

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

**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
Wednesday, March 6, 2024
6:30 p.m.**

1. Pledge of Allegiance.
2. Roll Call.
3. Draft unapproved minutes of the Regular Meeting of the City Council held February 28, 2024.
4. Presentation of 2024 street resurfacing plan.
5. Nursery Field Presentation. (No public comments will be accepted)
6. Members of the public may be heard on matters for Council consideration that do not appear on the agenda.
7. Resolution to declare certain equipment as surplus.

CONSENT AGENDA

Consideration of a request by Rye City Rotary and Rye Arts Center to install the public butterfly sculpture project in May 2024 (exact date TBD).

8. Appointments to Boards and Commissions by the Mayor with Council approval.
9. Resolution adopting rules for agenda setting and conducting business at council meetings.
10. Old Business/New Business.
11. Adjournment

The next regular meeting of the City Council will be held on Wednesday, March 20, 2024, 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 under "RyeTV Live".

UNAPPROVED MINUTES of the Regular Meeting of
the City Council of the City of Rye held in City Hall on
February 28, 2024, at 6:30 P.M.

PRESENT:

KEITH CUNNINGHAM
SARA GODDARD
BILL HENDERSON
JAMIE JENSEN
JOSHUA NATHAN
JULIE SOUZA
Councilmembers

ABSENT:

JOSH COHN
Mayor

ALSO ATTENDING:

BRIAN SHEA, ASSISTANT CITY MANAGER
KRISTEN WILSON, CORPORATION COUNSEL
JONATHAN FLYNN, CITY ASSESSOR
MIKE KOPY, COMMISSIONER OF PUBLIC SAFETY

The Council convened at 5:30 PM and entered into Executive Session at 5:31 P.M. to discuss pending litigation, personnel matters, and pending contracts. The Council convened in a public meeting at 6:29 P.M. The meeting was streamed live at www.ryeny.gov for public viewing.

1. [Pledge of Allegiance.](#)

Deputy Mayor Souza led the Pledge of Allegiance.

2. [Roll Call.](#)

The City Clerk called the roll and there was a quorum.

3. [Draft unapproved minutes of the Regular Meeting of the City Council held February 7, 2024.](#)

On motion by Councilman Henderson, seconded by Councilman Nathan, it was

RESOLVED to approve the draft unapproved minutes of the Regular Meeting of the City Council held February 7, 2024.

Adopted by the following vote:

UNAPPROVED MINUTES – Regular Meeting - City Council
February 28, 2024

AYES: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan,
Souza
NAYS: None
ABSENT: Mayor Cohn

4. [Consideration of proposed policies for the City of Rye Fire Department:](#)

- Policy # 500 – Medical Supplies
- Policy # 602 – Firefighter Health Safety and Survival Training
- Policy # 604 – CPR and Automated External Defibrillator Training
- Policy # 605 – Communicable Disease Training Program
- Policy # 606 – Emergency Action Plan and Fire Prevention Plan Training

Public Safety Commissioner, Mike Kopy, explained proposed policies for the Fire Department.

On motion by Councilman Henderson, seconded by Councilman Nathan, it was

RESOLVED to approve the proposed policies for the City of Rye Fire Department.

Adopted by the following vote:

AYES: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan,
Souza
NAYS: None
ABSENT: Mayor Cohn

5. [Members of the public may be heard on matters for Council consideration that do not appear on the agenda.](#)

- Matt Pymm, 93 Overlook Place, spoke about the Nursery Field project, specifically the funding aspect, and requested the funding group be involved in the discussion on March 6.
- Mack Cunningham, 502 Forest Avenue, spoke about Peck Avenue and the impact of the development of United Hospital.
- Meg Cameron, 5 Martin Butler Court, spoke on Nursery Field, specifically requesting to end the pause.

6. [Bird House Presentation](#)

Aaron Griffiths, President of the Bird Homestead and Meeting House Conservancy, and Doug Carey, Vice President of the board, gave an update on the organization's properties as well as their vision to become an educational center.

7. [Consideration of a Memorandum of Agreement between the City of Rye and the Rye Police Association.](#)

Assistant City Manager, Brian Shea, gave a brief overview of the agreement.

On motion by Councilman Henderson, seconded by Councilwoman Jensen, it was

RESOLVED to accept the terms in the Memorandum of Agreement between the City of Rye and the Rye Police Association.

Adopted by the following vote:

ROLL CALL

Ayes: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan,
Souza
Nays: None
Absent: Mayor Cohn

8. [Resolution to award contract #2024-01 \(Sewer Main Spot Repair Project\).](#)

On motion by Councilwoman Jensen, seconded by Councilwoman Goddard, it was

RESOLVED to award the bid to Con-Tech Construction Technology, Inc. in the amount of \$4,050,112.00.

Adopted by the following vote:

ROLL CALL

Ayes: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan
Councilwoman Souza
Nays: None
Absent: Mayor Cohn

9. [Resolution to award contract #2024-04 \(Salt Shed materials\).](#)

On motion by Councilman Henderson, seconded by Councilwoman Souza, it was

RESOLVED to award the bid to Ferguson Waterworks in the amount of \$23,988.00.

Adopted by the following vote:

ROLL CALL

Ayes: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan,
Souza
Nays: None

Absent: Mayor Cohn

10. [Set a public hearing for March 20, 2024, on a possible amendment of Chapter 177 “Taxation”, Article III, “Senior Citizens Exemption” to alter the income calculation used to determine exemptions and increase the income limits.](#)

City Assessor, Jonathan Flynn, gave an overview of the exemptions stating there is new state law regarding these exemptions and taxing jurisdictions have the opportunity to accept the various changes made by the state for seniors and persons with disabilities.

On motion by Councilman Henderson, seconded by Councilwoman Goddard, it was

RESOLVED to set a public hearing for March 20, 2024, to amend Chapter 177 “Taxation”, Article III, “Senior Citizens Exemption” to alter the income calculation used to determine exemptions and increase the income limits.

Adopted by the following vote:

AYES: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan,
Souza
NAYS: None
ABSENT: Mayor Cohn

11. [Set a public hearing for March 20, 2024, on a possible amendment of Chapter 177 “Taxation”, Article VIII, “Exemption for Persons with Disabilities and Limited Incomes” to alter the income calculation used to determine exemptions increase the income limits.](#)

On motion by Councilwoman Goddard, seconded by Councilman Nathan, it was

RESOLVED to set a public hearing for March 20, 2024, to amend Chapter 177 “Taxation”, Article VIII, “Exemption for Persons with Disabilities and Limited Incomes” to alter the income calculation used to determine exemptions increase the income limits.

Adopted by the following vote:

AYES: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan,
Souza
NAYS: None
ABSENT: Mayor Cohn

12. [Set a public hearing for March 20, 2024, to amend Chapter 177 “Taxation”, adding Article XIV, “Volunteer Firefighter Exemption” to provide for the real property tax exemption authorized by § 466-a of the Real Property Tax Law of the State of New York.](#)

City Assessor, Jonathan Flynn, explained this would be a completely new exemption which will add a new Article XIV to our Chapter 177 to provide tax exemptions to Volunteer Firefighters.

