

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

**REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBERS, CITY HALL  
Wednesday, July 17, 2024  
6:30 p.m.**

*Please note: The Council will convene at 6:00 p.m. and it is expected they will adjourn into Executive Session at 6:01 p.m. to discuss Playland Litigation and Clerical MOA.*

1. Pledge of Allegiance.
2. Roll Call.
3. Draft unapproved minutes of the Regular Meetings of the City Council held June 12, 2024, and July 10<sup>th</sup>, 2024.
4. Members of the public may be heard on matters for Council consideration that do not appear on the agenda.
5. Report of the City Manager.
6. Resolution recommending Westchester County Board of Legislators review and reaffirm, with updates, the Terminal Use Agreements of commercial airlines operating at Westchester County Airport.
7. Presentation of the 2023 City Financial results by Jonathan Gibbs of the auditing firm BST & Co, LLP.
8. Overview of 2024 Consolidated Funding Application and related grants.
9. Resolution of the City Council of the City of Rye authorizing the filing of a Climate Smart Communities grant application for \$2,000,000.
10. Resolution of the City Council of the City of Rye authorizing the filing of a Climate Smart Communities grant application for \$200,000.
11. Resolution authorizing the City Manager to execute a supplemental funding agreement with the New York State Department of Transportation regarding the Theodore Fremd wall.
12. Consideration of retroactive request from Apple Studios to film an episode of “Swipe” on Purchase Street and Purdy Avenue on July 17<sup>th</sup>, 2024.

13. Resolution amending the 2024 Budget by increasing the parking, painting & decorating expense line by \$19,000 (Central Business District Decorations).
14. Resolution to declare certain City equipment as surplus.

CONSENT AGENDA

- a) Consideration of a request by Christ’s Church for use of City streets (Rectory Street) on the following dates:
  - 09/08/2024 – 7:00am to 1:00pm – Homecoming Picnic
  - 09/28/2024 – 8:00am – 5:00pm – CCNS Welcome Back Event
  - 10/04/2024 – 3:00pm to 5:30pm – Drive by Blessing of the Animals
  - 12/07/2024 – 8:00am to 5:00pm – Christmas tree Sale
  - 06/15/2025 – 10:00am to 2:00pm – Summer Picnic

15. Appointments to Boards and Commissions.
16. Old Business/New Business.
17. Adjournment

\* \* \* \* \*

The next regular meeting of the City Council will be held on Wednesday, August 14, 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](http://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  
June 12, 2024, at 6:30 P.M.

PRESENT:

JOSH COHN, Mayor  
KEITH CUNNINGHAM  
SARA GODDARD  
JOSH NATHAN  
JULIE SOUZA  
Councilmembers

ABSENT:

BILL HENDERSON  
JAMIE JENSEN

ALSO ATTENDING:

GREG USRY, CITY MANAGER  
KRISTEN WILSON, CORPORATION COUNSEL  
MIKE KOPY, COMMISSIONER OF PUBLIC SAFETY  
CHRISTIAN MILLER, CITY PLANNER  
RYAN COYNE, CITY ENGINEER

The Council convened in a public meeting at 6:46 P.M. The meeting was streamed live at [www.ryeny.gov](http://www.ryeny.gov) for public viewing.

1. [Pledge of Allegiance.](#)

Mayor Cohn 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 May 15, 2024.](#)

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

**RESOLVED** to approve the drafted minutes of the Regular Meeting of the City Council held May 15, 2024.

Adopted by the following vote:

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

4. Members of the public may be heard on matters for Council consideration that do not appear on the agenda.

- Resident Matthew Pymm, 93 Overlook Place, spoke on behalf of Let the Kids Play

5. Report of the City Manager.

City Manager, Greg Usry, gave an update to the City Council on various items.

6. Announcement of a National Garden Club award to City staff.

Lisa Wallace, President of the Rye Garden Club, gave Christian Miller (City Planner) and Ryan Coyne (Superintendent of DPW) the Club Civic Commendation Award for their efforts enhancing, improving, protecting and restoring the environment.

7. Award bid for the Drainage Improvement Project (Contract # 2024-06).

- a. On motion by Councilwoman Souza, seconded by Mayor Cohn

**RESOLUTION REJECTING BID OF VAD CONSTRUCTION CORPORATION FOR DRAINAGE IMPROVEMENT PROJECT (CONTRACT 2024-06)**

**WHEREAS**, the City of Rye solicited proposals from responsible bidders for Contract No. 2024-06, and

**WHEREAS**, the City received a bid from Vad Construction Corporation (“VCC”) with a base bid amount of Nine Hundred Twenty-Six Thousand Three Hundred Sixty Nine dollars and Fifty cents (\$926,369.50) and a total alternate bid in the amount of Fourteen Thousand Five Hundred and Fifty dollars (\$14,550.00) for a total amount of Nine Hundred Forty Thousand Nine Hundred Nineteen dollars and Fifty Cents (\$940,919.50); and

**WHEREAS**, upon receipt of VCC’s proposal, the City of Rye diligently reviewed the criteria outlined in the bid specifications for Contract NO. 2024-06, VCC’s responses, and whether such responses were responsive; and

**WHEREAS**, the City also spoke with two out of three of VCC’s references about responsiveness, workmanship and ability to timely complete the work described;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby rejects VCC’s bid as failing to be the lowest responsible bidder under General Municipal Law § 103 for the following reasons:

1. Repeated failure to be responsive to additional inquiries from City regarding bid;
2. Failure to complete the bid price base bond in written words;
3. Failure to accurately calculate alternate 1 base bid amount in numbers;
4. Concerns over VCC’s facilities, resources and ability to complete project;

5. Failure to timely complete or advance other municipally awarded projects satisfactorily through reference checks;
6. Results of background check of principles associated with VCC.

Adopted by the following vote:

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

b. On motion by Councilwoman Souza, seconded by Mayor Cohn, it was

**RESOLVED** to award the bid to o ELQ Industries, Inc. in the amount of One Million, Seventy-Eight Thousand, Eighty-One Dollars and Zero Cents (\$1,078,081.00).

Adopted by the following vote:

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

8. Consideration of the proposed revisions of the Rules and Regulations of the City of Rye Police Department.

- Policy 900 – Temporary Custody of Adults

Commissioner of Public Safety, Mike Kopy, gave an overview of the policy revision for the Police Department.

9. Consideration of the proposed revisions of the Rules and Regulations of the City of Rye Fire Department.

- Policy # 305 – Staging
- Policy # 309 – Scene Preservation
- Policy # 312 – Carbon Monoxide Detector Activations
- Policy # 313 – Elevator Entrapments
- Policy # 314 – Elevator Restrictions during Emergencies

Commissioner of Public Safety, Mike Kopy, gave an overview of the proposed policies.

10. Briefing on the Rye Police Department’s use of facial recognition software.

Commissioner of Public Safety, Mike Kopy, gave an overview of the technology.

11. Sustainable Westchester presentation on Westchester Power Community Choice Aggregation (CCA) program.

Noam Bramson, Executive Director of Sustainable Westchester, gave a presentation about the program.

12. Update on City actions related to flooding.

City Manager, Greg Usry, gave an update on flooding.

Resident, Kayvan Keyhani of 5 Barbara Court aired his frustrations with flooding issues.

13. Resolution authorizing the City Manager to request an increase in Metro North commuter lot parking permit fees.

On motion by Councilwoman Souza, seconded by Mayor Cohn

**RESOLUTION TO INCREASE FEES FOR ALL COMMUTER PARKING PERMITS IN THE MTA LOT**

**WHEREAS**, the City of Rye operates and manages the Metro North parking lot (the “MTA Lot”) owned by the Metropolitan Transportation Authority (MTA) at the Rye Station; and

**WHEREAS**, pursuant to a 1975 lease agreement with the MTA the City agreed to split all commuter permit revenue 50/50 with the MTA; and

**WHEREAS**, the MTA must approve any increase in permit fees; and

**WHEREAS**, it has been five years since permit fees were increased; and

**WHEREAS**, the City faces increasing maintenance, materials, labor, and capital improvement costs associated with operating the MTA Lot;

**NOW, THEREFORE BE IT RESOLVED**, that the City Manager is authorized to formally request a parking permit fee increase of 10% for all commuter parking permits in the MTA Lot which would be effective on January 1, 2025.

Adopted by the following vote:

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

14. Resolution authorizing the City Manager to enter into a license agreement with the owners of 1097 Boston Post Road.

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

**RESOLVED** to authorize the City Manager to enter into a license agreement with the owners of 1097 Boston Post Road.

Adopted by the following vote:

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

15. Resolution authorizing the City Manager to execute an intermunicipal agreement with the County of Westchester to provide a positive youth development program.

On motion by Councilwoman Souza, seconded by Mayor Cohn, it was

**RESOLVED** to authorize the City Manager to execute an intermunicipal agreement with the County of Westchester to provide a positive youth development program.

Adopted by the following vote:

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

16. Appointments to Boards and Commissions.

- Human Rights Commission  
Renewal of Corey Stark and Adrienne Mecca
- Board of Architectural Review  
Sid Burk – New Appointment
- Traffic and Pedestrian Safety Committee  
Kelsey Johnson – movement from ex-officio to regular member

On motion by Councilwoman Souza, seconded by Councilman Nathan and unanimously carried

- Flood Committee Appointees
  - Martha Monserrate reappointed
  - Chris McGuire and Keith Coyne to replace Sean Traynor and Sebastian Gutierrez

17. Old Business/New Business

On motion by Mayor Cohn, seconded by Councilman Nathan,

**RESOLUTION AUTHORIZING CITY MANAGER TO NEGOTIATE AND  
EXECUTE HEALTH CARE REIMBURSEMENT CONTRACT WITH COMMISSIONER  
KOPY**

**WHEREAS**, the City of Rye hired Michael Kopy in October 2021 as the Commissioner of Public Safety to oversee both the Rye Police Department and the Rye Fire Department; and

**WHEREAS**, prior to the City of Rye employing him, Commissioner Kopy retired from the State and vested in the State pension and healthcare system and the City of Rye has not had to pay for health and pension benefits above his salary; and

**WHEREAS**, the City experienced a considerable cost savings by not paying employment benefits during Commissioner Kopy’s employment in the City; and

**WHEREAS**, in an effort to fairly compensate Commissioner Kopy for his past and his continuing work with the City, the City is willing to enter into an agreement whereby the City reimburses Commissioner Kopy his annual share of his retiree healthcare costs once he has been employed for at least four years by the City of Rye.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council directs the City Manager to negotiate and execute a retiree health care agreement with Commissioner Kopy on certain conditions consistent with the above-mentioned City needs.

