

MEETING HELD JANUARY 15, 2013

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, January 15, 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 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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Councilperson Villanova led those present in the Pledge of Allegiance and read the opening

On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the minutes for the meeting held December 18, 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 December, 2012
Total submitted to the Supervisor.....\$1,060.76

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of December, 2012
Deposited to Supervisor, Town of Rye.....\$2,938,443.19
Deposited to Treasurer, Village of Port Chester.....\$9,097,443.19
Deposited to Treasurer, Village of Rye Brook.....\$70,128.87

Total.....\$12,106,266.11

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

On motion of Councilperson Collins, 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 17-20, 2013.

ROLL CALL

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

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

WHEREAS, the Town Board of the Town of Rye needs to retain professional services for the auditing of financial statements of the government activities of the Town, as of and for the year ending December 31, 2012, and

WHEREAS, the firm O'Connor Davies, LLP, 500 Mamaroneck Avenue, Suite 301, Harrison, New York 10528 was deemed the most qualified to provide the said auditing services;

NOW, THEREFORE, BE IT RESOLVED, that said O'Connor Davies, LLP be and is hereby designated auditor of the financial statements of the Town of Rye for the year ending December 31, 2012, and

BE IT FURTHER RESOLVED, that said O'Connor Davies, LLP be paid the sum of twenty three thousand dollars (\$23,000.00) for said audit, payable in accordance with the percentages outlined in the engagement letter dated January 2, 2013, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye may request additional services not addressed in the engagement letter for which there might be additional fees.

ROLL CALL

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

NOES: None

ABSENT: None

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

WHEREAS, the Town Board of the Town of Rye needs to retain professional services for the auditing of financial statements of Rye Town Park , as of and for the year ending the year ending December 31, 2012, and

WHEREAS, the firm O'Connor Davies, LLP, 500 Mamaroneck Avenue, Suite 301, Harrison, New York 10528 was deemed the most qualified to provide the said auditing services;

NOW, THEREFORE, BE IT RESOLVED, that said O'Connor Davies, LLP be and is hereby designated auditor of the financial statements of the Town of Rye for the year ending December 31, 2012, and

BE IT FURTHER RESOLVED, that said O'Connor Davies, LLP be paid the sum of thirteen thousand five hundred dollars (\$13,500.00) for said audit, payable in accordance with the percentages outlined in the engagement letter dated January 2, 2013, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye may request additional services not addressed in the engagement letter for which there might be additional fees.

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 Villanova, 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 Evelyn Court Apartment Corp. vs. Town of Rye (2006 - 2012).

BE IT FURTHER RESOLVED, that 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

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There being no further business, on motion of Councilperson Collins, seconded by Councilperson Mendicino and unanimously adopted, the meeting was adjourned at 9:20 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD FEBRUARY 19, 2013

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, February 19, 2013 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 William Villanova were Councilpersons Christina Collins, Michele Mendicino and Town Clerk Hope B. Vespia.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Assessor Mitchell Markowitz, 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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ABSENT: Supervisor Joseph Carvin, Councilperson Robert Nioras, Town Attorney Paul Noto and Town Accountant Saverio Terenzi.

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 Mendicino, seconded by Councilperson Collins, the minutes for the meeting held January 15, 2013 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 January, 2013	
Total submitted to the Supervisor.....	\$2,660.00
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of January, 2013	
Deposited to Supervisor, Town of Rye.....	\$35,751,932.76
Deposited to Treasurer, Village of Port Chester.....	\$855,489.42
Deposited to Treasurer, Village of Rye Brook.....	\$178,649.73
Total.....	\$36,786,071.91
CRAWFORD PARK, for the month of January, 2013	
Reported by Confidential Secretary Bishop Nowotnik.....	\$850.00

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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 2012.

On motion of Councilperson Mendicino, 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: a lower rate for residential property owners equal to a rate of **69.518229 (the “Homestead Base Proportion”)** and a higher rate for all other property owners equal to a rate of **30.481771 (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 69.518229 and (II) the Non-Homestead Base Proportion at a rate equal to 30.481771** 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 2012.

ROLL CALL

AYES: Councilpersons Collins, Mendicino and Deputy Supervisor Villanova

NOES: None

ABSENT: Councilperson Nioras and Supervisor Carvin

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On motion of Councilperson Mendicino, 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 owned by Monument Park Associates 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: 47 Purdy Ave.

