

MEETING HELD JANUARY 17, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday evening, January 17, 2012 at 8:00 P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michele Mendicino, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Town Attorney Paul Noto, Town Assessor Mitchell Markowitz, Superintendent of Highways John DeCrescenzo, Town Comptroller David Byrnes, Park Foreman Frank DeLeo, Deputy Town Attorney/Town Prosecutor Martha Sokol McCarty and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: were Councilperson Robert Nioras and Receiver of Taxes Nichols C. Mecca

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Deputy Town Attorney Martha Sokol McCarty led those present in the Pledge of Allegiance and Councilperson Villanova read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

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On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the minutes of the meeting held on December 20, 2011 were unanimously approved as presented.

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The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of December, 2011	
Total submitted to the Supervisor.	\$1,301.17
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of December, 2011	
Deposited to Supervisor, Town of Rye.	\$2,899,985.31
Deposited to Treasurer, Village of Port Chester	\$8,759,421.54
Deposited to Treasurer, Village of Rye Brook	<u>\$ 64,591.20</u>
Total	\$11,723,998.05
CRAWFORD PARK, for month of December, 2011 reported by Confidential Secretary Bishop Nowotnik	
	\$3,050.00

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Daniel J. Sarnoff, Assistant Village Manager for the Village of Mamaroneck was present to speak about the Jefferson Avenue Bridge Replacement Project. Mr. Sarnoff stated that the responsibility for the replacement of the bridge was to be shared equally by the Town of Rye and by the Village of Mamaroneck.

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Town Attorney Noto gave a presentation on the public forum held January 12, 2012 for the Rye Town Dissolution Feasibility Study and Village Alternatives Analysis. The forum included a review of the Baseline Report on Town/Village services and finances. The public had been given the opportunity to provide feedback.

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

WHEREAS, Paul J. Noto residing at 1308 Arlington Street, Mamaroneck, New York 10543, be and he hereby is appointed as the Town Attorney, for a two-year term pursuant to the provisions of Section 24 of the Town Law commencing January 01, 2012 and expiring December 31, 2013, at an annual compensation of fifty-two thousand, four hundred forty-six dollars (\$52,446.00) payable in equal bi-weekly installments, and

WHEREAS, that pursuant to the provisions of Section 102 Article 8 of the Town Law, as amended, all expenses necessarily incurred by authorization of the Town Board and paid by said Town Attorney in executing the duties of said office, shall be a town charge;

NOW, THEREFORE, BE IT RESOLVED, that said Paul J. Noto shall execute and file the necessary Oath of Office within 30 days of said appointment as required by law in the office of the Town Clerk.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

RESOLVED, that Martha Sokol McCarty, Esq. residing at 305 West Street, Mamaroneck, New York 10543 be and she hereby is appointed Deputy Town Attorney/Town Prosecutor, for a two-year term effective, January 1, 2012 and expiring December 31, 2013, and

RESOLVED, that said Martha Sokol McCarty, Esq. shall be compensated at an annual salary of twelve thousand dollars (\$12,000.00), payable in monthly installments, and

BE IT FURTHER RESOLVED, that pursuant to the provisions of Section 102, Article 8 of the Town Law, as amended, all expenses necessarily incurred by authorization of the Town Board and paid by said Deputy Town Attorney/Town Prosecutor in executing the duties of said office, shall be a Town charge.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

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On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, David Byrnes, residing at 33 Haines Boulevard, Port Chester, New York, be and he hereby is appointed as the Town Comptroller for the Town of Rye, for a two-year term pursuant to the provisions of Section 20 (3) (b) of the Town Law commencing January 1, 2012 and expiring December 31, 2013;

NOW, THEREFORE, BE IT RESOLVED, that said David Byrnes be compensated at an annual salary of twenty-one thousand, eight hundred forty eight dollars (\$21,848.00), payable in equal bi-weekly installments.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

RESOLVED, that Saverio L. Terenzi & Associates, CPA's, PC of 225 Westchester Avenue, Port Chester, New York 10573 be and are hereby designated to provide Professional Accounting Services to the Town of Rye, and

BE IT FURTHER RESOLVED, that they shall be compensated at an annual contract amount of forty-one thousand seven hundred dollars (\$41,700.00) payable in equal monthly installments.

ROLL CALL

- AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
- NOES: None
- ABSENT: Councilperson Nioras

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

WHEREAS, by virtue of the authority vested in the Supervisor of the Town of Rye pursuant to Section 29 (15) of the Town Law of the State of New York to appoint Bishop Nowotnik, residing at 60 North Regent Street, Port Chester, New York 10573 to perform the duties of Confidential Secretary to the Supervisor to serve at the Supervisor's pleasure;

NOW, THEREFORE, BE IT RESOLVED, that said Bishop Nowotnik be and he hereby is appointed Confidential Secretary to the Supervisor of the Town of Rye, New York, effective January 1, 2012 at an annual compensation of eighty-five thousand, two hundred fifty- eight dollars (\$85,258.00) payable in equal bi-weekly installments.

ROLL CALL:

- AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
- NOES: None
- ABSENT: Councilperson Nioras

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted by acclamation:

WHEREAS, the Town Board of the Town of Rye has heretofore created the Office of Director of Purchasing as per Section 20 (3) (e) of the Town Law of the State of New York;

NOW, THEREFORE, BE IT RESOLVED, that Bishop Nowotnik, residing at 60 North Regent Street, Port Chester, New York, be and he hereby is appointed Director of Purchasing for the Town of Rye, New York for a two year term, effective January 1, 2012 and expiring December 31, 2013; and

BE IT FURTHER RESOLVED, that he shall receive no compensation as said Director of Purchasing.

ROLL CALL

- AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
- NOES: None
- ABSENT: Councilperson Nioras

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

RESOLVED, that according to New York Local Government Records Law (Chapter 737. Laws of 1987) Section 57.19, Town Clerk Hope B. Vespia be and hereby is designated Records Management Officer for the Town of Rye.

ROLL CALL:

- AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
- NOES: None
- ABSENT: Councilperson Nioras

January 17, 2012

On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

RESOLVED, that Nicholas C. Mecca, residing at 45 Alto Avenue, Port Chester, New York, 10573 be and he hereby is designated as Election Coordinator/Custodian of Voting Machines for the Town of Rye, and

BE IT FURTHER RESOLVED, that said Nicholas C. Mecca be compensated by the sum of six thousand dollars (\$6,000.00) for the year commencing January 1, 2012, through December 31, 2012.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

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On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted as modified:

WHEREAS, Chapter 49 of the Laws of 1988 added a new Section 11-c to the New York Domestic Relations Law empowering the governing body of any village, town, or city to appoint one or more marriage officers and fix their compensation, and

WHEREAS, the Town Board of the Town of Rye, a duly constituted Town of the First Class, deems it necessary and proper to create positions of Marriage Officer possessing statutory authority to solemnize marriages within the Town of Rye;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of such Section 11-c of the Domestic Relations Law, Supervisor Joseph Carvin, Confidential Secretary to the Supervisor Bishop Nowotnik, Councilpersons Michele Mendicino and Christina Collins and Town Clerk Hope B. Vespia are hereby appointed Marriage Officers of the Town of Rye, and

BE IT FURTHER RESOLVED, that the said Supervisor Joseph Carvin, Confidential Secretary to the Supervisor Bishop Nowotnik, Councilpersons Michele Mendicino and Christina Collins and Town Clerk Hope B. Vespia shall be paid up to seventy-five dollars (\$75.00), or such amount greater as shall be authorized by law, for each marriage at which he or she officiates, which compensation shall be in addition to the compensation received as Supervisor, Confidential Secretary to the Supervisor, Councilpersons and Town Clerk, and

BE IT FURTHER RESOLVED, that this appointment shall be effective January 1, 2012 and shall continue for a term ending December 31, 2013.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

RESOLVED, that Benedict Salanitro, residing at 609 Brook Street, Mamaroneck, New York 10543, be and he hereby is re-appointed a member of the Rye Town Park Commission for a term of two (2) years, commencing January 1, 2012 and ending December 31, 2013.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

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On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following solution was adopted:

RESOLVED, that Michael O'Connor, residing at 61 Clermont Avenue, Port Chester, New York, be and he is hereby designated to provide Bailiff services to the Justice Court of the Town of Rye, New York, and

BE IT FURTHER RESOLVED, that he be compensated for such services in the amount not to exceed \$3,000.00 per year.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
NOES: None
ABSENT: Councilperson Nioras

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On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

RESOLVED, that by virtue of Article 4, Section 64 of the Town Law authorizing the Town Board to designate, by resolution, the banks and trust companies in this State in which the Supervisor, Town Clerk, Receiver of Taxes and Councilpersons shall deposit all monies coming into their hands, the Town Board does hereby designate the following as an additional depository for the year 2012 who has complied with requirements laid down by the Board for the depositories of funds for the Town of Rye:

- J. P. Morgan Chase, 122 North Main Street, Port Chester, New York 10573
- Wells Fargo, 133 North Main Street, Port Chester, New York 10573
- Hudson Valley Bank, 21 Scarsdale Road, Yonkers, New York 10701
- MBIA, Municipal Investors Service Corp., CLASS Product, 113 New King Street, Armonk, NY
- M & T Bank, Hudson Valley Division, 303 S. Broadway, Suite 130, Tarrytown, NY 10591
- T D Bank, N.A., 6000 Atrium Way, Mt. Laurel, New Jersey 08052
- Customer's First Bank, 601 North Main Street, Port Chester, New York 10573

ROLL CALL:

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
NOES: None
ABSENT: Councilperson Nioras

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On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

RESOLVED, that the following banks, previously designated as depositories of the Town of Rye must submit a revised Custodial Agreement when and if the current Agreement is revised, amended or changed in any way:

- J.P. Morgan Chase, 122 North Main Street, Port Chester, New York, 10573
- Hudson Valley Bank, 21 Scarsdale Road, Yonkers, NY 10701
- MBIA, Municipal Investors Service Corp., CLASS Product, 113 New King Street, Armonk, NY
- T D Bank, N A. 6000 Atrium Way, Mt. Laurel, New Jersey 08054
- Customer's First Bank, 601 North Main Street, Port Chester, New York 10573
- Webster Bank, 145 Bank Street, Waterbury, Connecticut 06702

BE IT FURTHER RESOLVED, that said Custodial Agreements must be filed in the Office of the Town Clerk of the Town of Rye, New York.

ROLL CALL

AYES : Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
NOES: None
ABSENT: Councilperson Nioras

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted as modified:

RESOLVED, that the Journal News, the Westmore News, the Rye Sound Shore Review and the Sound and Town are the Official Newspapers of the Town of Rye for publication of notices, resolutions or ordinances affecting the Town of Rye for the year 2012.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
NOES: None
ABSENT: Councilperson Nioras

January 17, 2012

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted as modified:

RESOLVED, that the third Tuesday of each month be and hereby is designated as the regular meeting date of the Town Board of the Town of Rye for the year 2012, and

BE IT FURTHER RESOLVED, that due to the fact that the Presidents Day Holiday falls during the week of the third Tuesday, the February 2012 meeting will be held on February 28, 2012 at 7:30 P.M., and

BE IT FURTHER RESOLVED, that at such meetings the Town Board will adhere to Robert's Rules of Order, with a three-minute limit for each person to speak on any issue during the proceedings.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

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On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

RESOLVED, that all authorized personnel of the Town of Rye using their own vehicles for official business, be compensated at the rate of fifty-five cents (\$.55) per mile commencing January 1, 2012, and

BE IT FURTHER RESOLVED, that said personnel shall be required to keep a mileage log of each and every such trip made, which will be reviewed by the Supervisor or designated Confidential Secretary before payment is approved.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

RESOLVED, that the Town of Rye be and is hereby designating Town Court Clerk Anne Capeci a Representative and Town Clerk Hope B. Vespia as Alternate, respectively to attend the Annual Meeting of the Association of Towns to be held in New York City, February 19-22, 2012.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

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On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, petitions and Notices of Petitions to review the assessment for taxation of the real estate of Home Depot USA Inc. affecting the specified parcels of real property on the Tax Rolls of the Town of Rye, County of Westchester, State of New York, were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an Agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location: 150 Midland Avenue, Port Chester

Tax ID: 142.61-1-2

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2003	570,000	No Change	None
2004	22,838,100	No Change	None
2005	22,838,100	No Change	None
2006	23,980,000	No Change	None
2007	27,000,000	25,750,000	1,250,000
2008	27,000,000	25,750,000	1,250,000
2009	23,200,000	No Change	None
2010	21,344,000	No Change	None
2011	18,234,800	No Change	None

WHEREAS, it appears to be in the best interest of the Town to settle said matter as recommended by the Town Attorney and Special Counsel for the Town of Rye and the Town Assessor without further attendant legal and appraisal costs relating to said matters, and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

1. The Supervisor of the Town of Rye be and hereby is authorized to enter into a Stipulation of Settlement of said pending proceedings on the terms set forth herein.
2. Paul J. Noto, Town Attorney for the Town of Rye be and hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
3. The Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
4. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
 NOES: None
 ABSENT: Councilperson Nioras

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On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain appraisers to handle certain certiorari matters;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby retains Edward Ferrarone, MAI of Lane Appraisals, Inc. with offices located at 178 Myrtle Boulevard, Larchmont, New York 10538 to represent the Town of Rye in the matters of Burger v. Town of Rye (2005 - 2011) and Messina and Briante v. Town of Rye (2001-2011);

BE IT FURTHER RESOLVED, that Lane Appraisals, Inc. shall be compensated pursuant to the fee schedule approved January 19, 2010.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin
 NOES: None
 ABSENT: Councilperson Nioras

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There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Mendicino and unanimously adopted, the meeting was adjourned at 10:00P.M.

Respectfully submitted,

Hope B. Vespia
 Town Clerk

MEETING HELD FEBRUARY 28, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, February 28, 2012 at 7:30P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michele Mendicino, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Assessor Mitchell Markowitz, Town Attorney Paul Noto, Town Comptroller David Byrnes, Superintendent of Highways John DeCrescenzo, Park Foreman Frank DeLeo, and Confidential Secretary to the Supervisor Bishop Nowotnik.

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Town Clerk Vespia led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

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On motion of Councilperson Villanova, seconded by Councilperson Collins, the minutes of the meeting held on January 17, 2012 were unanimously approved as presented.

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The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of January, 2012	
Total submitted to the Supervisor.	\$1,320.03
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of January, 2012	
Deposited to Supervisor, Town of Rye.	\$37,196,331.10
Deposited to Treasurer, Village of Port Chester	\$1,360,265.97
Deposited to Treasurer, Village of Rye Brook	<u>\$266,419.71</u>
Total	\$38,823,016.78
CRAWFORD PARK, for month of January, 2012	
Reported by Confidential Secretary Bishop Nowotnik	\$2,360.00

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Confidential Secretary to the Supervisor Nowotnik described the resolution submitted from the Justice Court referred to "Amending Fiscal Policy to Aged Receivables". The Board requested more information regarding scoff laws and tabled the resolution for next month's meeting.