On motion by Councilwoman Jensen, seconded by Councilman Henderson, it was

RESOLVED to set a public hearing for March 20, 2024, to amend Chapter 177 “Taxation”, Article XIV, “Volunteer Firefighter Exemption” to provide for the real property tax exemption authorized by § 466-a of the Real Property Tax Law of the State of New York.

Adopted by the following vote:

AYES: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan, Souza
NAYS: None
ABSENT: Mayor Cohn

13. [Resolution in support of increasing AIM funding.](#)

On motion by Councilman Henderson, seconded by Councilwoman Souza,

WHEREAS, the Aid and Incentives for Municipalities (AIM) program plays a critical role in funding essential municipal services for cities and villages across New York State; and

WHEREAS, city and village officials share the same priorities as our state leaders which is to make New York safer and more affordable; and

WHEREAS, New York’s local governments, who are on the frontlines of controlling property tax affordability and ensuring public safety, are integral to achieving those goals; and

WHEREAS, the State has not increased AIM funding in 15 years and according to the Bureau of Labor Statistics, inflation has increased by nearly 45% during that same period; and

WHEREAS, this neglect from the State has led to rising municipal tax burdens and harmful disinvestment in essential municipal services and staff; and

WHEREAS, the property tax cap further limits the ability of local governments to properly fund the services their residents need; and

UNAPPROVED MINUTES – Regular Meeting - City Council
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WHEREAS, the challenges of rising inflation, the increasing costs of labor and supplies, and the end of extraordinary federal aid, only accentuate the need for an increase in AIM funding; and

WHEREAS, the Governor’s 2024-25 Executive Budget proposes to keep AIM funding flat; and

WHEREAS, an increase in AIM funding would reduce the local tax burden and help revitalize communities across New York;

NOW, THEREFORE, BE IT RESOLVED that the City of Rye urges Governor Hochul to work with the leaders of the Senate and Assembly and increase AIM funding in the 2024-25 adopted State Budget.

A copy of this resolution shall be sent to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Shelley Mayer, Assemblyman Steve Otis, and the New York State Conference of Mayors.

Adopted by the following vote:

AYES: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan,
Souza
NAYS: None
ABSENT: Mayor Cohn

CONSENT AGENDA

- a) [Consideration of a request by the Rye Chamber of Commerce for the use of City Car Park #2 on Sundays for the Down To Earth Farmer's Market to be held weekly on May 5, 2024 - December 1, 2024.](#)
- b) [Consideration of a request by the Rye Chamber of Commerce for the use of City streets for the Annual Sidewalk Sale, Thursday July 18 - Saturday July 20, 2024, from 10 AM - 4 PM.](#)
- c) [Consideration of a request by the Rye Chamber of Commerce for use of Purchase Street from Village Green to Purdy to host the Annual Mistletoe Magic Celebration, Sunday December 1, 2024, from 11 AM - 3 PM.](#)

On motion by Councilman Henderson, seconded by Councilman Nathan, it was

RESOLVED to approve all Consent Agenda items.

Adopted by the following vote:

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AYES: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan,
Souza
NAYS: None
ABSENT: Mayor Cohn

14. [Appointment to Boards and Commissions by Mayor and Council with Council Approval.](#)

The Council acknowledged that the Landmarks Committee appointed Bob Cypher to the Rye Historical Society as their representative.

15. [Resolution adopting rules for agenda setting and conducting business at council meetings.](#)

Councilman Henderson provided an overview and explanation of the policies and procedures. There was discussion amongst the Council.

On motion by Councilwoman Souza, seconded by Councilman Henderson, it was

RESOLVED to carry this item to the agenda for March 6.

Adopted by the following vote:

AYES: Councilpersons Cunningham, Goddard, Henderson, Jensen, Nathan,
Souza
NAYS: None
ABSENT: Mayor Cohn

16. [Old Business/New Business](#)

Nothing for Old Business/New Business.

17. [Adjournment](#)

On motion of Councilman Henderson, with the Council in favor, the meeting was adjourned at 7:51 PM.

Respectfully submitted,

Noga Ruttenberg
City Clerk



CITY COUNCIL AGENDA

DEPT.: City Engineer

CONTACT: Ryan Coyne, City Engineer

AGENDA ITEM: Presentation of Street Resurfacing Plan for 2024.

FOR THE MEETING OF:
March 6, 2024

RECOMMENDATION: That the Council hear the presentation.

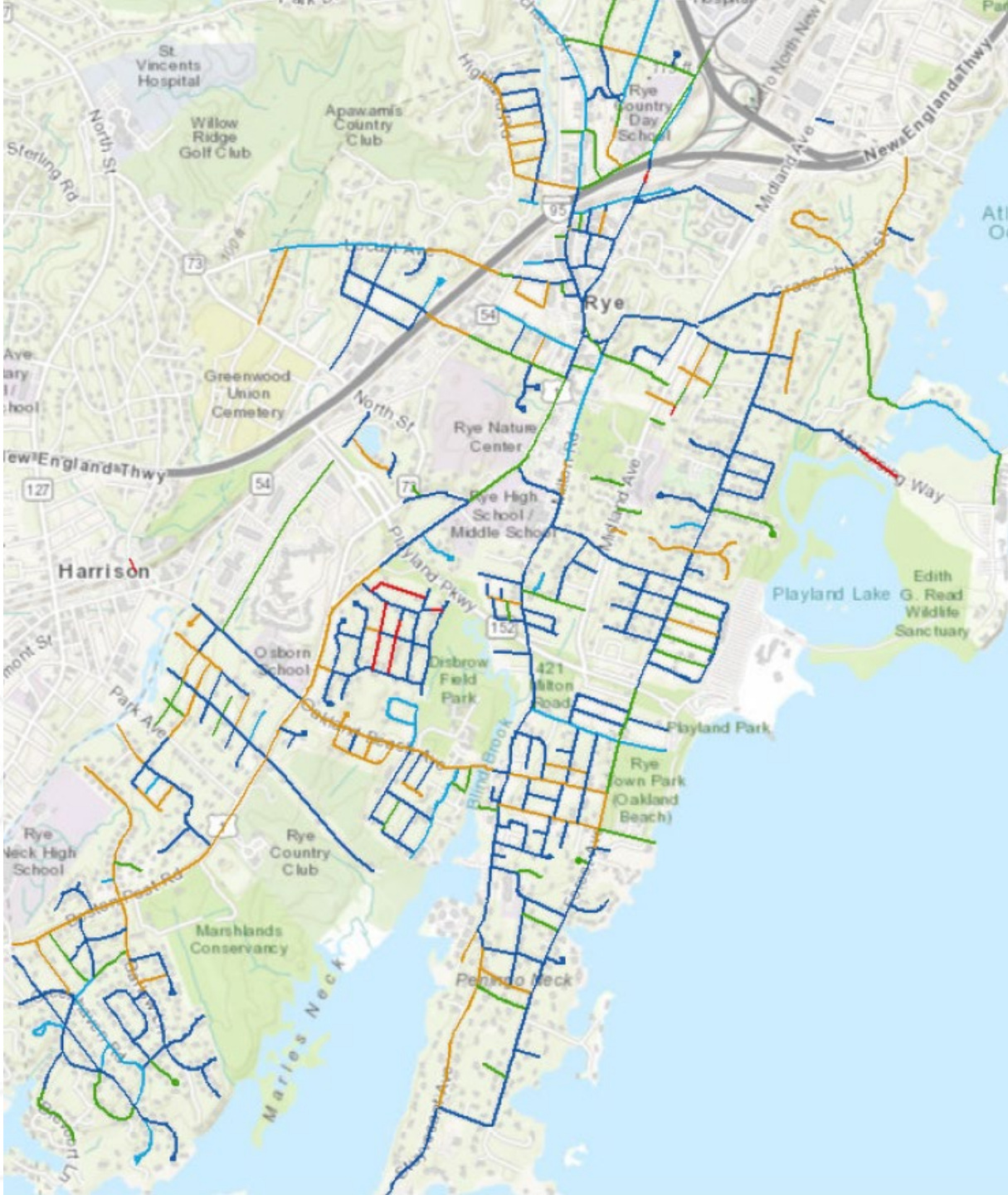
IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

See Attached.

