. Coyne replied it is still the basis of new deicing technology. Councilmember Stacks stated the wood structure would be multipurpose; with the recycling staging area in the rear of the building and plenty of open space, it would not become obsolete even if salt does. The floor plans of the structures are the same, so the fabric structure would also have rear doors for recycling. Mr. Coyne explained in more detail about how recycling would work at the site, including proposed changes to where recycling is stored from open bays to the proposed salt shed. Wind moving the recyclables into the adjacent park has been a problem for 30 years. The resident recycling area would also be moved to the site.

While the site is admittedly tight on space, it is big enough to hold a year's worth of salt. The City will never run out of salt in the worst conditions and will benefit by replenishing salt at a better price during summer. Relocation of the recycling center will improve its function, keep the park cleaner, and better coexist with other functions of the site. Councilmember Henderson pointed out the unattractive old incinerator building and wondered why it was still there. Mr. Katz replied the building contains asbestos and is only used for storage of items that are costly to remove.

Mayor Cohn asked City Manager Usry and Superintendent Coyne if the Council needed to vote at the meeting, or if there would be an opportunity down the road to hear answers posed by councilmembers. City Manager Usry stated a vote was not necessary; delaying it would simply push back the timeline of the project. The cost of windows will be quicker to obtain than the solar panel information, and the City is still waiting on plans for Building 5.

Mayor Cohn asked the Council if they would prefer to vote now or at a future meeting. A majority of the Council agreed to vote. By a show of hands, Councilmember Henderson voted for the fabric salt shed, while Mayor Cohn and Councilmembers Johnson, Hurd, Nathan, and Stacks voted for the timber salt shed. Councilmember Souza abstained.

Counsel Kristen Wilson requested a formal motion so bid documents could be drafted for each shed option; Councilman Nathan made the motion, seconded by Councilman Stacks, to request that bid documents are prepared for the design and build of a timber salt shed.

ROLL CALL

Ayes: Mayor Cohn, Councilmembers Henderson, Hurd, Johnson, Nathan, Stacks  
Nays: None  
Absent: None  
Abstain: Souza



7. Consideration of Pace program financing interest and penalty waivers for the Wainwright House.

City Manager Usry explained that in 2015, the Council amended Chapter 176 of the code to provide for Pace financing for property owners to install renewable energy systems, requiring the City to collect the money and remit it to the not-for-profit loan grantor, regardless of whether the obligor paid the cost, furthering that the obligation becomes part of a tax liability. Wainwright House was the only entity that took advantage of the first iteration; shortly after that the program was amended and the City was removed from the collection aspect.

Due to COVID in 2020-21 and executive orders prohibiting gatherings, Wainwright House essentially shut down and was unable to make the payment for those two years. The City was required to advance the money to the not-for-profit EIC. Just as with property taxes, penalties and interest were accrued for the unpaid amount. Wainwright House approached the City several months ago and requested forgiveness of the penalties and interest portion of the obligations, not the \$60,000 corpus already advanced to EIC that cannot legally be waived. City Council may choose to waive the penalty and interest associated with the outstanding Pace loan.

Alexis Tomaino from Wainwright House advocated for the organization, which is very proud that payment of the principle was tendered for '20, '21, and '22, and is hoping for a waiver of the interest and penalties. The organization will avoid a similar situation in the future and is working on an arrangement to refinance without the City's involvement. Having their own arrangement with the lender will allow Wainwright House to manage their payments more effectively. Ms. Tomaino thanks the Council for their consideration and efforts regarding the request.

Robert Manheimer confirmed for the mayor that the remaining term of the loan is 14 years. The amount owed in penalties and interest is around \$10,600, and the annual payment on principle is around \$30,000. Regarding the cost of carry for Rye, given when money market rates have been in recent years, it is a negligible \$250. Mayor Cohn asked if a grant of a waiver would have a precedential effect for the City, and Ms. Wilson replied that it would not; unlike unpaid taxes, it was a financing program with Wainwright House as its only enrollee.

Councilmember Souza was concerned that leadership change at Wainwright House over the next 14 years could bring the issue back to the Council. She suggested a stipulation that if the situation repeats then the entire amount becomes due again. Ms. Wilson stated that a conditional waiver could be implemented that would make the waived fees due immediately if Wainwright House was not able to stay current. Councilmember Hurd disagreed with that option. She felt the organization was doing its best to make good and deserved a clean slate. Councilmember Henderson favored conditional forgiveness based on Wainwright House refinancing and taking the City out of its position.

Mayor Cohn proposed moving forward with the waiving of fees on a one-time basis with the understanding that the City expects Wainwright House to stay current, and if it is unable to do so, interest and penalties will be charged. Mayor Cohn made a motion, seconded by Councilman

Nathan, to authorize the City to waive penalties and interest totaling \$10,628.05 for the Wainwright House for a one-time courtesy.

**ROLL CALL**

Ayes: Mayor Cohn, Councilmembers Hurd, Johnson, Nathan, Souza, Stacks  
Nays: Henderson  
Absent: None

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

Corporation Counsel Wilson encouraged residents to speak on any items not appearing in the agenda.

Barbara Hancock, 315 Brevoort Lane, commented that during an ongoing Westchester Water Works project in her neighborhood a water pipe was discovered with a long steel I-beam across the Everin Pond Wetland. She said that no one her neighborhood knew about the project, and an engineer she spoke with said the state has authority over the City property. She asked if the statement was true. Corporation Counsel Wilson and City Manager Usry were aware of the situation and there is an ongoing investigation in progress.

There were no additional public comments.

9. Adjourn until August 10, 2022, the public hearing to create a new local law, Chapter 122, "Landscapers and Leaf Blower Regulations" requiring all landscapers to obtain an annual permit in order to operate as a landscaper and restrict use of leaf blowers.

Mayor Cohn explained that information was received on the original draft, but additional data is needed to figure out the best course of action. Residents asked the City not to bring the topic back to public hearing until a new draft was offered, which is still the goal.

Mayor Cohn asked for a motion to adjourn until August 10, 2022, a public hearing to create a new local law on landscapers and leaf blower regulation. Councilmember Henderson made the motion, and Councilmember Souza seconded. The City Council unanimously supported the motion.

10. Consideration of a request from the Rye YMCA to use the Village Green on Saturday, June 18, 2022, from 10:30 am to 1:30 pm for a special yoga class and some kid activities to promote the opening of its new studio.

Councilwoman Souza made a motion, seconded by Councilwoman Hurd and unanimously carried, to approve a request from the Rye YMCA to use the Village Green on Saturday, June 18, 2022, from 10:30 am to 1:30 pm for a special yoga class and some kid activities to promote the opening of its new studio.

11. Old Business/New Business.

There was no new business to address.

12. Adjournment.

Councilwoman Souza made a motion, seconded by Councilmember Henderson, to adjourn the meeting at 8:53 P.M.

Respectfully submitted,

Carolyn D'Andrea  
City Clerk



# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: May 6, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Post Ida Storm Update.

**FOR THE MEETING OF:**

May 11, 2022

**RECOMMENDATION:** That the City Council hear the update.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

DEPT.: City Manager's Office

DATE: May 6, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Consideration of a request from Rye pRYEde to use the Village Green on Wednesday, June 1, 2022 at 6:30 pm for its flag raising, followed by a march to Rye Recreation for a second flag raising.

**FOR THE MEETING OF:**

May 11, 2022

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

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**

June is Pride month. Rye pRYEde is requesting use of the Village Green for a flag raising ceremony at 6pm followed by a march to Rye Recreation for the second flag raising. Please see attached request.