Tax ID: 142.39-1-62 and 63

Description: 58,000 Square foot Warehouse/Office Building

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2006	3,935,500	3,500,000	435,500
2007	3,935,500	3,500,000	435,500
2008	3,935,500	NONE	-0-
2009	3,935,500	3,500,000	435,500
2010	3,345,300	3,250,000	95,300
2011	3,134,200	NONE	-0-
2012	3,024,200	NONE	-0-

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. 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 Mendicino, Collins and Deputy Supervisor Villanova

NOES: None

ABSENT: Councilperson Nioras and Supervisor Carvin

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On motion of Councilperson Mendicino, 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 owned by Strobe Development Company 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: 10 Midland Ave. Tax ID: 142.46-1-8
Description: 58,777 Square foot Warehouse/Office Building

<u>Assessment</u> <u>Year</u>	<u>Reduced</u> <u>From</u>	<u>Reduced</u> <u>To</u>	<u>Reduction</u>
2011	7,512,100	5,500,000	2,012,100
2012	7,510,600	5,200,000	2,310,600

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. 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 Mendicino, Collins and Deputy Supervisor Villanova

NOES: None

ABSENT: Councilperson Nioras and Supervisor Carvin

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On motion of Councilperson Collins, 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 C.R. Wallauer and Co. 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: 143 North Main Street.
Tax ID: 142.23-2-34
Description: 5,050 Square foot Retail Store

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2006	\$955,000	900,000	55,000
2007	\$900,000	850,000	50,000
2008	\$900,000	850,000	50,000
2009	\$900,000	825,000	75,000
2010	\$777,000	777,000	-0-
2011	\$703,900	703,900	-0-
2012	\$703,900	703,900	-0-

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:

4. 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.
5. 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.
6. 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 and Deputy Supervisor Villanova

NOES: None

ABSENT: Councilperson Nioras and Supervisor Carvin

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

WHEREAS, the Town of Rye has a rich history dating back to the year 1660, and

WHEREAS, the Town of Rye is proud of the role its residents have played in the history of the Town, Westchester County and the United States, and

WHEREAS, the Town would like to publically celebrate its history, and

WHEREAS, New York State has designated June 1-2, 2013 and June 8-9, 2013 as New York “Pathway through History Weekends.”

BE IT RESOLVED THAT:

1. The Town of Rye will participate in the New York “Pathway through History Weekends.”
2. The “Pathway through History Weekend” will highlight local sites and people who shaped the history of our area and the country.
3. The Town of Rye will invite neighboring municipalities, local schools, community organizations and civic organizations to form a Heritage Committee to plan events for “Pathway through History Weekends.”
4. The Town Board has designated Peter Feinman to chair the Heritage Committee and utilize the resources and participation from Town employees.

ROLL CALL

AYES: Councilpersons Collins, Mendicino and Deputy Supervisor Villanova

NOES: None

ABSENT: Councilperson Nioras and Supervisor Carvin

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

WHEREAS, the Town Clerk is continuing on a valuable project to convert the Town's records into the digital format in order to provide greater access and increase the capacity of staff to research records and serve the public, and

WHEREAS, the Town Clerk has determined that the Town would be eligible to apply for funding from the 2013 Local Government Records Management Fund to help fund this project;

BE IT RESOLVED, that the Town Board of the Town of Rye authorizes the Town Clerk to submit an application for funding from the Local Records Management Improvement Fund, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye supports the Town Clerk's submission of this project for funding due to its value to the Town, its citizens and the community at large.

ROLL CALL

AYES: Councilpersons Collins, Mendicino and Deputy Supervisor Villanova

NOES: None

ABSENT: Councilperson Nioras and Supervisor Carvin

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On motion of Councilperson Mendicino, seconded by Councilperson Collins, the following resolution was added to the agenda.

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

WHEREAS, the Town of Rye had previously 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 area of property services in the absence of said positions, and

WHEREAS, the Town Board is requesting statements of qualifications, expertise, and pricing from individuals or firms to provide property maintenance services on an "as needed" basis, and

WHEREAS, the Town of Rye understands that a Flexible Service Contract is a price agreement to provide a range of services with work authorized through work orders, and

WHEREAS, the Town of Rye may award one or more Flexible Service Contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye is instructing the release of a Request for Proposal upon review of Town Attorney Noto, and

ROLL CALL

AYES: Councilpersons Collins, Mendicino and Deputy Supervisor Villanova

NOES: None

ABSENT: Councilperson Nioras and Supervisor Carvin

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There being no further business, on motion of Councilperson Collins, seconded by Councilperson Mendicino and unanimously adopted, the meeting was adjourned at 8:47 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD MARCH 19, 2013

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, March 19, 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 Receiver of Taxes Nicholas C. Mecca, 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.

