

Rye Town Park Commission Meeting, July 11th, 2001

A meeting of the Rye Town Park Commission was held on Tuesday, July 3rd, 2001 at 7:15P.M. at the Rye Town Court Room, 10 Pearl Street, Port Chester, NY 10573 with President Robert A. Morabito, Supervisor of the Town of Rye presiding.

Present: Commissioner Joseph Granchelli; Mayor Gerald Logan, Village of Port Chester; Mayor Steve Otis, City of Rye and Commissioner Richard Runes.

Absent: Mayor Frank Filipowski, Village of Rye Brook.

Pledge of Allegiance was recited.

President Morabito discussed the Amended Licensing Agreement with the restaurant. President Morabito stated that the full liquor legislation is awaiting the signature of the Governor.

Commissioner Otis raised some issues from the City of Rye Council concerning the Amended Licensing Agreement:

-the "consideration" for the right to serve full liquor should be increased from the \$10 as stated in the Amended Licensing Agreement. President Morabito stated that the Restaurant pays an increase in rent every year according to the Licensing Agreement. He also said that the restaurant owners put in close to \$500,000 in improvements to rehabilitate the facility and if the licensee is open all year long, they will put in an additional \$90,000 to \$125,000 to winterize the facility. President Morabito went on to say that SeaSide Johnnies paid for a fundraiser the "Friends of Rye Town Park" had for the Duck Pond Project and sponsors local events for the community at SeaSide Johnnies cost. Commissioner Logan asked why the facility should be penalized for the above? President Morabito motioned and Commissioner Granchelli seconded that no additional charges be added to the "consideration for the right to serve full liquor at the restaurant. Motion passed. Yeas: Morabito, Granchelli and Logan; Nays: Otis and Runes.

-it was approve by the Commission to state in the Amended Licensing Agreement that the Licensee will winterize the facility at their cost. Motion by Commissioner Otis, seconded by Commissioner Runes.

-the Commission approved to add to the Agreement that if the restaurant is open all year long, they must have the ability to accept credit cards.

-the Commission approved to not include in the Agreement that the Licensee cannot serve liquor to a patron while they are waiting for a table. Motion by President Morabito, seconded by Commissioner Runes.

-the Commission approved to spell out in the Agreement sections 5.2 and 6.3.

-the Commission approved to not add: "with liquor service to end 30 minutes before the above closing times" to the Agreement. Motion by President Morabito, seconded by Commissioner Granchelli.

-the Commission asked if Rye Town Park Attorney could look into page three of the Agreement, line one. This concerns adding "which in the opinion of the Commission is unsatisfactory" after "arise".

Commissioner Runes requested that Attorney Mann specify dates for the annual and quarterly review of the Amended Licensing Agreement. The Commission then approved that the quarterly review take place four months after the signing of the Agreement; the annual review take place starting on December 1st, 2002.

Goldie Solomon of the public questioned the Commission on alcohol being served on the beach. President Morabito and Commissioner Runes stated that because of the fine reputation of John Ambrose, that is why the Commission allowed the service of full liquor at the restaurant only.

There being no further business, the meeting was adjourned at 740P.M.

Respectfully submitted,

Raymond L. Sculky,
Secretary to the Rye Town Park Commission

Rye Town Park Commission Meeting, July 19th, 2001

A meeting of the Rye Town Park Commission was held on Thursday, July 19th, 2001 at 6:15P.M. at the Rye Town Court Room, 10 Pearl Street, Port Chester, NY 10573 with Commissioner Steve Otis presiding.

Present: Commissioner Joseph Granchelli; Mayor Gerald Logan, Village of Port Chester and Commissioner Richard Runes.

Absent: Mayor Frank Filipowski, Village of Rye Brook; and President Robert Morabito, Supervisor of the Town of Rye.

Pledge of Allegiance was recited.