Adopted by the following vote:

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

18. Adjournment

On motion of Councilwoman Souza, seconded by Councilman Nathan, and with the Council in favor, the meeting was adjourned at 9:28 PM.

Respectfully submitted,

Noga Ruttenberg  
City Clerk



***UNAPPROVED MINUTES*** of the Special Meeting of the  
City Council of the City of Rye held in City Hall on  
July 10, 2024, at 6:00 P.M.

PRESENT:

JOSH COHN, Mayor  
SARA GODDARD  
BILL HENDERSON  
JAMIE JENSEN  
JOSH NATHAN  
Councilmembers

ABSENT:

KEITH CUNNINGHAM  
JULIE SOUZA

The Council convened in a public meeting at 6:02 P.M. The meeting was streamed live at [www.ryeny.gov](http://www.ryeny.gov) for public viewing.

1. Pledge of Allegiance.

Mayor Cohn led the Pledge of Allegiance.

2. Roll Call.

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

3. Resolution authorizing the City Manager to execute a MOU with Westchester Power.

Mayor Cohn explained the need for and timing of the Special Meeting. Councilwoman Goddard disclosed that she is a Board Member of Sustainable Westchester. Dan Welsh, Director of Sustainable Westchester, answered questions about the Westchester Power Program for the Council.

James Ward, 50 Reymont Ave., spoke on the topic.

On motion by Councilman Nathan, seconded by Councilwoman Jensen,

**RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM  
OF UNDERSTANDING RELATED TO THE COMMUNITY CHOICE  
AGGREGATION PROGRAM**

**WHEREAS**, the City of Rye is a member of Sustainable Westchester and a participant in the Community Choice Aggregation Program (“CCA” or the “Program”); and

**WHEREAS**, the current Electric Service Agreement (“ESA”) for the Sustainable Westchester CCA program terminates on October 31, 2024; and

**WHEREAS**, the City of Rye desires to continue to engage the services of Sustainable Westchester, Inc. as the Program Manager for CCA and administration of the Program; and

**WHEREAS**, in connection with the CCA, Sustainable Westchester has provided the City with information regarding the plan to secure a new ESA (the “2024 ESA”); and

**WHEREAS**, a new Memorandum of Understanding (the “2024 MOU”) with Sustainable Westchester will allow for the bid for electricity supply to be awarded to the lowest-priced responsible bidder; and

**WHEREAS**, the purpose of the 2024 MOU is to: a) establish the City’s participation in the CCA to be managed by Sustainable Westchester, Inc. under the 2024 ESA; b) to affirm that the City and Sustainable Westchester, Inc. agree to adhere to the terms and conditions of the 2024 ESA in the event the 2024 ESA is executed; and c) to affirm that the City and Sustainable Westchester, Inc. agree to execute the 2024 ESA, subject to the conditions of review and approval outlined in the MOU; and

**WHEREAS**, demand for the voluntary renewable energy certificates (“RECs”), which have historically been the medium for the purchase of renewable energy in support of the Program, has exceeded supply, such that at this time, suppliers can only offer a 50% renewable supply option as the default product for the 2024 ESA, along with **an opt-up option** that allows participating customers to elect to select a 100% renewable supply option; and

**WHEREAS**, developments in the REC market may make it possible for suppliers to provide a 100% renewable supply option as the default product for the 2024 ESA before the commencement of service, which change in the default product would be effectuated through an amendment to the 2024 ESA,

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Rye does hereby authorize the City Manager to execute the 2024 MOU with Sustainable Westchester, Inc. and the associated 2024 ESA, subject to receiving a Compliant Offer, as defined in the MOU, as required to continue participating in the CCA program; and

**BE IT FURTHER RESOLVED** that the City Council of the City of Rye does hereby authorize the City Manager to execute an amendment to the 2024 ESA to change the default product to a 100% renewable supply option, should such an option become available before the commencement of service under the 2024 ESA on the following condition:

- 1. That the Tier 1 REC price is less than or equal to \$.01 per kWh as compared to the Tier 2 REC. For the avoidance of doubt, if the Tier 1 REC price is greater than .01 per kWh than the Tier 2 REC price, the City of Rye Manager shall not execute the abovementioned amendment to the 2024 ESA to change the default product to a 100% renewable supply option.**

Adopted by the following vote:

AYES: Councilpersons Goddard, Jensen, Nathan, Mayor Cohn  
NAYS: Councilman Henderson  
ABSENT: Councilpersons Cunningham and Souza

4. Adjournment

On motion of Councilman Henderson, seconded by Councilwoman Goddard, and with the Council in favor, the meeting was adjourned at 7:24 PM.

Respectfully submitted,

Noga Ruttenberg  
City Clerk



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution recommending Westchester County Board of Legislators review and reaffirm, with updates, the Terminals Use Agreement of commercial airlines operating at Westchester County Airport.

**FOR THE MEETING OF:**

July 17, 2024

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

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See the attached resolution and request for municipalities to support the renewal of the Westchester County airline terminal use agreements.

Intermunicipal Airport Master Plan Task Force  
Request for Municipalities to Support Renewal of the Westchester County Airline Terminal Use  
Agreements

July 2, 2024

Background

In July 1994, the County and airlines conducting operations at the airport signed the “Westchester County Airport Terminal Capacity Affirmation and Extension Agreement” (“1994 Terminal Capacity Agreement” or “TCA”). This Agreement acknowledged that “the Airport’s principal function is one of accommodating general aviation with an emphasis on business use”, as opposed to commercial airline service, and reaffirmed prior Board of Legislators resolutions with regard to the passenger capacity of the commercial airline terminal and ramp space dating back to 1985. In 2004, the County sought and obtained FAA approval to codify the key terms of the TCA and passed the Westchester County Terminal Use Procedures Law (TUP, Westchester County Code of Ordinances, Section 712.462). Pursuant to that law, the County entered into new Terminal Use Agreements (TUAs) with each airline. These ten-year agreements allowed for two five-year extensions. The agreements were subsequently extended, but December 31, 2024, marks the end of those extensions and the end of all TUAs entered into with airlines since 2004. Action must now again be taken by the County to engage the airlines in new TUAs.

It is important to note that the County’s FAA-approved TUP law requires all airline passenger service to take place at the main terminal and defines airlines as any operator providing “air service...for which seats are individually offered or sold to the public...in aircraft designed for more than (9) passenger seats.”

The Intermunicipal Airport Master Plan Task Force (“Task Force”) is addressing a wide range of concerns related to the County Airport Master Plan. Through its early deliberations this year, the need to address the TUAs as a high priority became immediately apparent due to their December expiration. The purpose of this document is to outline the Task Force’s findings about the TUAs, how they have functioned to date, the role they play in controlling airport development, and recommendations for the County to pursue in the next set of TUAs. The Task Force hopes each participating municipality will vote to endorse the Task Force’s findings and thus help make a strong, consensus-based recommendation to the County Board of Legislators.

What the Current TUAs Control or Address

The TUAs can be traced back to a 1984 federal lawsuit brought by certain airlines against Westchester County and the FAA regarding airport operations. The settlement and Stipulation that resulted allowed Westchester County to establish certain parameters, based on the County airport’s design capacity, for airlines’ use of the airport. Today, the key provisions include:

- Terminal ramps may only accommodate four scheduled aircraft at one time.
- Commercial airline carriers are limited to four “operations” (i.e. takeoffs or landings) per half-hour to correspond to the four gate positions at the terminal.
- Airline participation in ramp allocation is by lottery and the airlines must participate in recordkeeping related to the number and timing of flights and number of passengers.

- A maximum throughput of 240 passengers per half hour is permitted at the terminal (regardless of whether passengers are arriving or departing).
- Passenger limits are not enforceable during 66 days per year on and around major holidays, although ramp/gate limitations remain unchanged on those days.
- Airlines may not request a reassessment of terminal capacity limitations nor challenge the legality of the Terminal Use Procedures law for the term of the Terminal Use Agreements.
- Assignment of terminal use fees, terminal use operating costs, and ground handling service fees to the airlines

In general, the Task Force believes that these provisions have been successful in controlling commercial airport operations, although recognizing that strict adherence to the 240-passenger limit is difficult for multiple airlines to control when arrivals and departures are delayed. Further restrictions on airlines or proceeding with terminal expansion could very well violate the terms of FAA approval of our TUP law and lead to unrestricted airline traffic at the County airport, with all the consequent harm to the environment and public health, safety, and well-being.

#### What the Current TUAs Do Not Control or Address

The current TUAs control commercial airlines only. It is important to note that commercial flights comprise only approximately 15% of the air traffic in and out of the airport. The other 85% are private and use the multiple other hangar and terminal buildings located around the airport property. All such buildings are owned by the County and leased out, either to corporations like Pepsi and IBM, fractional jet ownership companies like NetJets and Flexjet, or Fixed Base Operators (i.e. independent facility operators, aka “FBOs”) like Signature and Million Air, which service the balance of private or “general” aviation operators at the Airport.

The County is in litigation with certain operators that meet the TUP’s definition of airlines but are utilizing FBO facilities instead of the main terminal and have neither signed TUAs nor adhere to their rules and restrictions. This issue, along with County lease provisions for the private terminals and hangars are among those being studied by the Task Force.

The TUAs do not address flight paths, including altitude rules and guidelines. These are the exclusive domain of the FAA. However, the County can raise community concerns about flight paths to the attention of the FAA and the FAA has responded by considering changes, as is now taking place with respect to a flight path that roughly follows the Sound shore of Greenwich and Port Chester.