City of Rye Proposed 2024-2026 Resurfacing Program

Presented by: 
March 6, 2024



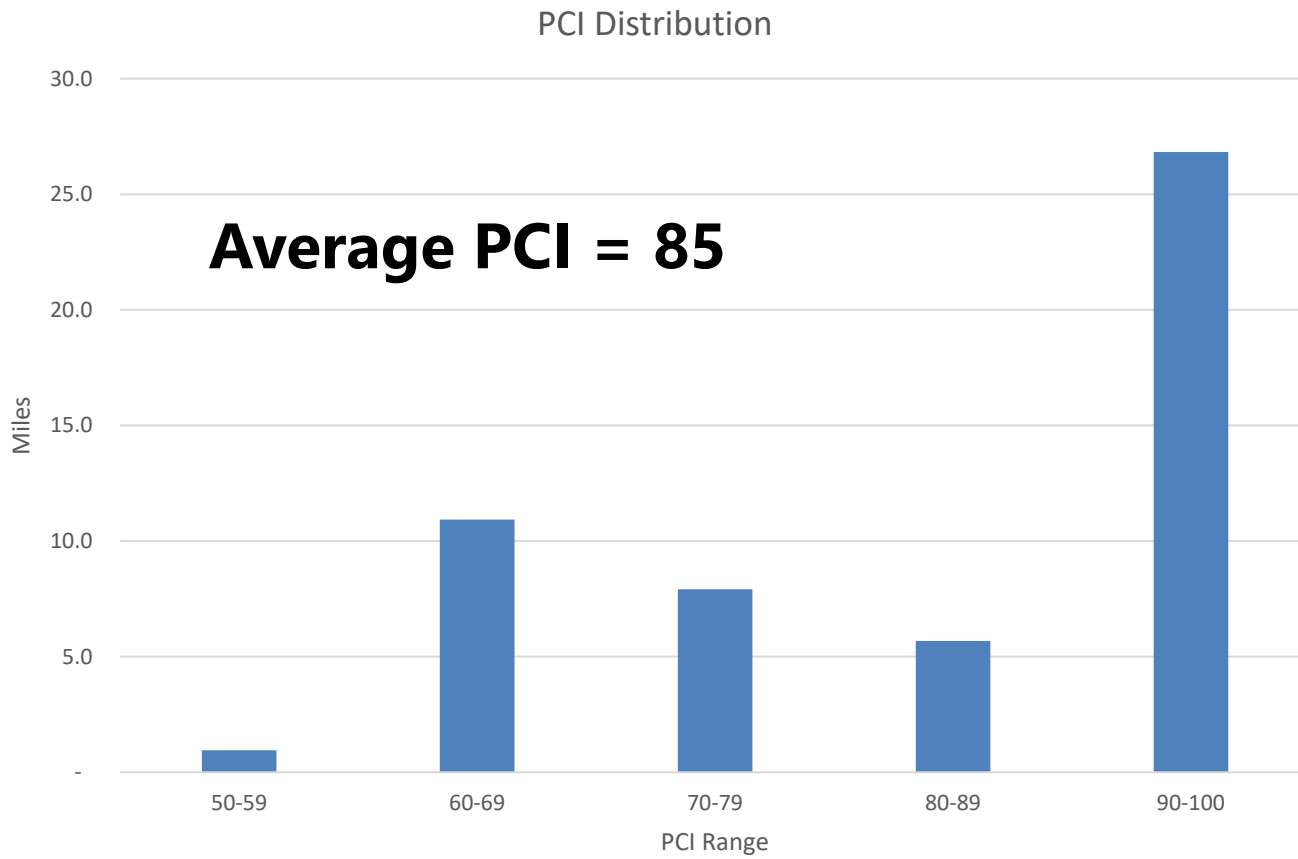
Presentation Outline

- Update on Completed Projects and Current Estimated Conditions
- Budget Analysis Review
- Proposed 2024-2026 Resurfacing Program