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On motion of Councilperson Nioras, seconded by Councilperson Collins, the following Resolution was adopted:

Resolution of the Town Board of the Town of Rye establishing a Homestead Base Proportion for the Town of Rye and to authorize the Town Assessor to file a statement of locally determined Homestead Base Proportions pursuant to and in accordance with the provisions of Section 1903 of the Real Property Tax Law Commonly referred to as the "Homestead Tax Option" based upon the assessment roll completed, verified and filed in 2011.

WHEREAS, in 1981, the State of New York enacted Section 1903 of the Real Property Tax Law (RPTL) known as the "Homestead Tax Option", and

WHEREAS, the Homestead Tax Option was enacted to prevent a disproportionate shift of property tax burden to residential property owners following a revaluation of real property, and

WHEREAS, the Town Board adopted a Local Law on March 23, 2004 entitled “A Local Law Adopting the Provisions of Section 1903 of the Real Property Tax Law” commonly referred to as the “Homestead Tax Option” (the “Local Law”), and

WHEREAS, pursuant to the Local Law, the Town Board desires to establish two separate property tax rates: a lower rate for residential property owners equal to a rate of 69.806474 (the “Homestead Base Proportion”) and a higher rate for all other property owners equal to a rate of 30.193526 (the “Non-Homestead Base Proportion”) and to authorize the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2010;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

The Town Board hereby: (a) establishes two separate property tax rates pursuant to the provisions of Section 1903 of the RPTL (I) the Homestead Base Proportion at a rate equal to 69.806474 and (II) the Non-Homestead Base Proportion at a rate equal to 30.193526 and (b) authorizes the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2011.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

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On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain appraisers to handle certain certiorari matters;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby retains Edward Ferrarone, MAI of Lane Appraisals, Inc. with offices located at 178 Myrtle Boulevard, Larchmont, New York 10538 to represent the Town of Rye in the matter of Sam Ranani v. Town of Rye, 115 North Barry Avenue, Mamaroneck, New York 10543, (2004 - 2011), and

BE IT FURTHER RESOLVED, that said Lane Appraisals, Inc. shall be compensated pursuant to the fee schedule approved January 19, 2010.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

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On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain appraisers to handle certain certiorari matters.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby retains Edward Ferrarone, MAI of Lane Appraisals, Inc. with offices located at 178 Myrtle Boulevard, Larchmont, New York 10538 to represent the Town of Rye in the matter of Sam Ranani v. Town of Rye, 115 North Barry Avenue, Mamaroneck, New York 10543, (2004 - 2011).

BE IT FURTHER RESOLVED, that Lane Appraisals, Inc. shall be compensated pursuant to the fee schedule approved January 19, 2010.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

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Lee Sandford, the director of Boot Camp by the Beach at Rye Town Park expressed enthusiasm to offer Boot Camp in Crawford Park. The Board entertained Ms. Sandford’s proposal and directed her to submit an application for approval.

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On motion of Councilperson Villanova, seconded by Councilperson Nioras, the following Resolution was unanimously adopted:

WHEREAS, the Comptroller of the Town of Rye, David Byrnes, has requested that the Town Board make proper transfers to the 2011 budget, which would account for the allocation of the Budgetary Accounts, and

WHEREAS, said Comptroller of the Town of Rye has requested authority from the Town Board to execute budget transfers;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Rye authorizes the Town Comptroller to make Modification and Transfer Requests to the 2011 budget per Attachment A as follows:

Account Line Description	Department	Line Item Budget This Year Adopted 2011	Line Item Budget Transfer Increase Unexpended)	Line Item Budget This Year Amended 2011
Court Security	Judicial	10,500	1,000	11,500
Library Costs	Judicial	2,500	1,200	3,700
Data Processing	Judicial	3,500	(2,400)	1,100
Office Supplies	Executive	6,000	4,500	10,500
Miscellaneous	Executive	2,000	1,000	3,000
Clerical Assistant	Executive	19,278	6,000	25,278
Interns	Executive	6,000	(6,000)	0
Data Processing	Tax Collection	3,500	4,000	7,500
Printing	Assessment	3,058	2,000	5,058
NYS Disclosure Notices	Assessment	13,000	(2,000)	11,000
Interns	Assessment	5,150	4,500	9,650
Interns	Assessment	65,000	(4,500)	60,500
Office Supplies	Clerk	1,500	1,800	3,300
Software	Clerk	2,400	(1,800)	600
Laser Document Imaging	Clerk	5,200	2,000	7,200
Elections Costs	Elections	17,750	2,000	19,750
Office Equipment	Building Operations	6,000	9,000	15,000
General Repairs	Building Operations	15,000	15,000	30,000
Unallocated Insurance	Special Items	70,000	(5,000)	65,000
Municipal Dues	Special Items	3,000	1,700	4,700
Contingency	Special Items	80,000	(80,000)	0
Utilities	Culture, Recreation, Parks	28,000	5,000	33,000
Tree Maintenance	Culture, Recreation, Parks	10,000	11,000	21,000
Rye Town Park Operations	Recreational Facilities	25,000	36,000	61,000
Bridge Maintenance	Highway	15,000	25,000	40,000
Medical/Dental Insurance	Employee Benefits	459,000	(31,000)	428,000
Totals for Line Item Amendments		877,336	0	877,336
Total 2011 Appropriations		3,562,948	0	3,562,948

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On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the medical insurance agent for the Town of Rye had recently requested bids for the renewal of dental benefits for the Town employees and retirees, and

WHEREAS, Sun Life Financial is offering a plan with coverage that is equal or better than the current plan, and

WHEREAS, the total annual premium savings are projected at ten thousand, one hundred twenty dollars and eight cents (\$10,120.08), a net savings to the Town of eight thousand, six hundred two dollars and seven cents (\$8,602.07) and one thousand, five hundred eighteen dollars and one cent (\$1,518.01) to the employees/retirees;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby authorizes Supervisor Joseph Carvin to enter into an agreement with said Sun Life Financial, 200 Glastonbury Boulevard, Glastonbury, Connecticut 06033 to provide dental benefits to the Town of Rye employees/retirees as quoted in the submitted proposal with an effective date of April 1, 2012.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: None

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On motion of Councilperson Nioras, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, a severe rain storm swept through the Town of Rye on April 16, 2011, and

WHEREAS, the Town’s Archives Center, located in the basement of the Town of Rye Office Building, was flooded, resulting in severely damaged records, and

WHEREAS, the Town Board of the Town of Rye has determined that the Town would be eligible to apply for funding from the Local Government Records Management Fund to help fund a project to be called the “Disaster Management Plan”;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye supports the submission of this project for funding due to its immense value of the records stored in the Town’s Archives Center, and

BE IT FURTHER RESOLVED, that said project will identify and reduce risks, respond directly to the disasters as they occur, and continue normal business operations after the emergency has passed, and

BE IT FURTHER RESOLVED, the Board will periodically review and adapt the plan to reflect current conditions.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, petitions and Notices of Petitions to review the assessment for taxation of the real estate of Burger King Corp. affecting the specified parcels of real property on the tax rolls of the Town of Rye, County of Westchester, State of New York, were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an Agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location: 264 Boston Post Road, Port Chester, New York
Tax ID: 142.45-1-5

Assessment Year	Reduced From	Reduced To	Reduction
2004	\$1,438,200	\$1,300,000	\$138,200
2005	\$1,438,200	\$1,325,000	\$113,200
2006	\$1,553,500	\$1,400,000	\$153,500
2007	\$1,553,500	No Change	None
2008	\$1,553,500	No Change	None
2009	\$1,553,500	No Change	None
2010	\$1,429,200	No Change	None
2011	\$1,393,500	No Change	None, and

WHEREAS, it appears to be in the best interest of the Town to settle said matter as recommended by the Town Attorney and Special Counsel for the Town of Rye and the Town Assessor without further attendant legal and appraisal costs relating to said matters;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

1. The Supervisor of the Town of Rye, Joseph Carvin, be and he hereby is authorized to enter into a Stipulation of Settlement of said pending proceedings on the terms set forth herein.
2. The Town Attorney for the Town of Rye, Paul Noto, be and he hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
3. Said Supervisor Joseph Carvin be and he hereby is authorized to make and pay refunds on the terms set forth herein.
4. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Nioras, the following Resolution was adopted:

CONTRACT FOR SERVICES

Agreement dated this **1st day of March, 2012** by and between THE TOWN OF RYE (hereinafter referred to as the ("**TOWN**") with offices located at 10 Pearl Street, Port Chester, New York 10573 and DAVID THOMAS (hereinafter referred to as ("**THOMAS**") residing at 420 Elm Street, Port Chester, New York 10573.

WITNESSETH:

WHEREAS, the **TOWN** wishes to retain the services of **THOMAS** to perform community research and outreach services,

NOW, in consideration of the foregoing, the mutual covenants contained herein and other good and valuable consideration, the parties hereto agree as follows:

- 1. THOMAS shall provide the following services to the TOWN for 30 hours per week (minimum 25 hours per week, maximum 45 hours per week), not to exceed an annual amount of thirty six thousand dollars (\$36,000.00).**
 - **Basic Clerical duties**
 - **Parks and Recreation event scheduling**
 - **Website content management**
 - **Report creation and maintenance**
 - **Other projects as agreed with the TOWN Supervisor**
- 2. THOMAS shall be an Independent Contractor and shall be responsible for paying his own withholding taxes and shall receive no additional compensation other than that provided for herein. THOMAS is not an employee of the TOWN.**
- 3. TERM: The term of this Agreement shall commence on March 1, 2012 and continue until December 31, 2012 subject to the Supervisor's approval of a written, performance evaluation after 3 months.**
- 4. COMPENSATION:** The compensation is payable on a Bi-monthly basis **at the rate of \$25 per hour** upon receipt and approval of an invoice from **THOMAS** describing **THOMAS's** services and the number of hours worked. **THOMAS** shall use his own personal vehicle at all times.
 - **THOMAS shall be paid at a rate of \$35.00 per hour** for special projects assigned by the Supervisor and the confidential secretary. The designation of these projects will be determined by mutual agreement. This fee only to be charged if weekly hours on these special projects exceed 5 hours.

5. **GOVERNING LAW:** This Agreement shall be governed and construed in accordance with the laws of the State of New York.

6. **TERMINATION:** Either party may terminate this Agreement at any time upon thirty (30) days written notice.

7. **COUNTERPARTS:** This Agreement may be executed in one or more counterparts who together shall constitute one and the same instrument.

8. **SEVERABILITY OF PROVISIONS:** The invalidity or unenforceability of any term, phrase, clause, paragraph, restriction, covenant, agreement or other provision hereof shall in no way affect the validity or enforcement of any other provision or any part thereof.

9. **GOOD FAITH:** It is understood and agreed by the parties to this Agreement that they have entered into it in good faith and that both parties will communicate any and all changes and/or information which will be helpful to the other in the utilization of the contents of this Agreement.

10. **CAPTIONS:** The captions and title in this Agreement are for convenience of reference only and shall not be deemed to define or limit any of the terms, conditions or provision of this Agreement.

11. **ENTIRE AGREEMENT:** This instrument contains the entire Agreement of the parties. It may not be changed orally but only in writing signed by both parties.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date first above written.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: None

* * * * *

On motion of Councilperson Nioras, seconded by Councilperson Villanova, the following Resolution was adopted as amended:

CONTRACT FOR SERVICES

Agreement dated this 31st day of DECEMBER, 2011 by and between the **TOWN OF RYE** (hereinafter referred to as the "**TOWN**") with offices located at 10 Pearl Street, Port Chester, New York 10573 and **GREGORY D. ARCARO** (hereinafter referred to as "**ARCARO**") residing at 62 Stoneleigh Road, Scarsdale, New York 10583.

WITNESSETH:

WHEREAS, the Town of Rye wishes to retain the services of **ARCARO** in the capacity of Program Administrator.

NOW, in consideration of the foregoing, the mutual covenants contained herein and other good and valuable consideration, the parties hereto agree as follows:

1. **ARCARO** shall serve in the capacity of Program Administrator for the Town of Rye. His duties shall include:

- Updating the State of the Town Report
- Implementing the Town's Model American Community Project
- Assisting in the management of Rye Town Park; and
- Other projects as agreed with the **TOWN** Supervisor.

2. **ARCARO** shall be an Independent Contractor and shall be responsible for paying his own withholding taxes and shall receive no additional compensation other than that provided for herein **ARCARO** is not an employee of the **TOWN**.

3. **TERM:** The term of this Agreement shall commence on January 1, 2012 and continue until December 31, 2012. There will be no fixed hours, however, it is anticipated that **ARCARO** will spend no less than 15 hours per week on **TOWN** business.

4. **COMPENSATION:** The **TOWN** shall pay **ARCARO** for his services rendered herein, at a rate of forty-three dollars (\$43.00) per hour. This fee is payable on a monthly basis upon receipt and approval of an invoice and claim form from Arcaro showing work completed and hours worked for each day of **TOWN** work. Total annual compensation shall not exceed thirty-six thousand dollars (\$36,000.00) under the terms of this agreement. **ARCARO** shall use his own personal vehicle at all times.

5. **GOVERNING LAW:** This Agreement shall be governed and construed in accordance with the laws of the State of New York.

6. **TERMINATION:** Either party may terminate this Agreement at any time upon thirty (30) days written notice.

7. **COUNTERPARTS:** This Agreement may be executed in one or more counterparts which together shall constitute one and the same instrument.

8. **SEVERABILITY OF PROVISIONS:** The invalidity or unenforceability of any term, phrase, clause, paragraph, restriction, covenant, agreement or other provision hereof shall in no way affect the validity or enforcement of any other provision or any part thereof.

9. **GOOD FAITH:** It is understood and agreed by the parties to this Agreement that they have entered into it in good faith and that both parties will communicate any and all changes and/or information which will be helpful to the other in the utilization of the contents of this Agreement.

10. **CAPTIONS:** The captions and title in this Agreement are for convenience of reference only and shall not be deemed to define or limit any of the terms, conditions or provision of this Agreement.

11. **ENTIRE AGREEMENT:** This instrument contains the entire Agreement of the parties. It may not be changed orally but only in writing signed by both parties.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date first above written.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

* * * * *

On motion of Councilperson Villanova, seconded by Nioras, the following Resolution was adopted as amended:

CONTRACT FOR SERVICES

Agreement dated this 1st day of March 2012 by and between **THE TOWN OF RYE** (hereinafter referred to as the "**TOWN**") with offices located at 10 Pearl Street, Port Chester, New York 10573 and **ALEJANDRO PAYAN** (hereinafter referred to as "**PAYAN**") residing at 434 West William Street, Port Chester, New York 10573.