ABSENT: Councilperson Robert Nioras (Via Skype)

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Councilperson Mendicino 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 Mendicino, seconded by Councilperson Villanova, the minutes for the meeting held February 19, 2013 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 February, 2013
Total submitted to the Supervisor.....\$2,411.50

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of February, 2013
Deposited to Supervisor, Town of Rye.....\$12,259,666.67
Deposited to Treasurer, Village of Port Chester.....\$95,923.39
Deposited to Treasurer, Village of Rye Brook.....\$3,185,673.34
Total.....\$15,541,263.40

CRAWFORD PARK, for the month of February, 2013
Reported by Confidential Secretary Bishop Nowotnik.....\$3,240.00

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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 2012.

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 **75.056877 (the “Homestead Base Proportion”)** and a rate for all other property owners equal to a rate of **24.943123 (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 75.056877 and (II) the Non-Homestead Base Proportion at a rate equal to 24.943123** 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 2012.

ROLL CALL:

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSTAIN: Councilperson Nioras

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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 2012.

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 **58.911412 (the “Homestead Base Proportion”)** and a rate for all other property owners equal to a rate of **41.088588 (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 58.911412 and (II) the Non-Homestead Base Proportion at a rate equal to 41.088588** 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 2012.

ROLL CALL:

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSTAIN: Councilperson Nioras

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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 2012.

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 **59.022518 (the "Homestead Base Proportion")** and a rate for all other property owners equal to a rate of **40.977482 (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:

1. 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 59.022518 and (II) the Non-Homestead Base Proportion at a rate equal to 40.977482** 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 2012.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSTAIN: Councilperson Nioras

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On motion of Councilperson Collins, 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 PC 406 BPR LLC 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: 406 Boston Post Road.

Tax ID: 141.52-1-2

Description: Former United Hospital

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2009	\$22,350,000	13,000,000	\$9,350,000
2010	\$20,562,500	12,000,000	\$8,562,500
2011	\$17,550,300	11,000,000	\$6,550,300
2012	\$12,079,100	11,000,000	\$1,079,100

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;

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. 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
 ABSTAIN: Councilperson Nioras

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On motion of Councilperson Collins, 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 RV King Realty Co. 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: 101-111 Westchester.
 Tax ID: 142.30-2-24
 Description: 12,999 Square foot Retail and Office Building

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2006	\$1,900,000	\$1,900,000	-0-
2007	\$1,950,000	\$1,950,000	-0-
2008	\$1,800,000	\$1,800,000	-0-
2009	\$1,800,000	\$1,800,000	-0-
2010	\$1,656,000	\$1,656,000	-0-
2011	\$1,434,900	\$1,434,900	-0-
2012	\$1,200,000	\$1,150,000	\$50,000

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. 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 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
 ABSTAIN: Councilperson Nioras

* * * * *

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

WHEREAS, for the past two years, the Town of Rye has been receiving its Information Technology (“IT”) systems and operations from Sullivan Data Management, 2226 Mohansic Avenue, Yorktown Heights, New York 10598, and

WHEREAS, said Sullivan Data Management has provided adequate and satisfactory IT consulting, support and management services to the Town of Rye as outlined in their annual support agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Rye agrees to renew the service contract with said Sullivan Data Management, beginning April 1, 2013 through March 31, 2014, and

BE IT FURTHER RESOLVED, that for the period of the contract, said Sullivan Data Management be paid eighteen thousand dollars (\$18,000.00), payable in four equal installments, and

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to enter into an agreement with said Sullivan Data Management to provide IT services to the Town of Rye as specified in the submitted proposal.