The Amended Licensing Agreement was discussed. Commissioner Otis stated to the Commission that the City of Rye passed the above but with two changes. First, he stated that the City of Rye Council wants additional fees or additional rent for the right to sell full liquor at the restaurant. Second, the City Council wants to have the \$1,000 per month extra in rent for the off season months for the first year only, then they want the additional rent dollar amount to be renegotiated. There were also a few minor drafting issues, but these will be submitted to the Rye Town Park Attorney, Monroe Y. Mann. Commissioner Otis then asked for a motion to table the above until the next Commission meeting. Motion by Commissioner Granchelli; seconded by Commissioner Logan. Motion passed.

There being no further business, the meeting was adjourned at 6:20P.M.

Respectfully submitted,

Raymond L. Sculky,
Secretary to the Rye Town Park Commission

Rye Town Park Commission Meeting, August 21st, 2001

A meeting of the Rye Town Park Commission was held on Tuesday, August 21st, 2001 at 6:45P.M. at the Rye Town Court Room, 10 Pearl Street, Port Chester, NY 10573 with President Robert A. Morabito presiding.

Present: Commissioner Joseph Granchelli; Mayor Gerald Logan, Village of Port Chester, Mayor Steve Otis, City of Rye and Commissioner Richard Runes.

Absent: Mayor Frank Filipowski, Village of Rye Brook.

Also Present: Monroe Y. Mann, Rye Town Park Attorney.

Pledge of Allegiance was recited.

Minutes were approved from the July 3rd, 11th, 19th, and August 1, 2001 meetings. Motion by Commissioner Runes, seconded by Commissioner Logan. Minutes from the February 20th, and May 10th, 2001 meetings were tabled.

Outdoor signage for the restaurant was discussed. Commissioner Otis stated that no sign should go on Forest Avenue because this is against the City of Rye Sign Ordinance. The signs for the restaurant building and the parking booth are good. Commissioner Otis stated that no commercial sign are allowed on Forest Avenue. Commissioner Otis suggested that the restaurant (John Ambrose) work with the "Friends of Rye Town Park" to incorporate the restaurant sign (SeaSide Johnnies) into the sign that is currently at Forest and Dearborn Avenue's and present this to the Commission at a later date. Commissioner Runes stated that SeaSide Johnnies contact the "Friends of Rye Town Park" about the above sign and that John Ambrose should come to Commission meetings concerning his situations such as full liquor service at the restaurant; signage; and year round opening of the restaurant. The Commission decided to table the above.

President Morabito asked Rye Town Park Attorney Monroe Y. Mann to check out the sign ordinance of the City of Rye.

Commissioner Otis stated that he believes that the "Friends of Rye Town Park" were involved with the signs at Forest Avenue and Rye Beach Avenue. He stated that the Commission should be respectful of the City of Rye's sign ordinances. President Morabito stated that the reason the restaurant wants a sign at Forest Avenue is so patrons won't get lost finding the restaurant at Rye Town Park. Commissioner Otis stated that the restaurant's advertising in local newspapers does not say that the restaurant is located at Rye Town Park.

Canopy's for shading at Rye Town Park was discussed. President Morabito stated that the Park rents umbrellas for shade. Commissioner Otis then asked how could the canopies be properly and safely secured in case of wind? Commissioner Logan stated that the Park already rents umbrellas and the canopies would just clutter the beach. Commissioner Granchelli stated that the

canopies would be costly. Commissioner Runes added that the canopies could become airborne and we already rent umbrellas and have two pavilions for shade.

The Commission granted permission to apply for a grant of the Environmental Protection Act of 1993 and the Clean Water/Clean Air Bond Act of 1996 for the restoration of the Rye Town Park Non-Motorized Trailway system. Motion by Commissioner Otis, seconded by Commissioner Granchelli.

Commissioner Runes had concerns about the conditions of the Administration Building. He is worried about the deterioration of the building. He suggested that the Commission assess the condition of the Administration Building to stop further damage. There are problems with leaks. Commissioner Otis said the Commission should develop a new plan for the above and a plan for the pavilions. He stated that there could be funding on a multi year basis or bonding by the Town of Rye for their part and the City of Rye paying their share under the statutory formula. Commissioner Runes stated that there could be a three or five year plan.