The TUAs do not address noise. Clearly, with 85% of the air traffic being non-commercial and outside the scope of the TUAs, and flight paths and altitudes being controlled by the FAA, noise concerns will not be substantially resolved by new TUAs. However, maintaining current limitations on airline traffic should help keep noise from worsening.

The TUAs do not limit overnight and early morning flights. The current midnight-6:30 AM “curfew” that is often referenced as in need of enforcement to help with noise is actually voluntary and also outside the scope of the current TUAs. A prior mandatory overnight curfew imposed by the County was struck down by the courts many years ago. The Task Force will be considering how to better regulate overnight flights in connection with the Airport Master Plan.

The TUAs do not address the costs of the emergency medical services (EMS), which are currently provided almost exclusively by Port Chester-Rye-Rye Brook EMS. To date, the cost of providing these services has been borne by the EMS organization and has created a financial burden on these municipalities and their residents.

### Conclusion

The Task Force has concluded that adding provisions to the TUAs that restrict aircraft operations is problematic. As mentioned, the TUAs were the result of a lawsuit that was successfully fought by the County on the basis of terminal design capacity and rules and procedures that were in effect prior to the Airport Noise and Capacity Act of 1990 (ANCA), including any subsequent adjustment “that does not reduce or limit aircraft operations or affect aircraft safety.” Changes to the TUAs that do not hinge on terminal capacity or have the effect of increasing restrictions on aircraft operations and may be hard for the County to support.

Further, the Task Force concluded that the TUAs have generally worked well in controlling the commercial operations of the County airport and, with some exceptions, have limited airline operations such that they do not exceed the maximum design capacity of the airport. Certainly, some may argue parking and lounge space/amenities are overcrowded at peak times, but the Task Force believes the terminal issues can be resolved with thoughtful re-development that does not expand the County airport or the main terminal’s footprint or operational capacity. The existing TUAs represent the single best mechanism for controlling airport expansion. The Task Force, therefore, recommends keeping the substance of the existing TUAs intact and asks the affected municipalities to recommend to the County Board of Legislators that they proceed to negotiate with the airlines toward this end.

The only exceptions to this recommendation to maintain, reaffirm and extend the TUAs, endorsed by the Task Force, would be for:

1. TUA terms set to be at least as long as the expiring ones (i.e., 10 years initially with two 5-year extensions at the discretion of the County), preferably for a straightforward term of 20 years or more. This recommendation reflects the fact that the agreements have worked well to date and longer terms would reduce administrative costs to the County. We point out that the County has signed numerous lease agreements for airport facilities that lock in terms for 30 years. These include agreements with Flexjet, IBM, JP Morgan Chase, NetJets, Million Air, Signature, and others.
2. TUA terms of a uniform duration instead of having all TUAs expire on the same date regardless of when they were entered into. The current arrangement subjects the County and its TUP law to the risk of coordinated legal challenges by multiple airlines on the day after all the TUAs expire.
3. A provision that extends the airlines’ agreement not to challenge the validity or legality of the TUP for 90 days after the expiration of the TUAs. This would ensure that airlines have to cease operations at the Airport for a period of time before they could seek to undermine our one protection against unrestricted airline operations at the County airport.

4. Adjustment of the TUA fee schedule to reflect current costs and, if deemed appropriate by the County Legislators, to include full coverage of EMS costs in the terminal use operating cost calculation. The EMS costs are, as a category of costs, consistent with other terminal use operating cost categories listed in the current TUAs. The Task Force understands that the EMS cost issue is already being pursued by the EMS organization with the County in the form of an annual payment to the EMS agency. The Task Force endorses whatever mechanism the County deems appropriate in order to compensate the EMS organization for those costs.

#### Proposed Draft Resolution

A draft resolution for your consideration is provided in Exhibit A. The Task Force hopes that each community will adopt the substance of this resolution. Modifications of the resolution for consistency with each municipality's practices are expected. If there are any concerns with the substance of the resolution, the Task Force asks that the municipality reach out to their Task Force representative(s). Our goal is to have a consensus and a consistent recommendation endorsed by all participating communities.

#### Additional Information

In the interest of brevity, the TUAs are not included here (for example, the current JetBlue TUA is 97 pages long, including appendices and the full text of the TUP local law). However, the Village of Rye Brook is maintaining a repository of airport related documents on their website. These can be found at <https://ryebrookny.gov/imatf/>

Included on the website is also a current list of all Task Force participants, selected by their communities, who contributed to or endorsed this recommendation document. The communities represented include: City of Rye, Town of Rye, Rye Brook, Port Chester, Greenwich, New Castle, and North Castle.





# CITY OF RYE

## **RESOLUTION RECOMMENDING WESTCHESTER COUNTY BOARD OF LEGISLATORS REVIEW AND REAFFIRM, WITH UPDATES, THE TERMINAL USE AGREEMENTS OF COMMERCIAL AIRLINES OPERATING AT WESTCHESTER COUNTY AIRPORT**

WHEREAS, the City of Rye appointed representatives Nick Everett and Martha Monserrate to serve on the Intermunicipal Airport Master Plan Task Force (Task Force) comprised of representatives of the City of Rye, Village of Rye Brook, Village of Port Chester, Town of Greenwich, Town of New Castle, Town of North Castle; and

WHEREAS, the Task Force has met on four occasions in 2024 to deliberate on community concerns related to operations at the Westchester County Airport; and

WHEREAS, the Task Force has unanimously voted in favor of reaffirming the substance of the existing Terminal Use Agreements (TUAs) signed with the airlines, which expire December 31, 2024, pursuant to the 2004 Westchester County Terminal Use Procedures Law (TUP), as successor and complement to the 1994 Westchester County Airport Terminal Capacity Affirmation and Extension Agreement; and

WHEREAS, the Task Force unanimously supports adjusting the terminal use fees, terminal use operating costs, and ground handling service fees contained in the TUAs to represent current costs to the County; and

WHEREAS, the Task Force unanimously supports compensation of costs for the EMS services provided by Port Chester-Rye-Rye Brook Emergency Medical Services (EMS);

NOW, THEREFORE, BE IT RESOLVED, the City of Rye adopts the findings of the Task Force related to the TUAs and recommends that the Westchester County Board of Legislators negotiate, at its earliest convenience, new TUAs with all commercial airlines operating at the airport, with the following provisions:

1. TUA terms of 20 years or more, possibly with extensions if deemed appropriate by the County, but not less than the current 10 years, with two 5-year extensions.
2. TUA terms of a uniform duration for all TUAs as opposed to a single expiration date.
3. A provision that extends the airlines' agreement not to challenge the validity or legality of the TUP for 90 days following the expiration of the TUAs.
4. Fees and costs enumerated in the current TUAs adjusted to reflect current costs. We leave it to the discretion of the County Legislature whether and to include compensation of EMS costs to the EMS organization as part of the revised TUA or through some other mechanism.



# CITY COUNCIL AGENDA

DEPT.: Finance

CONTACT: Joe Fazzino, City Comptroller

**AGENDA ITEM:** Presentation of the 2023 City Financial results by Jonathan Gibbs of the auditing firm BST & Co, LLP.

**FOR THE MEETING OF:**

July 17, 2024

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

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached presentation.



# City of Rye, New York 2023 Audit Results

July 15, 2024

# Table of Contents

<b>Executive Summary</b>	<b>Page 3</b>
<b>Financial Statement Walkthrough</b>	<b>Page 4</b>
<b>Financial Audit Results</b>	<b>Page 5-7</b>
<b>GASB 96 Implementation</b>	<b>Page 8</b>
<b>Financial Analysis</b>	<b>Page 9-10</b>
<b>Lessing's</b>	<b>Page 11-12</b>
<b>City-Wide Observations</b>	<b>Page 13-14</b>
<b>Questions</b>	<b>Page 15</b>

# Executive Summary

- Fieldwork completed in April, completion process in June/July.
- Deliverables
  - Independent auditor's report on basic financial statements
  - Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Prepared in Accordance with *Government Auditing Standards*
  - Required Audit Communications
- We did not identify any significant deficiencies or material weaknesses.
- No instances of noncompliance identified that would have a material effect on the December 31, 2023 financial statements.
- BST issued an unmodified opinion on the basic financial statements.
- Annual Comprehensive Financial Report to be submitted timely to the Government Finance Officers Association for evaluation by July 31, 2024 deadline.
- The City did not expend \$750,000 or greater of federal funding during the year ended December 31, 2023. Accordingly, no Single Audit was required.

# Financial Statement Walkthrough

## Financial Statement Components

- Introductory Section (pages i-xi)
- Financial Section:
  - Independent Auditor's Report (pages 1-3)
  - Management's Discussion and Analysis (pages 4-15)
  - Financial Statements (pages 16-29)
  - Notes to the financial statements (pages 30-65)
  - Required Supplementary Information (page 66-68)
  - Other Supplementary Information (pages 69-79)
- Statistical Section (page 80-99)

# Financial Audit Results

- Area of focus included:
  - Cash and investments
  - Taxes receivables
  - Capital assets
  - Cash receipts and revenue recognition:
    - ✓ Taxes
    - ✓ Non-exchange (licenses/permits/fines/etc.)
    - ✓ Charges for services (boat basin, golf club, governmental activities)
  - Cash disbursements
  - Accounts payable/accrued expense (completeness)
  - Significant accounting estimates
  - Financial reporting process and journal entries

# Financial Audit Results (cont.)

## Procurement

- Examined 35 disbursements stretching across all funds
- Control attributes, including management review and adherence to purchasing policy (PO, bidding, etc.) were met
- Substantive attributes were met

## Payroll Processing

- 20 different payroll transactions covering City Employees
- Obtained personnel files, proofed pay rates, recalculated pay amount
- Reviewed timesheets for hourly employees
- Traced payroll posting from general ledger to payroll reports

## Revenue

- Examined 105 revenue transactions stretching across all funds
- Selected 26 residents and recalculated property tax amount based on rate and assessed property value
- Verified the City collected property tax for the individuals selected for test work



# Financial Audit Results (cont.)

## Other Testing Areas

- Cash and cash equivalents, including investments in New York Cooperative Liquid Asset Securities System and New York Liquid Asset Fund (new for 2023)
- State and Federal Receivables
- Accounts Receivable
- Prepaid Expenses
- Capital Assets
- Debt Obligations
- Accrued Expenses
- Pension Liabilities, Liability, Deferred Outflows of Resources and Deferred Inflows of Resources
- Other Postemployment Benefits Liability, Deferred Outflows of Resources and Deferred Inflows of Resources

# GASB 96 Implementation

As required by the Governmental Accounting Standards Board, the City was required to adopt provisions of GASB 96, *Subscription-Based Information Technology Arrangements*

- Primary objective of this statement is to provide guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs)
- Statement (1) defines a SBITA, (2) establishes that a SBITA is a right-to-use subscription asset and a corresponding liability, (3) provides capitalization criteria for outlays other than subscription payments and (4) requires note disclosures.
- Management and BST reviewed all potential applicable SBITA agreements, noting only 1 agreement fit the description of a SBITA and required implementation.
- At December 31, 2023, the City has a right-to-use asset with a net book value of \$55,134 and a corresponding liability of \$55,721.