WITNESSETH:

WHEREAS, the **TOWN** wishes to retain the services of **PAYAN** to perform community research and outreach services,

NOW, in consideration of the foregoing, the mutual covenants contained herein and other good and valuable consideration, the parties hereto agree as follows:

1. **PAYAN** shall serve in the capacity of a Project Coordinator for the **TOWN**. Payan's project responsibilities shall include the following:

- Implement the Model American Community Project
- Complete the 2011 State of the Town Report;
- Participate in the Dissolution Study
- Other projects as agreed with the Town Supervisor

2. **PAYAN** shall be an Independent Contractor and shall be responsible for paying his own withholding taxes and shall receive no additional compensation other than that provided for herein. **PAYAN** is not an employee of the **TOWN**.

3. TERM: The term of this Agreement shall commence on March 1, 2012 and continue until December 31, 2012.

4. COMPENSATION: The compensation is payable on a monthly basis at the rate of twenty-five dollars (\$25.00) per hour upon receipt and approval of an invoice and claim form from **PAYAN** showing **PAYAN**'s work and the number of hours worked for each day of work. Total annual compensation shall not exceed ten-thousand dollars (\$10,000.00) under the terms of this agreement. **PAYAN** shall use his own personal vehicle at all times.

5. GOVERNING LAW: This Agreement shall be governed and construed in accordance with the laws of the State of New York.

6. TERMINATION: Either party may terminate this Agreement at any time upon thirty (30) days written notice.

7. COUNTERPARTS: This Agreement may be executed in one or more counterparts which together shall constitute one and the same instrument.

8. SEVERABILITY OF PROVISIONS: The invalidity or unenforceability of any term, phrase, clause, paragraph, restriction, covenant, agreement or other provision hereof shall in no way affect the validity or enforcement of any other provision or any part thereof.

9. GOOD FAITH: It is understood and agreed by the parties to this Agreement that they have entered into it in good faith and that both parties will communicate any and all changes and/or information which will be helpful to the other in the utilization of the contents of this Agreement.

10. CAPTIONS: The captions and title in this Agreement are for convenience of reference only and shall not be deemed to define or limit any of the terms, conditions or provision of this Agreement.

11. ENTIRE AGREEMENT: This instrument contains the entire Agreement of the parties. It may not be changed orally, but only in writing signed by both parties.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date first above written.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Mendicino and unanimously adopted, the meeting was adjourned at 10:30P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD MARCH 20, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, March 20, 2012 at 8:00 P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Deputy Supervisor William Villanova opening the meeting and Supervisor Joseph Carvin entering to preside at 8:15 P.M.

PRESENT: in addition to Supervisor Carvin and Deputy Supervisor Villanova were Councilpersons Christina Collins, Michele Mendicino, Robert Nioras, and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Assessor Mitchell Markowitz, Town Attorney Paul Noto, Town Comptroller David Byrnes, Superintendent of Highways John DeCrescenzo, Park Foreman Frank DeLeo, Court Clerk Anne Capeci and Confidential Secretary to the Supervisor Bishop Nowotnik.

* * * * *

Goldie Solomon led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer and asked for a moment of silence for the Capeci and Gelfarb families. A video recorder and an audio recorder were in use during the proceedings.

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the minutes of the meeting held on February 28, 2012 were unanimously approved as presented.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of February, 2012	
Total submitted to the Supervisor.	\$1,592.74
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of February, 2012	
Deposited to Supervisor, Town of Rye.	\$10,318,126.17
Deposited to Treasurer, Village of Port Chester	\$71,526.57
Deposited to Treasurer, Village of Rye Brook	\$3,294,168.12
Total	\$13,683,820.86
CRAWFORD PARK, for month of February, 2012	
Reported by Confidential Secretary Bishop Nowotnik	\$4,260.00

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Justice Court of the Town of Rye has outstanding traffic tickets dating back several years, and

WHEREAS, the Town Board of the Town of Rye wishes to purge said tickets;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye hereby amends the fiscal policy to address "Aged Receivables", and

BE IT FURTHER RESOLVED, that the Justice Court purge all tickets issued before the year 2007 as long as the plate does not have any current tickets, and

BE IT FURTHER RESOLVED, that the "Aged Receivables" policy be reviewed annually.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

WHEREAS, the New York State and Local Employees Retirement System has requested that the Town Board establish a standard workday for elected officials for the purpose of determining days worked reportable to the New York State and Local Retirement System;

NOW, THEREFORE, BE IT RESOLVED, that the Rye Town Board hereby establishes the following as a standard work day for the Town Council Members, Town Clerk, Receiver of Taxes and Superintendent of Highways for the purpose of determining workdays reportable to the New York State and Local Retirement System as described in Exhibit A:

Full-time: five day week, six to eight hours per day.
Part-time: five day week, three to four hours per day.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: None

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

WHEREAS, the New York State and Local Employees Retirement System has requested that the Town Board establish a standard workday for appointed officials for the purpose of determining days worked reportable to the New York State and Local Retirement System;

NOW, THEREFORE, BE IT RESOLVED, that the Rye Town Board hereby establishes the following as a standard workday for the Town Attorney, Town Comptroller and Town Assessor for the purpose of determining workdays reportable to the New York State and Local Retirement System as described in Exhibit A:

Full-Time: five day week, six to eight hours per day.
Part-Time: five day week, three to four hours per day.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: None

* * * * *

Resolution of the Town Board of the Town of Rye Establishing a Homestead Base Proportion for the **Village of Port Chester** and to Authorize the Town Assessor to File a Statement of Locally Determined Homestead Base Proportions Pursuant to and in Accordance with the Provisions of Section 1903 of the Real Property Tax Law Commonly Referred to as the "Homestead Tax Option" Based upon the Assessment Roll Completed, Verified and Filed in 2011.

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, in 1981, the State of New York enacted Section 1903 of the Real Property Tax Law (RPTL) known as the "Homestead Tax Option", and

WHEREAS, the Homestead Tax Option was enacted to prevent a disproportionate shift of property tax burden to residential property owners following a revaluation of real property, and

WHEREAS, the Town Board adopted a Local Law on March 23, 2004 entitled "A Local Law Adopting the Provisions of Section 1903 of the Real Property Tax Law" commonly referred to as the "Homestead Tax Option" (the "Local Law"), and

WHEREAS, pursuant to the Local Law, the Town Board desires to establish two separate property tax rates for the **Village of Port Chester**; a rate for residential property owners equal to a rate of **60.588835 (the "Homestead Base Proportion")** and a rate for all other property owners equal to a rate of **39.411165 (the "Non-Homestead Base Proportion")** and to authorize the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2011;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

The Town Board hereby: (a) establishes two separate property tax rates for the **Village of Port Chester** pursuant to the provisions of Section 1903 of the RPTL **(I) the Homestead Base Proportion at a rate equal to 60.588835 and (II) the Non-Homestead Base Proportion at a rate equal to 39.411165** and (b) authorizes the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2011.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None

* * * * *

Resolution of the Town Board of the Town of Rye Establishing a Homestead Base Proportion for the **Village of Rye Brook** and to Authorize the Town Assessor to File a Statement of Locally Determined Homestead Base Proportions Pursuant to and in Accordance with the Provisions of Section 1903 of the Real Property Tax Law Commonly Referred to as the "Homestead Tax Option" Based upon the Assessment Roll Completed, Verified and Filed in 2011.

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, in 1981, the State of New York enacted Section 1903 of the Real Property Tax Law (RPTL) known as the "Homestead Tax Option", and

WHEREAS, the Homestead Tax Option was enacted to prevent a disproportionate shift of property tax burden to residential property owners following a revaluation of real property, and

WHEREAS, the Town Board adopted a Local Law on March 23, 2004 entitled "A Local Law Adopting the Provisions of Section 1903 of the Real Property Tax Law" commonly referred to as the "Homestead Tax Option" (the "Local Law"), and

WHEREAS, pursuant to the Local Law, the Town Board desires to establish two separate property tax rates for the **Village of Rye Brook**; a rate for residential property owners equal to a rate of **73.921148 (the "Homestead Base Proportion")** and a rate for all other property owners equal to a rate of **26.078852 (the "Non-Homestead Base Proportion")** and to authorize the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2011;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

The Town Board hereby: (a) establishes two separate property tax rates for the **Village of Rye Brook** pursuant to the provisions of Section 1903 of the RPTL **(I) the Homestead Base Proportion at a rate equal to 73.921148 and (II) the Non-Homestead Base Proportion at a rate equal to 26.078852** and (b) authorizes the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2011.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None

* * * * *

Resolution of the Town Board of the Town of Rye Establishing a Homestead Base Proportion for the **Port Chester School District** and to Authorize the Town Assessor to File a Statement of Locally Determined Homestead Base Proportions Pursuant to and in Accordance with the Provisions of Section 1903 of the Real Property Tax Law Commonly Referred to as the "Homestead Tax Option" Based upon the Assessment Roll Completed, Verified and Filed in 2011.

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, in 1981, the State of New York enacted Section 1903 of the Real Property Tax Law (RPTL) known as the "Homestead Tax Option", and

WHEREAS, the Homestead Tax Option was enacted to prevent a disproportionate shift of property tax burden to residential property owners following a revaluation of real property; and

WHEREAS, the Town Board adopted a Local Law on March 23, 2004 entitled “A Local Law Adopting the Provisions of Section 1903 of the Real Property Tax Law” commonly referred to as the “Homestead Tax Option” (the “Local Law”), and

WHEREAS, pursuant to the Local Law, the Town Board desires to establish two separate property tax rates for the **Port Chester School District**; a rate for residential property owners equal to a rate of **60.205198 (the “Homestead Base Proportion”)** and a rate for all other property owners equal to a rate of **39.794802 (the “Non-Homestead Base Proportion”)** and to authorize the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2011;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

The Town Board hereby: (a) establishes two separate property tax rates for the **Port Chester School District** pursuant to the provisions of Section 1903 of the RPTL **(I) the Homestead Base Proportion at a rate equal to 60.205198 and (II) the Non-Homestead Base Proportion at a rate equal to 39.794802** and (b) authorizes the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2011.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

On motion of Councilperson Villanova seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain appraisers to handle certain certiorari matters;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby retains Valuation Plus Inc., with offices located at 444 East Boston Road, Mamaroneck, New York 10543 to represent the Town of Rye in the matter of Wachovia Corp vs. Town of Rye (2004 - 2011), and

BE IT FURTHER RESOLVED, that said Valuation Plus Inc. shall be compensated pursuant to the fee schedule approved January 19, 2010.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain appraisers to handle certain certiorari matters;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby retains Valuation Plus Inc., with offices located at 444 East Boston Road, Mamaroneck, New York 10543 to represent the Town of Rye in the matter of Pathmark Stores, Inc. vs. Town of Rye (2007 - 2011), and

BE IT FURTHER RESOLVED, that said Valuation Plus Inc. shall be compensated pursuant to the fee schedule approved January 19, 2010.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

On motion of Councilperson Villanova seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain appraisers to handle certain certiorari matters;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby retains Edward Ferrarone, MAI of Lane Appraisals, Inc. with offices located at 178 Myrtle Boulevard, Larchmont, New York 10538 to represent the Town of Rye in the matter of 344 Irving Ave. Co. LLC v. Town of Rye (2004 - 2011).

BE IT FURTHER RESOLVED, that said Lane Appraisals, Inc. shall be compensated pursuant to the fee schedule approved January 19, 2010.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted as amended:

WHEREAS, the Rye Town Board has determined there is a need for a part-time caretaker for Crawford Park, and

WHEREAS, the Board has conducted a public outreach including advertising for the position, and

WHEREAS, the Board has considered a number of candidates for the position;

NOW, THEREFORE, BE IT RESOLVED, that the Rye Town Board hereby agrees to appoint George Hogben to the position of part-time caretaker at Crawford Park, and

BE IT FURTHER RESOLVED, that George Hogben, in lieu of pay, will reside in the Caretaker Cottage at 33 Lincoln Avenue, Rye Brook, New York 10573. The position calls for twenty (20) hours of work per week to perform the following duties:

Opening and closing the Crawford Park facilities and venues, patrolling the park grounds at various times and reporting any damage and safety issues, monitoring event usage, emergency response and reporting, tree watering, policing the park grounds, minor landscaping and handyman repairs. Mr. Hogben will report directly to the Supervisor's office. He will be responsible for his own telephone, cable and fuel oil bill. The Town will be responsible for the electric and water services as the Town has other systems tied to those meters. The Town will also pay for the annual furnace servicing contract.

BE IT FURTHER RESOLVED, that Mr. Hogben will commence work and occupancy as of April 1, 2012 subject to Board approval of an acceptable lease agreement between the Town of Rye, and

BE IT FURTHER RESOLVED, Mr. Hogben shall be required to execute a residential lease form for occupancy and this will require him to agree to the provisions. This lease will be contingent; subject to continued employment in this position. There will be a ninety (60) day termination clause included, should the position be terminated for any reason.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain counsel to handle certain certiorari matters;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Rye does and hereby retains Jeffrey Binder, Esq. with offices located at 68 East Post Road, Suite 200, White Plains, New York 10601 to represent the Town of Rye in the following matters:

211 – 217 Westchester Avenue v. Town of Rye, Index No. 020473/2007
Property Located at 101-110 Westchester Avenue and Corner of King Street, Port Chester, New York, and

BE IT FURTHER RESOLVED that said Jeffrey Binder, Esq. shall be compensated pursuant to the Retainer Agreement dated April 15, 2008 for tax certiorari matters.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain counsel to handle certain certiorari matters;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby retains Aldo V. Vitagliano, Esq., with offices located at 150 Purchase Street, Suite 9, Rye, New York 10580 to represent the Town of Rye in the matters of:

- Sagamore Fund 1 LLC v. Town of Rye Index No. 023220/2009
- Sagamore Fund 1 LLC v. Town of Rye Index No. 025632/2010
- Sagamore Fund 1 LLC v. Town of Rye Index No. 015172/2011
- North Regent Street & University Place, Port Chester, New York (72 Unit Apartment Building), and

BE IT FURTHER RESOLVED, that said Aldo V. Vitagliano, Esq. shall be compensated pursuant to the Retainer Agreement dated May 30, 2008 for tax certiorari matters.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolutions for Crawford Park Usage were added to the agenda.