## **Ruttenberg, Noga P.**

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**From:** Amanda Timchak <amanda.timchak@gmail.com>  
**Sent:** Friday, May 06, 2022 2:22 PM  
**To:** Ruttenberg, Noga P.  
**Cc:** Usry, Greg G.; Rogol, Sally NEW; Cohn, Josh  
**Subject:** June 1st Flag Raising / Walk

Hi Noga,

Thanks for the call today. As we discussed, pRYEde has reached out to Mayor Cohn and the Rye City Council regarding the following:

### **June 1st Pride Flag Raising Celebratory Walk**

6:30 pm - Gather on the Village Green for the rising of the pride flag on City Hall

(We envisioned a quick welcoming of people to the Flag Raising, but not having a lineup of speakers - pRYEde should coordinate with Mayor Cohn regarding anything he has planned regarding speakers)

Walk from the Village Green via the Fireman's Circle, along Milton, to the path to Rye Rec. (Last year we walked through the Art Center parking lot, but I think that was because the path from Milton to Rye Rec wasn't open yet. I assume this year we will take the path?)

Raise flag at Rye Rec upon arrival

We weren't envisioning needing tables on the green or inviting multiple speakers. We would like to be able to hang some decorations around the Village Green - the rainbow wind socks, rainbow flag banners, etc. I suppose we will need the microphone and speaker if we are going to welcome people, and if Mayor Cohn or CC would like to read the declaration of Pride Month or make any remarks. If it's ok with Sally, people may hang informally around Rye Rec afterwards, but again we don't have any special requests for the space afterwards.

Last year the police department helped with controlling traffic as people moved from the Village Green to Rye Rec, but streets were not closed down. That seemed to work perfectly fine so I assume that could be the case again this year. Please let me know if I should be reaching out to someone in the PD or if the City will coordinate that.

I'm thinking through the timing of the ceremony and wondering about the flags being up during the day of June 1. I think it would make sense for the City to fly the Pride Flags during the day on June 1st and then take them down ahead of this official raising celebration? I wouldn't want anyone who's looking for the flags to not see them if they drove by the morning of June 1st and have concerns. I don't know what the logistics look like on the City's end though so if you want to talk through that just give me a call.

Thank you!!! We are excited for this kickoff to a great Pride Month!

If you have any questions or if this isn't clear please feel free to call me. [REDACTED]

Kind regards,  
Amanda

--

Amanda Timchak

Pronouns: She/Her/Hers

[www.pRYEde.org](http://www.pRYEde.org)





# CITY COUNCIL AGENDA

DEPT.: Public Safety

DATE: May 6, 2022

CONTACT: Mike Kopy, Public Safety Commissioner

**AGENDA ITEM:** Update by Public Safety Commissioner, Mike Kopy.

**FOR THE MEETING OF:**

May 11, 2022

**RECOMMENDATION:** That the City Council hear the update.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

DEPT.: City Engineer

DATE: May 5, 2022

CONTACT: Ryan Coyne, City Engineer

**AGENDA ITEM:** Presentation of Street Resurfacing Plan for 2022.

**FOR THE MEETING OF:**  
May 11, 2022

**RECOMMENDATION:** That the Council hear the presentation.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

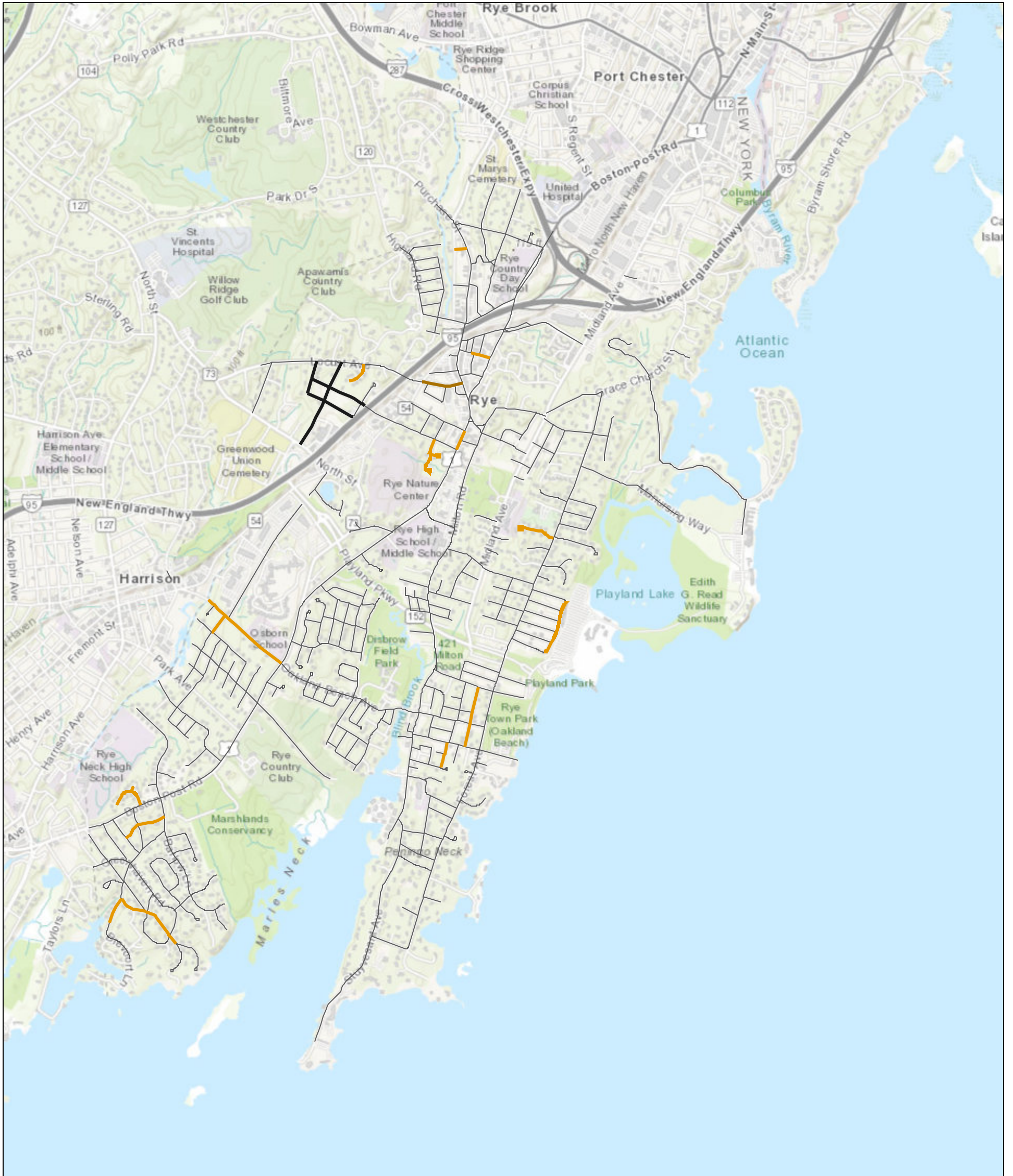
**BACKGROUND:**

See Attached.