ROLL CALL

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

* * * * *

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

WHEREAS, the Town of Rye has abolished three (3) 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 some of these employees; and

WHEREAS, the Town Board of the Town of Rye already has a contract in place with Greenway Property services to provide landscaping services, and

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

WHEREAS, Greenway Property Services is providing 12 hours of cleaning and trash removal each week from Crawford Park and Rye Town Park, along with 8 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 Greenway Property Services for these maintenance services at the agreed to price as an emergency extension of the existing agreement, with the extension period to expire on May 31, 2013.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSTAIN: Councilperson Nioras

* * * * *

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

WHEREAS, the Town of Rye recognizes the sacrifices made by veterans for the safety of the United States, especially those of the veterans of foreign wars, and

WHEREAS, the Port Chester Veterans of Foreign Wars—Post 1576 has formally requested the annual contribution of five hundred dollars (\$500.00) and also thirteen (13) boxes of American Flags to decorate graves of veterans buried at Saint Mary’s Cemetery, Rye Brook, New York for Memorial Day weekend;

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to make said monetary contribution and to provide the said flags.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSTAIN: Councilperson Nioras

* * * * *

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

WHEREAS, The Town Board of the Town of Rye is contemplating the sale of Town property for the purposes of reducing expenses and generating income for the Town of Rye, and

WHEREAS, the Town Board is considering the sale of 10 Pearl Street, Port Chester, New York currently serving as Town Hall and the lot directly across from the building which serves as government parking and the potential relocation to another venue in the Town of Rye for the relocation of Town offices.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does and hereby authorizes the Supervisor Joseph Carvin approve a broker to put out a bid to market 10 Pearl Street and parking lot for potential sale and to invite legitimate offers for a conditional purchase of said properties conditioned on the Town finding an alternative location for Town offices before any agreements are executed, and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute any necessary documentation for the purposes of marketing 10 Pearl Street, Port Chester, New York and said parking lot contingent upon the above conditions.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: None

* * * * *

There being no further business, on motion of Councilperson Collins, seconded by Councilperson Mendicino and unanimously adopted, the meeting was adjourned at 9:20 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD APRIL 16, 2013

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, April 16, 2013 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 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 J. Noto, Superintendent of Highways John DeCrescenzo, Program Administrator Greg Arcaro and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: was Councilperson Christina Collins.

* * * * *

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

* * * * *

Dr. William Tobin from Duke University was present to introduce the 4th annual program for "Tools for Change." He explained that the overall purpose of the study was to provide an opportunity for students to develop a set of skills, knowledge and mindsets and bring those collaboratively together to solve an open-ended problem. Students from the Port Chester, Blind Brook and Rye Neck High Schools participated and shared the process, research and findings of their survey by interacting in public involvement and explore the civic engagement of their community in diverse conclusive settings.

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the minutes for the meeting held March 19, 2013 were approved as presented.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of March, 2013	
Total submitted to the Supervisor.....	\$1,703.50
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of March, 2013	
Deposited to Supervisor, Town of Rye.....	\$771,114.62
Deposited to Treasurer, Village of Port Chester.....	\$61,924.28
Deposited to Treasurer, Village of Rye Brook.....	\$892,998.14
Total.....	\$1,726,037.04
CRAWFORD PARK, for the month of March, 2013	
Reported by Confidential Secretary Bishop Nowotnik.....	\$590.00

* * * * *

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

WHEREAS, licenses for fishing and hunting for numerous years have customarily been issued by the staff in the Town Clerk's Office, and

WHEREAS, transactions totaling 1,575 during 2012 resulted in sales in the amount of fifty-seven thousand, eight hundred sixty-nine dollars (\$57,869.00) and

WHEREAS, the commission to the Town of Rye was only one thousand, six hundred seventy-five dollars and twenty-five cents (\$1,675.25), and

WHEREAS, the staff in the Town Clerk's Office was reduced in the 2013 budget, and

April 16, 2013

WHEREAS, the Town Board deemed it not financially beneficial to the Town of Rye to continue issuing said licenses, and

WHEREAS, there are other options for customers who wish to buy said licenses;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye authorizes the Town Clerk of the Town of Rye, Hope B. Vespia, and she is hereby authorized to discontinue the sale of said licenses, and

BE IT FURTHER RESOLVED, that said Town Clerk contact the New York State Department of Environmental Conservation to inform said department that the Town Clerk's Office of the Town of Rye will no longer be issuing fishing and hunting licenses.

ROLL CALL

AYES: Councilpersons Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collins

* * * * *

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 2012.

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 **Blind Brook School District**; a rate for residential property owners equal to a rate of **81.116199** (the "**Homestead Base Proportion**") and a rate for all other property owners equal to a rate of **18.883801** (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 2012;

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

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 81.116199 and (II) the Non-Homestead Base Proportion at a rate equal to 18.883801** 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 2012.

ROLL CALL

AYES: Councilpersons Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collins

April 16, 2013

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the Town Board of the Town of Rye authorized Supervisor Joseph Carvin to approve a donation of one thousand, five hundred dollars (\$1,500.00) to the Independence Day Committee towards the festivities of July 4, 2013.