On motion of Councilperson Collins, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, the Town of Rye wishes to implement the Crawford Park 2011 Rental Policy regarding the serving of alcohol at events held in the park, and

WHEREAS, the Town of Rye requires an alcohol permit for one hundred dollars (\$100.00), and the option of obtaining Host Liquor Liability Insurance coverage or the hiring of a Rye Brook police officer for a minimum of four hours at fifty dollars (\$50.00) per hour, and

WHEREAS, if alcohol is brought into or is served at an event without the said alcohol permit, and the said insurance coverage or the hiring of a police officer, the following penalties will be enforced:

- 1) The person or company scheduling the event will be held responsible.
- 2) The Rye Brook Police Department will be called immediately and the event will be shut down.
- 3) The deposit for the event will not be returned.
- 4) The fee for the event will not be refunded.
- 5) The person or company holding the event will be prohibited from the use of the Crawford facilities for a period of five years;

NOW, THEREFORE, BE IT RESOLVED that when liquor is brought into or is served at an event at Crawford Park without an alcohol permit and the option of Host Liquor Liability Insurance coverage or the hiring of a Rye Brook police officer, the said penalties will be enforced, and

BE IT FURTHER RESOLVED that these requirements take place immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, the Town of Rye already has in place a Crawford Park 2011 Rental Policy covering regular events held at the Crawford Mansion and/or the Pavilion, and

WHEREAS, the Town of Rye receives many requests from “Not for Profit” organizations that wish to schedule events at said Crawford Mansion and/or the Pavilion, and

WHEREAS, the Town wishes to execute a rental fee policy to cover the costs of operations of such events sponsored by legitimate “Not for Profit” organizations based in the Town of Rye, and

WHEREAS, the Town believes that a fee of \$200.00 (two hundred dollars) is a fair price to cover the various costs of such events held at the Crawford Mansion, and a fee of \$75.00 (seventy-five dollars) for such events held at the Pavilion;

NOW, THEREFORE, BE IT RESOLVED, that for events sponsored by legitimate “Not for Profit” organizations based in the Town of Rye, the Town hereby requires a fee of two hundred dollars (\$200.00) for a minimum of three hours for events to be held at the Crawford Mansion and a fee of seventy-five dollars (\$75.00) for a minimum of three hours for events held at the Pavilion, and

BE IT FURTHER RESOLVED, that said policy take place immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Mendicino and unanimously adopted, the meeting was adjourned into executive session to discuss personnel history at 9:40 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD APRIL 17, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, April 17, 2012 at 8:00 P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Town Assessor Mitchell Markowitz, Town Attorney Paul Noto, Superintendent of Highways John DeCrescenzo, Park Foreman Frank DeLeo, and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: Councilperson Michele Mendicino, Receiver of Taxes Nicholas C. Mecca, Town Comptroller David Byrnes and Town Accountant Saverio Terenzi.

* * * * *

Goldie Solomon led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

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On motion of Councilperson Villanova, seconded by Councilperson Nioras, the minutes of the meeting held on March 20, 2012 were unanimously approved as presented.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of March, 2012	
Total submitted to the Supervisor.	\$1,764.84
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of March, 2012	
Deposited to Supervisor, Town of Rye.	\$1,022,486.77
Deposited to Treasurer, Village of Port Chester	\$136,099.68
Deposited to Treasurer, Village of Rye Brook	\$.655,491.15
Total	\$1,814,077.60
CRAWFORD PARK, for month of March, 2012	
Reported by Confidential Secretary Bishop Nowotnik	\$520.00

* * * * *

Dr. William Tobin from Duke University, who serves as the lead instructor for the “Tools for Change” seminars was present to introduce their most recent project. Dr. Tobin stated that this program is a Town effort that bridges together students from three school districts with the broad support and diligence of the co-sponsors, “Building Community Bridges” and the League of Women Voters. He further explained that the “Tools for Change” seminars inspire students to solve real world problems and create methods to do it all in a systematic based way.

The topic chosen was “What Is the Relationship Between Civic Participation and Social Media?” The participating students took the lead in every aspect of the project, decided on the topic, framed the research and determined the method of questioning. In a power point presentation, the students demonstrated their project and the techniques used to support their findings and conclusions.

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Nioras, the following Resolution was adopted.

WHEREAS, the Town of Rye is responsible for the maintenance and safety of the Crawford Mansion at Crawford Park, 122 North Ridge Street, Rye Brook, New York, and

WHEREAS, it had been determined that a separate exit from the second floor of the mansion was required and necessary for safety and insurance purposes, and

WHEREAS, at the regularly scheduled meeting of the Town of Rye held on July 19, 2011, the Town Board awarded the bid to design said exit to H2 Architects, located at 6 W. 128th Street, New York, New York 10027;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye authorizes Supervisor Joseph Carvin to approve the plans for the second exit from the second floor of the Crawford Mansion as presented by said H2 Architects, and

BE IT FURTHER RESOLVED, that the Town Board approves modifications to said plans, and

BE IT FURTHER RESOLVED, that the Town Board will request bid proposals for said modified plans.

ROLL CALL

AYES: Councilpersons Collins, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Mendicino

* * * * *

Resolution of the Town Board of the Town of Rye Establishing a Homestead Base Proportion for the **Blind Brook School District** and to Authorize the Town Assessor to File a Statement of Locally Determined Homestead Base Proportions Pursuant to and in Accordance with the Provisions of Section 1903 of the Real Property Tax Law Commonly Referred to as the "Homestead Tax Option" Based upon the Assessment Roll Completed, Verified and Filed in 2011.

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, in 1981, the State of New York enacted Section 1903 of the Real Property Tax Law ("RPTL") known as the "Homestead Tax Option", and

WHEREAS, the Homestead Tax Option was enacted to prevent a disproportionate shift of property tax burden to residential property owners following a revaluation of real property, and

WHEREAS, the Town Board adopted a Local Law on March 23, 2004 entitled "A Local Law Adopting the Provisions of Section 1903 of the Real Property Tax Law" commonly referred to as the "Homestead Tax Option" (the "Local Law"), and

WHEREAS, pursuant to the Local Law, the Town Board desires to establish two separate property tax rates for the **Blind Brook School District**; a rate for residential property owners equal to a rate of **80.060782 (the "Homestead Base Proportion")** and a rate for all other property owners equal to a rate of **19.939218 (the "Non-Homestead Base Proportion")** and to authorize the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2010;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. The Town Board hereby: (a) establishes two separate property tax rates for the **Blind Brook School District** pursuant to the provisions of Section 1903 of the RPTL **(I) the Homestead Base Proportion at a rate equal to 80.060782 and (II) the Non-Homestead Base Proportion at a rate equal to 19.939218** and (b) authorizes the Town Assessor to file a Statement of Locally Determined Homestead Base Proportions Pursuant to Section 1903 of the RPTL based on the Assessment Roll Completed, Verified and Filed in 2011.

ROLL CALL

AYES: Councilpersons Collins, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Mendicino

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Nioras, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain appraisers to handle certain certiorari matters.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby retains Edward Ferrarone, MAI of Lane Appraisals, Inc. with offices located at 178 Myrtle Boulevard, Larchmont, New York 10580 to represent the Town of Rye in the matters of Pepsi Co. Inc. v. Town of Rye (2004 - 2006).

BE IT FURTHER RESOLVED, that Lane Appraisals, Inc. shall be compensated pursuant to the fee schedule approved January 19, 2010.

ROLL CALL

AYES: Councilpersons Collins, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: Councilperson Mendicino

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Nioras, the following Resolution was adopted:

WHEREAS, the Town of Rye had received technical assistance and a fifteen thousand dollar (\$15,000.00) grant from the NYS Archives to restore official Town documents that were damaged in a storm in April 2011, and

WHEREAS, the Town of Rye had applied for and had received a ten thousand dollar (\$10,000.00) grant from the NYS Archive to prepare a plan to prevent damage to official Town hard copy and electronic records from future disasters, and

WHEREAS, the Town of Rye had issued a Request for Proposals (“RFP”) to consultants recognized by the NYS Archive to prepare such a plan, and

WHEREAS, the Town of Rye had received two responses from consultants experienced in preparing such plans and had completed its review of the proposals, and

WHEREAS, the Town’s review indicates that Access Systems of Manlius, New York submitted a proposal that was the most responsive to the Town’s RFP and best meets the needs of the Town in this matter;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Rye enter into contract with said Access Systems, and

BE IT FURTHER RESOLVED, that said contract will be a nine thousand, five hundred dollar (\$9,500.00) “fixed fee” contract.

ROLL CALL

AYES: Councilpersons Collins, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: Councilperson Mendicino

* * * * *

Supervisor Carvin requested follow-up reports from Comptroller Byrnes for the Town of Rye Capital Plan and a list of Town assets and their values from Confidential Secretary Nowotnik for the next meeting.

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Collins and unanimously adopted, the meeting was adjourned at 10:20 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD APRIL 24, 2012

A special meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, April 24, 2012 at 8:00 A.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michelle Mendicino, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Town Attorney Paul Noto and Confidential Secretary to the Supervisor Bishop Nowotnik

* * * * *

Supervisor Carvin led those present in the Pledge of Allegiance.

* * * * *

The purpose of this meeting was to adjourn into executive session to discuss personnel. No action was taken.

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Collins and unanimously adopted, the meeting was adjourned at 8:40 A.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD MAY 15, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, May 15, 2012 at 8:00 P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michele Mendicino, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Town Assessor Mitchell Markowitz, Town Attorney Paul Noto, Superintendent of Highways John DeCrescenzo, Town Comptroller David Byrnes, Park Foreman Frank DeLeo, Program Administrator Greg Arcaro and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: were Receiver of Taxes Nicholas C. Mecca and Town Accountant Saverio Terenzi.

* * * * *

Rye Brook Village Police Chief Greg Austin led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Collins, the minutes of the meeting held on April 17, 2012 were unanimously approved as presented.

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The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of April, 2012
Total submitted to the Supervisor. \$1,792.17

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of April, 2012
Deposited to Supervisor, Town of Rye. \$1,022,486.77
Deposited to Treasurer, Village of Port Chester \$136,099.68
Deposited to Treasurer, Village of Rye Brook \$655,491.15
Total \$1,814,077.60

CRAWFORD PARK, for month of April, 2012
Reported by Confidential Secretary Bishop Nowotnik \$4,755.00

* * * * *

Ralph Cirulli, founder of the Port Chester American Legion Band Post 93 was present to share the history of the Brass Band that served from March 07, 1949 through May 30, 2011. Members of the Band were in attendance to receive the Town of Rye Distinguished Service Award in recognition and appreciation for their many years of serve to the Town.

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Nioras, the Town Board of the Town of Rye authorized Supervisor Carvin to approve a donation of three thousand dollars (\$3,000.00) to the Independence Day Committee towards the festivities of July 4, 2012.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras and Deputy Supervisor Villanova
NOES: None
ABSENT: Supervisor Carvin

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On motion of Councilperson Mendicino, seconded by Councilperson Collins and unanimously approved, the location for the regular monthly meeting to be held June 19, 2012 was changed to the Rye Neck High School in Mamaroneck, New York.

* * * * *

On motion of Councilperson Nioras, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye recognizes that the west sidewalk of the South Barry Avenue Bridge, in the Village of Mamaroneck, New York, is in need of replacement, and

WHEREAS, plan SK1 Western Sidewalk Rehabilitation Plan and plan SK2 Western Sidewalk Details and Notes had been prepared by Ahneman Kirby, LLC, 1171 East Putnam Avenue, Suite 1A, Riverside, Connecticut 06878, and

WHEREAS, the Town of Rye had solicited bids and had received five, and

WHEREAS, Con-Tech Construction Technology, Inc., 28 Lakeview Drive, Yorktown Heights, New York 10598 had submitted the lowest bid and upon checking references, was deemed to be the most qualified and of integrity and good standing;

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to execute an agreement with said Con-Tech Construction Technology, Inc. to perform the west sidewalk rehabilitation in accordance with Plans SK1 and SK2, and

BE IT FURTHER RESOLVED, that said Con-Tech Construction Technology, Inc. be paid eight thousand, seven hundred eleven dollars (\$8,711.00) for the rehabilitation services provided in the Request for Proposals.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

* * * * *

Supervisor Carvin entered the meeting at 8:35 P.M. and presided thereafter.

Comptroller Byrnes presented the Serial Bond Resolutions.

Councilperson Nioras submitted the following bond resolution and moved for its adoption. The motion was seconded by Councilperson Villanova. The Town Board was polled. The motion was adopted by a vote of five affirmative votes (being at least two-thirds of the voting strength of the Town Board) with no negative votes and no votes absent.

Bond resolution, dated May 15, 2012, authorizing the issuance of up to one million, eight hundred fifty thousand dollars (\$1,850,000.00) aggregate principal amount serial bonds of the Town of Rye, County of Westchester, State of New York, pursuant to the local finance law, to finance the cost of the acquisition, construction, and reconstruction of various bridges, in and for the Town.

WHEREAS, the Town Board of the Town of Rye (the "Town"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Town to authorize the financing of the costs of the acquisition, construction, and reconstruction of various bridges, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed one million, eight hundred fifty thousand dollars (\$1,850,000.00), in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Town, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$1,850,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction, and reconstruction of various bridges, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the "Project").

Section 2. The Town Board has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed one million, eight hundred fifty thousand (\$1,850,000.00); (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Town Board plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, except to the extent of the receipt by the Town of federal, state or local government funds or grants-in-aid which amounts received will reduce the amount of serial bonds authorized herein *pro tanto*; (d) the maturity of such serial bonds authorized herein shall be in excess of five years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Town, the Town Board took official action for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty years. The serial bonds authorized herein shall have a maximum maturity of twenty years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. The Town Supervisor is hereby authorized to execute on behalf of the Town all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Town Clerk is hereby authorized to impress the seal of the Town (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Town Supervisor.

Section 5. The faith and credit of the Town are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Town Clerk shall cause the same to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in the Westmore News, a newspaper having a general circulation in the Town. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Town is not authorized to expend money, or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Town Board shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Town Board will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Town Board that the Project will not have a significant effect on the environment.

Section 8. The Town hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The Town covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations,

or any other funds of the Town, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Town made in connection with the Project on or after a date which is not more than sixty days prior to the adoption date of this bond resolution by the Town Board.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Town agrees, in accordance with, and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Town's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Town Supervisor is authorized and directed to sign and deliver, in the name and on behalf of the Town, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Town Clerk, which shall constitute the continuing disclosure agreement made by the Town for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Town and that are approved by the Town Supervisor on behalf of the Town, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Town's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Town would be required to incur to perform thereunder. The Town Supervisor is further authorized and directed to establish procedures in order to ensure compliance by the Town with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Town Supervisor shall consult with, as appropriate, the Town Attorney and bond counsel or other qualified independent special counsel to the Town and shall be entitled to rely upon any legal advice provided by the Town Attorney or such bond counsel or other qualified independent special counsel of the Town in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Town Board and the expiration of the period prescribed in the Town Law during which petitions for a permissive referendum may be submitted and filed with the Town Clerk.

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Councilperson Nioras submitted the following bond resolution and moved for its adoption. The motion was seconded by Councilperson Villanova, the Town Board was polled. The motion was adopted by a vote of five affirmative votes (being at least two-thirds of the voting strength of the Town Board) with no negative votes and no votes absent.