Commissioner Otis inquired about the air raiding the Park fields. He stated that the City of Rye through the Recreation Office would lend the equipment and the Rye Town Park Staff would have to handle the equipment. This will be coordinated with the City of Rye and the Rye Town Park Staff.

Goldie Solomon of the public stated that the "Friends of Rye Town Park" are an advisory group and not a decision making body. She inquired about the Park being named a National Registered Property in order to receive funding. And she asked about SeaSide Johnnies allegedly serving alcohol at the North End Stand during the concerts at the Park. Ms. Solomon did not see the alcohol being served, but was told about it by another person.

Brian Daly of the "Friends of Rye Town Park" asked for an update about the North End Seawall. Secretary Raymond Sculky gave him an update. Also, Mr. Daly reported there was vandalism with trees being pulled out from the ground. The Rye Town Park Staff will be asked about the vandalism.

There being no further business, the meeting was adjourned at 7:30P.M.

Respectfully submitted,

Raymond L. Sculky,
Secretary to the Rye Town Park Commission

Rye Town Park Commission Meeting, October 23rd, 2001

A meeting of the Rye Town Park Commission was held on Tuesday, October 23rd, 2001 at 6:28P.M. at the Rye Town Court Room, 10 Pearl Street, Port Chester, NY 10573 with President Robert A. Morabito presiding.

Present: Commissioner Joseph Granchelli; Mayor Steve Otis, City of Rye and Commissioner Richard Runes.

Also Present: Monroe Y. Mann, Rye Town Park Attorney and Sevario Terenzi, Rye Town Park Accountant.

Absent: Mayor Frank Filipowski, Village of Rye Brook; and Mayor Gerald Logan, Village of Port Chester.

Pledge of Allegiance was recited.

Clark Neuringer, project architect for the Rye Town Park Seawall updated the Commission on the North End Seawall. Mr. Neuringer stated that the questions that Peter Rusciano, of Rusciano Construction (top qualified bidder for the Seawall Project) asked after the award of the bid should have been asked before he submitted the bid. Mr. Neuringer said that these questions were very technical. He also stated that Mr. Rusciano did not want to do the project during the summer and thus it was held off till the present time, even though the bid documents stated he had to start within thirty days after being awarded the lowest qualified bidder.

Bill Lawyer of the public asked about the bid bond concerning the above project. Commissioner Runes stated that the Commission will consult with the County of Westchester and will then decide whether or not to cancel the present contract or award the contract to the next qualified lowest bidder. Davidson Gordon of the public asked how long the project will take to complete and will it be to cold, weather wise, before the project starts. Mr. Neuringer answered that the present time is the perfect time to do this type of a project. It would take approximately two months to complete. Commissioner Otis asked if the County is aware of Mr. Rusciano's recent actions towards the project. Mr. Neuringer answered that he has personally spoken to the County about this matter.

The Minutes from February 20th, 2001 were approved. Motion by Commissioner Granchelli and seconded by Commissioner Otis. Commissioner Runes abstained being that he was not a member of the Commission at that time. Minutes from May 10th, 2001 and August 21st, 2001 were approved. Motion by Commissioner Granchelli and seconded by Commissioner Otis.

President Morabito asked if the signage issue on Dearborn and Forest Avenue's for a SeaSide Johnnies sign be tabled to the next meeting.

Letter was read from the "Friends of Rye Town Park" concerning plantings at the North end of the Park. Christopher Cohan, President of the "Friends of Rye Town Park" made a presentation

on the plantings. This would be done at the expense of the “Friends of Rye Town Park”. The Commission approved the above on a motion by Commissioner Otis and seconded by Commissioner Granchelli.