# Financial Analysis

## Governmental Activities and Business-Type Activities

- Financial condition of the governmental activities and business-type activities remains strong
- The governmental activities reported an increase in net position of \$7,704,431 for the year ended December 31, 2023
- The governmental activities net position at December 31, 2023 totaled a deficit balance of \$17,564,899, primarily as a result of liabilities such as bonds payable of \$18,285,000, other postemployment benefits of \$97,326,803 and the net pension liability of \$16,160,859
- The business-type activities reported an increase in net position of \$1,750,675 for the year ended December 31, 2023
- The business-type activities net position at December 31, 2023 totaled \$15,145,438

# Financial Analysis

## General Fund – Fund Balance Analysis

	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>
<b>Unassigned fund balance as a percentage of fund balance</b>	36.58%	32.88%	29.84%	34.55%	26.65%
<b>Fund balance as a percentage of expenditures</b>	40.01%	33.99%	44.95%	37.54%	39.30%

- Financial condition of the general fund remains stable.
- Restricted fund balance (legal reserves and other restrictions), approximates \$3.3 million.
- Actual 2023 expenditures were below the amended final budget by \$3.4 million.

# Lessing's

- During audit fieldwork, BST performed certain procedures over the City's contract with Lessing's, Inc. (Lessing's) in relation to Lessing's exclusive catering agreement at the Whitby Castle
- While not in the scope of the audit, these services were performed to provide additional assurance to management over certain aspects of the City's catering agreement
- Procedures performed include:
  - Recalculating the City's portion of commissions based upon the revenue reported by Lessing's and the City's catering agreement that provides base commissions of 7% for gross revenues up to \$1,500,000, 11% for revenues between \$1,500,001-\$2,500,000, 15% of revenues between \$2,500,001-\$4,000,000 and 19% of revenues \$4,000,001 and greater. The City's base commissions were agreed to within an immaterial amount. We vouched 5 of these payments to underlying check copies to ensure payment was made to the City.

# Lessing's

- The catering agreement requires Lessing's to have a marketing spend of \$50,000 or greater annually. We ensured Lessing's exceeded this amount and traced to 5 invoices to ensure the population of marketing spend was accurate and existent.
- The catering agreement requires Lessing's to contribute 2% of gross revenues into a cleaning, repair and maintenance fund. Through discussions with Lessing's management, it was noted the contract does not exactly mirror operations. Instead of contributing to a reserve, Lessing's spends the amounts and provides evidence to City management. For 2023, 2% of gross revenues totaled \$113,610. We received supporting noting Lessing's total spend was \$185,610. We traced to 5 invoices to ensure accuracy and existence of the population.
- As noted, we found no issues or recommendations in relation to our procedures performed over the catering agreement with Lessing's
- We appreciate the opportunity to perform additional, non-required audit services such as these on an annual basis for the City

# City-Wide Observations/Communications

- Personnel were friendly, well organized and knowledgeable
- City's financial records were in good order
- The overall financial health of the City appears strong
- Accounting policies and practices appeared appropriate, no significant changes during the period under audit excluding GASB 96
- No significant and/or unusual transactions were noted
- We evaluated significant accounting estimates, considering the potential for management bias; assumptions were reasonable, and inputs were accurate

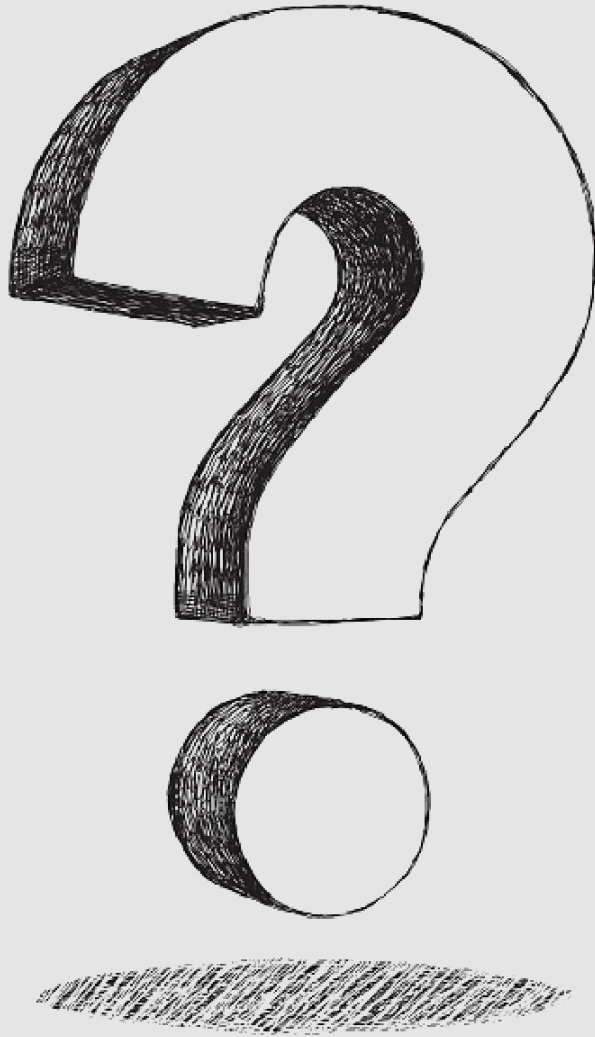
# City-Wide Observations/Communications (cont.)

- We encountered no significant difficulties in the conduct of our audit
- The Finance Department was cooperative and responsive to our inquiries, along with all other City personnel encountered during the conduct of our audit

We truly value the opportunity to be of service to the City of Rye and hope that our input beyond the “traditional audit” was meaningful. We look forward to being of continued service to the City of Rye.



# Questions?



# Thank You!



10 British American Blvd.  
Latham, NY 12210  
(518) 459-6700  
[www.bstco.com](http://www.bstco.com)

Jonathan B. Gibbs, Partner – [jgibbs@bstco.com](mailto:jgibbs@bstco.com)



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Assistant City Manager

**AGENDA ITEM:** Overview of 2024 Consolidated Funding Application and related grants.

**FOR THE MEETING OF:**

July 17, 2024

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

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached memo.



# CITY OF RYE

## MEMORANDUM

**TO:** Greg Usry, City Manager

**FROM:** Brian Shea, Assistant City Manager

**DATE:** July 11, 2024

**RE:** New York State Grant Applications

---

### **2024 Consolidated Funding Application**

Working with Millennium Strategies, City staff have identified several state grant programs that are consistent with the City's ongoing needs and priorities as well as the Capital Improvement Plan. There are several possible programs and projects in the annual grant cycle. However, as we have done in the recent past, we are prioritizing based upon actual need and only pursuing grants that are in support of projects identified by the City Council as priorities, or those staff-identified immediate needs. In each case there are matching requirements that must be met by the City. In all cases those assumptions are included in the annual CIP, including the financial model.

The City will be seeking letters of support for each of these applications from Senator Mayer and Assemblyman Otis. Both Senator Mayer and Assemblyman Otis have been instrumental in the City's recent successes securing grant funding for critical capital projects – including replacement of the salt shed, storm water enhancements, and sewer infrastructure improvements.

Over the course of the next several weeks, the City is preparing to apply for several grant products under New York State's Consolidated Funding Application (CFA). Identified grant opportunities in 2024 CFA include:

- **Water Quality Improvement Program (WQIP)**  
This grant application is for costs related to professional services, materials and construction of the new Salt Shed at Disbrow Park. The total cost of the project is approximately \$2.1 million. The required local match is 25% of the award total. (Max award: \$600,000). \$400,000 in state grant funds have already been secured for this project by New York State Senator Shelley Mayer. Although the project is underway, the grant program requirements provide that this will be an eligible application based on the current project timeline.
- **Climate Smart Communities (CSC) Grant**  
This grant application is for Locust Avenue Bridge Replacement. This bridge replacement was identified as a priority project in the Blind Brook Flood Mitigation and Resilience Report conducted by SLR and sponsored by the New York State Department of Environmental Conservation. The replacement provides for better water flow in storm events and help in the city's broader plans to mitigate flooding on the Blind Brook watershed and within Rye's Central

Business District. The City has already been awarded \$5 million under the BridgeNY Program for this project. The City is seeking \$2 million under the Climate Smart Communities Program. Total project cost is currently estimated to be over \$10 million. The required local match is 50% of total eligible project costs. This project will be represented in the 2024 Capital Improvement Plan, which will be presented in August. The City also has a Congressional appropriation request for this project, which was advanced by both Senators Schumer and Gillibrand.

- **Climate Smart Communities (CSC) Grant**

This grant application is for the City's Comprehensive Plan. In order to be funded, the plan must incorporate sustainability elements. The City is seeking the maximum award of \$200k. The required local match is 50% of total eligible project costs. The City has already budgeted \$250k in the 2024 budget for this project.