				<b>Deteriorated</b>	
<b>Name</b>	<b>From Segment</b>	<b>To Segment</b>	<b>Length (ft)</b>	<b>PCI Repair Alternative</b>	<b>Cost</b>
ANCHOR DRIVE	BARLOW AV	WOODLAND DR	1,052	58 Mill & Overlay	64,212
BARBARA CT	LOEWEN CT	CUL DE SAC LOOP	368	57 Mill & Overlay	36,648
BIXBY CT	HANNAN PL	DEAD END	126	57 Mill & Overlay	10,929
BLIND BROOK LANE	PURCHASE ST	WAPPANOCCA AV	293	58 Mill & Overlay	27,297
BOSTON POST ROAD	CENTRAL AV	ORCHARD AV	450	54 Mill & Overlay	52,200
BREVOORT LA	PUMP STATION	RYE RD	624	59 Mill & Overlay	40,213
CENTRAL AVENUE	SUMMIT AV	111' S OF CLINTON AVE	1,364	60 Slab/Joint Work & Overlay	170,882
COOLIDGE AVENUE	HARDING DR	OSBORNE ST	475	59 Mill & Overlay	32,045
EVE LANE	FOREST AV	CUL DE SAC LOOP	1,007	59 Mill & Overlay	71,170
EVERETT STREET	DEARBORN AV	FAIRLAWN CT	601	59 Mill & Overlay	46,337
GRAHAM COURT	LOCUST AV	CUL DE SAC	554	58 Mill & Overlay	61,822
HALSTED PLACE	DEARBORN AV	RYE BEACH AV	1,388	57 Mill & Overlay	129,311
HANNAN PLACE	BOSTON POST ROAD	CUL DE SAC	883	57 Mill & Overlay	73,753
HIGH STREET	MAPLE AV	CLINTON AV	747	60 Slab/Joint Work & Overlay	69,322
HIGH STREET	SUMMIT AV	MAPLE AV	409	63 Slab/Joint Work & Overlay	37,955
LOCUST AVENUE	THEODORE FREMD	MEAD PL	541	47 Mill & Overlay w Base Repair	66,621
LOCUST AVENUE	MEAD PL	PURCHASE ST	394	49 Mill & Overlay w Base Repair	48,539
LOEWEN COURT	CENTRAL AV	CUL DE SAC LOOP	1,007	57 Mill & Overlay	100,286
MAPLE AVENUE	HIGH STREET	LOCUST AV	968	61 Slab/Joint Work & Overlay	89,830
MAPLE AVENUE	NORTH ST	HIGH STREET	1,126	63 Slab/Joint Work & Overlay	104,493
OSBORN ROAD	BOSTON POST ROAD	CITY LINE	2,202	58 Mill & Overlay	176,850
PURDY AVENUE	BOSTON POST ROAD	2ND ST	460	55 Mill & Overlay	53,360
ROOSEVELT AVENUE	BECK AV	SANFORD ST	1,293	58 Mill & Overlay	116,307
RYE ROAD	GREENHAVEN RD (S)	CAPTAINS LA (E)	1,009	59 Mill & Overlay	64,829
RYE ROAD	CAPTAINS LA (E)	SUNSET RD	324	59 Mill & Overlay	20,880
RYE ROAD	SUNSET RD	BREVOORT LA	345	59 Mill & Overlay	22,233
SUMMIT AVENUE	CENTRAL AV	LOCUST AV	422	62 Slab/Joint Work & Overlay	39,162
SUMMIT AVENUE	HIGH ST	CENTRAL AV	345	62 Slab/Joint Work & Overlay	32,016

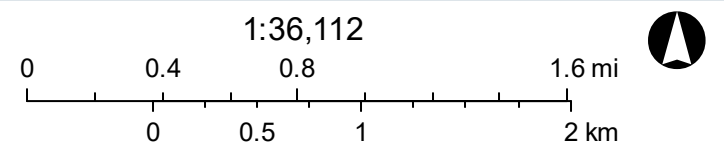
# Draft City of Rye 2022 Resurfacing Program



May 6, 2022

## THEMAP - [Pavement] Road Program by Alternative

- Other
- Mill & Overlay
- Mill & Overlay w Base Repair
- Pavement



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



# CITY COUNCIL AGENDA

DEPT.: City Manager's Office

DATE: May 11, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Authorization to advance dredging sampling plans at a cost not to exceed \$230,000 from the Boat Basin Unrestricted Net Assets

**FOR THE MEETING OF:**

May 11, 2022

**RECOMMENDATION:** That the City Council authorize the use of funds.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**

See attached proposals.



April 25, 2022

Ryan Coyne  
City of Rye, Engineering Department  
1051 Boston Post Road  
Rye, NY 10580

**RE: Proposal for Dredge Sediment Coring Services  
Rye Municipal Boat Basin, Rye, NY**

Dear Mr. Coyne:

I appreciate the opportunity to offer sediment coring services as a component of the overall dredge permitting project for the City of Rye's Municipal Boat Basin dredging project. To meet the requirements of the sampling plan provided by ZUVIC Inc. (ZUVIC) dated April 20, 2022, Coastline Consulting & Development, LLC (Coastline) has developed the following Scope of Work for your consideration.

## **SCOPE OF WORK**

### **TASK 1.0 Sediment Coring & Sample Collection**

In accordance with the preliminary sampling plan per ZUVIC dated 4/20/22 and standard sampling procedures, Coastline will collect four (4) cores from each of the 45 station areas for a total of 180 cores, as shown on the attached Sampling/Testing Plan drawing. For the purpose of this proposal, we have assumed that staff from ZUVIC will be onsite to prepare and composite the samples from the cores as described in the 4/20/22 preliminary sampling plan.

Coastline proposes to mobilize/use the following equipment to conduct sediment coring within the proposed dredge footprint:

- 26' Scully flat deck aluminum work boat.
- Davit-mounted VibeCore-D3 manufactured by Specialty Devices, Inc. for obtaining deep sediment cores.
- Hand-held Universal Core Sampler (push core) for obtaining shallow sediment cores.
- Global positioning system (GPS; sub-meter accuracy) for locating the approved sample locations and recording the actual sample locations.
- Polycarbonate core barrels, core catchers, and core caps as needed.

Core barrels will be prepared in our shop, cut to length, catchers installed, and pre-labeled for field work. Coastline will load the coordinates of the approved core sample locations into our GPS. Our crew will then work with the tides to conduct the sediment coring.

Once each core is collected, it will be handed off onsite to staff from ZUVIC to be split, studied for stratigraphy, loaded into a compositing bin, properly logged, and transferred into laboratory provided sample containers. All coring equipment will be properly decontaminated between sample locations.

Following completion of the field work, ZUVIC will transfer the filled lab sample contains to the selected lab for analysis/testing. Throughout the process, Coastline will remain available to provide information related to sediment coring.

**PROJECT FEES**

Coastline will complete the Scope of Work for the **Fixed Fee of \$46,000**. We estimate that this work will take approximately 5 days to complete. All fees are based upon the following schedule and assumptions:

- 1) You will be invoiced the fixed project fee noted above upon completion of the scope of work or as a percent complete monthly. Full payment is expected within seven (7) days of invoice receipt. The next activity will not be initiated until such payment has been made.
- 2) This proposal does not include the cost for sediment testing (lab) fees. For the purpose of this proposal, we have assumed that either you or ZUVIC will be directly responsible for lab payment.

This proposal, which includes the attached Terms & Conditions, may be accepted by signing in the appropriate space below and returning one signed copy. This proposal offer is valid for 30 days.