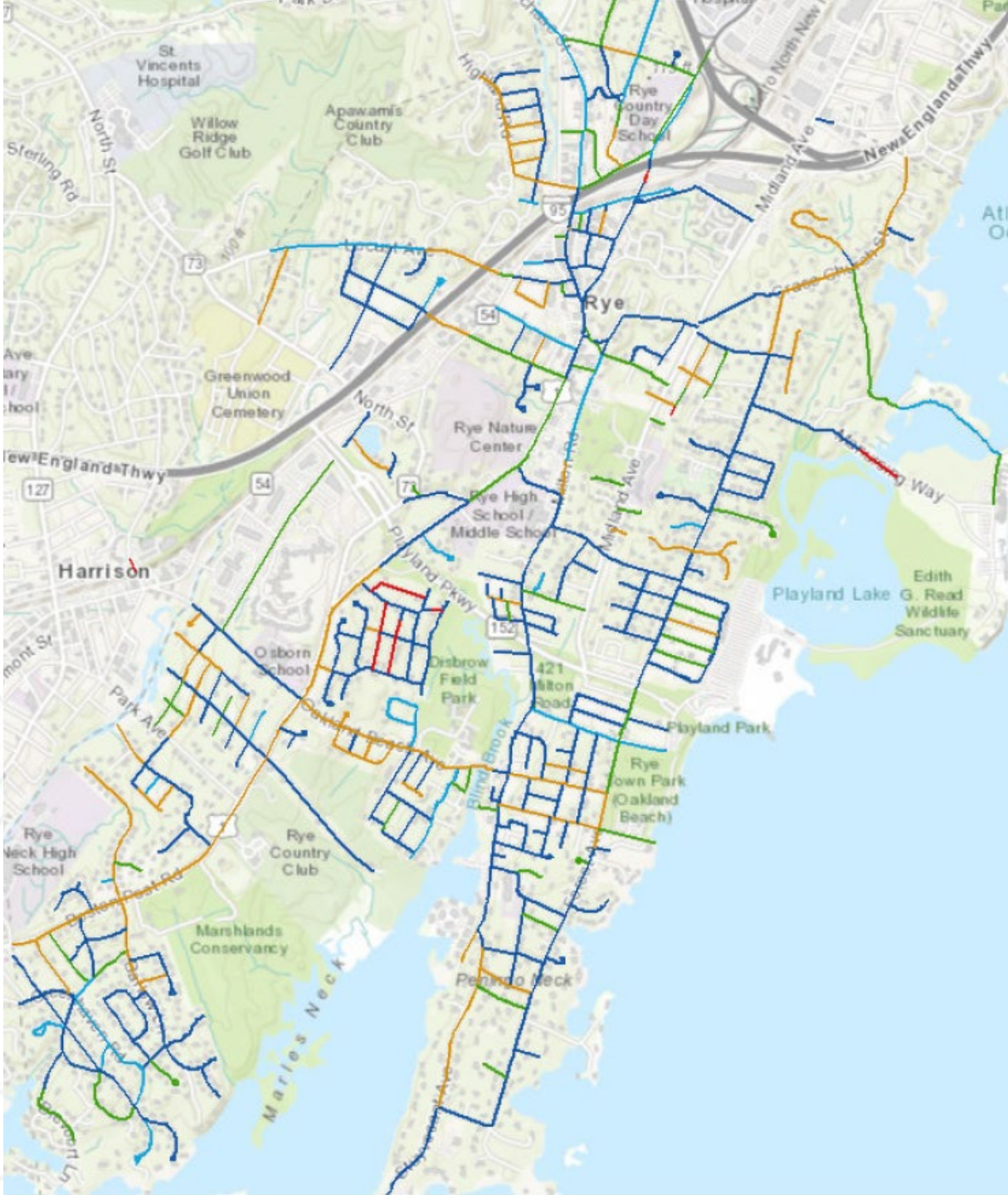
Completed 2023 Resurfacing Projects

Name	From Segment	To Segment
ANN LANE	FOREST AV	CUL DE SAC
BARLOW LANE	NEIL PL	CUL DE SAC
COTTAGE ST	MIDLAND AV	CITY LINE
ELIZABETH STREET	EVERGREEN AV	GRANSVIEW AVE
EVERGREEN AVENUE	HILLSIDE RD	GRANDVIEW AVE
FIELDSTONE ROAD	FOREST AV	STONYCREST RD
FOREST AVENUE	BECK AVENUE	APAWAMIS AV
GRACE CHURCH STREET	MIDLAND AV	FOREST AV
GREENHAVEN ROAD (SOUTH INT)	RYE RD	DEAD END
HARBOR LANE	GREENHAVEN RD	BARLOW LA
MEADOW PLACE	HIGHLAND RD	DEAD END
MENDOTA AVENUE	IROQUOIS ST	MOHAWK ST
PARKWAY DR	CRESCENT DR	CLAREMONT AVE
PURCHASE STREET	ELM PL	50' N OF STATION PLAZA
THE LANE	MILTON RD	DEAD END
RECREATION CENTER PARKING LOT		
ARTS CENTER PARKING LOT		

Rye PCI Distribution



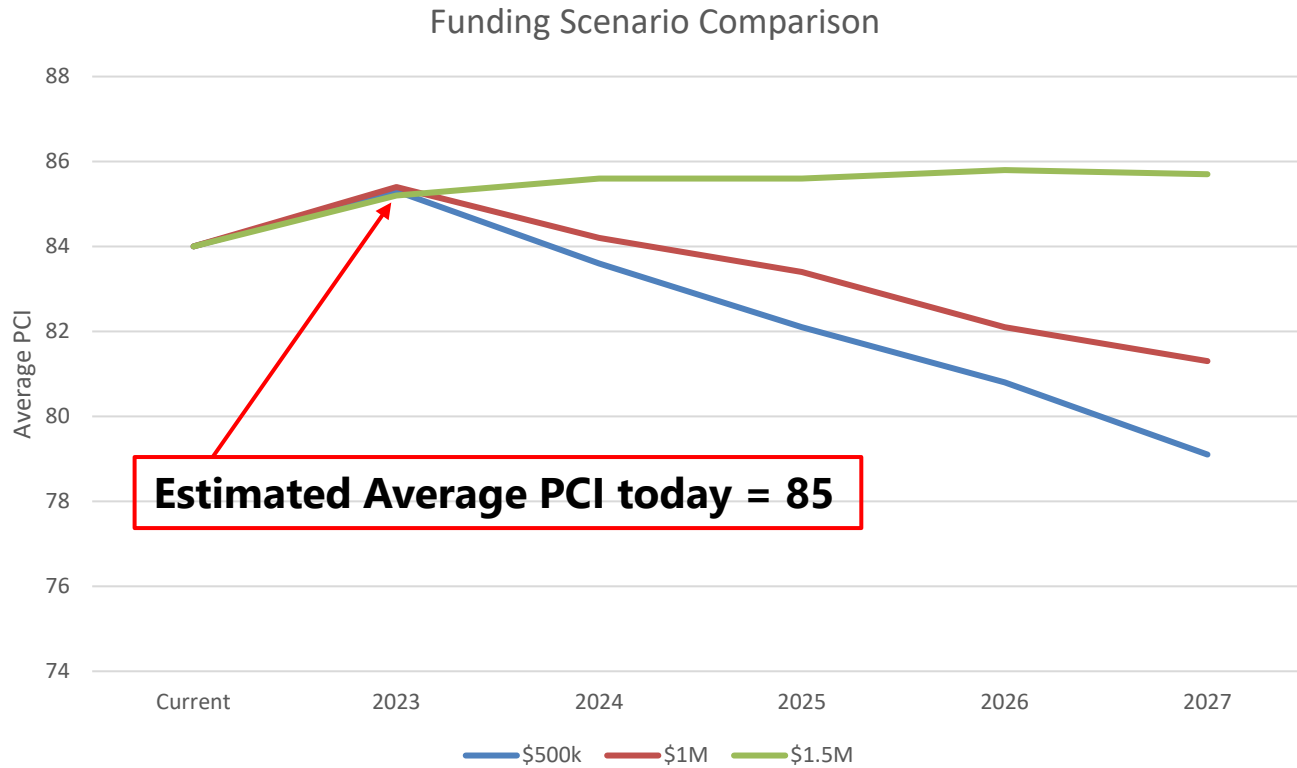
Current Pavement Condition Map



Pavement Backlog Summary

Treatment Band	Miles	Cost
Do Nothing	24.2	\$ 0
Routine Maintenance	4.5	\$55,086
Preventive Maintenance	6.9	\$123,269
Structural Improvement	15.9	\$8,278,487
Base Rehabilitation	0.9	\$439,973
Total	52.4	\$8,896,815