### **Other Grant Opportunities**

- **Clean Energy Communities (CEC) Grants**

City staff have submitted for three grants under the Clean Energy Communities (CEC) Program totaling \$122,500.00. These grant opportunities are made possible by collaboration between members of the Rye Sustainability Committee and City staff. The funding will be used for the following:

- \$22,500 will be used for the purchase of electric lawn equipment.
- \$100,000 will be used for the purchase of an Electric Vehicle and the purchase and installation of a Level 2 EV Charging station at Rye PD.

- **Green Resiliency Grant (GRG) Program (Environmental Bond Act)**

This grant program is being funded through the Environmental Bond Act. GRG may fund up to 90 percent of eligible project costs with a maximum grant of \$10 million. GRG projects must have a minimum total project cost of \$1 million and be capable of capturing, treating, or reducing the time of concentration for a minimum of 100,000 cubic feet of stormwater runoff annually. City staff will be advancing an application in August based on existing projects and Council identified priorities. Eligible projects include:

- ✓ Bioretention and bioswales;
- ✓ Permeable pavements or other permeable surfaces;
- ✓ Stormwater street trees;
- ✓ Urban forestry programs;
- ✓ Stormwater retention, retrofits, and slow-release designs.

- **Other Environmental Bond Act Opportunities**

It is expected that the State will continue to program and release Environmental Bond Act funding opportunities in the coming months. Working with our consultants, City staff are monitoring these programs and will work to align funding opportunities with Council identified priorities and operational needs.

###



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Assistant City Manager

**AGENDA ITEM:** Resolution of the City Council of the City of Rye authorizing the filing of a Climate Smart Communities grant application for \$2,000,000.

**FOR THE MEETING OF:**

July 17, 2024

**RECOMMENDATION:** That the Council consider the resolution.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached resolution.



# **CITY OF RYE**

## **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RYE AUTHORIZING THE FILING OF A CLIMATE SMART COMMUNITIES GRANT APPLICATION**

WHEREAS, the City of Rye hereby requests financial assistance from the New York State Climate Smart Communities grant program pursuant to Environmental Conservation Law Article 54, Title 15.

WHEREAS, the City of Rye certifies that it has identified \$2,000,000 of matching funds from the City's General Capital Projects Account pursuant to the requirements of Environmental Conservation Law Article 54 Title 15.

NOW, THEREFORE, BE IT RESOLVED, that the City of Rye hereby authorizes Greg Usry, City Manager, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$2,000,000, to be used for the Locust Avenue Bridge Replacement Project.

Adopted this 17th day of July, 2024.



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Assistant City Manager

**AGENDA ITEM:** Resolution of the City Council of the City of Rye authorizing the filing of a Climate Smart Communities grant application for \$200,000.

**FOR THE MEETING OF:**

July 17, 2024

**RECOMMENDATION:** That the Council consider the resolution.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached resolution.





# **CITY OF RYE**

## **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RYE AUTHORIZING THE FILING OF A CLIMATE SMART COMMUNITIES GRANT APPLICATION**

WHEREAS, the City of Rye hereby requests financial assistance from the New York State Climate Smart Communities grant program pursuant to Environmental Conservation Law Article 54, Title 15.

WHEREAS, the City of Rye certifies that it has identified \$200,000 of matching funds from the City's General Fund pursuant to the requirements of Environmental Conservation Law Article 54 Title 15.

NOW, THEREFORE, BE IT RESOLVED that the City of Rye hereby authorizes Greg Usry, City Manager, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$200,000 to be used for the City of Rye Comprehensive Plan Project.

Adopted this 17th day of July, 2024



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution authorizing the City Manager to execute a supplemental funding agreement with the New York State Department of Transportation regarding the Theodore Fremd wall.

**FOR THE MEETING OF:**

July 17, 2024

**RECOMMENDATION:** That the Council consider the resolution.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached resolution.



# CITY OF RYE

## RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL FUNDING AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGARDING THE THEODORE FREM'D WALL

WHEREAS, a Project for the **ER 2007 Floods - Central Ave Bridge Replacement in the City of Rye, Westchester County, PIN 8701.43** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, a Resolution adopted by the City of Rye on May 28, 2008 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and construction work; and

WHEREAS, it was subsequently found necessary to undertake additional construction work not contemplated in the original agreement authorized by the previous Resolution; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the additional construction work for the project; and

NOW, THEREFORE, the Rye City Council, duly convened does hereby

RESOLVE, that the Rye City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Rye City Council hereby authorizes the City of Rye to pay in the first instance 100% of the federal and non-federal share of the cost of the additional construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of **\$367,500** (\$3,152,361 minus the previous funding of \$2,784,861) is hereby appropriated from the Capital Projects Reserve account and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Rye City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Manager thereof, and it is further

RESOLVED, that the Manager of the City of Rye be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Rye with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-

aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Manager, the following municipal titles: Commissioner of Public Works, City Engineer, and City Comptroller are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

STATE OF NEW YORK                    )  
                                                          ) SS:  
COUNTY OF WESTCHESTER            )

I, \_\_\_\_\_, Clerk of the City of Rye, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said \_\_\_\_\_ at a meeting duly called and held at the \_\_\_\_\_ on \_\_\_\_\_ by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the City of Rye, New York, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Clerk, City of Rye



# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Consideration of a retroactive request from Apple Studios to film an episode of "Swipe" on Purchase Street and Purdy Avenue on July 17th, 2024.

**FOR THE MEETING OF:**

July 17, 2024

**RECOMMENDATION:** That the Council consider the request.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See the attached memo and map.

Noga Ruttenberg  
City Clerk  
1051 Boston Post Road  
Rye, NY 10580



Tel: (914) 967-7308  
E-mail:  
nruttenberg@ryeny.gov  
<http://www.ryeny.gov>

## CITY OF RYE

### Inter-Office Memorandum

---

**To:** Greg Usry, City Manager  
**From:** Noga Ruttenberg, City Clerk  
**Date:** July 2, 2024  
**Re:** Film Permit Request

Apple Studios has requested to film again on July 17, 2024. Like the last permit, the studio has requested 35 spaces in Car Park 4 in addition to half of the Highland Lot from 7am – 7pm. The parking spaces asked for this time are those that abut School St (the northeast section of the lot) as seen highlighted in the attached. The reason for moving the parking area is because the cameras might see out the exterior windows of the coffee shop.

The studio is also requesting some street parking on Purdy Ave, which is reflected in the attached map. The studio would like the 4 spaces directly in front of the coffee shop on Purdy, as well as the 2 that are in front of the shop across the street. Those are shown as boxes labeled "picture" on the map. Lastly, there are 4 spots on the west side of the Coffee Shop labeled as "staging" on the map. They need those to stage lights but likely only until about 3pm.

Trucks and early prep crews will arrive at 7am to set up. Filming will last from 9am-6pm and will wrap by 7pm. The Commissioner of Public Safety has reviewed and approved the request and there are no other conflicts with construction or paving projects in the area.

The City Council will need to retroactively approve the request at the July 17<sup>th</sup> meeting since there is not another meeting before the day of the film shoot.



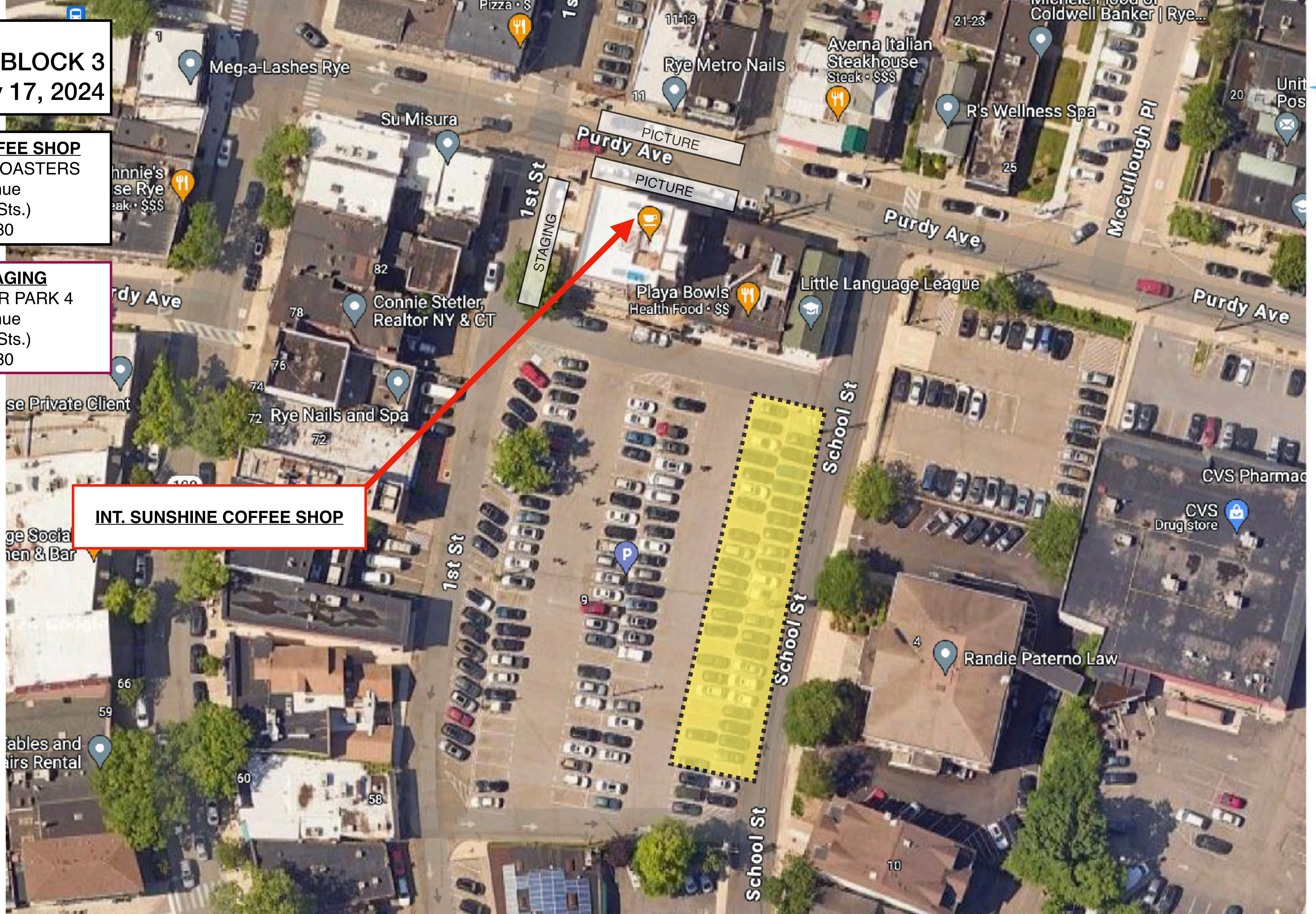


**SWIPE** BLOCK 3  
July 17, 2024

**INT. SUNSHINE COFFEE SHOP**  
SUNSHINE COFFE ROASTERS  
12 Purdy Avenue  
(bet. 1st & 2nd Sts.)  
Rye, NY 10580

**BOX TRUCK STAGING**  
RYE MUNICIPAL CAR PARK 4  
12 Purdy Avenue  
(bet. 1st & 2nd Sts.)  
Rye, NY 10580

**INT. SUNSHINE COFFEE SHOP**







# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution amending the 2024 Budget by increasing the parking, painting & decorating expense line by \$19,000 (Central Business District Decorations).