Sincerely,



Mark Jackson, President  
Coastline Consulting & Development, LLC

Accepted by (name/date): \_\_\_\_\_

Attachments:  
Terms & Conditions  
Sampling/Testing Plan Drawing

NY STATE PLANE COORDINATE SYSTEM (NAD 83)

**LEGEND**

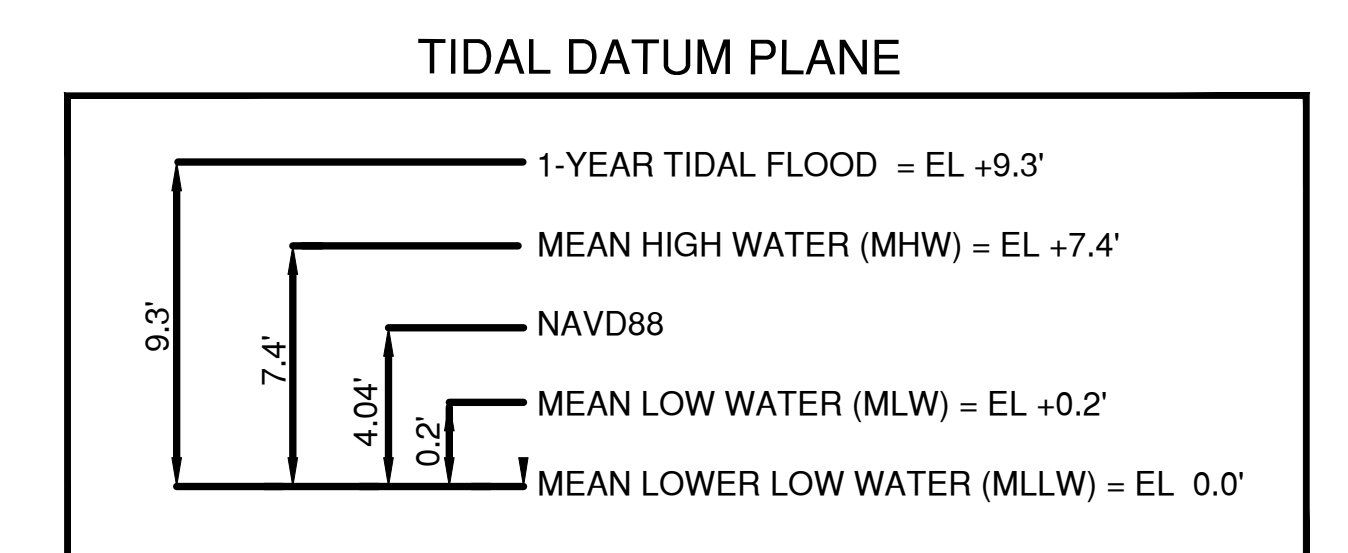
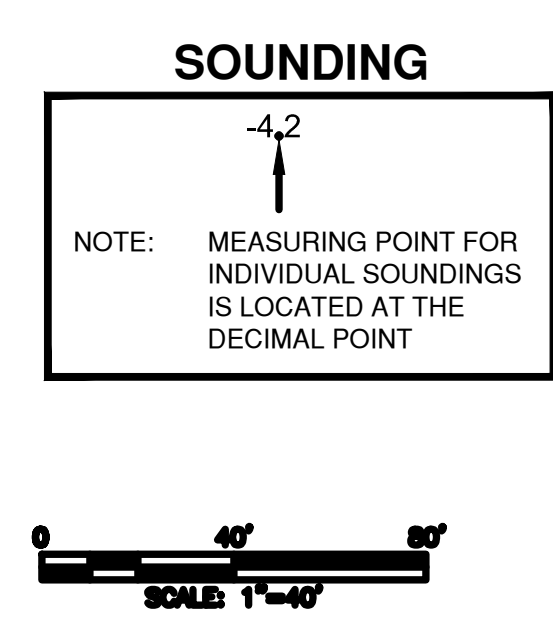
- S# APPROXIMATE STATION DESIGNATION
- APPROXIMATE CORE LOCATION - A
- APPROXIMATE CORE LOCATION - B
- APPROXIMATE CORE LOCATION - C
- APPROXIMATE CORE LOCATION - D
- PROJECT AREA

**NOTES**

1. HYDROGRAPHIC SURVEY NOTES:
  - A. THE HYDROGRAPHIC SOUNDINGS DEPICTED ON THE SURVEY REPRESENT THE RESULTS OF A HYDROGRAPHIC SURVEY PERFORMED ON 3/3/2022 (SOUNDINGS) BY COASTLINE CONSULTING & DEVELOPMENT, LLC (TIMOTHY MCCARTHY, CERTIFIED HYDROGRAPHER, CERTIFICATE No. 296) AND CAN ONLY BE CONSIDERED TO INDICATE CONDITIONS EXISTING AT THAT TIME.
  - B. THE HYDROGRAPHIC SURVEY DATA WAS COLLECTED USING A MULTI-BEAM SURVEY SYSTEM. POSITION AND TIDE ELEVATIONS WERE OBTAINED BY HEMISPHERE REAL-TIME KINEMATIC (RTK) GNSS EQUIPMENT AND SOUNDINGS WERE OBTAINED WITH A TELEDYNE ODOM MB1 TRANSDUCER OPERATING AT 204 KHZ.
  - C. THE BENCHMARK IS A PIECE OF STEEL REBAR WITH A BLUE PLASTIC CAP LOCATED NEAR THE ACCESS RAMP OF THE MAIN DOCK AT THE RYE BOAT BASIN. ITS HORIZONTAL LOCATION IS N 288426.06' / E 1070019.00' NEW YORK LONG ISLAND STATE PLANE COORDINATES. BENCHMARK AND COORDINATE SYSTEM TAKEN FROM REFERENCE MAP 2A.
  - D. THE TECHNIQUES UTILIZED TO PERFORM THIS SURVEY MEET OR EXCEED THOSE STANDARDS DESCRIBED FOR A CLASS 1 GENERAL CONDITION SURVEY IN SOFT BOTTOM CONDITIONS WITHIN THE U.S. ARMY CORPS OF ENGINEERS HYDROGRAPHIC SURVEY MANUAL (EM-1110-2-1003).
  - E. THE SOUNDING INFORMATION ON THIS MAP IS REPRESENTATIVE OF A LARGER DATA SET AND SHOULD NOT BE USED TO DETERMINE VOLUMES. THE LARGER DATA SET CAN BE MADE AVAILABLE UPON REQUEST.
  - F. THE PLOTTED SOUNDINGS ARE REPRESENTATIVE BY THE AVERAGE VALUE OF A 3' x 3' CELL AND THEN SORTED TO FIT THE SCALE OF THE MAP.
2. REFERENCE IS MADE TO THE FOLLOWING:
  - A. "FATHOMETRIC SURVEY PREPARED FOR CITY OF RYE, 850 MILTON ROAD, RYE, NY, 10580, SHEETS 1-3 OF 3", DATED MARCH 27 & 28, 2013, SCALE 1" = 100', AND PREPARED BY HYDROGRAPHIC SURVEYS, SEWELL, NEW JERSEY.
  - B. "MILTON HARBOR, NEW YORK, CONDITIONS SURVEY, SHEETS 1-4 OF 4", SCALE 1" = 50', DATED OCTOBER 5, 6 & 7 OCTOBER 2010, AND PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT.
3. ELEVATIONS ARE REFERENCED TO THE MEAN LOWER LOW WATER TIDAL DATUM.
4. THIS MAP IS FOR PLANNING PURPOSES ONLY. NOT ALL IMPROVEMENTS AND FEATURES HAVE BEEN DEPICTED.
5. SITE MAY BE SUBJECT TO AND/OR TOGETHER WITH CERTAIN LITTORAL, RIPARIAN, OR OTHER RIGHTS AS PER THE RECORD MAY APPEAR.
6. ANY UNDERGROUND AND/OR UNDERWATER UTILITY, STRUCTURE, AND FACILITY LOCATIONS DEPICTED AND/OR NOTED HEREON MAY HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PAROLE TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE LOCATIONS OF WHICH ARE UNKNOWN TO COASTLINE CONSULTING & DEVELOPMENT, LLC. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO ANY CONSTRUCTION.