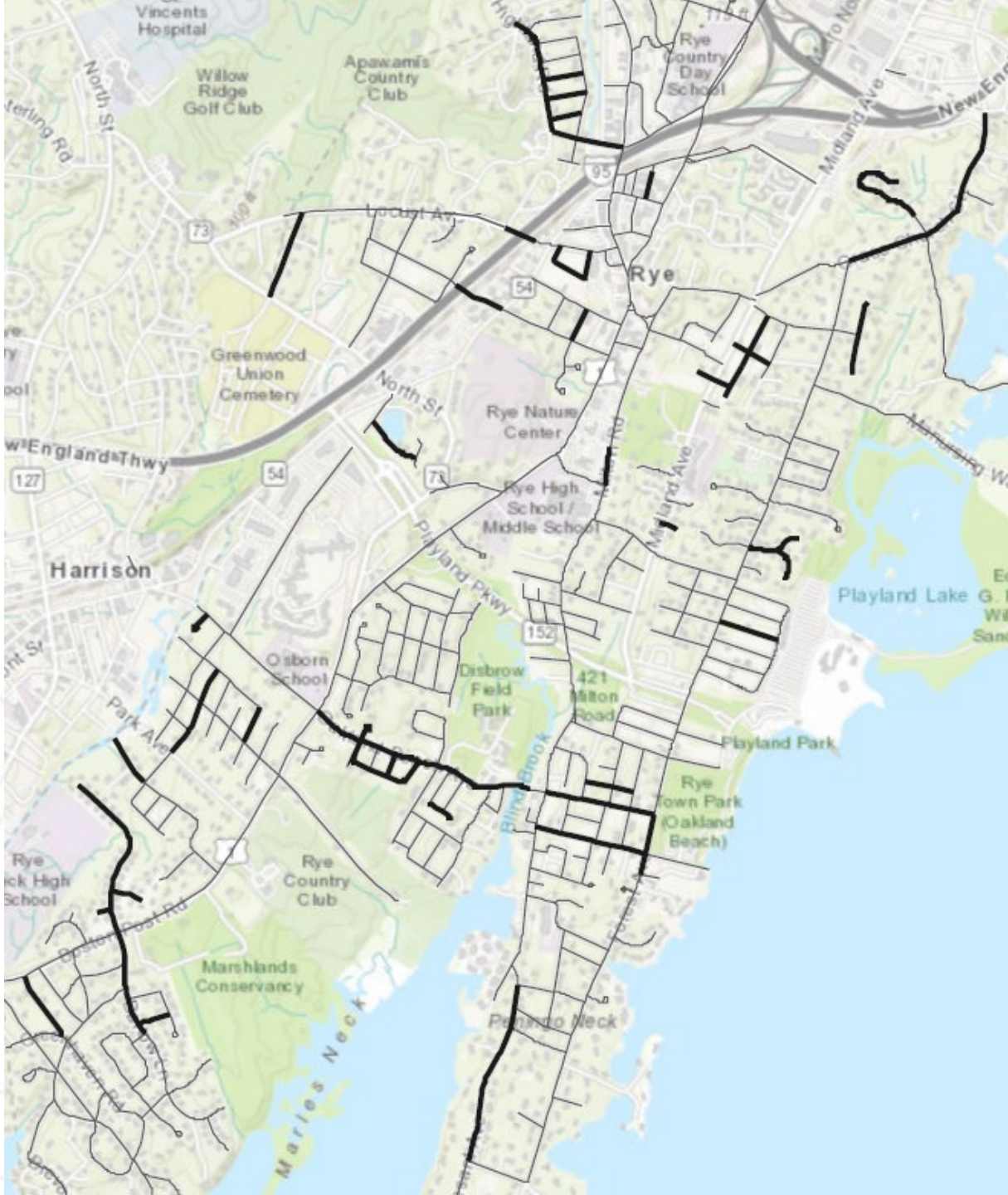
Pavement Condition Projection (May 2023)



Advantages of Proposed 3 Year Program

- Possible reduced costs and greater control of schedule
- Greater opportunity to coordinate projects within neighborhoods
- Greater opportunity to coordinate with planned utility work (Some low PCI roads were omitted from this plan for this reason)
- Plan addresses road segments with estimated current Pavement Condition Index values from 54 to 66

Proposed 2024-2026 Resurfacing Program



Proposed 2024 Resurfacing Program

Name	From Segment	To Segment	Length (ft)
CAYUGA STREET	MANDOTA AV	HIGHLAND RD	554
DRAKE SMITH LANE	CUL DE SAC (S)	CUL DE SAC (N)	1,036
GLENDALE AVENUE	LOCUST AV	NORTH ST	1,246
GRACE CHURCH STREET	FOREST AVENUE	CITY LINE	3,033
HIGHLAND ROAD	PURCHASE ST	CITY LINE	2,645
KIRBY LANE NORTH (section B)	GRACE CHURCH S	CUL DE SAC	1,568
MEAD PLACE	LOCUST AV	LOCUST AV	1,083
ONONDAGA STREET	HIGHLAND RD	MENDOTA AV	555
SENECA STREET	MENDOTA AV	HIGHLAND RD	450
THIRD STREET	PURDY AV	130' S OF STATION PLAZA	389