**FOR THE MEETING OF:**

July 17, 2024

**RECOMMENDATION:** That the Council consider amending the budget to allocate the requested funding for the Rye Chamber of Commerce's holiday decorations.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** See attached resolution and email.





# CITY OF RYE

## **RESOLUTION AMENDING THE 2024 CITY BUDGET BY INCREASING THE PARKING, PAINTING & DECORATING EXPENSE LINE BY \$19,000**

WHEREAS, the City's permit revenues have exceeded projections due to the issuance of film permits to Apple Studios; and

WHEREAS, the filming that has taken place in Rye and led to this unforeseen revenue has impacted the Central Business District centered on Purchase Street, with the production crews using parking spaces; and

WHEREAS, the City Council has approved certain plans to add holiday decorations to the Central Business District later this year, which would cost the Rye Chamber of Commerce approximately \$40,000, but will benefit local businesses and residents by making the Rye Central Business District more inviting and festive this Winter; and

WHEREAS, the City Council sees it fitting to use some of this unexpected film permit revenue to support the Rye Chamber of Commerce, the Central Business District, and local merchants;

NOW, THEREFORE, BE IT RESOLVED, the City of Rye hereby amends the 2024 budget to increase the parking, painting & decorating expense line by \$19,000, which will be transferred to the Rye Chamber of Commerce to cover approximately 50 percent of the purchase and installation price of their approved holiday decoration package.

---

**Greg Usry**

City Manager

**Phone:** 914-967-7411**Email:** [gusry@ryeny.gov](mailto:gusry@ryeny.gov)

City Hall

1051 Boston Post Road

Rye, NY 10580

[www.ryeny.gov](http://www.ryeny.gov)

---

**From:** Tim Cacase**Sent:** Tuesday, July 9, 2024 8:31 AM**To:** Brian Jackson**Cc:** Usry, Greg G. Samantha Benson; Sula Pearlman**Subject:** Re: Rye Chamber of Commerce / Seasonal Lights Funding

Perfect Brian, well done! See everyone tomorrow.

Sent from my iPhone

On Jul 9, 2024, at 7:41 AM, Brian Jackson  
<bjackson wrote:

Rye City Council and Mr. Greg Usry,  
The Rye Chamber of Commerce thanks you for the approval of the new seasonal light fixtures that we know will bring a fresh sense of holidays to the downtown area. Per the approved presentation, the cost for the light displays, installation, and refurbishing of our original, non-lit displays is \$38,330.00. Mr. Usry and the Rye Chamber of Commerce have had discussions on the availability of funds reserved for City of Rye

beautification projects that have been generated by production studios in recent months. Our conversations have concluded that we are extremely grateful for the offer to help ease the Chamber's burden of cost, by sharing that with the city from this reserve of non-taxpayer generated funds.

Mr. Usry and I have agreed that a 50/50 split of the costs of the holiday displays between the City of Rye and the Chamber would be appropriate, as the chamber board is comprised solely of volunteers, and operates as a non-profit, not maintaining any significant monetary resources. We fund our current programs only with the annual dues that we collect from members. The Rye Chamber of Commerce will generate the balance of the cost through donations and fundraising efforts.

The Rye Chamber of Commerce respectfully requests the City Council's consideration and approval of this cost sharing agreement and request the disbursement of funds in the sum of \$19,000.00 to American Christmas, the vendor we have contracted to create and refurbish the seasonal lights. We invite any questions or concerns and look forward to hearing from you.

Regards,

Brian Jackson

President

Rye Chamber of Commerce



# CITY COUNCIL AGENDA

DEPT.: City Departments

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution to declare certain City equipment as surplus.

**FOR THE MEETING OF:**

July 17, 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 listed Department Heads to donate or 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:** The Harbor Master of the Rye Municipal Boat Basin has provided the attached memos regarding equipment that needs to be declared surplus.

Rodrigo Paulino  
Harbor Master  
650 Milton Rd  
Rye, New York 10580



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

# Boat Basin

## Memorandum

---

To: Greg Usry, City Manager  
From: Rodrigo Paulino, Harbor Master  
Date: 7/12/2024  
Re: Abandoned Vessel Surplus

---

**The Boat Basin would like to surplus a 2003 Maxum 30' Power Boat (Hull ID: MXYA69MUC303) that has been stored at the Boat Basin since 2023. This vessel has now remained at the Boat Basin for approximately one year without the Boat Basin receiving payment for such services and has an outstanding balance of \$5,908.29.**

**The city's attorney has reviewed the paperwork to ensure compliance with the city's surplus policy. After multiple attempts to communicate with the owner without any success, the Boat Basin has taken the necessary procedures to have the vessel auctioned and/or disposed of as per the city's surplus policy.**

-----

[Type here]



## CITY OF RYE

CITY HALL • RYE, NEW YORK 10580  
TELEPHONE (914) 967-5400

May 20th, 2024

**VIA REGULAR MAIL & CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Samuels, Corey  
33 Summit Ave  
Rye, NY 10580

**FINAL NOTICE OF OUTSTANDING BALANCE & REMOVAL OF VESSEL FROM BOAT**  
**BASIN**

Dear Mr. Samuels,

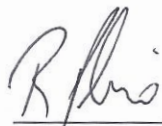
Please let this letter serve as notice that your vessel (2003 Maxum 30' Power Boat Hull ID MXYA69MUC303) (the "Vessel") has an outstanding balance due of **\$5,908.29**. Per the records of the City of Rye, this amount is the cumulative total of the following outstanding charges owed, as detailed in the attached invoice.

The City of Rye has taken the necessary procedures to have the Vessel removed from the Boat Basin and stored accordingly upon prior notice(s) provided to you. As the Vessel has now remained at the Boat Basin and in storage with the City of Rye receiving continuous late and nonpayment for such services, the outstanding balance must be paid and the Vessel removed immediately.

This final notice is being provided to allow for the outstanding balance of **\$5,908.29** to be paid by or before **June 20, 2024** in order to redeem the Vessel, pursuant to Rye City Code Chapter 64, Section 10. If payment is not received by **June 20, 2024** and the Vessel is not removed, the City of Rye will deem the Vessel abandoned and undergo the necessary legal procedures to vest

title of the Vessel. After title has vested in the City of Rye, the Vessel may be sold at auction, or otherwise disposed of accordingly, at the discretion of the Harbor Master.

Please contact the Boat Basin to address this outstanding balance or to speak further as to these procedures.



---

Rodrigo Paulino  
Harbor Master  
650 Milton Road  
Rye, New York 10580  
P: (914) 967-2011  
[rpaulino@ryeny.gov](mailto:rpaulino@ryeny.gov)

# INVOICE

650 Milton Road  
Rye NY 10580  
(914) 967-2011



Samuels, Corey  
33 Summit Ave  
Rye NY 10580

Date	05/20/2024
Account	011-75171
Payment Link	

Date	Item Description / Permit	Amount
05/06/2024	Balance as of 05/06/2024	\$ 0.00
08/23/2023	2023/2024 Winter Storage on Land - Resident - qty 29 @ \$ 45.00	\$ 1,305.00
08/23/2023	Sales Tax - 2023/2024 Winter Storage on Land - Resident	\$ 109.29
09/20/2023	Sales Tax - Slip Meter Usage	\$ 31.07
09/20/2023	Slip Meter Usage - qty 371 @ \$ 1.00	\$ 371.00
11/06/2023	LATE FEE - qty 90.81 @ \$ 1.00	\$ 90.81
01/02/2024	LATE FEE - qty 19.07 @ \$ 1.00	\$ 19.07
01/03/2024	2024 Mooring - m413 Fee Flat Fee	\$ 300.00
01/03/2024	2024 Mooring - M414 Fee Flat Fee	\$ 300.00
01/03/2024	2024 Slip Resident - A292 Power 29.0 ft @ \$105 PER FT	\$ 3,045.00
03/04/2024	LATE FEE - qty 278.56 @ \$ 1.00	\$ 278.56
05/10/2024	LATE FEE - qty 58.49 @ \$ 1.00	\$ 58.49
<b>Balance</b>		<b>\$ 5,908.29</b>

Winter storage payments are due by November 1st.  
 Summer Storage payments are due by February 15th.  
 All payments received after the due dates will be charged a 5% late fee.  
 Credit Card and E-Check payments accepted for additional processing fees.  
**MEMBERSHIP WILL NOT BE RENEWED UNLESS ALL DOCUMENTS ARE ON FILE WITH THE MARINA OFFICE.**  
 Please make checks payable to THE CITY OF RYE.