**MAP REFERENCES**

REFERENCE IS MADE TO THE FOLLOWING MAP ENTITLED: "HYDROGRAPHIC SURVEY" PREPARED BY COASTLINE CONSULTING DEVELOPMENT, SCALE 1"=40' DATED MARCH 3, 2022



FILE PATH: H:\Projects\2047 - City of Rye Dredge Spoil Management\AutoCAD\ENR\New York Hydro Survey 2022 - Figure 2.dwg PLOT DATE: 4/20/2022 PLOT TIME: 9:13:09 AM

REV. NO.	DATE	DRWN	CHKD	REMARKS

PROJECT NO.:	2047-1
DESIGNED BY:	X
DRAWN BY:	X
SHEET CHK'D BY:	X
CROSS CHK'D BY:	X
APPROVED BY:	X
DATE:	4/14/22

PREPARED FOR:  
**CITY OF RYE**  
1051 BOSTON POST ROAD  
RYE, NEW YORK 10580

PREPARED BY:  
**zuvic**  
INFRASTRUCTURE SOLUTIONS  
40 Cold Spring Road, Suite 1, Rocky Hill, CT 06067  
(860)436-4901 WWW.ZUVIC.COM

**SAMPLING/TESTING PLAN FOR CHARACTERIZATION OF SEDIMENT FOR UPLAND DISPOSAL/REUSE**  
RYE MUNICIPAL BOAT BASIN  
MILTON HARBOR, RYE, NEW YORK

**SAMPLE LOCATION AND STATION MAP**

FIGURE  
**2**

**COASTLINE CONSULTING & DEVELOPMENT, LLC**  
**TERMS AND CONDITIONS (REVISED 5/24/17)**

Unless specifically excluded in the contract, the Terms and Conditions are incorporated by reference into the foregoing proposal or contract and shall be part of the Agreement under which Services are to be performed by Coastline Consulting & Development, LLC (Coastline) for the Client.

**1. BILLING AND PAYMENT:** Coastline shall bill Client bi-weekly or in accordance with the terms of the Proposal, other provisions of this Agreement, and for Connecticut Sales Tax (if any). Client will pay all invoices due to Coastline in seven (7) days from the date of the invoice. After seven (7) days, Coastline shall charge a service equal to 1.5% per month on any unpaid balance until the full amount is paid. In the event payment in full is not received within ninety (90) days of the invoice date, Coastline may refer Client's account for collection and any and all costs of collection, including reasonable attorney's fees, shall be paid by Client. Payment to Coastline is expressly not conditioned upon the Client receiving any payment from third parties who are not party to this contract. As necessary, Coastline engages the specialized services of individual consultants, laboratories or other companies to participate in a project. When considered necessary, these firms or other consultants will be used with Client's approval. The cost of such services plus a fifteen percent service charge will be included in our invoice. Coastline does not guarantee the performance of the contractor(s) or laboratory(s) or the accuracy of their results.

**2. STANDARD OF CARE AND WARRANTY:** Services performed by Coastline under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. No other representation or warranty, expressed or implied, and no warranty of merchantability of fitness for purpose, or any other guarantee is included or intended in this Agreement, or in any report, opinion, document or otherwise.

**3. INDEMNIFICATION AND LIMITATION OF LIABILITY:** Neither party shall have any liability to the other party for loss of product, loss of profit, loss of use, or any other indirect, incidental, special or consequential damages incurred by the other party, whether brought on an action for breach of contract, breach of warranty, tort or strict liability, and irrespective of whether caused or allegedly caused by either party's negligence. Nothing in this provision is intended to affect liability arising from actions brought on by third parties.

Client shall indemnify and hold harmless Coastline, its shareholders, directors, officers, employees, and agents against all losses or claims, and cost incidental thereto (including costs of defense, settlement, and reasonable attorney's fees) which any or all of them may incur, resulting from bodily injury (or death) to any person, damage (including loss of use) to any property, or contamination of or adverse effects on the environment, arising out of or which are in any way connected with the acts or omissions of the Client, Client's employees, agents and subcontractors, or Client's breach of contract.

For any damage caused by negligence, including errors, omissions or other acts, or for any damages based on contract, breach of warranty, tort or for any other cause of action, Coastline's liability to Client, including that of its employees, agents, directors and officers shall not exceed the lesser of: (i) \$25,000 or (ii) the sum paid to Coastline hereunder for the Services rendered at the Site at which the damages occurred. No action for damages based on contract, breach of warranty, tort or any other cause of action shall be brought against Coastline after the first anniversary of the event which gives rise to the claim.

**4. JOBSITE SAFETY:** Neither the professional activities of Coastline, nor the presence of Coastline staff onsite, shall relieve the General Contractor and any other entity of their obligations, duties, and responsibilities including, but not limited to, construction means, methods, sequences, techniques, or procedures necessary for performing, superintending, or coordinating all portions of the work of construction in accordance with the contract documents and any health or safety precautions required by any regulatory agency.

**5. OWNERSHIP OF DOCUMENTS:** All documents produced by Coastline under this Agreement, such as drawings, specifications, and computer files shall remain the property of Coastline and may not be altered, used, or reused by the Client, its employees, agents, or subcontractors for any other extension of the project or another project without written consent from Coastline. Coastline, who shall be deemed the author, and shall retain all common law, statutory law, and other rights, including copyrights. Copies of any electronic media or discs of the originals of any Coastline deliverables shall not be made available unless a specific agreement is made contrary as part of the Scope of Services. The Client further agrees to waive all claims against Coastline resulting in any way from any unauthorized changes to or reuse of the electronic files for any other project by anyone other than Coastline.

**6. FORCE MAJEURE:** Neither party shall be responsible for damages or delays caused by Force Majeure or other events beyond the control of the other party and which could not reasonably have been anticipated or prevented. Should Force Majeure occur, the parties shall mutually agree on the terms and conditions upon which services may be continued.

**7. TERMINATION:** This Agreement may be terminated by either party upon seven (7) days written notice to the other party. If the Agreement is terminated during the course of performance of work, the Client shall pay Coastline for fees, charges for services incurred up to the time of termination, as well as those fees associated with termination activities within seven (7) days of such termination.

**8. ENTIRE AGREEMENT:** This Agreement and any other agreement expressly stated to be supplementary hereto constitutes the entire understanding and agreement between the parties hereto and cancels and supersedes all prior negotiations, representations, understandings and agreements, either written or oral, with respect to the subject matter hereof. No changes or modifications to this Agreement will be effective unless in writing and signed by each party.

**9. SEVERABILITY:** If any provision or provisions of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby, and Client and Coastline will in good faith attempt to replace any such invalid, illegal or unenforceable provision or provisions with one that is valid, legal and enforceable, and which comes as close as possible to expressing the intent of the original provision or provisions.

**10. CLAIMS & DISPUTES:** Subject to applicable law, any controversy or claim arising out of or relating to this Agreement, or the breach hereof, which Coastline and Client are unable to resolve themselves shall be finally settled by arbitration ("Arbitration") in accordance with this Section 20 and the Arbitration Rules of the American Arbitration Association ("AAA"). All arbitration proceedings shall be held in New Haven, Connecticut, or such other place reasonably convenient to Coastline and Client as the arbitrator shall determine. Both Coastline and Client shall produce such records as the arbitrators may request. The arbitrators shall determine a fair and equitable allocation of the fees and expenses of each party incurred in connection with any Arbitration and such allocation shall be binding upon Client and Coastline.

**11. GOVERNING LAW:** The Agreement between Coastline and Client shall be governed by and enforceable in accordance with the laws of the State of Connecticut.