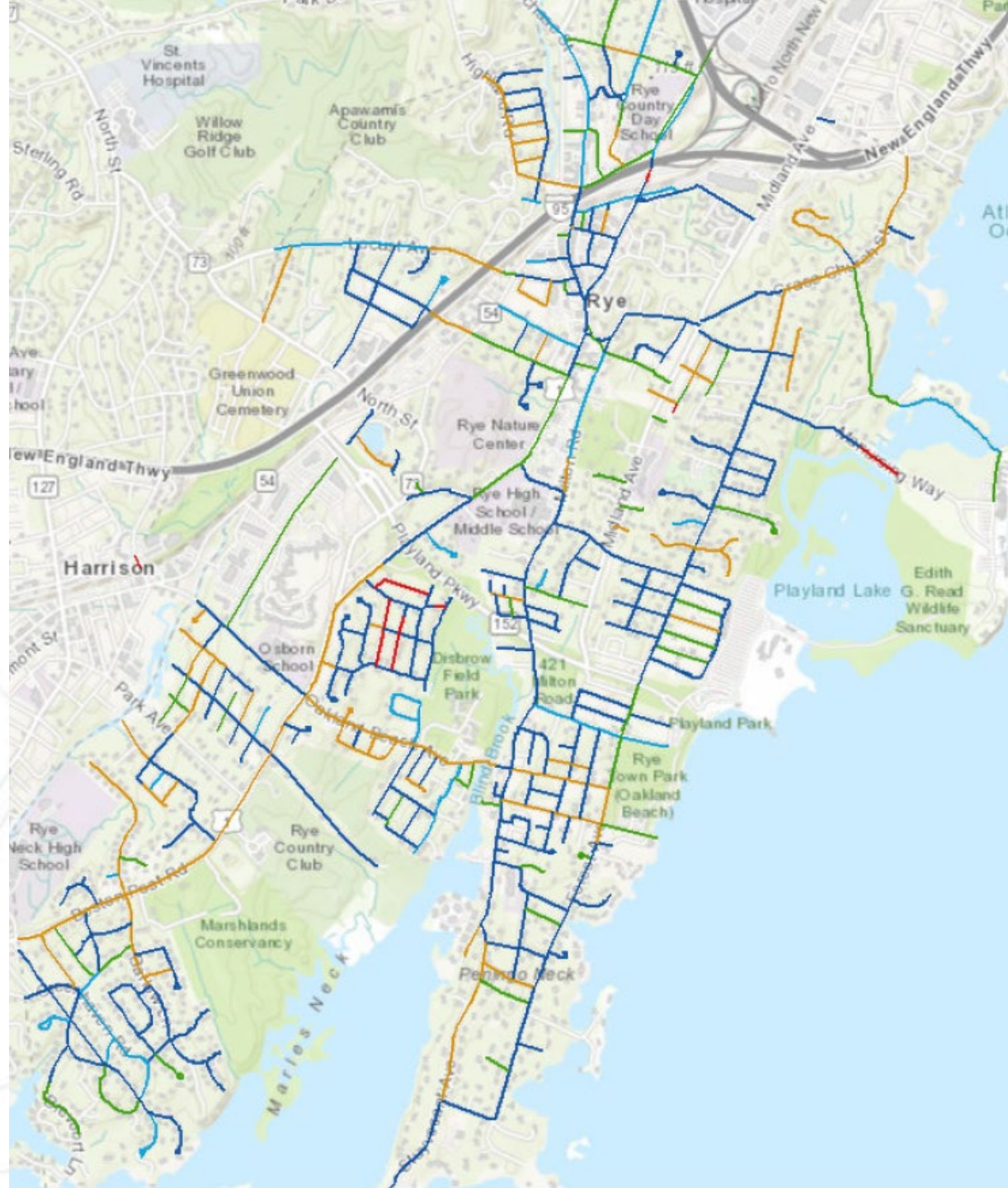
Proposed 2025 Resurfacing Program

Name	From Segment	To Segment	Length (ft)
BARLOW LANE	BOSTON POST RD	NEIL PL	1,469
CEDAR PLACE	MANURSING AV	DEAD END	1255
CENTRAL AVENUE	111' S OF CLINTON AVE	125 CENTRAL AV	712
GOLDWIN STREET	DEAD END	MIDLAND AV	250
GOLDWIN STREET	MIDLAND AV	CEDAR PL	255
HERITAGE LANE	MARTIN RD	CUL DE SAC	492
LEA PLACE	MIDLAND AV	CUL DE SAC	268
LOCUST AVENUE	RIDGEWOOD DR	209' N OF THEODORE FREMD	413
MARTIN ROAD	FOREST AV	CUL DE SAC	752
MILTON ROAD	PARSONS ST	500' N OF CROSS ST	500
ORMOND PLACE	HILL ST	HALSTED PL	690
OVERDALE ROAD	BOSTON POST ROAD	GREENHAVEN RD	982
PETER JAY PLACE	BARLOW LA	JOHN JAY PL	448
ROSEMERE STREET	ROOSEVELT AV	FOREST AV	852
SHARON LANE	MARLENE CT	PONDVIEW RD	804
STUYVESANT AVENUE	VANWAGENEN AV	GREEN AV	2,532
SYLVAN PLACE	MIDLAND AV	DAVIS AV	563
WALNUT STREET	CENTRAL AV	ORCHARD AV	472

Proposed 2026 Resurfacing Program

Name	From Segment	To Segment	Length (ft)
ALLENDALE DRIVE	OAKLAND BEACH (N)	OAKLAND BEACH (S)	1,454
BRADFORD AVENUE	FLORENCE AVE	DEAD END	731
DEARBORN AVENUE	MILTON RD	FOREST AV	1,560
DEVEREAUX CT	JOHNSON PL	CUL DE SAC	191
ELLEN COURT	OAKLAND BEACH	CUL DE SAC LOOP	368
FLORENCE AVENUE	PARK AV	HARDING DR	1,321
FOREST AVENUE	CORNELL PL	OAKLAND BEACH AVE	849
GRIFFON PLACE	OAKLAND BEACH	ALLENDALE DR	314
HICKORY DRIVE	WHITE BEACH DR	CUL DE SAC LOOP	434
JOHNSON PL	BOSTON POST ROAD	CUL DE SAC	2,384
KEENE CT	JOHNSON PL	CUL DE SAC	441
LASALLE AVENUE	HARDING DR	GLEN OAKS DR	518
OAKLAND BEACH AVENUE	MILTON RD	FOREST AV	1,531
OAKLAND BEACH AVENUE	BOSTON POST ROAD	TERRACE DR	3,200
WOODS LANE	OSBORN RD	CUL DE SAC LOOP	379

Questions and Answers





CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

AGENDA ITEM:

Nursery Field Presentation

FOR THE MEETING OF:

March 6, 2024

RECOMMENDATION: That the Council hear the presentation.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:



CITY COUNCIL AGENDA

DEPT.: City Departments

CONTACT: Greg Usry, City Manager

AGNDA ITEM: Resolution to declare certain equipment as surplus.

FOR THE MEETING OF
March 6, 2024

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, the City has been provided with a description of equipment identified as being obsolete or will become obsolete during 2024, and,

WHEREAS, the City recommends that said equipment be declared surplus, now, therefore, be it

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

RESOLVED, that authorization is given to the various departments to donate their inventory or to sell or dispose of said equipment in a manner that will serve in the best interests of the City.

IMPACT: Environmental Fiscal Neighborhood Other

BACKGROUND: DPW has provided the attached memo regarding equipment that needs to be surplus.

Ryan Coyne, PE
City Engineer
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 967-7464
E-mail: rcoyne@ryeny.gov
<http://www.ryeny.gov>

CITY OF RYE
DEPARTMENT OF PUBLIC WORKS

To: Greg Usry, City Manager
From: Ryan Coyne, City Engineer *RC*
Date: February 22, 2024
Re: Surplus Vehicles and Equipment

We are requesting that the Council deem the City's old sewer truck as surplus so that we can proceed to auction. This truck is no longer of use to the department as it has been replaced with the new truck that was purchased last year.

Should you need additional information, please feel free to call me.

- 2012 Kenworth T4 Series Sewer Vacuum Truck, Vin # 2NKBL50X7CM297882



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

AGENDA ITEM: Consideration of a request by Rye Arts Center and The Rotary Club of Rye to install a public butterfly sculpture project in May 2024 (exact date TBD).

FOR THE MEETING OF:

March 6, 2024

RECOMMENDATION: That the Council approve this request.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The Rye Arts Center and The Rotary Club of Rye have partnered to bring Public Art to the City of Rye this summer. The project is titled Rye'sAbove because it features sculptures of butterflies in varying sizes.

See attached for more details.



51 Milton Rd. Rye, NY 10580
ryeartscenter.org
914-967-0700

Pres. + Cap. Campaign Co Chair

Tom Stokes

Cap. Campaign Co-Chair

Judith Passannante

Co-Vice President

Ariel Eckstein

Tina Exarhos

Gov. Co-Chair

Robert Gallagher

Rita Tino

Treasurer

Dana Sands

Planning Co-Chair

Ariel Eckstein

Michael Collins

Co-Secretary

Shami Kini

Amy Vijayanagar

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Michelle Froah

Sonia Hounsell

Eileen Neiman

Hayley Nivelles

Ted Roman

Jennifer Sandling

Kristina Storm

Board Emeritas

Gail Harrison Roman, Ph.D.