Bond Resolution, dated May 15, 2012, authorizing the issuance of up to one hundred, twenty-two thousand, eight hundred dollars (\$122,800.00) aggregate principal amount serial bonds of the Town of Rye, County of Westchester, State of New York, pursuant to the local finance law, to finance the cost of the acquisition, construction, and reconstruction of various park or recreational areas, in and for the Town.

WHEREAS, the Town Board of the Town of Rye (the "Town"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Town to authorize the financing of the costs of the acquisition, construction, and reconstruction of various park or recreational areas, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed one hundred twenty-two thousand, eight hundred dollars (\$122,800.00), in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Town, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed one hundred twenty-two thousand, eight hundred dollars (\$122,800.00), pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction, and reconstruction of various park or recreational areas, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the "Project").

Section 2. The Town Board has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed one hundred twenty-two thousand, eight hundred dollars (\$122,800.00); (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Town Board plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maturity of such serial bonds authorized herein shall be in excess of five years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Town, the Town Board took official action for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is fifteen years. The serial bonds authorized herein shall have a maximum maturity of fifteen years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. The Town Supervisor is hereby authorized to execute on behalf of the Town all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Town Clerk is hereby authorized to impress the seal of the Town (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Town Supervisor.

Section 5. The faith and credit of the Town are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Town Clerk shall cause the same to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Journal News, a newspaper having a general circulation in the Town. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Town is not authorized to expend money, or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Town Board shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution,

the Town Board will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Town Board that the Project will not have a significant effect on the environment.

Section 8. The Town hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Town covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Town, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Town made in connection with the Project on or after a date which is not more than sixty days prior to the adoption date of this bond resolution by the Town Board.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Town agrees, in accordance with, and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Town’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Town Supervisor is authorized and directed to sign and deliver, in the name and on behalf of the Town, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Town Clerk, which shall constitute the continuing disclosure agreement made by the Town for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Town and that are approved by the Town Supervisor on behalf of the Town, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Town’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Town would be required to incur to perform thereunder. The Town Supervisor is further authorized and directed to establish procedures in order to ensure compliance by the Town with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Town Supervisor shall consult with, as appropriate, the Town Attorney and bond counsel or other qualified independent special counsel to the Town and shall be entitled to rely upon any legal advice provided by the Town Attorney or such bond counsel or other qualified independent special counsel of the Town in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Town Board and the expiration of the period prescribed in the Town Law during which petitions for a permissive referendum may be submitted and filed with the Town Clerk.

* * * * *

Councilperson Nioras submitted the following bond resolution and moved for its adoption. The motion was seconded by Councilperson Villanova, the Town Board was polled. The motion was adopted by a vote of five affirmative votes (being at least two-thirds of the voting strength of the Town Board) with no negative votes and no votes absent.

Bond Resolution, dated May 15, 2012, authorizing the issuance of up to twenty-seven thousand, two hundred dollars (\$27,200.00) aggregate principal amount serial bonds of the Town of Rye, County of Westchester, State of New York, pursuant to the local finance law, to finance the cost the acquisition of various equipment, machinery, apparatus or furnishings, in and for the Town.

WHEREAS, the Town Board of the Town of Rye (the “Town”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Town to authorize the financing of the costs of the acquisition of various equipment, machinery, apparatus, or furnishings, all in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed twenty-seven thousand, two hundred dollars (\$27,200.00), in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Town, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed twenty-seven thousand, two hundred dollars (\$27,200.00), pursuant to the Local Finance Law, in order to finance the costs of the acquisition of various equipment, machinery, apparatus, or furnishings, all in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefore and any preliminary and incidental costs related thereto (collectively, the “Project”).

Section 2. The Town Board has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed twenty-seven thousand, two hundred dollars (\$27,200.00); (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Town Board plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maturity of such serial bonds authorized herein shall be not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Town, the Town Board took official action for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is five years. The serial bonds authorized herein shall have a maximum maturity of five years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. The Town Supervisor is hereby authorized to execute on behalf of the Town all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Town Clerk is hereby authorized to impress the seal of the Town (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Town Supervisor.

Section 5. The faith and credit of the Town are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Town Clerk shall cause the same to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in the Journal News, a newspaper having a general circulation in the Town. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Town is not authorized to expend money,

or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Town Board shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Town Board will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Town Board that the Project will not have a significant effect on the environment.

Section 8. The Town hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Town covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Town, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Town made in connection with the Project on or after a date which is not more than sixty days prior to the adoption date of this bond resolution by the Town Board.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Town agrees, in accordance with, and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Town’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Town Supervisor is authorized and directed to sign and deliver, in the name and on behalf of the Town, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Town Clerk, which shall constitute the continuing disclosure agreement made by the Town for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Town and that are approved by the Town Supervisor on behalf of the Town, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Town’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Town would be required to incur to perform thereunder. The Town Supervisor is further authorized and directed to establish procedures in order to ensure compliance by the Town with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Town Supervisor shall consult with, as appropriate, the Town Attorney and bond counsel or other qualified independent special counsel to the Town and shall be entitled to rely upon any legal advice provided by the Town Attorney or such bond counsel or other qualified independent special counsel of the Town in determining whether a filing should be made.

Section 10. This bond resolution will take effect upon its adoption by the Town Board.

* * * * *

Councilperson Nioras presented the following resolution and moved that it be adopted. The motion was seconded by Councilperson Villanova. By a vote of five votes in the affirmative (being at least a majority of the voting strength of the Town Board) and none in the negative, the resolution as follows was adopted by the Town Board of the Town of Rye.

Environmental Compliance Resolution to Make Findings and Determinations

WHEREAS, Ahneman Kirby, LLC competent architectural and engineering firms, duly licensed by the State of New York (the “architect and engineer”), have, at the instance of the Town Board (the “Board”), prepared engineering and architectural plans and studies and an estimate of the cost of the acquisition, construction and reconstruction of various bridges authorized by the Board pursuant to a bond resolution, totaling one million, eight hundred fifty thousand dollars (\$1,850,000.00) including rights-in-land, original furnishings, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (the “Project”) and said engineering and architectural plans and studies have been filed in the office of the Town Clerk and are on file for public inspection, and

WHEREAS, the Town Board has determined that upon the examination of an environmental assessment form (“EAF”) prepared by the architect and engineer, each component of the Project is an “unlisted action”, as that term is defined in 6 NYCRR §617.2 (ak), or a “Type II action”, as that term is defined in 6 NYCRR §617.2(aj), and therefore the Town has caused the EAF to be prepared and promptly filed with the Town Clerk, and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is one million, eight hundred fifty thousand dollars (\$1,850,000.00) and that the costs of the Project are to be financed by the issuance of serial bonds of the Town in the aggregate principal amount of one million, eight hundred fifty thousand dollars (\$1,850,000.00) pursuant to the Local Finance Law of New York (the “LFL”) and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds, and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Town in annual installments determined by the Town Board in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board, and

WHEREAS, the evidence contained in such engineering and architectural plans and studies and in the EAF with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Rye, New York as follows: that pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“SEQRA”) regulations,

Section 1. The Town, by and through the Board, hereby declares and designates itself to be the “lead agency” as that term is defined in 6 NYCRR §617.2(u), with respect to the environmental review of the Project.

Section 2. Upon receipt and examination of the EAF it is hereby determined that the Project is an unlisted action or a Type II action, as those terms are defined in 6 NYCRR §617.2(ak) and §617.2(aj), respectively.

Section 3. No other agency other than the Town is involved in said environmental review and no coordinated review or segmentation of such review is necessary or required with respect to the Project.

Section 4. No hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. g into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. The Town shall maintain a file, readily accessible to the public, in the office of the Town Clerk, containing this resolution, and the EAF.

Section 7. This resolution shall take effect immediately upon its adoption.

On motion of Councilperson Mendicino, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, Petitions and Notices of Petitions to review the assessment of the real estate of Patricia and Jamie Douglass, 28 Ridge Blvd., Port Chester, New York, 10573 were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an Agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location: 28 Ridge Blvd. Port Chester, New York Tax ID: 135.60-2-8

Assessment <u>Year</u>	Reduced <u>From</u>	Reduced <u>To</u>	<u>Reduction</u>
2011	891,500	750,000	141,500, and

WHEREAS, it appears to be in the best interest of the Town to settle said matter as recommended by the Town Attorney and the Town Assessor without further attendant legal and appraisal costs relating to said matters;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

1. The Supervisor of the Town of Rye, Joseph Carvin, be and hereby is authorized to enter into a Stipulation of Settlement of said pending proceedings on the terms set forth herein.
2. The Town Attorney for the Town of Rye, Paul J. Noto, be and hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
3. Said Supervisor of the Town of Rye be and is hereby is authorized to make and pay refunds on the terms set forth herein.
4. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
 NOES: None
 ABSENT: None

* * * * *

On motion of Councilperson Nioras, seconded by Councilperson Villanova, the following Resolution was adopted:

WHEREAS, Petitions and Notices of Petitions to review the assessment for taxation of the real estate multiple properties owned by Messina and Briante, Inc. Port Chester, New York 10573 affecting the specified parcels of real property on the tax rolls of the Town of Rye, County of Westchester, State of New York, were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an Agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location: 285 Boston Post Road, Port Chester, New York Tax ID: 142.38-1-1
 Description: Goodyear Tire

Assessment <u>Year</u>	Reduced <u>From</u>	Reduced <u>To</u>	<u>Reduction</u>
2001	35,000	32,900	2,100
2002	35,000	27,100	7,900
2003	28,900	25,600	3,300
2004	747,600	747,600	0
2005	747,600	747,600	0
2006	807,500	807,500	0
2007	886,000	886,000	0
2008	886,000	886,000	0

2009	886,000	886,000	0
2010	815,100	815,100	0
2011	1,313,700	1,000,000	313,700,

Location: 303 Boston Post Road, Port Chester, New York Tax ID: 142.45-1-8
 Description: Tennis Club

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2001	176,600	176,600	0
2002	176,600	176,600	0
2003	176,600	176,600	0
2004	10,208,200	10,208,200	0
2005	9,000,000	9,000,000	0
2006	9,450,000	9,450,000	0
2007	11,500,000	11,300,000	200,000
2008	11,500,000	11,300,000	200,000
2009	11,500,000	11,300,000	200,000
2010	10,580,000	10,580,000	0
2011	10,053,400	10,000,000	53,400,

Location: 303 Boston Post Road, Port Chester, New York Tax ID: 142.45-1-10
 Description: Fast Food Restaurant

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2001	31,700	25,000	6,700
2002	31,700	22,000	9,700
2003	31,700	21,000	10,700
2004	1,200,000	900,000	300,000
2005	1,000,000	1,000,000	0
2006	1,080,000	1,080,000	0
2007	1,080,000	1,080,000	0
2009	1,080,000	1,080,000	0
2010	950,000	950,000	0
2011	1,025,000	1,025,000	0,

Location: 303 Boston Post Road, Port Chester, New York Tax ID: 142.45-1-2
 Description: Vacant Commercial

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2001	14,600	14,600	0
2002	14,600	14,600	0
2003	14,600	14,600	0
2004	659,200	725,100	0
2005	725,100	725,100	0
2006	797,500	797,500	0
2007	797,500	797,500	0
2008	797,500	797,500	0
2009	797,500	797,500	0
2010	733,700	733,700	0
2011	737,800	737,800	0, and

WHEREAS, it appears to be in the best interest of the Town to settle said matter as recommended by the Town Attorney and Special Counsel for the Town of Rye and the Town Assessor without further attendant legal and appraisal costs relating to said matters;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

1. The Supervisor of the Town of Rye, Joseph Carvin, be and hereby is authorized to enter into a Stipulation of Settlement of said pending proceedings on the terms set forth herein.

2. The Town Attorney for the Town of Rye, Paul J. Noto, be and hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
3. Said Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
4. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

On motion of Councilperson Collins, seconded by Councilperson Nioras, the following Resolution was adopted:

WHEREAS, Petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by 344 Irving Avenue LLC, Inc were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an Agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location: 344 Irving Avenue, Port Chester, New York Tax ID 136.77-2-50
 Description: Multifamily Residential Property

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2004	615,500	575,000	40,500
2005	677,100	615,000	62,100
2006	731,500	640,000	91,500
2007	660,000	640,000	20,000
2008	660,000	640,000	20,000
2009	660,000	640,000	20,000
2010	630,400	600,000	30,400
2011	606,600	606,600	0, and

WHEREAS, it appears to be in the best interest of the Town to settle said matter as recommended by the Town Attorney and Special Counsel for the Town of Rye and the Town Assessor without further attendant legal and appraisal costs relating to said matters;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

1. The Supervisor of the Town of Rye, Joseph Carvin, be and hereby is authorized to enter into Stipulation of Settlement of said pending proceedings on the terms set forth herein.
2. The Town Attorney for the Town of Rye, Paul J. Noto, be and hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
3. Said Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
4. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

There being no further business, on motion of Councilperson Nioras, seconded by Councilperson Mendicino and unanimously adopted, the meeting was adjourned at 9:48 P.M.

Respectfully submitted,

Hope B. Vespia
 Town Clerk

MEETING HELD JUNE 19, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, June 19, 2012 at 8:00 P.M. in the Community Room of the Rye Neck High School, 310 Hornidge Road, Mamaroneck, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michele Mendicino, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas Mecca, Town Accountant Saverio Terenzi, Town Attorney Paul Noto, Town Comptroller David Byrnes, Park Foreman Frank DeLeo, Program Administrator Greg Arcaro and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: was Superintendent of Highways John DeCrescenzo

* * * * *

William Alper led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the minutes of the meeting held on May 15, 2012 were unanimously approved as presented.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of May, 2012	
Total submitted to the Supervisor.	\$2,008.91
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of May, 2012	
Deposited to Supervisor, Town of Rye.	\$6,755,282.55
Deposited to Treasurer, Village of Port Chester	\$46,727.56
Deposited to Treasurer, Village of Rye Brook	<u>\$10,468.59</u>
Total	\$6,812,478.70
CRAWFORD PARK, for month of May, 2012	
Reported by Confidential Secretary Bishop Nowotnik	\$10,870.00

* * * * *

William and Kathy Alper were present to receive a certificate of appreciation from the Town of Rye in recognition of the 125th Anniversary of the existence of the KTI Synagogue which is the oldest, longest-continuing Jewish congregation in all of Westchester County.

* * * * *

Representatives from Sedore & Company, P.C. attended the meeting to present the 2011 audited financials.