April 25, 2022

Mr. Ryan Coyne, P.E.  
City Engineer  
City of Rye  
1051 Boston Post Road  
Rye, NY 10580

**RE: Proposal for Sampling/Testing for Characterization of Sediment for Upland Disposal/Reuse  
City of Rye, Municipal Boat Basin  
Milton Harbor, Rye, NY**

Dear Mr. Coyne:

ZUVIC Inc. (ZUVIC) is pleased to submit this proposal to provide assistance in the characterization of 42,635 CY of sediment that will be dredged from the City of Rye, Municipal Boat Basin and disposed/reused at an upland facility selected by the City of Rye. This proposal is based upon information provided to ZUVIC by Coastline Consulting & Development, LLC (Coastline), including the results of previous testing of sediment samples collected from the basin, the City of Rye and potential sediment solidification and disposal/reuse facilities.

## **A. PROJECT UNDERSTANDING**

ZUVIC understands that the City of Rye intends to conduct maintenance dredging of their Municipal Boat Basin (Project Area). In advance of the dredging project, sediment within the basin was sampled and analyzed for certain environmental contaminants. Various contaminants were detected in the sediment samples including metals, polychlorinated biphenyls (PCBs), volatile organic compounds (VOCs), pesticides and semi-volatile organic compound ((SVOCs), including polynuclear aromatic hydrocarbons (PAHs)). The preferred method of disposal of the sediment was via open-water placement, however, due to the presence of contaminants, upland disposal/reuse will be required.

Coastline has been working for several years to design, plan and permit the dredging work and has requested assistance with sampling/testing of basin sediments to gain approval for upland placement.

A New York State Department of Environmental Conservation Environmental permit (3-5514-00041/00021 through 00023) was issued for the Site on April 13, 2022 authorizing the dredging of the Milton Harbor federal navigation channel and the basin. According to the permit, the Site will be dredged to a depth of -6.0' mean lower low water (MLLW) plus 1.0' for over dredge and Coastline estimated that approximately 42,635 cubic yards (CY) of dredge material will be removed for upland placement at an approved facility. Two other dredging permits are pending, with approvals expected within the next few months.

## **B. SCOPE**

ZUVIC's proposed Scope of Services follow.

### 1. General, Project Management and Team Meetings

ZUVIC will provide the following internal general and project management activities during the project:

- Coordinate/meetings with the City of Rye, Coastline, Tipping Point Resources Group (TPRG), Clean Earth, Inc. (CEI) and our laboratory subcontractors.
- Monitor and coordinate internal workload, staffing, schedules, and budgets.
- Prepare monthly invoices.
- Conduct internal QA/QC reviews of our work products.



## 2. In-Situ Waste Characterization Sediment Sampling and Analyses

In accordance with sampling and testing requirements of the permit and facilities operated by TPRG and CEI, one of which is anticipated to provide solidification and may provide disposal/reuse services for the project, ZUVIC will complete waste characterization with sampling assistance from Coastline. In addition, ZUVIC will provide representative samples to TPRG and CEI for their use in determining stabilization requirements for the sediment. The sampling/testing plan also incorporates testing that may be required by other disposal/reuse facilities (at no additional cost). ZUVIC assumes that collection and processing of sediment samples will be completed in five days.

The number of samples proposed to be collected/tested will provide for characterization of up to 45,000 CY of sediment so that sufficient samples are collected/tested to ensure that all potential sediment dredged can be approvable for disposal/reuse.

Coastline will collect sediment cores within 45 sample stations at 180 locations (4 samples per station) chosen by ZUVIC to be representative of the material that will be dredged from the basin. ZUVIC will complete sediment sub-sampling and sample processing of the 180 samples. Four cores will be collected within each station, designated Station#-A, Station#-B, Station#-C, and Station#-D. The cores will represent four grab samples that are required for collection at each sample station. The composite sample required for testing from each station will be composed of sediment from each of the four grab samples. Note that sampling locations will be modified as required to avoid structures and boats within the basin during the sampling program.

Once a sediment core is collected and provided to ZUVIC by Coastline, ZUVIC will classify, log, and screen the sediment for total VOCs using a photoionization detector (PID) equipped with a 10.6 eV lamp, for evidence of contamination. Photographs of the cores will also be taken.

Based on visual and olfactory observations and PID screening results, ZUVIC will collect the most impacted sediment core sample from the four cores that represent a sample station as a discrete grab sample for testing for VOCs. The remaining core samples will then be loaded into a compositing bin, thoroughly mixed, and transferred into laboratory-provided sample containers. Sample containers will be placed on ice following collection and submitted to a NY, CT, PA, MA and NJ certified laboratory via overnight delivery services or courier for laboratory analyses described below.

In accordance with sampling and testing requirements of TPRG, CEI and selected other disposal/reuse facilities, the analytical testing below will be completed. Note that TPRG requires 26 samples for 45,000 CY of sediment and CEI requires 45 samples for that volume. The samples collected for TPRG-required testing will be appropriately composited from the 45 stations to represent the sediment that will be dredged.

<b>Waste Characterization Parameters (Prior to stabilization)</b>		
<b>Parameter</b>	<b>No. of Samples Required for 45,000 CY Sediment</b>	<b>Sample Type</b>
Soil Moisture (ASTM D-2216-10)	1	Composite
Proctor Density (ASTM D-698)	1	Composite
Grain Size Sieve Analyses (ASTM D-422)	1	Composite
Total 15 RSR Metals (SW846 EPA Method 6020, EPA Method 7471)	45	Composite
Total Cyanide (SW846 EPA Method 9014)	26	Composite
ETPH (CT ETPH Method)	26	Composite
VOCs (SW846 EPA Method 8260) plus 10 TICs	45	Grab
1,4-dioxane (SW846 EPA Method 8260M)	26	Grab
SVOCs (SW846 EPA Method 8270) plus 20 TICs	45	Composite
PCBs (SW846 EPA Method 8082A using Soxhlet Extraction Method)	45	Composite
Pesticides (EPA Method 8081A)	45	Composite
Herbicides (EPA Method 8151A)	45	Composite
Hexavalent Chromium	45	Composite

TCDD (dioxin) (EPA Method 8290A)	45	Composite
Toxicity Characteristic Leaching Procedure (TCLP) (if compounds are 20X the hazardous waste criteria based on initial "total" constituent results). Assumes testing for the full suite of characteristic hazardous constituents for 45 samples.	Up to 45	Composite
Synthetic Precipitation Leaching Procedure (SPLP) (if required by TPRG and CEI, dependent on initial "total" constituent results). Assumes testing of 1/2 of the 45 sediment samples required by CEI (23 samples) for SPLP PAHs, pesticides, 15 CT RSR metals and cyanide. Assumes testing of 26 solidified samples required by TPRG for SPLP 15 RSR metals, pesticides, PAHs, extractable total petroleum hydrocarbons, (ETPH), PCBs and cyanide.	Up to 49	Composite
<b>Abbreviations and Notes:</b> ASTM: American Society for Testing and Materials RSR: Connecticut Remediation Standard Regulations EPA: Environmental Protection Agency ETPH: Extractable Total Petroleum Hydrocarbons VOCs: Volatile Organic Compounds SVOCs: Semi-Volatile Organic Compounds PCBs: Polychlorinated Biphenyls TCLP: Toxicity Characteristic Leaching Procedure SPLP: Synthetic Precipitation Leaching Procedure TICs: Tentatively identified compounds Composite: A sample compiled from four cores collected within a station. Grab: A sample collected from one of four cores collected with a station.		