ROLL CALL

AYES: Councilpersons Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collins

* * * * *

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. to discuss contracts.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD APRIL 26, 2013

A special meeting of the Town Board of the Town of Rye, New York, was held on Friday, April 26, 2013 at 5:30 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, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ABSENT: was Councilperson Michele Mendicino

* * * * *

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

WHEREAS, the Town of Rye has foreclosed on property located at 313 Locust Avenue, Port Chester, New York known as Section 136.71 Block 2 Lot 10, and

WHEREAS, a Deed was executed on October 16, 2009 and recorded on November 19, 2009 with the Clerk of the County of Westchester, and

WHEREAS, a prospective purchaser has contacted the Town of Rye pertaining to the purchase of the premises known as 313 Locust Avenue, Port Chester, New York for the sum of \$140,000.00, and

WHEREAS, 313 Locust Avenue, Port Chester, New York 10573 is surplus property and not needed by the Town of Rye;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Rye is hereby authorized to execute a Contract of Sale and Quitclaim Deed and other transfer documents necessary to convey the property known as 313 Locust Avenue, Port Chester, New York 10573 to John Cossifos.

ROLL CALL

AYES: Councilpersons Collins, Nioras, Villanova & Supervisor Carvin

NOES: None

ABSENT: Councilperson Mendicino

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Nioras and unanimously adopted the meeting was adjourned at 5:40 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD MAY 21, 2013

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, May 21, 2013 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 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.

* * * * *

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

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On motion of Councilperson Mendicino, seconded by Councilperson Collins, the minutes for the meetings held April 16, 2013 and April 26, 2013 were approved.

* * * * *

With great pleasure Supervisor Carvin presented the first Town of Rye "Community First Award" to Bishop Robert Girtman and Lady Evelyn Girtman who have dedicated their lives and put the community first before their personal and professional gain.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of April, 2013	
Total submitted to the Supervisor.....	\$1,826.00
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of April, 2013	
Deposited to Supervisor, Town of Rye.....	\$24,694,182.09
Deposited to Treasurer, Village of Port Chester.....	\$69,243.02
Deposited to Treasurer, Village of Rye Brook.....	\$41,265.00
Total.....	\$24,804,690.11
CRAWFORD PARK, for the month of April, 2013	
Reported by Confidential Secretary Bishop Nowotnik.....	\$1,370.00

* * * * *

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

WHEREAS, the Town of Rye has abolished three (3) 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 some of these employees; and

WHEREAS, the Town Board of the Town of Rye already has a contract in place with Greenway Property services to provide landscaping services, and

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

WHEREAS, Greenway Property Services is providing 12 hours of cleaning and trash removal each week from Crawford Park and Rye Town Park, along with 8 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 Greenway Property Services for these maintenance services at the agreed to price as an emergency extension of the existing agreement, with the extension period to expire on July 31, 2013.

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 to reject the bids for the "On Call" Property Services – Contract #2013-004 was unanimously adopted.

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In 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 Evelyn Court Apartment 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: 604-608 Tompkins Avenue.

Tax ID: 154.51-1-51

Description: 71 Unit Co Op Apartment Building

<u>Assessment Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2006	\$6,416,500	5,866,500	550,000
2007	\$6,844,100	6,024,100	820,000
2008	\$6,844,100	6,094,100	750,000
2009	\$6,844,100	6,209,100	635,000
2010	\$6,433,500	6,433,500	-0-
2011	\$6,190,700	6,190,700	-0-
2012	\$6,190,700	6,190,700	-0-

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. 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, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino and unanimously adopted, the location of the June 18, 2013 meeting was changed to the Community Room at the Rye Neck High School, 310 Hornidge Road, Mamaroneck, New York 10543.

* * * * *

Town Attorney Noto presented the proposed Local Law No. 1 Year 2013 "Income and Expense Statements." Supervisor Carvin called for a Public Hearing with the intent for this "Local Law" to be in place for this year. The owners and representatives of all income producing property would be required to submit to the Assessor's Office a statement of all income derived from any and all expenses attributable to the operation of such property. Discussion ensued regarding Local Law No. 1 Year 2013. The majority of the Board decided that they would prefer to draft a revised Local Law and schedule a Public Hearing which would rescind the former "Income and Expense Law."

* * * * *

Councilperson Collins wanted on record that the one thing to advocate is fairness. The people who are following the law will be assessed correctly and the people who choose not to follow the law may possibly be under-assessed. This law is not to penalize people, but for the Town to make every effort to promote adequate and fair assessments on the rolls.