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, Crawford Park located in Rye Brook, New York is a beautiful and popular place for individuals and families in the Town of Rye, and

WHEREAS, there have been serious cases of vandalism in recent months in said park, and

WHEREAS, the Town of Rye wishes to prevent further vandalism by installing a camera system for remote viewing, and

WHEREAS, the Town of Rye had requested bids for a security camera system in the Request for Proposals advertised on May 23, 2012, and

WHEREAS, the Town of Rye had received nine bids from various companies, and

WHEREAS, after due consideration, the Town of Rye has determined that Westchester Lock & Alarm, 954 McLean Avenue, Yonkers, New York 10704, is the most qualified of the bidding companies;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye wishes to retain the services of said Westchester Lock & Alarm, and

BE IT FURTHER RESOLVED, that the said Westchester Lock & Alarm shall be paid the sum of twelve thousand, four hundred ninety dollars (\$12,490.00) for the security camera system in Crawford Park, and

BE IT FURTHER RESOLVED, that Town of Rye Supervisor Joseph Carvin be and he hereby is authorized to enter into contract with said Westchester Lock & Alarm.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor

NOES: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following resolution was adopted:

WHEREAS, the Council of the Arts, 211 South Ridge Street, Rye Brook, New York 10573, is a entity conducting business in the Town of Rye, and

WHEREAS, the said Council of the Arts is in need of storage space;

NOW, THEREFORE, BE IT RESOLVED, the Town of Rye wishes to enter into an agreement to rent said Council of the Arts storage space at the Mansion at Crawford Park, located at 122 North Ridge Street, Rye Brook, New York 10573, and

BE IT FURTHER RESOLVED, that said lease shall be for a term of one year, commencing on June 1, 2012 and ending on May 31, 2013, and

BE IT FURTHER RESOLVED, that said tenant with have the option to renew said lease for a period of three one-year terms, and

BE IT FURTHER RESOLVED, that said tenant will pay the Town of Rye the sum of three thousand, three hundred dollars (\$3,300.00) payable in equal monthly installments of three hundred dollars (\$300.00) from August 1, 2012 until May 31, 2013, and

BE IT FURTHER RESOLVED, said tenant agrees to all conditions as outlined in the lease agreement dated June 19, 2012, and

BE IT FURTHER RESOLVED, that Town of Rye Joseph Carvin be and he hereby is authorized to enter into the lease agreement with said Council of the Arts.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted.

WHEREAS, Crawford Park, 122 North Ridge Street, Rye Brook, New York 10573, is owned by the Town of Rye, and

WHEREAS, the Town of Rye was contacted by a resident whose property abuts said park, and

WHEREAS, said resident was concerned about the condition of the trees near his property line, and

WHEREAS, the Engineer of the Village of Rye Brook, a certified arborist, determined the need to remove or trim several trees in said park for residents' safety, and

WHEREAS, the Town of Rye had solicited bids from several tree companies, and

WHEREAS, after due consideration, the Town of Rye determined that the Timberline Tree & Landscape Company, of 172 West Nyack Road, West Nyack, New York 10994, was the most qualified to do the work as well as being the lowest bidder;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Rye wishes to enter into contract with said Timberline Tree & Landscape Company for the sum of six thousand, five hundred dollars (\$6,500.00), and

BE IT FURTHER RESOLVED, that Town of Rye Supervisor Joseph Carvin be and he hereby is authorized to enter into contract with said Timberline Tree & Landscape Company.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

On motion of Councilperson Villanova, seconded by Mendicino, the following Resolution was adopted:

WHEREAS, there are uncollected taxes due to the Town of Rye, and

WHEREAS, approximately two hundred fifty-nine thousand, nine hundred twenty dollars and forty cents (\$259,920.40) of uncollected taxes are delinquent in excess of two years and are therefore eligible for In Rem Tax Foreclosure proceedings;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye does and hereby authorizes Town Attorney Paul Noto to commence an In Rem Tax Foreclosure proceeding against all eligible properties for which a tax lien has been filed and have remained unpaid for a period of two years, and

BE IT FURTHER RESOLVED, that the Town of Rye shall pay said Town Attorney the sum of four hundred dollars (\$400.00) per parcel against which enforcement proceedings will be commenced, and

BE IT FURTHER RESOLVED, that the Town of Rye shall assess the delinquent taxpayers the sum of four hundred dollars (\$400.00) per parcel plus court costs, legal fees, costs of title search and any other costs and expenses legally chargeable to the delinquent taxpayers pursuant to the In Rem Foreclosure proceedings, and

BE IT FURTHER RESOLVED, that the Town of Rye hereby authorizes said Town Attorney to immediately commence an action for In Rem Foreclosure of eligible properties pursuant to Article 11 Section 1123 of the Real Property Tax Law of the State of New York.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, on or about June 1, 2011, the Assessor of the City of Rye changed the status of the Rye Town Park from exempt to taxable, and

WHEREAS, the Town of Rye filed an application with the City of Rye Board of Assessment Review to request the parkland exemption be restored, and

WHEREAS, said request was denied, and

WHEREAS, the Town of Rye subsequently filed an Article 7 Certiorari proceeding challenging the revocation of this exemption;

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Joseph Carvin and the Town Board of the Town of Rye hereby authorizes Town Attorney Paul Noto to file a complaint to the City of Rye Board of Assessment Review to restore the tax exempt status to the parkland.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

Two certioraris were presented to the Town Board and held over for the July meeting.

* * * * *

Supervisor Carvin called for a special meeting to be held July 10, 2012 to discuss certioraris and reval with representatives from the Village of Port Chester, the Village of Rye Brook and the Rye Neck section of the Village of Mamaroneck as well as representatives from the school districts of Port Chester, Blind Brook and Rye Neck. He asked for Town Assessor Markowitz and Town Attorney Noto be prepared to give a full-fledged presentation regarding certiorari settlements and how many cases have come back to file again and the legal standpoint. The Supervisor mentioned that he would seriously consider to undo reval and asked for information on the advantages and disadvantages of reval and the value at risk.

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Nioras and unanimously adopted, the meeting was adjourned at 10:35 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD JULY 17, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, July 17, 2012 at 8:00 P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michele Mendicino, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Accountant Saverio Terenzi, Town Attorney Paul Noto, Town Comptroller David Byrnes, Program Administrator Greg Arcaro, and Superintendent of Highways John DeCrescenzo.

ABSENT: were Town Assessor Mitchell Markowitz, Confidential Secretary to the Supervisor Bishop Nowotnik and Park Foreman Frank DeLeo

* * * * *

Town Clerk Vespia led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Collins, the minutes of the meeting held on June 19, 2012 were unanimously approved as amended.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of June, 2012
Total submitted to the Supervisor. \$1,897.00

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of June, 2012
Deposited to Supervisor, Town of Rye. \$797,531.59
Deposited to Treasurer, Village of Port Chester \$9,526,494.52
Deposited to Treasurer, Village of Rye Brook \$7,548,795.48
Total \$17,872,821.59

CRAWFORD PARK, for month of June, 2012
Reported by Confidential Secretary Bishop Nowotnik \$11,139.50

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, petitions and Notices of Petitions to review the assessment for taxation of 1 Harbor Dr. Port Chester, New York 10573, affecting the specified parcel of real property on the tax rolls of the Town of Rye, County of Westchester, State of New York, were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an Agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location: 1 Harbor Dr. Tax ID: 142.63-1-21
Description: 1 family residence

<u>Assessment</u> <u>Year</u>	<u>Reduced</u> <u>From</u>	<u>Reduced</u> <u>To</u>	<u>Reduction</u>
2006	1,200,000	1,050,000	150,000
2007	1,272,000	1,100,000	172,000
2008	1,233,800	1,050,000	183,800, and

WHEREAS, it appears to be in the best interest of the Town to settle said matter as recommended by the Town Attorney and Special Counsel for the Town of Rye and the Town Assessor without further attendant legal and appraisal costs relating to said matters;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

1. The Supervisor of the Town of Rye, Joseph Carvin, be and he hereby is authorized to enter into a Stipulation of Settlement of said pending proceedings on the terms set forth herein.
2. The Town Attorney for the Town of Rye, Paul J. Noto, be and he hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
3. Said Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
4. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by Sam Ranani were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an Agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location: 115 North Barry Avenue, Mamaroneck Tax ID: 154.43-1-41
Description: Multifamily Residential Property

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2006	831,500	675,000	156,500
2007	831,500	675,000	156,500
2008	831,500	675,000	156,500
2009	831,500	675,000	156,500
2010	781,600	675,000	106,500
2011	758,800	675,000	83,800, and

WHEREAS, it appears to be in the best interest of the Town to settle said matter as recommended by the Town Attorney and Special Counsel for the Town of Rye and the Town Assessor without further attendant legal and appraisal costs relating to said matters;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

1. The Supervisor of the Town of Rye, Joseph Carvin, be and he hereby is authorized to enter into a Stipulation of Settlement of said pending proceedings on the terms set forth herein.
2. The Town Attorney for the Town of Rye, Paul J. Noto, be and he hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
3. Said Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
4. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the following Resolution was adopted as amended.

WHEREAS, the Town Board of the Town of Rye recognizes its responsibility for the maintenance of the Crawford Mansion, at Crawford Park, 122 North Ridge Street, Rye Brook, New York, and for the safety of residents using the mansion, and

WHEREAS, the said Board had determined that a separate exit from the second floor of the mansion was necessary to maintain the safety of those using the mansion, and

WHEREAS, the said Board at a meeting scheduled on July 19, 2011, had awarded the bid to design of the separate second floor exit to H2 Architects, of 6 W. 128th Street, New York, New York, and

WHEREAS, the said Board had requested bid proposals for the separate exit and had subsequently received five bids, and

WHEREAS, all the bids had exceeded the budgeted amount for the project and therefore were rejected;

NOW, THEREFORE, BE IT RESOLVED, that the bidding process for the said project be postponed pending a future Town Board decision, and

BE IT FURTHER RESOLVED, that the Town Board seek to perform a feasibility study and a review of the Occupational Safety and Health Administration (OSHA) requirements.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None

* * * * *

After Board members decided that the Certiorari presentation by Town Assessor Markowitz and Town Attorney Noto was postponed until the September 18, 2012 meeting.

* * * * *

Supervisor Carvin asked Town Attorney Noto to work with Confidential Secretary Nowotnik on a proposal for the disposal of five properties with unpaid tax liens back to tax years 2009 and 2010.

* * * * *

Town Comptroller Byrnes reported to the Board that the publication notices for the Bond Resolutions adopted May 15, 2012 have been properly noticed. He was asked to prepare a recommendation to the Board at the September meeting regarding borrowing with all the alternatives.

* * * * *

There being no further business, on motion of Councilperson Nioras, seconded by Councilperson Villanova and unanimously adopted, the meeting was adjourned at 08:55 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD AUGUST 21, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, August 21, 2012 at 8:00 P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Deputy Supervisor William Villanova presiding.

PRESENT: in addition to Deputy Supervisor Villanova were Councilpersons Christina Collins, Michele Mendicino, Robert Nioras and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Assessor Mitchell Markowitz, Town Accountant Saverio Terenzi, Town Comptroller David Byrnes, Park Foreman Frank DeLeo, Program Administrator Greg Arcaro, Superintendent of Highways John DeCrescenzo and Confidential Secretary Bishop Nowotnik.

ABSENT: were Supervisor Joseph Carvin and Town Attorney Paul Noto.

* * * * *

Goldie Solomon led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the minutes of the meeting held on July 17, 2012 were unanimously approved as amended.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of July, 2012
Total submitted to the Supervisor. \$2,319.20

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of July, 2012
Deposited to Supervisor, Town of Rye. \$797,531.59
Deposited to Treasurer, Village of Port Chester \$9,526,494.52
Deposited to Treasurer, Village of Rye Brook \$7,548,795.48
Total \$17,872,821.59

CRAWFORD PARK, for month of July, 2012
Reported by Confidential Secretary Bishop Nowotnik \$11,139.50

* * * * *

Deputy Supervisor Villanova presented a proclamation to Carolina Crespo in acknowledgement of her public service to many young children of the Town of Rye by her dedication to the Natalie Crespo Foundation. The Rye Town Board proclaimed August 21, 2012 to be recognized as “Carolina Crespo Day” throughout the confines of the Town.

* * * * *

Deputy Supervisor Villanova, on behalf of the Town Board of the Town of Rye also recognized Edward Eways and presented him with a Distinguished Service Award in appreciation and recognition for his many years of community service.

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Nioras, the following Resolution was adopted:

WHEREAS, SER of Westchester, Inc., of 171 East Post Road, Suite 216, White Plains, New York 10601, also doing business as Service Education & Resources, is a private company which serves the community by preparing children, youth and adults for the workforce, and

WHEREAS, said SER wishes to be a tenant of the first floor office consisting of 330 square feet including a closet and vestibule on the premises known as 10 Pearl Street, Port Chester, New York 10573, and

WHEREAS, the Town of Rye wishes to enter into a three year and three month lease agreement with said SER of Westchester commencing on October 1, 2012 and ending on December 31, 2015;

NOW, THEREFORE BE IT RESOLVED, that SER of Westchester shall pay the fixed rent from the date of the lease as mentioned in the lease agreement and the said tenant shall pay the Town of Rye from October 1, 2012 to September 30, 2013 the sum of six thousand dollars (\$6,000.00) payable in equal monthly installments of five hundred dollars (\$500.00); from October 1, 2013 to September 30, 2014 pay the sum of six thousand, one hundred eighty dollars (\$6,180.00) payable in equal monthly installments of five hundred fifteen dollars (\$515.00); from October 1, 2014 to September 30, 2015 pay the sum of six thousand, three hundred sixty-five dollars and forty cents (\$6,365.40) in equal monthly installments of five hundred thirty dollars and forty-five cents (\$530.45); and from October 1, 2015 to December 31, 2015 pay the sum of one thousand, six hundred thirty-nine dollars and eight cents (\$1,639.08) payable in three equal monthly installments of five hundred forty-six dollars and thirty-six dollars (\$546.36), and

BE IT FURTHER RESOLVED, that said tenant agrees to all conditions as outlined in the lease agreement dated August 21, 2012, and

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin be and hereby is authorized to enter into the lease agreement with said SER of Westchester.