Advisory Council

Andrew Francella

Patricia Gaulin

David E. Gross

Catherine Parker

Denys Purdy

Michael Schwartz

Peter Sinnott

Robert Wiener

Bruce Zenkel

Artistic Council

Kenneth Cole

John Cunningham

Peter Green

Rupert Holmes

Brian Keane

Anthony Mason

Bill Oberlander

Frances Sternhagen

Caren Zakes

Executive Director

Adam Levi

February, 2024

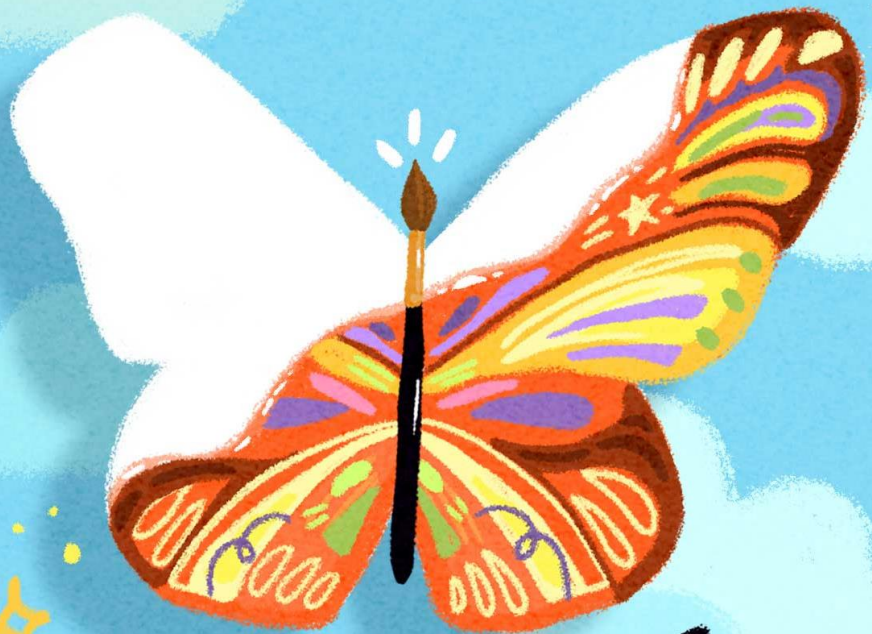
Dear Rye City Council,

The Rye Arts Center and The Rotary of Rye are once again partnering on the RyesAbove project, to bring artist-designed butterflies to the Village Green in Rye. This year, we would like to unveil the butterflies on the Village Green in May, 2024 (exact date TBD) and keep them on display until late September (when the butterflies will move to Wainwright House and be auctioned off, once again in support of children's programming.)

We are deeply appreciative of the City's willingness to work with us on this project and respectfully request the use of the Village Green during the timeframe stated above.

Thank you in advance!

Adam Levi
Executive Director



RYE'S ABOVE











CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Josh Cohn, Mayor

AGENDA ITEM: Resolution adopting rules for agenda setting and conducting business at Council meetings.

FOR THE MEETING OF:

March 6, 2024

RECOMMENDATION: That the Council consider adopting the resolution.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

See attached.

**Resolution Adopting Rules for Agenda Setting and Conducting
Business at Council Meetings**

WHEREAS, under Rye City Charter §C6-7(G) the City Council may prescribe rules to govern its proceedings; and

WHEREAS, the City Council has not previously adopted rules to govern how the Council sets agendas, conducts meetings, and acts on agenda items; and

WHEREAS, the Council finds that adopting the rules set forth below will enhance good governance, transparency, and civil discourse in conducting Council business;

NOW, THEREFORE, BE IT RESOLVED THAT, The Council hereby adopts the following rules to govern its proceedings:

COUNCIL RULES

A. City Council Meetings

1. Regularly Scheduled Meetings:

a. **Schedule:** The annual schedule of all regularly scheduled meetings of the City Council shall be prepared by the City Manager in accordance with City Charter §C6-7A and approved by the Council before December 31 of the preceding year.

b. **Required Agenda Items:** Each regularly scheduled meeting shall, at a minimum, include the following agenda items:

- Pledge of Allegiance.
- Roll Call.
- Approval of Minutes.
- Report of the City Manager.
- Members of the public may be heard on matters for Council consideration that do not appear on the agenda.
- Old Business/New Business.

2. **Special Meetings:** Special meetings of the City Council may be called for by the Mayor or two or more Councilmembers as set forth in City Charter §C6-7A and in accordance with New York State Open Meetings Law §104. The purpose of the meeting must be specified in writing by the person(s) calling the special meeting. In scheduling a special meeting, attempts should be made to maximize participation of all Councilmembers

where possible. In accordance with the Open Meetings Law §104, unless there is an emergency necessitating immediate action, public notice shall be provided at least 72 hours before such special meeting.

B. Preparation of Agendas for Regularly Scheduled Meetings

1. **Preliminary Agenda:** A preliminary agenda, including topics for executive session, shall be drafted by the City Manager, and circulated to all Councilmembers by or before 6:00pm the Wednesday one week prior to the Council meeting.
2. **Final Agenda:** Two or more Councilmembers may add items to the agenda by making a written request for such to be added for the public session or the executive session. The Mayor may add or subtract items to or from the agenda at his sole discretion but may not strike any items added by other Councilmembers. Amendments by Councilpersons or the Mayor must be made by or before 9:00am of the Friday prior to the Council meeting.
3. **Concerning Executive Session Agenda Items:**
 - a. **For Councilmembers:** Any item to be discussed in executive session shall be set forth on an executive session agenda describing with specificity the item to be considered and the basis for discussion in executive session and shall include any relevant materials in an executive session packet as part of the Friday distribution set forth below. For topics arising after the Friday distribution, the foregoing should be provided as promptly as practicable.
 - b. **For the Public:** The public agenda, to be posted as set forth below, shall include a general description of the topics to be discussed in executive session and the basis for discussion in executive session in accordance with New York State Open Meetings Law §105.
4. **Concerning Mayoral Appointments:** The names and biographical descriptions of proposed Mayoral appointments to City Boards, Commissions, and Committees shall be included in the Friday distribution and agenda posting set forth below. Absent additional Council action, no appointments shall be approved if such requirements are not met¹
5. **Distribution and Posting of the Final Agenda:** The City Manager shall send the final agenda and information packet to Councilmembers and post the agenda and related public materials on the City's website by close of business on the Friday prior to the Council meeting. In the event a meeting is not scheduled for a Wednesday, the foregoing distribution and posting shall occur no later than 5 days prior to the regularly scheduled meeting.
6. **Amendments to the Final Agenda:** Absent exigent circumstances, no substantive amendments to the final agenda, including items to be discussed in executive session, shall be made after the Friday prior to the Council meeting. All Councilmembers are to be notified immediately by email of any amendments made following the Friday distribution and posting and such amended agenda shall be posted on the City's website as promptly as practicable.

¹ A synopsis of the Mayor and Council's powers of appointment is attached at Exhibit A.

C. **Conducting Council Business**

1. **Meeting Guidelines:** The following guidelines shall be observed in all City Council meetings:
 - a. The Mayor shall preside over all meetings of the Council. In the Mayor's absence, the Deputy Mayor shall preside. In the absence of both the Mayor and the Deputy Mayor, the Council shall select a Councilmember to preside over the meeting.
 - b. All Councilmembers and members of the public shall be respected, permitted to speak without undue interruption, are expected to act with decorum, and shall refrain from any personal attacks against Councilmembers or members of the public.
 - c. All Councilmembers may request by motion or resolution that the Council act on any matter under consideration. For Council action to carry, the motion must be seconded or made by joint motion of two Councilmembers and approved by a majority of the Council unless otherwise required by law.
 - d. After a motion is seconded (or jointly made), the Councilmember(s) making the motion shall have the courtesy of the floor first, followed by any other Councilmember wishing to speak. All Councilmembers shall be given an opportunity to speak on the issue and no vote shall be commenced until the discussion is completed.
 - e. Any Councilmember can request a roll call vote on any matter requiring Council action even if a roll call vote is not required by law. Upon such request, a roll call vote shall take place.
2. **New Business/Old Business:** Councilmembers may, at their individual discretion, raise items not on the Meeting Agenda for Council consideration and action in the "New Business/Old Business" portion of the agenda.
3. **Public Input and Participation:** At the Council's discretion, members of the public wishing to speak during a Council meeting may do so for up to three minutes. The Mayor (or other Councilmember presiding over the meeting) shall advise the speaker when the three minutes has run. The Council also may, at its discretion, allow the speaker to continue past three minutes. Members of the public may address the Council more than once on the same topic at the Council's discretion. **[The current use of an alarm buzzer signaling a speaker's time has expired is to be discontinued.]**
4. **Hearing of the Public on Non-Agenda Items:** For the convenience of the public, at all regularly scheduled City Council meetings, the agenda segment "Members of the public may be heard on matters for Council consideration that do not appear on the agenda," shall take place as the fifth item on the City Council Agenda, following the Pledge of Allegiance, Roll Call, the Approval of the prior meeting's minutes, and the City