* * * * *

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

WHEREAS, the Southeast Wing Wall of the Otter Creek Bridge, located in the Village of Mamaroneck, New York, is in need of structural repair, and

WHEREAS, the Town Board of the Town of Rye needs professional services for the repair work, and

WHEREAS, Ahneman Kirby, LLC, located at 1171 East Putnam Avenue, Suite 1A, Riverside, Connecticut 06878 had performed site observations, prepared a findings report, and performed structural analysis of the existing bridge, and

WHEREAS, the Town of Rye had solicited bids and had received seven (7), and

WHEREAS, the Landi Contracting Inc., 13 Bradhurst Avenue, Hawthorne, New York 10532 had submitted the lowest bid and upon checking references, was deemed to be the most qualified;

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to execute an agreement with said Landi Contracting , Inc. to perform the structural repairs, and

BE IT FURTHER RESOLVED, that said Landi Contracting, Inc., be paid twenty-six thousand dollars (\$26,000.00) for the structural services provided in the Request for Proposals.

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 into executive session to discuss contracts at 10:05 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD MAY 29, 2013

A special meeting of the Town Board of the Town of Rye, New York, was held on Wednesday morning May 29, 2013 at 7:30 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, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ABSENT: was Councilperson Michele Mendicino

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On motion of Councilperson Villanova, seconded by Councilperson Nioras and unanimously adopted, the date for the Public Hearing for Local Law No. 1, Year 2013 "Income and Expense Statements" was set for June 18, 2013 at 7:30 P.M. to be held in the Community Room of the Rye Neck High School, 310 Hornidge Road, Mamaroneck, New York 10543.

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Supervisor Carvin gave an update of the Dissolution of the Town of Rye government after attending a meeting with the steering committee the night before.

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Nioras and unanimously adopted the meeting was adjourned at 8:07 A.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD JULY 1, 2013

A special meeting of the Town Board of the Town of Rye, New York was held on Monday, July 1, 2013 at 6:00 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 Deputy Town Clerk Linda A. Lyons.

ABSENT: Councilperson Robert Nioras and Town Attorney Paul Noto.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Program Administrator Greg Arcaro and Confidential Secretary to the Supervisor Bishop Nowotnik.

* * * * *

Claire K. Racine led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer. An audio recorder was in use during the proceedings.

* * * * *

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

WHEREAS, the Town Board of the Town of Rye has determined that the property known as 10 Pearl Street, Port Chester, New York, currently occupied by the Town of Rye along with the parking lot across the street contains more space than the town actually needs, and

WHEREAS, the Town Board of the Town of Rye has determined that it would be in the best interest of the Town to sell said property, and

WHEREAS, the Town Board of the Town of Rye has retained the services of New York Commercial Realty Group, 500 Mamaroneck Avenue, Suite 320, Harrison, New York 10528, for the purposes of marketing said properties to solicit proposals for purchase and redevelopment of said properties, and

WHEREAS, the Town Board of the Town of Rye has evaluated four proposals to purchase said properties;

NOW, THEREFORE, BE IT RESOLVED, that after reviewing said proposals, the Town Board of the Town of Rye designates the proposal submitted on behalf of Dominick Neri, Peter Shapiro and Anthony Tirone DPA Joint Ventures as the preferred purchaser for the properties at 10 Pearl Street, Port Chester, New York and the parking lot across the street, and

BE IT FURTHER RESOLVED, that the proposal from Neri, Shapiro and Tirone DPA Joint Ventures is in an amount of not less than one million, eight hundred fifty thousand dollars (\$1,850,000.00) with no mortgage contingency and a purchase of the properties "AS IS" not subject to any environmental or physical inspections and a potential opportunity to lease back the premises by the Town until the Town relocates, represents fair market value of the property and is therefore acceptable consideration for the sale of the properties, and

BE IT FURTHER RESOLVED, that the Town Supervisor, Joseph Carvin, be and he hereby is authorized to negotiate a sales agreement with said designated purchaser and to submit to the Board a proposed sales agreement for the Town Board to review and approve.

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 Collins and unanimously adopted the meeting adjourned at 6:20 P.M.