ROLL CALL

- AYES: Councilpersons Collins, Mendicino, Nioras and Deputy Supervisor Villanova
- NOES: None
- ABSENT: Supervisor Carvin

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Collins, the following resolution was adopted:

WHEREAS, the Council of the Arts, 211 South Ridge Street, Rye Brook, New York 10573, is an entity conducting business in the Town of Rye, and

WHEREAS, the said Council of the Arts is in need of storage space, and

WHEREAS, the Town of Rye wishes to enter into an agreement to rent said Council of the Arts storage space at the Town Garage, located at 511 West William Street, Rye Brook, New York 10573;

NOW, THEREFORE BE IT RESOLVED, that said lease shall be for a term of three years and three months commencing on October 1, 2012 and ending on December 31, 2015, and

BE IT FURTHER RESOLVED, that said tenants shall pay the fixed rent from the date of the lease as mentioned in the lease agreement and that said tenant will pay the Town of Rye from October 1, 2012 to September 30, 2013 the sum of six thousand dollars (\$6,000.00) payable in equal monthly installments of five hundred dollars (\$500.00); from October 1, 2013 to September 30, 2014 pay the sum of six thousand, one hundred eighty dollars (\$6,180.00) payable in equal monthly installments of five hundred fifteen dollars (\$515.00); from October 1, 2014 to September 30, 2015 pay the sum of six thousand, three hundred sixty-five dollars and forty cents (\$6,365.40) payable in equal installments of five hundred thirty dollars and forty six cents (\$530.45); and from October 1, 2015 to December 31, 2015 pay the sum of one thousand, six hundred thirty-nine dollars and eight cents (\$1,639.08) for the three month-period payable in equal monthly installments of five hundred forty-six dollars and thirty-six cents (\$546.36), and

BE IT FURTHER RESOLVED, that during the course of said lease, both parties shall maintain a one-hundred eighty day cancellation option with notice to be given to landlord or tenant in writing of landlord's or tenant's desire to terminate said lease, and

BE IT FURTHER RESOLVED, that said tenant agrees to all conditions as outlined in the lease agreement dated August 21, 2012, and

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin be and hereby is authorized to enter into the lease agreement with said Council of the Arts.

ROLL CALL

- AYES: Councilpersons Collins, Mendicino, Nioras and Deputy Supervisor Villanova
- NOES: None
- ABSENT: Supervisor Carvin

* * * * *

On motion of Councilperson Nioras, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, Petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by Irving Ave Development Corp. were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an Agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location: 350 Irving Ave.

Tax ID: 136.77-2-51

Description: Six (6) Unit Multi Family Dwelling

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2004	550,000	550,000	0
2005	605,000	605,000	0
2006	653,500	625,000	28,500
2007	653,500	625,000	28,500
2008	653,500	625,000	28,500
2009	653,500	625,000	28,500
2010	614,300	600,000	14,300, and

WHEREAS, it appears to be in the best interest of the Town to settle said matters recommended by the Town Attorney and Special Counsel for the Town of Rye and the Town Assessor without further attendant legal and appraisal costs relating to said matters;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

1. Joseph Carvin, Supervisor of the Town of Rye, be and hereby is authorized to enter into a Stipulation of Settlement of said pending proceedings on the terms set forth herein.
2. Paul J. Noto, Town Attorney for the Town of Rye, be and hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
3. Said Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
4. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras and Deputy Supervisor Villanova

NOES: None

ABSENT: Supervisor Carvin

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Nioras, the following Resolution was adopted:

WHEREAS, petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by Pathmark Stores, Inc were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an Agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location: 130 Midland Ave

Tax ID: 142.53-1-5

Description: Pathmark Stores, Inc.

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2008	11,000,000	10,700,000	300,000
2009	11,000,000	10,300,000	700,000
2010	9,120,000	9,120,000	0
2011	9,494,700	9,494,700	0, and

WHEREAS, it appears to be in the best interest of the Town to settle said matter as recommended by the Town Attorney and Special Counsel for the Town of Rye and the Town Assessor without further attendant legal and appraisal costs relating to said matters;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

1. Joseph Carvin, Supervisor of the Town of Rye, be and hereby is authorized to enter into a Stipulation of Settlement of said pending proceedings on the terms set forth herein.
2. Paul J. Noto, Town Attorney for the Town of Rye, be and hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
3. Said Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
4. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras and Deputy Supervisor Villanova

NOES: None

ABSENT: Supervisor Carvin

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Nioras, the following Resolution was adopted.

WHEREAS, the Capital Theatre, 269 Westchester Avenue, Port Chester, New York will be reopening its doors on September 04, 2012, and

WHEREAS, Capital Enterprises wishes to lease the Town of Rye lot to provide parking spaces for evening and weekend events, and

WHEREAS, Capital Enterprises wishes to enter into an agreement to rent said parking lot for a period of six months, commencing on September 15, 2012 and ending on March 15, 2013;

NOW, THEREFORE BE IT RESOLVED, that said tenants shall pay the fixed amount from the date of the lease as mentioned in the lease agreement, the sum of two thousand, seven hundred-fifty dollars (\$2,750.00) per month and a one-time fee of one thousand, five hundred (\$1,500.00), and

BE IT FURTHER RESOLVED, that said tenant agrees to all the conditions as specified in the lease agreement, and

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to enter into the lease agreement with said Capital Theatre/Capital Enterprises.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras and Deputy Supervisor Villanova

NOES: None

ABSENT: Supervisor Carvin

* * * * *

On motion of Councilperson Nioras, seconded by Councilperson Mendicino, the following Resolution was adopted:

WHEREAS, the Town of Rye currently owns a mixture of twenty (20) properties currently in use as well as empty parcels, along with residential and commercial properties, and

WHEREAS, in light of numerous studies being performed including the dissolution of the Town, it is essential to bring in professional real estate services to assist in evaluating these parcels identified and suggest various strategies on how to handle these properties, and

WHEREAS, the Town Board wishes to hire a qualified real estate broker or consultant to provide their professional expertise to determine a maximum and minimum range of value of these town-owned properties and to offer various options in terms of their ability to either monetize the value which may include operating and renting, disposing of or repurposing the properties for future value;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Rye authorizes a Request for Proposal (RFP) to be noticed to invite real estate brokers or consultants to draft and submit to the Town of Rye a proposal in accordance with the requirements outlined in the (RFP).

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras and Deputy Supervisor Villanova

NOES: None

ABSENT: Supervisor Carvin

* * * * *

There being no further business, on motion of Councilperson Mendicino, seconded by Councilperson Nioras and unanimously adopted, the meeting was adjourned at 9:30 P.M.

Respectively submitted,

Hope B. Vespia
Town Clerk

MEETING HELD SEPTEMBER 18, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, September 18, 2012 at 7:30 P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michele Mendicino, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Assessor Mitchell Markowitz, Town Attorney Paul Noto, Town Comptroller David Byrnes, Confidential Secretary Bishop Nowotnik, Park Foreman Frank DeLeo, Superintendent of Highways John DeCrescenzo, Program Administrator Greg Arcaro and Project Coordinator Alejandro Payan.

ABSENT: were Councilperson Robert Nioras and Town Accountant Saverio Terenzi.

* * * * *

Town Clerk Vespia led those present in the Pledge of Allegiance and Councilperson Villanova read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

* * * * *

Town Assessor Markowitz gave a presentation describing Town of Rye Real Property Assessment activities. Discussions included trends in assessments town-wide, Board of Review complaints and an explanation of why certioraris are important to Town Residents. Recommendations included requiring complainants to provide income and expense data, to provide the Town with the same legal rights to expedite certiorari cases as property owners and to provide Towns like Rye who maintain assessed values at 100% of market value with the same protection after a court-approved settlement as non-revaluation communities.

Town Attorney Noto explained the process of challenging assessments, some of the difficulties of obtaining State legislation to address the deficiencies of law identified by the assessor and the history of Town efforts to change New York State Law. Counsel for Certiorari Support Aldo Vitagliano and Jeffrey Binder were available to explain the particulars of court procedures and made suggestions to improve the process.

* * * * *

Alejandro Payan, Project Coordinator for the "Model American Community" (MAC) presented the internship program that took place this summer. Greg Arcaro and David Thomas took part in the presentation. A video was shown with Reverend Ariel Acosta from Centro Cristiano Vida Church and Altigracia Dilone Levat from the Clay Art Center who participated in this program by employing two of the interns. John Reavis, President of the NAACP and member of the MAC organization was on hand to speak and to praise the program. The interns who participated in the programs were Andreacarol Davila, Brian Kerr, Gregory Montoya, Maria Neyra and Kyle Thomas.

On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the minutes of the meeting held on August 21, 2012 were unanimously approved.

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The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of August, 2012
Total submitted to the Supervisor. \$2,477.33

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of August, 2012
Deposited to Supervisor, Town of Rye. \$422,252.86
Deposited to Treasurer, Village of Port Chester \$100,820.03
Deposited to Treasurer, Village of Rye Brook \$ 39,749.70
Total \$562,822.59

CRAWFORD PARK, for month of August, 2012
Reported by Confidential Secretary Bishop Nowotnik \$9,020.00

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town of Rye has foreclosed on the property located at 738 Halstead Avenue, Mamaroneck, New York known as Section 154.34-2-29, and

WHEREAS, the Town of Rye commenced a foreclosure action on August 27, 2010 under the Index No. 20967/10; and

WHEREAS, on April 5, 2011, Judgement was duly entered granting to the Town of Rye, title to said parcel; and

WHEREAS, a Deed was executed on April 26, 2011 and filed with the Westchester County Clerk on May 3, 2011; and

WHEREAS, the Town Board of the Town of Rye has determined that said property is surplus property; and

WHEREAS, the former owner of said property has requested the opportunity to redeem the property and the Town Board of the Town of Rye has agreed to permit said redemption upon payment of the amount of one hundred thousand dollars (\$100,000.00) representing the full amount of all past due taxes, interest, penalties and administrative charges plus five hundred dollars (\$500.00) to reimburse the Town for legal fees and costs for the preparation of the re-conveyance of the property to the former owner for a total due of one hundred thousand five hundred dollars (\$100,500.00) payable on or before October 15, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Rye is hereby authorized to execute a Deed and other transfer documents necessary to convey the property known as 738 Halstead Avenue, Mamaroneck, New York to Denise Carino, and

BE IT FURTHER RESOLVED, that the Town Attorney shall be compensated in the sum of five hundred (\$500.00) for the preparation of the necessary documents for the transfer of the property known as 738 Halstead Avenue, Mamaroneck, New York from the Town of Rye to Denise Carino.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted:

WHEREAS, there is an existing agreement between the Town of Rye and the Village of Rye Brook and the Village of Port Chester, describing the method of appointment for members of the Town of Rye Board of Assessment Review, and

WHEREAS, in accordance with said agreement, the Village of Rye Brook desires to re-appoint Milton Meiskin to serve a five-year term on the Town of Rye Board of Assessment Review as the Rye Brook Designated Member.

NOW THEREFORE BE IT RESOLVED, that Supervisor Carvin and the Town Board of the Town of Rye hereby re-appoints Milton Meiskin residing at 53Country Ridge Circle, Rye Brook, New York to serve as a member of the Town of Rye Board of Assessment Review for a five-year term, effective October 1, 2012 and expiring September 30, 2017 at an annual compensation of two thousand, five hundred dollars (\$2,500.00), and

BE IT FURTHER RESOLVED, that this said re-appointment is subject to approval of the State Board of Equalization and Assessment and the satisfactory completion of any training requirements, and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause the said Milton Meiskin to take and file the necessary Oath of Office forthwith.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye needs to retain counsel to handle certain certiorari matters;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Rye does and hereby retains Aldo V. Vitagliano, Esq., with offices located at 150 Purchase Street, Suite 9, Rye, New York 10580 to represent the Town of Rye in the matter of:

BENNETT W. GOLUB v. TOWN OF RYE
Index No. 056161/2011

BE IT FURTHER RESOLVED that Aldo V. Vitagliano, Esq. shall be compensated pursuant to the Retainer Agreement dated May 30, 2008 for tax certiorari matters.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Mendicino and unanimously adopted, the meeting was adjourned into executive session at 9:40 P.M.

Respectively submitted,

Hope B. Vespia
Town Clerk

MEETING HELD OCTOBER 16, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, October 16, 2012 at 8:00 P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Robert Nioras and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Attorney Paul J. Noto, Town Assessor Mitchell Markowitz, Town Comptroller David Byrnes, Program Administrator Greg Arcaro, Park Foreman Frank DeLeo and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: were Councilpersons Michele Mendicino and William Villanova, Superintendent of Highways John DeCrescenzo and Town Accountant Saverio Terenzi

* * * * *

Goldie Solomon led those present in the Pledge of Allegiance and Supervisor Carvin read the opening prayer. A video and an audio recorder were in use during the proceedings.

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On motion of Councilperson Nioras, seconded by Councilperson Collins, the approval of the minutes for the meeting held September 18, 2012 was tabled for the next meeting.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of September, 2012	
Total submitted to the Supervisor.	\$2,315.89
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of September, 2012	
Deposited to Supervisor, Town of Rye.	\$34,764,508.26
Deposited to Treasurer, Village of Port Chester	\$44,150.24
Deposited to Treasurer, Village of Rye Brook	<u>\$11,051.61</u>
Total	\$34,819,710.11
CRAWFORD PARK, for month of September, 2012	
Reported by Confidential Secretary Bishop Nowotnik	\$8,617.50

* * * * *

On motion of Councilperson Collins, seconded by Councilperson Nioras, the following Resolution was adopted:

WHEREAS, Petitions and Notices of Petitions to review the assessment of the real estate of 815 King Street LLC, 787 King Street, Rye Brook, NY, 10573 were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

WHEREAS, the Town of Rye and said property owner are prepared to enter into an agreement and Stipulation of Compromise and Settlement of their differences in summary as follows:

Location:	815 King Street		
Tax ID:	130.77-1-29		
Assessment <u>Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Amount of Reduction</u>
2011	896,900	825,000	71,900
2012	803,500	No Change	None, and

WHEREAS, it appears to be in the best interest of the Town to settle said matter as recommended by the Town Attorney and the Town Assessor without further attendant legal and appraisal costs relating to said matters;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Rye in regular session duly convened as follows:

- 1) Supervisor of the Town of Rye Joseph Carvin be and he hereby is authorized to enter into a Stipulation of Settlement of said pending proceedings on the terms set forth herein.
- 2) Town Attorney for the Town of Rye Paul J. Noto, be and he hereby is authorized to consent to entry of appropriate court orders to accomplish said settlement and upon entry of the court orders execute Stipulations of Discontinuance of said proceedings.
- 3) Said Supervisor of the Town of Rye be and is hereby authorized to make and pay refunds on the terms set forth herein.
- 4) This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Collins, Nioras and Supervisor Carvin
 NOES: None
 ABSENT: Councilpersons Mendicino and Villanova

* * * * *

On motion of Councilperson Nioras, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town of Rye currently owns twenty properties in the town and wishes to lease or sell all or some of them, and

WHEREAS, the Town of Rye had requested the services of a real estate broker and/or consultant to analyze the potential to lease or sell said properties, and

WHEREAS, the Town of Rye had made a Request for Proposals (“RFP”) for said analysis and had subsequently received two proposals, and

WHEREAS, after a review of the two proposals, the Town of Rye has determined that the New York Commercial Realty Group, 500 Mamaroneck Avenue, Suite 320, Harrison, New York 10528, is better qualified to perform said analysis;

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Joseph Carvin be and he is hereby authorized to enter into an agreement with said New York Commercial Realty Group to perform said analysis, and

BE IT FURTHER RESOLVED, that said New York Commercial Realty Company Group be reimbursed five percent of the sale price as stated in the RFP, and

BE IT FURTHER RESOLVED, that said New York Commercial Realty Group strictly adhere to all requirements as outlined in the RFP.