*REMITTANCE Mail this portion back with your payment. Please make any corrections in the margin below*

Rye, New York Rye Boat Basin 650 Milton Road Rye NY 10580 (914) 967-2011

Samuels, Corey  
33 Summit Ave  
Rye NY 10580

Date	05/20/2024
Account	011-75171



Balance

\$ 5,908.29

## Paulino, Rodrigo

---

**From:** Wilson, Kristen K.  
**Sent:** Thursday, June 27, 2024 10:50 AM  
**To:** Paulino, Rodrigo  
**Subject:** RE: Abandoned Boat

Thanks Rodrigo. Do you have a phone number for the owner? We can move forward with the surplus process. Is the boat in decent condition?

Kristen K. Wilson, Esq.  
Corporation Counsel  
City of Rye  
(914) 967-7074

**From:** Paulino, Rodrigo <rpaulino@ryeny.gov>  
**Sent:** Thursday, June 27, 2024 10:23 AM  
**To:** Wilson, Kristen K. <kwilson@ryeny.gov>  
**Subject:** Abandoned Boat

Hi Kristen,

We have a boat that has been stored here since last year without payment. The boat has an open balance for winter storage as well as storage for this summer. This vessel is also parked in the front parking lot of the marina and we would like to have it removed as soon as possible in order to free up parking. On May 20<sup>th</sup>, we mailed a final notice via regular mail & certified mail with return receipt. It has now been over 30 days since the final notice was mailed and we would like to proceed with the surplus process. I just wanted to run this by you prior to obtaining council approval. Please let me know if we missed anything or if we can proceed with council approval.

Thank You



**Rodrigo Paulino, CMM**  
Harbor Master

**Phone:** 914-967-2011

**Email:** [Rpaulino@ryeny.gov](mailto:Rpaulino@ryeny.gov)

City of Rye Boat Basin  
650 Milton Rd  
Rye, NY 10580

[www.ryeny.gov](http://www.ryeny.gov)



9589 0710 5270 1204 6918 00

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Rye, NY 10580

Certified Mail Fee	\$4.40
Extra Services & Fees (check box, add fee as appropriate)	\$3.35
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.68
<b>Total Postage and Fees</b>	<b>\$8.73</b>



Sent To Cory Samuels  
 Street and Apt. No. / or PO Box No. 33 Summit Ave  
 City, State, ZIP+4® Rye, NY 10580

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



RYE  
 41 PURDY AVE  
 RYE, NY 10580-9998  
 (800) 275-8777

05/20/2024

Product	Qty	Unit Price	Price	01:51 PM
PurpleHeartMedal	1	\$0.68	\$0.68	
First-Class Mail® Letter	1	\$0.68	\$0.68	


Rye, NY 10580  
 Weight: 0 lb 0.60 oz  
 Estimated Delivery Date  
 Wed 05/22/2024  
 Certified Mail®

Tracking #: 9589 0710 5270 1204 6918 00 \$4.40  
 Return Receipt Tracking #: 9590 9402 7612 2122 0473 03 \$3.65  
 Total \$8.73

Grand Total: \$9.41

Credit Card Remit  
 Card Name: VISA \$9.41  
 Account #: XXXXXXXXXXXX5571 \$9.41  
 Approval #: 210215  
 Transaction #: 134  
 AID: A0000000031010  
 AL: VISA CREDIT  
 PIN: Not Required  
 chip

Text your tracking number to 28777 (21KDS)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p>Corey Samuels 33 Summit Ave Rye, NY 10580</p>	<p>B. Received by (Printed Name) _____ C. Date of Delivery <u>05-21</u></p>
<p>Barcode:  9590 9402 7612 2122 0473 03</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p><b>MAY 21 2024</b></p>
<p>2. Article Number (Transfer from service label)</p> <p>9589 0710 5270 1204 6918 00</p>	<p>3. Service Type</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adult Signature</li> <li><input type="checkbox"/> Adult Signature Restricted Delivery</li> <li><input checked="" type="checkbox"/> Certified Mail®</li> <li><input type="checkbox"/> Certified Mail Restricted Delivery</li> <li><input type="checkbox"/> Collect on Delivery</li> <li><input type="checkbox"/> Collect on Delivery Restricted Delivery</li> <li><input type="checkbox"/> Insured Mail</li> <li><input type="checkbox"/> Priority Mail Express®</li> <li><input type="checkbox"/> Registered Mail™</li> <li><input type="checkbox"/> Registered Mail Restricted Delivery</li> <li><input type="checkbox"/> Signature Confirmation™</li> <li><input type="checkbox"/> Signature Confirmation Restricted Delivery</li> </ul> <p>Mail Restricted Delivery (00)</p>
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053 <span style="float: right;">Domestic Return Receipt</span></p>	

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Rye, NY 10580

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68

**Total Postage and Fees \$8.73**

**MAY 20 2024**

05/20/2024





# CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Consideration of a request by Christ's Church for use of the City streets (Rectory Street) on the following dates:

- 09/08/2024 – 7:00am to 1:00pm – Homecoming Picnic
- 09/28/2024 – 8:00am – 5:00pm – CCNS Welcome Back Event
- 10/04/2024 – 3:00pm to 5:30pm – Drive by Blessing of the Animals
- 12/07/2024 – 8:00am to 5:00pm – Christmas tree sale
- 06/15/2025 – 10:00am to 2:00pm Summer Picnic

**FOR THE MEETING OF:**

July 17, 2024

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

RESOLVED the City Council approves use of City streets on the requested dates for Christ's Church events.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** Christ's Church is requesting use of Rectory Street for various events for the remainder of 2024 through June 2025.

See attached COI and email.



RYENEW0002

CWEBSTER

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/8/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> License # 957262 <b>The Church Insurance Agency Corp</b> 210 South Street, Suite 2 Bennington, VT 05201-2894	<b>CONTACT NAME:</b> <b>PHONE</b> (A/C, No, Ext): (800) 293-3525 <b>FAX</b> (A/C, No): (800) 557-1395 <b>E-MAIL ADDRESS:</b>  <table style="width: 100%;"> <tr> <td style="text-align: center;"><b>INSURER(S) AFFORDING COVERAGE</b></td> <td style="text-align: center;"><b>NAIC #</b></td> </tr> <tr> <td><b>INSURER A : Church Ins Co of Vermont</b></td> <td><b>10669V</b></td> </tr> <tr> <td><b>INSURER B :</b></td> <td></td> </tr> <tr> <td><b>INSURER C :</b></td> <td></td> </tr> <tr> <td><b>INSURER D :</b></td> <td></td> </tr> <tr> <td><b>INSURER E :</b></td> <td></td> </tr> <tr> <td><b>INSURER F :</b></td> <td></td> </tr> </table>	<b>INSURER(S) AFFORDING COVERAGE</b>	<b>NAIC #</b>	<b>INSURER A : Church Ins Co of Vermont</b>	<b>10669V</b>	<b>INSURER B :</b>		<b>INSURER C :</b>		<b>INSURER D :</b>		<b>INSURER E :</b>		<b>INSURER F :</b>	
<b>INSURER(S) AFFORDING COVERAGE</b>	<b>NAIC #</b>														
<b>INSURER A : Church Ins Co of Vermont</b>	<b>10669V</b>														
<b>INSURER B :</b>															
<b>INSURER C :</b>															
<b>INSURER D :</b>															
<b>INSURER E :</b>															
<b>INSURER F :</b>															
<b>INSURED</b>  <b>Christ Church</b> <b>2 Rectory St</b> <b>Rye, NY 10580-3830</b>															

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS																					
<b>A</b>	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	<b>X</b>		<b>NYS0001962PP</b>	<b>7/15/2024</b>	<b>7/15/2025</b>	<table style="width: 100%;"> <tr><td>EACH OCCURRENCE</td><td style="text-align: right;">\$</td><td style="text-align: right;"><b>1,000,000</b></td></tr> <tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td style="text-align: right;">\$</td><td style="text-align: right;"><b>1,000,000</b></td></tr> <tr><td>MED EXP (Any one person)</td><td style="text-align: right;">\$</td><td style="text-align: right;"><b>30,000</b></td></tr> <tr><td>PERSONAL &amp; ADV INJURY</td><td style="text-align: right;">\$</td><td style="text-align: right;"><b>1,000,000</b></td></tr> <tr><td>GENERAL AGGREGATE</td><td style="text-align: right;">\$</td><td style="text-align: right;"><b>5,000,000</b></td></tr> <tr><td>PRODUCTS - COMP/OP AGG</td><td style="text-align: right;">\$</td><td style="text-align: right;"><b>1,000,000</b></td></tr> <tr><td></td><td style="text-align: right;">\$</td><td></td></tr> </table>	EACH OCCURRENCE	\$	<b>1,000,000</b>	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	<b>1,000,000</b>	MED EXP (Any one person)	\$	<b>30,000</b>	PERSONAL & ADV INJURY	\$	<b>1,000,000</b>	GENERAL AGGREGATE	\$	<b>5,000,000</b>	PRODUCTS - COMP/OP AGG	\$	<b>1,000,000</b>		\$	
EACH OCCURRENCE	\$	<b>1,000,000</b>																										
DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	<b>1,000,000</b>																										
MED EXP (Any one person)	\$	<b>30,000</b>																										
PERSONAL & ADV INJURY	\$	<b>1,000,000</b>																										
GENERAL AGGREGATE	\$	<b>5,000,000</b>																										
PRODUCTS - COMP/OP AGG	\$	<b>1,000,000</b>																										
	\$																											
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						<table style="width: 100%;"> <tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td style="text-align: right;">\$</td><td></td></tr> <tr><td>BODILY INJURY (Per person)</td><td style="text-align: right;">\$</td><td></td></tr> <tr><td>BODILY INJURY (Per accident)</td><td style="text-align: right;">\$</td><td></td></tr> <tr><td>PROPERTY DAMAGE (Per accident)</td><td style="text-align: right;">\$</td><td></td></tr> <tr><td></td><td style="text-align: right;">\$</td><td></td></tr> </table>	COMBINED SINGLE LIMIT (Ea accident)	\$		BODILY INJURY (Per person)	\$		BODILY INJURY (Per accident)	\$		PROPERTY DAMAGE (Per accident)	\$			\$							
COMBINED SINGLE LIMIT (Ea accident)	\$																											
BODILY INJURY (Per person)	\$																											
BODILY INJURY (Per accident)	\$																											
PROPERTY DAMAGE (Per accident)	\$																											
	\$																											
<b>A</b>	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ <b>10,000</b>	<b>X</b>		<b>NYS0001962PP</b>	<b>7/15/2024</b>	<b>7/15/2025</b>	<table style="width: 100%;"> <tr><td>EACH OCCURRENCE</td><td style="text-align: right;">\$</td><td style="text-align: right;"><b>10,000,000</b></td></tr> <tr><td>AGGREGATE</td><td style="text-align: right;">\$</td><td style="text-align: right;"><b>10,000,000</b></td></tr> <tr><td></td><td style="text-align: right;">\$</td><td></td></tr> </table>	EACH OCCURRENCE	\$	<b>10,000,000</b>	AGGREGATE	\$	<b>10,000,000</b>		\$													
EACH OCCURRENCE	\$	<b>10,000,000</b>																										
AGGREGATE	\$	<b>10,000,000</b>																										
	\$																											
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		<b>N / A</b>				<table style="width: 100%;"> <tr><td>PER STATUTE</td><td style="text-align: right;">\$</td><td>OTH-ER</td><td style="text-align: right;">\$</td></tr> <tr><td>E.L. EACH ACCIDENT</td><td style="text-align: right;">\$</td><td></td><td></td></tr> <tr><td>E.L. DISEASE - EA EMPLOYEE</td><td style="text-align: right;">\$</td><td></td><td></td></tr> <tr><td>E.L. DISEASE - POLICY LIMIT</td><td style="text-align: right;">\$</td><td></td><td></td></tr> </table>	PER STATUTE	\$	OTH-ER	\$	E.L. EACH ACCIDENT	\$			E.L. DISEASE - EA EMPLOYEE	\$			E.L. DISEASE - POLICY LIMIT	\$							
PER STATUTE	\$	OTH-ER	\$																									
E.L. EACH ACCIDENT	\$																											
E.L. DISEASE - EA EMPLOYEE	\$																											
E.L. DISEASE - POLICY LIMIT	\$																											