Respectfully submitted,

Linda A. Lyons
Deputy Town Clerk

MEETING HELD JULY 16, 2013

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, July 16, 2013 at 8:00 P.M. in the Courtroom of the Town Office building, 10 Pearl Street, Port Chester, New York 10573, 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 J. Noto, Town Comptroller David Byrnes, Program Administrator Greg Arcaro and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: was Superintendent of Highways John DeCrescenzo

* * * * *

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

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On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the minutes for the meetings held on June 18, 2013 and July 1, 2013 were approved as presented.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of June, 2013
Total submitted to the Supervisor.....\$1,873.50

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of June, 2013
Deposited to Supervisor, Town of Rye.....\$530,308.90
Deposited to Treasurer, Village of Port Chester.....\$8,955,193.39
Deposited to Treasurer, Village of Rye Brook.....\$7,460,729.96

Total.....\$16,946,232.25

CRAWFORD PARK, for the month of June, 2013
Reported by Confidential Secretary Bishop Nowotnik.....\$13,533.00

* * * * *

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

WHEREAS, the Town Board of the Town of Rye has determined that the property known as 10 Pearl Street, Port Chester, New York, currently occupied by the Town of Rye along with the parking lot across the street also owned by the Town of Rye contains more space than the Town actually needs, and

WHEREAS, the Town Board of the Town of Rye has determined that said property known as 10 Pearl Street, Port Chester, New York, will require significant investment of capital improvements due to wear and tear on the building, and

WHEREAS, the Town Board of the Town of Rye had previously retained the services of New York Commercial Realty Group for the purposes of marketing the properties to solicit proposals for purchase and redevelopment of said properties, and

WHEREAS, the Town Board of the Town of Rye had evaluated four proposals for the purchase of said properties, and

WHEREAS, on July 1, 2013, the Town Board designated the proposal submitted on behalf of Dominick Neri, Peter Shapiro and Anthony Tirone, DPA Joint Ventures, as the preferred purchaser for the said property at 10 Pearl Street, Port Chester, New York, and the parking lot across the street;

July 16, 2013

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye has determined that said properties are no longer needed for a public purpose and are surplus properties to the Town of Rye, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye believes that the sale of these properties is in the best interest of the Town at a minimum consideration of one million, eight hundred fifty thousand dollars (\$1,850,000.00) with no mortgage contingency and a purchase of the properties “as is” and not subject to any environmental or physical inspections and a lease back of the premises to the Town of Rye until January 1, 2014 at no consideration and potential additional time at a reasonable consideration represents a fair market value of the property and is therefore acceptable consideration for the sale of the properties, and

BE IT FURTHER RESOLVED, that the Town Supervisor Joseph Carvin be and he hereby is authorized to execute a contract of sale together with all transfer documents necessary to transfer title of the property to said DPA Joint Ventures, and

BE IT FURTHER RESOLVED, that this Resolution be subject to a Permissive Referendum and shall take effect in accordance with the provision of Section 91 of the New York State Town Law.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: Councilperson Nioras

ABSENT: None

* * * * *

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

WHEREAS, the Town of Rye had commenced a search for new office space, and

WHEREAS, the Village of Port Chester had agreed to lease space to the Town of Rye for administrative offices and the town court;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor Joseph Carvin be and he hereby is authorized to negotiate a lease agreement with the Village of Port Chester consistent with the letters of intent attached hereto, and

BE IT FURTHER RESOLVED, that said Town Supervisor shall submit a proposed lease with the Village of Port Chester to the Town Board for approval.

ROLL CALL

AYES: Councilpersons Collins, Mendicino, Villanova and Supervisor Carvin

NOES: Councilperson Nioras

ABSENT: None

* * * * *

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

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

WHEREAS, the Town Board of the Town of Rye recognizes that various tasks needed to be performed in the area of property services in the absence of said positions, and

WHEREAS, the Town Board requested statements of qualifications, expertise, and pricing (proposals) from individuals or firms to provide property maintenance services on an “on call” property services basis, and

WHEREAS, the Town of Rye had advertised a Request for Proposal (“RFP”) to provide a range of services under a Flexible Services Contract with work authorized through work orders, and

July 16, 2013

WHEREAS, the Town of Rye had received two sealed bids which were opened publicly on July 1, 2013, and

WHEREAS, John Zicca Landscaping and Masonry, Inc., 432 Willet Avenue, Port Chester, New York 10573 was the lowest bidder and was deemed to be qualified to do the work;

NOW, THEREFORE, BE IT RESOLVED, that Town Supervisor Joseph Carvin be and he hereby is authorized to enter into a contract with said John Zicca Landscaping and Masonry, Inc. to provide the maintenance services specified in the "On Call" Property Services RFP #2013-04, and

BE IT FURTHER RESOLVED, that the annual compensation for on-call services shall not exceed forty-three thousand dollars (\$43,000.00).