ROLL CALL

AYES: Councilpersons Collins, Nioras and Supervisor Carvin
 NOES: None
 ABSENT: Councilpersons Mendicino and Villanova

* * * * *

On motion of Councilperson Nioras, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the offices of the Town of Rye have traditionally been closed in commemoration of Veteran’s Day, and

WHEREAS, said offices have not been traditionally closed in observation of Christmas Eve, and

WHEREAS, Veteran’s Day this year falls on Sunday, November 11, 2012 and is being observed as a holiday on Monday, November 12, 2012, and

WHEREAS, a poll was taken among workers in said offices with the majority in favor of exchanging the Veteran’s Day observance for 2012 and closing on Christmas Eve 2012;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye agrees to the proposal that town offices be open on Veteran’s Day 2012, observed on Monday, November 12 and said offices be closed on Christmas Eve 2012, observed on Monday, December 24.

ROLL CALL

AYES: Councilpersons Collins, Nioras and Supervisor Carvin

NOES: None

ABSENT: Councilpersons Mendicino and Villanova

* * * * *

On motion of Councilperson Collins, seconded by Councilperson Nioras, the following Resolution was adopted:

WHEREAS, at the request of the Unified Court System, the State Legislature has significantly increased the amount of funding available to Justice Courts through the Justice Court Assistance Program (“JCAP”), and

WHEREAS, the maximum JCAP grant award is thirty thousand dollars (\$30,000.00) , and may be used for a variety of purposes, including security equipment, furniture, courtroom and court facility improvements and renovations, and

WHEREAS, any funds awarded pursuant to this application shall be used only in accordance with the provisions of Chapter 280 of the Laws of 1999 and with all rules and regulations governing the JCAP, and

WHEREAS, any goods and/or services purchased with any JCAP funds shall be obtained in accordance with acceptable procurement practices established by the governing municipality including, but not limited to, competitive bidding and procurement policies and procedures, and

WHEREAS, no funds awarded pursuant to this application shall be used to compensate justices or non-judicial staff or to reduce or otherwise supplant funding provided by a town or village to its justice court;

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Joseph Carvin and the Rye Town Board authorize this application to be submitted prior to October, 2012.

ROLL CALL

AYES: Councilpersons Collins, Nioras and Supervisor Carvin

NOES: None

ABSENT: Councilpersons Mendicino and Villanova

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On motion of Councilperson Collins, seconded by Councilperson Nioras, the following Resolution was adopted:

WHEREAS, an inspection in Crawford Park by the Park Foreman and staff discovered the presence of fourteen trees which must be removed and one which must be pruned, and

WHEREAS, five proposals had been received to remove specified dead trees as well as rout out all stumps of removed trees and cart all logs and brush away, and

WHEREAS, John Zicca Landscaping, Inc., 432 Willett Avenue, Port Chester, New York, duly presented the lowest qualified proposal;

NOW, THEREFORE, BE IT RESOLVED, that said John Zicca Landscaping, Inc. is hereby authorized to perform the services as indicated on its proposal, not to exceed the specified amount of seven thousand, nine hundred seventy-five dollars (\$7,975.00).

ROLL CALL

- AYES:** Councilpersons Collins, Nioras and Supervisor Carvin
- NOES:** None
- ABSENT:** Councilpersons Mendicino and Villanova

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There being no further business, on motion of Councilperson Nioras, seconded by Councilperson Collins and unanimously adopted, the meeting was adjourned at 08:55 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD NOVEMBER 08, 2012

A special meeting of the Town Board of the Town of Rye, New York, was held on Thursday, November 08, 2012 at 7:30A.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilperson Michele Mendicino, Councilperson Christina Collins participating via video and Town Clerk Hope B. Vespia.

ABSENT: were Councilpersons Nioras and Villanova

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On motion of Councilperson Mendicino, seconded by Councilperson Collins, and unanimously approved, the meeting was declared open at 7:40A.M.

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Councilperson Collins led those present in the Pledge of Allegiance.

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Town Clerk Vespia presented the 2013 tentative budget to the Supervisor and members of the Board.

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Supervisor Carvin and the Town Board set the date for a formal 2013 budget work-session meeting to be held on Tuesday, November 20, 2012 at 4:00P.M. in the Courtroom prior to the Rye Town Park Commission meeting.

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On motion of Councilperson Mendicino, seconded by Councilperson Collins, the date for the Public Hearing for the 2013 budget was set for November 20, 2012 at 7:30P.M. at the regular monthly meeting.

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There being no further business, on motion of Councilperson Mendicino, seconded by Councilperson Collins and unanimously adopted, the meeting was adjourned at 7:45A.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD NOVEMBER 20, 2012

A meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, November 20, 2012 at 7:30P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michele Mendicino, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Accountant Saverio Terenzi, Town Assessor Mitchell Markowitz, Town Attorney Paul J. Noto, Superintendent of Highways John DeCrescenzo, Town Comptroller David Byrnes, Program Administrator Greg Arcaro, and Confidential Secretary to the Supervisor Bishop Nowotnik.

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Councilperson Villanova led those present in the Pledge of Allegiance and read the opening prayer. A video and an audio recorder were in use during the proceedings.

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On motion of Councilperson Villanova, seconded by Collins, the following Resolution was adopted:

WHEREAS, in the interest of achieving cost savings through staff reductions, streamlining and consolidating services and considering the current state of the local, state and national economy, the Town Board of the Town of Rye has evaluated each Town Department; and

WHEREAS, the Town of Rye is seeking to reduce costs and save money; and

WHEREAS, pursuant to said evaluations, the Town Board of the Town of Rye has determined that the following positions shall be eliminated effective January 1, 2013:

NOW, THEREFORE, BE IT RESOLVED that the position of Park Foreman (CS Job Code 0286), will be abolished effective January 1, 2013; and

BE IT FURTHER RESOLVED that the position of Assistant Park Foreman (CS Job Code 0287), will be abolished effective January 1, 2013; and

BE IT FURTHER RESOLVED that the position of Park Attendant (CS Job Code 0289) will be abolished effective January 1, 2013; and

BE IT FURTHER RESOLVED that the position of Full Time Intermediate Clerk (CS Job Code 0187) in the office of the Tax Receiver shall be abolished effective January 1, 2013; and

BE IT FURTHER RESOLVED that the position of Full Time Real Property Appraiser (CS Job Code 0064) in the office of the Town Assessor shall be abolished effective January 1, 2013; and

BE IT FURTHER RESOLVED that the position of Full Time Intermediate Clerk (CS Job Code 0187) in the office of the Town Assessor shall be abolished effective January 1, 2013; and

BE IT FURTHER RESOLVED that the position of Deputy Town Clerk (CS Job Code 0007) shall no longer be a full time position and will be a part-time position effective January 1, 2013; and

BE IT FURTHER RESOLVED that the position of Full Time Intermediate Account Clerk (CS Job Code 0713) in the Office of the Court Clerk shall be abolished effective January 1, 2013.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None

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On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the Public Hearing was declared open to discuss the 2012 Preliminary Budget for the Town of Rye.

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the Public Hearing was left open for the purpose of further discussion at the December 18, 2012 meeting.

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On motion of Councilperson Villanova, seconded by Councilperson Collins, the minutes for the meetings held September 18, 2012, October 16, 2012 and November 8, 2012 were approved as presented.

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The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of October, 2012	
Total submitted to the Supervisor.	\$1,680.77
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of October, 2012	
Deposited to Supervisor, Town of Rye.	\$16,877,085.67
Deposited to Treasurer, Village of Port Chester	\$175,374.47
Deposited to Treasurer, Village of Rye Brook	<u>\$11,221.90</u>
Total	\$17,063,682.04
CRAWFORD PARK, for month of October, 2012	
Reported by Confidential Secretary Bishop Nowotnik	\$4,600.00

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There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Collins and unanimously adopted, the meeting was adjourned into executive session at 8:25P.M. to discuss personnel history issues.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD DECEMBER 03, 2012

A special meeting of the Town Board of the Town of Rye, New York, was held on Monday, December 03, 2012 at 7:00P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michele Mendicino, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Justice Anthony M. Provenzano
Town Attorney Paul Noto

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Town of Rye Justice Anthony M. Provenzano led those present in the Pledge of Allegiance and Councilperson Villanova read the opening prayer.

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On motion of Councilperson Mendicino, seconded by Councilperson Collins, and unanimously approved, the meeting was declared open at 7:00P.M. for the purpose of a work session for the 2013 preliminary budget.

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, and unanimously approved, the meeting was adjourned into executive session at 7:10P.M. to discuss personnel issues.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD DECEMBER 18, 2012

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, December 18, 2012 7:30 P.M. in the Courtroom of the Town Office Building, 10 Pearl Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Michele Mendicino, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Accountant Saverio Terenzi, Town Assessor Mitchell Markowitz, Town Attorney Paul J. Noto, Superintendent of Highways John DeCrescenzo, Town Comptroller David Byrnes, Program Administrator Greg Arcaro, and Confidential Secretary to the Supervisor Bishop Nowotnik.

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Councilperson Villanova led those present in the Pledge of Allegiance and read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

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On motion of Councilperson Villanova, seconded by Councilperson Collins, and unanimously approved, the public hearing was declared open for the 2013 preliminary budget.

On motion of Councilperson Nioras, seconded by Councilperson Mendicino and unanimously approved the public hearing was closed.

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the minutes for the meetings held November 20, 2012 and December 3, 2012 were approved.

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, in the interest of achieving cost savings through staff reductions, streamlining and consolidating services and considering the current state of local, state and national economy, the Town Board of the Town of Rye has evaluated each Town Department, and

WHEREAS, the Town is seeking to reduce costs and save money, and

WHEREAS, pursuant to said evaluations, the Town Board of the Town of Rye has determined that the following positions shall be eliminated effective January 1, 2013;

NOW, THEREFORE, BE IT RESOLVED that the position of Park Foreman (CS Job Code 0286), will be abolished effective January 1, 2013, and

BE IT FURTHER RESOLVED that the position of Assistant Park Foreman (CS Job Code 0287), will be abolished effective January 1, 2013, and

BE IT FURTHER RESOLVED that the position of Park Attendant (CS Job Code 0289) will be abolished effective January 1, 2013, and

BE IT FURTHER RESOLVED that the position of Full-Time Intermediate Clerk (CS Job Code 0187) in the office of the Tax Receiver shall be abolished effective January 1, 2013, and

BE IT FURTHER RESOLVED that the position of Full-Time Real Property Appraiser (CS Job Code 0187) in the office of the Town Assessor shall be abolished effective January 1, 2013, and

BE IT FURTHER RESOLVED that the position of Full-Time Intermediate Clerk (CS Job Code 0187) in the office of the Town Assessor shall be abolished effective January 1, 2013, and

BE IT FURTHER RESOLVED that the Deputy Town Clerk (CS Job Code 0007) shall no longer be a full-time position and will be a part-time position effective January 1, 2013, and

BE IT FURTHER RESOLVED that the position of Full-time Intermediate Account Clerk (CS Job Code 0713) in the Office of the Court Clerk shall be abolished effective January 1, 2013.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: None

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On motion of Councilperson Villanova, seconded by Councilperson Nioras, the following Resolution was adopted:

WHEREAS, the tentative budget of the Town of Rye for the year 2013 had been prepared and filed with the Town Clerk on October 29, 2012, and

WHEREAS, the Town Clerk presented the tentative budget to the Town Board of the Town of Rye at the special meeting held on November 07, 2012, and

WHEREAS, a Public Hearing on said tentative budget was held on November 20, 2012 and continued for the meeting to be held on December 18, 2012;

NOW, THEREFORE, BE IT RESOLVED, that the preliminary budget, as completed and amended by the Town Board of the Town of Rye, be and it hereby is adopted as the budget of the Town of Rye for the fiscal year 2013, and

BE IT FURTHER RESOLVED, that there be levied, assessed and collected upon the taxable property in the Town of Rye-at-Large and the several parcels of property and persons within such Town-at-Large, the several amounts set forth, and

BE IT FURTHER RESOLVED, that there be levied, assessed and collected upon the taxable property in the districts of the Town of Rye, known as the Village of Port Chester, the Village of Rye Brook, and the part of the Incorporated Village of Mamaroneck known as Rye Neck, and the several parcels of property and persons within such portion of the Town of Rye, the several amounts set forth.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None
ABSENT: None

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On motion of Councilperson Villanova, seconded by Councilperson Collins and unanimously adopted, the following Resolution was added to the agenda.

On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town of Rye has abolished eight (8) positions in the 2013 Town Budget, and

WHEREAS, the Town Board of the Town of Rye is prepared to authorize severance to the affected employees based upon the time of service with the Town of Rye.

NOW, THEREFORE, be it resolved that the Town Board of the Town of Rye hereby authorizes the Town Supervisor, Joseph Carvin, to execute an Agreement and General Release with each impacted employee to offer severance in an amount not to exceed eight (8) weeks of service on the condition that each employee who receives severance shall execute an Agreement and General Release with the Town of Rye.

THEREFORE, BE IT RESOLVED, that Town Supervisor Joseph Carvin, is hereby authorized to execute said Agreement and General Release with each impacted employee authorizing severance in an amount not less than four (4) weeks and up to a maximum of eight (8) weeks based upon years of service with the Town of Rye.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin
NOES: None

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On motion of Councilperson Villanova, seconded by Councilperson Collins, the following Resolution was adopted:

WHEREAS, the Town of Rye has abolished three positions in the Parks Department 2013 Town Budget, and

WHEREAS, the Town Board of the Town of Rye recognizes that various tasks need to be performed in the absence of said positions, and

WHEREAS, the Town Board of the Town of Rye already has a contract in place with Greenway Property Services, 3 Rye Ridge Plaza, Rye Brook, New York 10573 to provide landscaping services, as per Resolution dated July 19, 2011, and

WHEREAS, said Greenway Property Services has proposed supplying manpower, vehicles, equipment and supervision to perform various maintenance tasks on a provisional emergency basis, and

WHEREAS, said Greenway Property Services is providing twelve hours each week of cleaning and trash removal from Crawford Park and Rye Town Park, along with eight hours of handyman services each week, for the sum of one thousand, one hundred seventy dollars (\$1,170.00) per week;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye hereby authorizes the Town Supervisor Joseph Carvin to execute an agreement with said Greenway Property Services for said maintenance services at the agreed upon price as an emergency extension of the existing agreement, with the extension period to expire on March 31, 2013.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

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There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Collins and unanimously adopted, the meeting was adjourned at 9:15 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