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
**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 AFFECT THAT INTEREST, IN ACCORDANCE WITH THE POLICY PROVISIONS OR REQUIRED BY LAW.**

All operations of the named insured including Road Closures throughout the policy term in connection with which the certificate holder is named as an additional insured but only in connection with the actions and negligence of the named insured.

**CERTIFICATE HOLDER****CANCELLATION**

<b>City Of Rye</b> 1051 Boston Rd Rye, NY 10580-2945	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



RYENEW0002

CWEBSTER

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/8/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> License # 957262 <b>The Church Insurance Agency Corp</b> 210 South Street, Suite 2 Bennington, VT 05201-2894	<b>CONTACT NAME:</b> <b>PHONE</b> (A/C, No, Ext): (800) 293-3525 <b>FAX</b> (A/C, No): (800) 557-1395 <b>E-MAIL ADDRESS:</b>  <table style="width: 100%;"> <tr> <td style="text-align: center;"><b>INSURER(S) AFFORDING COVERAGE</b></td> <td style="text-align: center;"><b>NAIC #</b></td> </tr> <tr> <td><b>INSURER A : Church Ins Co of Vermont</b></td> <td><b>10669V</b></td> </tr> <tr> <td><b>INSURER B :</b></td> <td></td> </tr> <tr> <td><b>INSURER C :</b></td> <td></td> </tr> <tr> <td><b>INSURER D :</b></td> <td></td> </tr> <tr> <td><b>INSURER E :</b></td> <td></td> </tr> <tr> <td><b>INSURER F :</b></td> <td></td> </tr> </table>	<b>INSURER(S) AFFORDING COVERAGE</b>	<b>NAIC #</b>	<b>INSURER A : Church Ins Co of Vermont</b>	<b>10669V</b>	<b>INSURER B :</b>		<b>INSURER C :</b>		<b>INSURER D :</b>		<b>INSURER E :</b>		<b>INSURER F :</b>	
<b>INSURER(S) AFFORDING COVERAGE</b>	<b>NAIC #</b>														
<b>INSURER A : Church Ins Co of Vermont</b>	<b>10669V</b>														
<b>INSURER B :</b>															
<b>INSURER C :</b>															
<b>INSURER D :</b>															
<b>INSURER E :</b>															
<b>INSURER F :</b>															
<b>INSURED</b>  <b>Christ Church</b> <b>2 Rectory St</b> <b>Rye, NY 10580-3830</b>															

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS														
<b>A</b>	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	<b>X</b>		<b>NYS0001962PP</b>	<b>7/15/2024</b>	<b>7/15/2025</b>	<table style="width: 100%;"> <tr><td>EACH OCCURRENCE</td><td style="text-align: right;">\$ <b>1,000,000</b></td></tr> <tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td style="text-align: right;">\$ <b>1,000,000</b></td></tr> <tr><td>MED EXP (Any one person)</td><td style="text-align: right;">\$ <b>30,000</b></td></tr> <tr><td>PERSONAL &amp; ADV INJURY</td><td style="text-align: right;">\$ <b>1,000,000</b></td></tr> <tr><td>GENERAL AGGREGATE</td><td style="text-align: right;">\$ <b>5,000,000</b></td></tr> <tr><td>PRODUCTS - COMP/OP AGG</td><td style="text-align: right;">\$ <b>1,000,000</b></td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> </table>	EACH OCCURRENCE	\$ <b>1,000,000</b>	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ <b>1,000,000</b>	MED EXP (Any one person)	\$ <b>30,000</b>	PERSONAL & ADV INJURY	\$ <b>1,000,000</b>	GENERAL AGGREGATE	\$ <b>5,000,000</b>	PRODUCTS - COMP/OP AGG	\$ <b>1,000,000</b>		\$
EACH OCCURRENCE	\$ <b>1,000,000</b>																				
DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ <b>1,000,000</b>																				
MED EXP (Any one person)	\$ <b>30,000</b>																				
PERSONAL & ADV INJURY	\$ <b>1,000,000</b>																				
GENERAL AGGREGATE	\$ <b>5,000,000</b>																				
PRODUCTS - COMP/OP AGG	\$ <b>1,000,000</b>																				
	\$																				
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						<table style="width: 100%;"> <tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td style="text-align: right;">\$</td></tr> <tr><td>BODILY INJURY (Per person)</td><td style="text-align: right;">\$</td></tr> <tr><td>BODILY INJURY (Per accident)</td><td style="text-align: right;">\$</td></tr> <tr><td>PROPERTY DAMAGE (Per accident)</td><td style="text-align: right;">\$</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> </table>	COMBINED SINGLE LIMIT (Ea accident)	\$	BODILY INJURY (Per person)	\$	BODILY INJURY (Per accident)	\$	PROPERTY DAMAGE (Per accident)	\$		\$				
COMBINED SINGLE LIMIT (Ea accident)	\$																				
BODILY INJURY (Per person)	\$																				
BODILY INJURY (Per accident)	\$																				
PROPERTY DAMAGE (Per accident)	\$																				
	\$																				
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						<table style="width: 100%;"> <tr><td>EACH OCCURRENCE</td><td style="text-align: right;">\$</td></tr> <tr><td>AGGREGATE</td><td style="text-align: right;">\$</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> </table>	EACH OCCURRENCE	\$	AGGREGATE	\$		\$								
EACH OCCURRENCE	\$																				
AGGREGATE	\$																				
	\$																				
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below <input type="checkbox"/> N / A						<table style="width: 100%;"> <tr><td>PER STATUTE    OTH-ER</td><td style="text-align: right;"></td></tr> <tr><td>E.L. EACH ACCIDENT</td><td style="text-align: right;">\$</td></tr> <tr><td>E.L. DISEASE - EA EMPLOYEE</td><td style="text-align: right;">\$</td></tr> <tr><td>E.L. DISEASE - POLICY LIMIT</td><td style="text-align: right;">\$</td></tr> </table>	PER STATUTE    OTH-ER		E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$						
PER STATUTE    OTH-ER																					
E.L. EACH ACCIDENT	\$																				
E.L. DISEASE - EA EMPLOYEE	\$																				
E.L. DISEASE - POLICY LIMIT	\$																				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
**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 AFFECT THAT INTEREST, IN ACCORDANCE WITH THE POLICY PROVISIONS OR REQUIRED BY LAW.**

All operations of the named insured including Road Closures throughout the policy term in connection with which the certificate holder is named as an additional insured but only in connection with the actions and negligence of the named insured.

**CERTIFICATE HOLDER****CANCELLATION**

<b>Rye Town Park Commission</b> 95 Dearborn Ave Rye, NY 10580-2435	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  <b>AUTHORIZED REPRESENTATIVE</b> 
--------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------





Hi John,

Can you please use this list of dates instead (I've added in 1 more). Please keep us posted, thank you!

Sunday, 9/8 7:00am-1:0 pm - Homecoming Picnic

Saturday, 9/28 8:00am-5:00pm - CCNS welcome back event

Friday, 10/4 3:00pm-5:30pm - Drive by Blessing of the Animals

Saturday, 12/7 8:00am-5:00pm - Christmas Tree Sale

Sunday, 6/15 10:00am-2:00pm - Summer Picnic

*Best,*

*Jannine Moran*

*Parish Administrator*

*Christ's Church Rye*

**From:** Jannine Moran

**Sent:** Wednesday, July 3, 2024 9:38 AM

**To:** Ruttenberg, Noga P.

**Cc:** Crispian Thorne

**Subject:** Christ's Church - Rectory Street Closure Request

Hi Noga,

We would like to secure approval for the closure of Rectory Street for several of our Christ's Church annual events including:

Sunday, 9/8 7:00am-1:00pm - Homecoming Picnic

Friday, 10/4 3:00pm-5:30pm - Drive by Blessing of the Animals

Saturday, 12/7 8:00am-5:00pm - Christmas Tree Sale

Sunday, 6/15 10:00am-2:00pm - Summer Picnic

Please let us know if you need anything else for approval. Many thanks for your continued support and help with this request!

*Best,*

*Jannine Moran*

*Parish Administrator*

*Christ's Church Rye*