The same letter also contained permission for the “Friends of Rye Town Park” to plant trees at the North end by the Playland parking lot. Mr. Cohan made a presentation on this. The costs would be split between the Commission and the “Friends of Rye Town Park”. It was estimated that the cost would be approximately \$2,000 for the six trees that would be needed for this project. On a motion by Commissioner Otis and seconded by Commissioner Granchelli, providing that the Rye Town Park Procurement Policy is followed, the Commission approved the above.

The same letter also asked if the “Friends of Rye Town Park” and the Rye Town Park Commission could split the costs for the repairing of the gravel road. This would be for the repairing, to smooth and level and top-dress with a porous material the present gravel road. Mr. Cohan made a presentation on this project. He also pointed out that we could reuse the old gravel from the road to fill in holes at the asphalt parking lot where the parking lot meets the grass parking lot. This would be done after the Seawall project is completed. On a motion by Commissioner Otis and seconded by Commissioner Granchelli, providing that the Rye Town Park Procurement Policy is followed, the Commission approved the above.

President Morabito announced that he received a memo from the Chairman of the Westchester County Board of Legislators George Latimer concerning the booking of functions at Playland on weekends during the season. This creates traffic problems around the Park and parking problems within Rye Town Park from the overflow of cars coming from Playland. Mr. Latimer will be working with the County and Playland to hopefully eliminate this from happening again.

Letter was read from Jane Colahan concerning parking at Rye Town Park.

Julie Bonsall from the public asked about the trash at SeaSide Johnnies and the parking at the grass area of the Park.

Goldie Solomon of the public asked about having a fenced in area for dogs.

There being no further business, the meeting was adjourned at 7:27P.M.

Respectfully submitted,

Raymond L. Sculky,
Secretary to the Rye Town Park Commission

Rye Town Park Commission Meeting, November 29th, 2001

A meeting of the Rye Town Park Commission was held on Tuesday, November 29th, 2001 at 7:00P.M. at the Rye Town Court Room, 10 Pearl Street, Port Chester, NY 10573 with President Robert A. Morabito presiding.

Present: Mayor Frank Filipowski, Village of Rye Brook; Commissioner Joseph Granchelli; Mayor Gerald Logan, Village of Port Chester; Mayor Steve Otis, City of Rye and Commissioner Richard Runes.

Also Present: Monroe Y. Mann, Rye Town Park Attorney.

Absent: None.

Pledge of Allegiance was recited.

Letter from the Cystic Fibrosis was read asking the Commission for permission to use Rye Town Park for their annual walk-a-thon on Sunday, May 19th, 2002. Motion by Commissioner Logan seconded by Commissioner Otis. Motion approved.

President Morabito gave an update on the Seawall at the north end of the beach. Rye Town Park Attorney Monroe Y. Mann sent Peter Rusciano of Vincent Rusciano Construction Company, Inc. (the low bidder on the Seawall) a letter of termination. Commissioner Filipowski questioned the letter concerning "item 3" of the termination letter. It was explained that the contract for the Seawall can be voided and declared an "Emergency Situation" and award the contract to another bidder providing that the dollar amount is no more than the low bidder from the original bid (\$106,550). President Morabito explained that he contacted the developer who built the other seawall on the south end of the beach (Dearborn Avenue), Lazz Development to see if he could build the north end seawall. Lazz Development told President Morabito that they could comply with the above (building of the Seawall for the same or less than the Rusciano bid of \$106,550). Lazz Development would have their equipment at the Park as soon as possible once receiving the o.k. Westchester County Planning Department was contacted on the above and approved.

President Morabito asked for a motion to declare the above an Emergency and if an Emergency Resolution (see attached) authorizing President Morabito to enter into a contract with Lazz Development can commence. Motion by Commissioner Granchelli and seconded by Commissioner Logan. Discussion ensued and Commissioner Filipowski stated that he needs to know all factors for not turning to the second lowest bidder. President Morabito said that the dollar amount would be more for using the second bidder. Rye Town Park Attorney Monroe Mann said that an Emergency Resolution can award the contract to any qualified bidder under an "emergency". Motion passed.