Manager's Report. The Council may, at its discretion, adjust the agenda where a number of speakers are scheduled in advance to present on a specific agenda item or topic.

5. **Consent Agenda Items:** Any matter appearing on the consent agenda may be moved to the regular agenda for a discussion at the request of any one Councilmember.
6. **Changing the Agenda:** Upon a majority vote of the Council, an agenda item may be moved, taken out of order, or tabled.

D. Significant Council Action - Opportunity for Public Discussion:

It is the Council's intent to conduct business in a manner that is open, transparent, and welcoming of public dialogue. Items of significant public interest should be fully vetted, and the public given an adequate opportunity to weigh in. Accordingly, the following guidelines shall apply for all legislative action by the Council and significant non-legislative action except where process (e.g., budget hearings), law (e.g., telecom shot-clock rules), or exigent circumstances (e.g., storm recovery actions) require otherwise.

1. **Legislative Action - Minimum of Three Meetings:** When the Council is considering non-emergency legislation or amendments to legislation, there shall be at least three public meetings during which the legislation is addressed as follows:
 - a. At the first meeting:
 - Presentation introducing and explaining such proposed legislation and/or amendments thereto,
 - Council questions and discussion, if any, and
 - Noticing of a public hearing if the Council desires to proceed with considering the proposed legislation.
 - b. At the second meeting:
 - Recap presentation of the proposed legislation,
 - Council questions and discussion,
 - Opening of a public hearing if the Council desires to proceed with considering the legislation, and
 - Hearing from the public.
 - c. At the third or subsequent meetings:
 - Further hearing from the public on the final version of the legislation, if any,
 - The Council may close the public hearing,

- Council discussion, and
 - The Council may vote on the proposed legislation.
- d. Any substantive changes to the proposed legislation made during the course of the public hearing shall cause (i) the revised proposed legislation to be posted on the City’s website (no less than five days prior to the subsequent public hearing meeting), and (ii) the public hearing to remain open through, and no vote taken until, the following meeting,
- e. A separate majority vote of the Council is necessary prior to any vote on the proposed legislation if there is a desire to act more expeditiously on proposed legislation (i.e., action taken prior to three meetings).
- 2. Significant Non-Legislative Actions – Minimum of Two Meetings:** When the Council is considering a non-emergency matter that requires Council action and where two or more Councilmembers deem such matter to be of “significant public interest” there shall be at least two public meetings during which the matter is addressed as follows:
- a. At the first meeting:
- Presentation introducing and explaining the matter and the proposed Council action,
 - Council questions and discussion,
 - The Council may choose to notice such other workshops, work sessions, or formal public hearings on the matter as the Council may deem appropriate, and
 - Hearing from the public, either informally or in a formal public hearing.
- b. At the second meeting:
- Recap presentation of the matter and the proposed Council action,
 - Council questions and discussion,
 - Hearing from the public (formally or informally) if requested by the Council, and
 - The Council may vote on the proposed action.
- c. Any substantive changes to the language of the proposed action made during the course of Council discussions or the public hearing shall cause (i) the hearing to continue to a subsequent meeting prior to a vote being taken and (ii) the revised language to be posted on the City’s website (no less than five days prior to such subsequent meeting).

- d. A separate majority vote of the Council is necessary prior to any vote on the proposed action item if there is a desire to act more expeditiously on non-legislative action of significant public interest.

E. Reservation of Rights and Waiver:

These Council Rules are not intended to override existing law or regulations of the City of Rye or the State of New York and should be interpreted in a manner consistent with such laws and regulations. The City Council, by majority vote, may choose to modify or waive any of the above provisions with respect to any matter at any time.

F. Review:

These Council Rules shall be reviewed by the Council at a regularly scheduled meeting within 12 months of their adoption and thereafter as the Council may desire.

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Exhibit A
Powers of Appointment – Rye City Boards, Commissions, and Committees

1. Appointments made solely by the Mayor:

- **Human Rights Committee** (No more than 9 members; Chair designated by Mayor)

2. Appointments made by the Mayor with Council Approval:

- **Board of Appeals** (7 Members; Chair designated by Mayor)
- **Board of Architectural Review** (7 Members; Chair designated by Mayor)
- **CC/AC** (6-9 members; Chair designated by Mayor)
- **Planning Commission** (7 members of which *one is from the Council for a 2-year term*; Chair designated by Mayor)
- **Recreation Commission** (9 members; Chair designated by Mayor)
- **Rye Playland Advisory Committee** (9 members; Chair designated by Mayor)
- **Rye Senior Advocacy Committee** (7 members; Chair designated by Mayor)
- **Rye Town Park Advisory Committee** (7members; Chair designated by Mayor)
- **Traffic and Pedestrian Safety Committee** (7 - 9 Members; Chair designated by Mayor)
- **Board of Ethics** (3 Members; *Chair selected by Board*)
- **Landmarks Advisory Committee** (8 members, 5 must be Rye residents; *Designation of Chair not specified*)
- **Police Advisory** (Created via Resolution; Commissioner of Public Safety, one other sworn police officer and seven members of the public appointed by the Mayor with Council approval; *Designation of Chair not specified*)
- **Rye Town Park Commission** (by NYS Legislation – Mayor and one designee appointed by the Council*) (*per Chapter 711 of the Laws of 1907 reference is to the President of the Village of Rye and one appointee to be approved by the Village Board of Trustees but when City was formed all references to Village of Rye are now to be considered references to the City of Rye)

3. Appointments made by the City Council:

- **Sustainability Committee** (Created via Resolution; 9 members; Chair designated by Mayor)
- **Board of Assessment Review** (5 Members, *2 may be members of the Council; Chair elected annually by Board*)
- **Finance Committee** (Created via Resolution; 11 members; *Chair selected by the Committee*)
- **Flood Advisory Committee** (Created via Resolution; 7 – 9 members, all Rye residents; *Designation of Chair not specified*)
- **City Council Liaisons** to the various City Boards, Commissions and Committees (New York State law and City Charter are silent regarding liaisons and the appointment authority and process.)

- **Any Ad-hoc City Council Committees or Subcommittees** (New York State law and City Charter are silent regarding ad-hoc committee and subcommittee appointment authority and process.)

4. Approval by City Council:

- Rye Golf Commission – Council approves election results
- Rye Boat Basin Commission – Council approves election results