In addition to collecting sediment samples for waste characterization parameters listed above, composite samples of representative sediment will be collected for treatability analyses by, and provided to, TPRG and CEI as required for them to identify the lowest cement addition rate needed for sediment stabilization. In addition, TPRG will prepare 26 stabilized core samples for testing for SPLP leachable parameters since that testing will likely be required to gain disposal/reuse facility acceptance based on the results of the initial testing. The stabilized cores will be provided to ZUVIC by TPRG for SPLP testing.

3. Sediment Sample Laboratory Analytical Data Review and Evaluation

Initial laboratory results will be reviewed and based on the results and comparison with disposal/reuse facility criteria, additional analyses for leachability testing (TCLP or SPLP) will be requested. It is assumed that this task will be completed one time. ZUVIC will attend up to two meetings with TPRG and CEI to discuss laboratory results, disposal facility requirements and required additional testing.

4. Environmental Data and Interpretive Reports

ZUVIC will prepare an environmental data report, including a summary of test-screening results and sediment laboratory analytical results, sediment sampling logs, and a site map depicting the core locations and site features. In addition, ZUVIC will prepare an interpretive report comparing contaminant concentrations to PA, NJ, CT, and MA disposal/reuse acceptance criteria, and providing recommendations regarding potential upland disposal/reuse options for the sediment. It is anticipated that the data report will be included in the specifications that will be included in the bid package. The interpretive report will be for use by ZUVIC, the City of Rye and Coastline for determining which upland facilities may accept the sediment for disposal/reuse.

**C. ASSUMPTIONS**

In developing the scope of work, the following assumptions were made:

- Access to the Site will be open;
- Coastline will collect all sediment core samples;
- Sampling and sample processing will be completed in 5 days; and,

- Sediment core locations will be reviewed and cleared for utilities by the City of Rye prior to start of the sampling program.

#### D. SCHEDULE

ZUVIC will initiate its services within one week of receiving a fully executed, mutually-acceptable agreement that indicates City of Rye's acceptance of the above scope. We anticipate that the sampling portion of the project will occur during the first and second weeks of May 2022.

ZUVIC has the staff available to begin the project upon authorization.

#### E. FEE

ZUVIC recommends that the City of Rye budget \$176,000 for sediment characterization. We propose to complete the above Scope of Services on an hourly, not-to-exceed basis with an approximate breakdown as follows:

1. General, Project Management and Team Meetings	\$ 10,000
2. In-Situ Waste Characterization Sediment Sampling/Processing (including \$114,500 laboratory charges, breakdown attached)	\$ 142,000
3. Sediment Sample Laboratory Analytical Data Review and Evaluation	\$ 8,000
4. Environmental Data and Interpretive Reports	<u>\$ 16,000</u>
Recommended Budget:	\$ 176,000

The work will be completed in accordance with the previously-agreed to Terms and Conditions and the recommended budget is based on ZUVIC's 2022 fee schedule (attached).

Any additional services requested and authorized by the Client that are not included in the scope of work will be completed by ZUVIC on a time and materials basis.

Thank you for requesting this proposal from ZUVIC. We look forward to working with the City of Rye on this project. Please feel free to contact me if you have any questions, require additional information, or if any refinements are needed to coordinate our scope with that of any other team member.

Sincerely,  
ZUVIC Inc.



Victoria L. Man, LEP  
Director of Environmental Services



for Miroslav Grajewski, P.E.  
Chief Executive Officer

Attachments: 2022 Fee Schedule  
Laboratory Cost Estimate

**AUTHORIZATION TO PROCEED**

As a duly authorized signatory having the full authority to act for, in the name, and on behalf of the Client, I hereby authorize ZUVIC Inc. to proceed with the above-referenced project for the scope of work described herein, in accordance with the previously agreed to Terms and Conditions and attached Fee Schedule.

---

Signature

---

Date

---

Name and Title



## 2022 Fee Schedule

Officer .....	\$250/hr
Principal Engineer.....	\$210/hr
Principal Licensed Environmental Professional .....	\$210/hr
Senior Project Manager, P.E.....	\$175/hr
Licensed Environmental Professional .....	\$175/hr
Project Manager.....	\$155/hr
Senior Engineer, P.E. ....	\$165/hr
Senior Scientist .....	\$140/hr
Structural Engineer, P.E.....	\$165/hr
Asbestos Inspector.....	\$110/hr
Inspector .....	\$120/hr
Engineer/ Scientist II.....	\$130/hr
Engineer/ Scientist I.....	\$110/hr
Licensed Surveyor .....	\$140/hr
Senior Survey Tech with GPS.....	\$135/hr
Senior Survey Tech.....	\$110/hr
GIS Analyst II.....	\$120/hr
GIS Analyst I.....	\$100/hr
CAD Drafting Services.....	\$85/hr
Senior Administrative Support.....	\$110/hr
Administrative Support.....	\$75/hr
Field Support Vehicle .....	\$200/day

### Notes:

- Mileage charge to be based on IRS reimbursement mileage rate.
- Materials, Equipment Rentals and Subcontractors: cost plus 15% service and handling charges.
- Payment terms are Net 30 days, unless specifically notified in writing.

Dredge Sediment Sampling  
Rye Municipal Boat Basin  
Milton Harbor, Rye, New York

Detailed Laboratory Cost Estimate Breakdown

Subcontractors

Laboratory Analysis - Lab 1		Phoenix Lab Cost Estimate		
		Rate	Quantity	Fee
	<b>Soil Sample Analysis</b>			
	ETPH by the CT Method	\$ 63	26	\$ 1,645
	PCBs by EPA Method 8082 via Soxhlet Extraction	\$ 67	45	\$ 3,002
	VOCs by EPA Method 8260 plus TICs	\$ 109	45	\$ 4,916
	SVOCs by EPA Method 8270 plus TICs	\$ 207	45	\$ 9,315
	Total 15 RSR Metals by EPA Methods 6020 and/or 7471)	\$ 114	45	\$ 5,123
	Hexavalent Chromium	\$ 52	45	\$ 2,329
	Pesticides by EPA Method 8081A	\$ 69	45	\$ 3,105
	Herbicides by EPA Method 8151A	\$ 121	45	\$ 5,434
	Total Cyanide by EPA Method 9014	\$ 29	26	\$ 748
	1,4-dioxane by EPA Method 8260M	\$ -	26	\$ -
	TCDD (dioxin) by EPA Method 8290A	\$ 811	45	\$ 36,484
	SPLP Extraction	\$ 46	23	\$ 1,058
	TCLP Extraction	\$ -	23	\$ -
	SPLP PAHs	\$ 81	23	\$ 1,852
	SPLP Pesticides	\$ 69	23	\$ 1,587
	SPLP 15 RSR metals	\$ 114	23	\$ 2,619
	SPLP Cyanide	\$ 29	23	\$ 661
	TCLP full list	\$ 535	23	\$ 12,299
	Total Percent Solids	\$ -	45	\$ -
	Sample Disposal	\$ 1.73	45	\$ 78
			<b>Subtotal</b>	<b>\$ 92,252</b>

Laboratory Analysis - Lab 2 - IMTL

Laboratory Analysis - Lab 2 - IMTL		Rate	Quantity	Fee
	<b>Soil Sample Analysis</b>			
	Soil Moisture (ASTM D-2216-10)	\$ 52	1	\$ 52
	Proctor Density (ASTM D-698)	\$ 150	1	\$ 150
	Grain Size Sieve Analyses (ASTM D-422)	\$ 311	1	\$ 311
			<b>Subtotal</b>	<b>\$ 512</b>