Motion by Commissioner Otis and seconded by Commissioner Logan, the Commission adjourned to Executive Session at 7:20P.M. No action was taken.

There being no further business, the meeting was adjourned at 7:30P.M.

Respectfully submitted,

Raymond L. Sculky,
Secretary to the Rye Town Park Commission

Rye Town Park Commission Meeting, December 11th, 2001

A meeting of the Rye Town Park Commission was held on Tuesday, December 11th, 2001 at 6:30P.M. at the Rye Town Court Room, 10 Pearl Street, Port Chester, NY 10573 with President Robert A. Morabito presiding.

Present: Mayor Frank Filipowski, Village of Rye Brook; Commissioner Joseph Granchelli; Mayor Gerald Logan, Village of Port Chester; Mayor Steve Otis, City of Rye and Commissioner Richard Runes.

Absent: None.

Pledge of Allegiance was recited.

Minutes from the meeting of November 29th, 2001 were approved on a motion by Commissioner Logan and seconded by Commissioner Filipowski.

The Seawall at the North end of the Park was discussed. President Morabito stated that there was a meeting with the Planning Department of the County of Westchester concerning the new contractor for the Seawall, Laz Development. The Commission contacted ELQ, the second lowest bidder from the original bid. ELQ wrote the Commission stating that they could not do the job within the time frame nor within the price of \$106,550 (the lowest bid) and they were also busy with other jobs. President Morabito authorized Lazz Development to commence work at the North end Seawall as per the Commission directive from the last meeting of November 29th, 2001. Construction has commenced at the Seawall.

Commissioner Runes suggested that the County should be notified in writing concerning the Seawall situation in relationship to the treatment that the Commission received from Rusciano Construction. Commissioner Filipowski cautioned on the above suggestion. He stated that Rusciano Construction might have some rights and felt that the Commission could be adding fuel to the fire and was not in favor of the above. Commissioner Runes then withdrew his suggestion. Commissioner Otis also agreed with Commissioner Filipowski. Commissioner Runes then suggested that the Commission write a memo to the County confirming the above moves with Rusciano Construction and Lazz Development. President Morabito directed Rye Town Park Attorney Monroe Mann to write the above memo. This will ensure that there is a record in the file on the above situation.

Budget workshop was discussed. Commissioner Otis inquired about a rate increase for the 2002 Beach Season. Commissioner Runes said we should consider a limit on parking on the grass area of the Park. He stated that Commissioner Otis and himself have received pressure concerning this issue. Commissioner Runes said that this would affect revenues if the Commission decides to limit parking at the grass area of the Park. Commissioner Otis stated that the Commission must decide ahead of time on how much to limit parking at the grass area. He stated that people pay to use the grass area, but can't if cars are parked there. President Morabito said that the situation has improved starting at the end of July, 2001 when more staff was

assigned to park cars, one being a retired police officer. Cars were then parked in a more orderly fashion. President Morabito stated that if we assign more staff to park the cars in a orderly manner, the situation of last season will not happen.

Commissioner Otis stated that the "Friends of Rye Town Park" were upset about the damage to the landscaping the parked cars on the grass area caused, being that the "Friends" paid for some of this. He recommended that the Commission assign a designated area on the grass area for cars to park. Once this area gets full, no more cars will be allowed to park on the grass area. Commissioner Runes stated that the Commission must control parking and limit the parking on the grass area. Commissioner Filipowski asked if the "Friends of Rye Town Park" have any suggestions concerning the above situation?

The Commission then settled on a tentative budget meeting for Wednesday, January 16th, 2002 at 6:30P.M. and the regular meeting for Wednesday, January 30th, 2002 at 6:30P.M.

Commissioner Runes asked if the Commission could look at the physical structure of the Administration Building.

President Morabito reminded the Commission about the "Friends of Rye Town Park" dinner for Friday, January 11th, 2002.

There being no further business, the meeting was adjourned at 6:53P.M.

Respectfully submitted,

Raymond L. Sculky,
Secretary to the Rye Town Park Commission