Laboratory Analysis - Lab 3 - Solidification Preparation - TPRG

	<b>Solidification</b>	\$ 275.77	26	\$ 7,170.00
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Laboratory Analysis - Lab 4 - SPLP Testing of Stabilized Sediment Specimen - CET Lab

Laboratory Analysis - Lab 4 - SPLP Testing of Stabilized Sediment Specimen - CET Lab		Rate	Quantity	Total
	<b>Parameter / Method</b>			
	SPLP extraction fee - Inorganics	\$ 25.88	26	\$ 673
	SPLP extraction fee - Organics	\$ 64.69	0	\$ -
	CT RSR Metals	\$ 138.00	26	\$ 3,588
	Cyanide	\$ 25.88	26	\$ 673
	CT ETPH	\$ 74.75	26	\$ 1,944
	VOCs	\$ 92.00	0	\$ -
	1,4-dioxane	\$ 77.63	0	\$ -
	PAHs	\$ 103.50	26	\$ 2,691
	PCBs	\$ 74.75	26	\$ 1,944
	Pesticides	\$ 64.69	26	\$ 1,682
	Herbicides	\$ 129.38	10	\$ 1,294
	Organophosphate Pesticides & Aldicarb	\$ 488.75	0	\$ -
			<b>Subtotal</b>	<b>\$ 14,487</b>
			<b>Total</b>	<b>\$ 114,421</b>

Subcontractors proposed to be used on this project include:

- Lab 1: Phoenix Environmental Laboratories, Inc. (Phoenix Labs)
- Lab 2: Independent Materials Testing Laboratories, Inc. (IMTL)
- Lab 3: Tipping Point Resources Group (TPRG)
- Lab 4: Complete Environmental Testing, Inc. (CET)



# CITY COUNCIL AGENDA

DEPT.: City Manager's Office

DATE: May 11, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Authorization to transfer \$26,485 from the General fund Contingency account to the Marine Unit Cost Center to for the installation of private channel markers.

**FOR THE MEETING OF:**

May 11, 2022

**RECOMMENDATION:** That the City Council authorize the transfer of funds.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached memo and quotes.

Rodrigo Paulino  
Boat Basin Supervisor  
650 Milton Rd  
Rye, New York 10580



Tel: (914) 967-2011  
E-mail: [Rpaulino@ryeny.gov](mailto:Rpaulino@ryeny.gov)  
<http://www.ryeny.gov>

# Boat Basin

## Memorandum

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To: Greg Usry, City Manager  
From: Rodrigo Paulino, Boat Basin Supervisor  
Date: 5/5/2022  
Re: Channel Markers

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The USCG has recently informed us that they will be disestablishing 9 federal channel markers from Milton Harbor around June 1<sup>st</sup>, 2022. In order to minimize the liability in Milton Harbor, the City has decided to have these buoys replaced with Private Channel Markers. An additional Channel Marker will be purchased in order to mark the waters bordering Rye and Port Chester. The City will be covering the initial purchase costs as well as the maintenance going forward.

I have requested multiple quotes from different contractors in the area. So far only 2 have responded and attached are the requested quotes as well as follow up emails to other contractors in the area. I would like to proceed with the lowest quote in order to have the materials ready and installed prior to June 1<sup>st</sup>.

These Private Channel Markers recommended by the USCG are made to order and would take at least 30 days to have built and shipped. Considering this short time frame, I am asking for approval to proceed with this purchase with the 2 quotes attached.

It is recommend that the City uses the same contractor going forward in order to service and maintain these buoys. At that point, obtaining multiple quotes would not be feasible as the contractor will need to haul the mooring & tackle to have it inspected/serviced in order to provide us with a quote. If you have any questions or concerns, please feel free to reach out.



## McCauley Mooring and Diving

### Services

P.O. Box 916

Larchmont, NY 10538

914 834 8238

#### ADDRESS

RODRIGO PAULINO

RYE MUNICIPAL MARINA, CITY

OF RYE BOAT BASIN

SUPERVISOR

650 MILTON ROAD

RYE, NY 10580

**Estimate 1017**

**DATE 04/07/2022**

**EXPIRATION DATE 04/30/2022**

#### LOCATION

RYE

DIVING		AMOUNT
04/07/2022	<b>Buoys</b> Furnish and install four (4) green channel buoys (#5, #9, #11, #13) each with: *Roylan Buoy B5CPRSWGSS with SS Hardware (including freight charges)- painted with anti fouling paint *25' of Acco 1/2" chain *two Chicago 5/8" galvanized shackles *150 lb pyramid	10,000.00T
04/07/2022	<b>Buoys</b> Furnish and install five (5) red channel buoys (#6, #8, #10, #12, #14) each with: *Roylan Buoy B5NPRSWSS with SS Hardware (including freight charges)- painted with anti-fouling paint *25' of Acco 1/2" chain *two Chicago 5/8" galvanized shackles *250 lb pyramid	14,000.00T
04/07/2022	<b>Buoys</b> Furnish and install Taylor Made-Sure Marker Buoy with: *25' of Acco 1/2" chain *two (2) Chicago 5/8" galvanized shackles *150 lb pyramid	1,135.00T
04/07/2022	<b>Buoys</b> Paint ten (10) buoys with anti fouling paint (includes material and labor)	550.00T
04/07/2022	<b>Buoys</b> Paint and set three (3) temporary buoys (#9, #10, #11) with anti fouling paint (includes material and labor)	800.00T

VISIT OUR WEBSITE ! <http://mccauleymooringanddiving.com>

DIVING	AMOUNT
	1/2" chain needed above the 25' listed above will be charged at \$9/ft.
	50% DEPOSIT REQUIRED AT TIME OF AGREEMENT BALANCE DUE UPON INSTALLATION

THANK YOU!

SUBTOTAL	26,485.00
TAX	0.00
<b>TOTAL</b>	<b>\$26,485.00</b>

Accepted By

Accepted Date



# CITY COUNCIL AGENDA

DEPT.: City Manager's Office

DATE: May 6, 2022

CONTACT: Kristen Wilson, Corporation Counsel

**ACTION:** Consideration of a Home Rule Resolution supporting A10516 /S8377, authorizing the creation of a parking district at Mead Place.

**FOR THE MEETING OF:**

May 11, 2022

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

RESOLVED, that the City Council supports A10516 /S8377 authorizing the creation of a parking district at Mead Place.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**

Adopting the resolution authorizes the City Council to create a parking district at Mead Place anytime in the future.



# CITY COUNCIL AGENDA

DEPT.: City Manager's Office

DATE: May 11, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Consideration of a request by Christ's Church for use of the City streets (Rectory Street) on Sunday, June 12, 2022 from 9:00 am to 1:00 pm for their annual picnic.

**FOR THE MEETING OF:**

May 11, 2022

**RECOMMENDATION:** That the City Council approve the request from Christ's Church.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** Christ's Church is requesting use of Rectory streets for the annual picnic. The Church is asking that traffic be restricted on Rectory Street on Sunday, June 12, 2022 from 9:00 am to 1:00 pm for their annual picnic.

See attached COI.



**CANCELLATION: THE POLICY IS SUBJECT TO THE PREMIUMS, FORMS, AND RULES IN EFFECT FOR EACH POLICY PERIOD. SHOULD THE POLICY BE TERMINATED, THE COMPANY WILL ENDEAVOR TO GIVE THE ADDITIONAL INTEREST IDENTIFIED 30 DAYS WRITTEN NOTICE, AND WILL SEND NOTIFICATION OF ANY CHANGES TO THE POLICY THAT WOULD EFFECT THAT INTEREST, IN ACCORDANCE WITH THE POLICY PROVISIONS OR REQUIRED BY LAW.**