ROLL CALL

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

NOES: None

ABSENT: None

* * * * *

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

WHEREAS, there are approximately one million, one hundred forty-three thousand dollars (\$1,143,000.00) in uncollected taxes due to the Town of Rye, and

WHEREAS, the said one million, one hundred forty-three thousand dollars (\$1,143,000.00) 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 Town Attorney Paul Noto be and he hereby is authorized to commence an In Rem Tax Foreclosure proceeding against all eligible properties for which a tax lien has been filed and their taxes 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 said Town Attorney be and he is hereby authorized 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: Councilperson Collins, Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins and unanimously approved, the meeting scheduled for August 20, 2013 was changed to August 27, 2013 at 7:00 P.M.

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Mendicino and unanimously approved, the meeting was adjourned at 9:45 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD AUGUST 08, 2013

A special meeting of the Town Board of the Town of Rye, New York was held on Thursday, August 08, 2013 at 5:30 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, Michele Mendicino and William Villanova and Town Clerk Hope B. Vespia

ABSENT: Councilperson Robert Nioras and Christina Collins

ALSO

PRESENT: were Town Attorney Paul Noto and Receiver of Taxes Nicholas C. Mecca

* * * * *

Supervisor Carvin led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer.

* * * * *

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

WHEREAS, the Town Board of the Town of Rye is moving its offices to 222 Grace Church Street in the Village of Port Chester, and

WHEREAS, the Town Board of the Town of Rye will require architectural services to design new office space at the Town's new location, and

WHEREAS, the Town Board of the Town of Rye sent a request for proposals for architectural services and evaluated four architectural firms;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye has selected Arconics Architecture, P.C., 545 1/2 Westchester Avenue, Rye Brook, New York to provide architectural services, specifically designing and planning the new Town offices which are to be relocated at 222 Grace Church Street, and

BE IT FURTHER RESOLVED, that Town Supervisor Joseph Carvin be and he hereby is authorized to execute an agreement with said Arconics Architecture, P.C. to provide architectural services pursuant to the proposal submitted at a fee not to exceed ten thousand dollars (\$10,000.00).

ROLL CALL

AYES: Councilpersons Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilpersons Collins and Nioras

* * * * *

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

WHEREAS, the Town Board of the Town of Rye is required to appoint an Assessor for a term of six years, and

WHEREAS, wanting to act in a timely fashion, the Town Board advertised for said position and received several replies, and

WHEREAS, the Town Board subsequently interviewed a total of seven candidates for said position, and

August 08, 2013

WHEREAS, Denise S. Knauer, residing at 13 Roberta Drive, Cortlandt Manor, New York 10567 was deemed to be qualified and the best candidate for said position;

NOW, THEREFORE, BE IT RESOLVED, that Town Supervisor Joseph Carvin be and he hereby is authorized to appoint said Denise S. Knauer as Sole Assessor for the Town of Rye for a 6-year term commencing October 7, 2013 and expiring October 6, 2019, with all the duties and responsibilities customarily provided by the Town Assessment Office, and

BE IT FURTHER RESOLVED, that said Supervisor Carvin execute a contract at an annual compensation to be paid in equal bi-weekly installments with appropriate benefits as provided for in the budget and in said Denise S. Knauer's contract, and

BE IT FURTHER RESOLVED, said Denise S. Knauer be given a one-year probation period commencing October 7, 2013 and ending October 6, 2014, and

BE IT FURTHER RESOLVED, that said contract may not be changed orally, but only in writing by both parties, and

BE IT FURTHER RESOLVED, that said Denise S. Knauer execute her oath of office within thirty days with the Town Clerk.

ROLL CALL

AYES: Councilpersons Mendicino, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilpersons Collins and Nioras

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, and unanimously approved, the Board adjourned into executive session at 5:45 P.M. to discuss items on the personnel policy for an individual.

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, and unanimously approved, the Board returned to regular session at 5:55 P.M.

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Mendicino and unanimously approved, the meeting was adjourned at 6:00 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD AUGUST 27, 2013

A special meeting of the Town Board of the Town of Rye, New York was held on Tuesday, August 27, 2013 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 and William Villanova and Town Clerk Hope B. Vespia.

ABSENT: were Councilpersons Michele Mendicino, Robert Nioras and Town Assessor Mitchell Markowitz.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, 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.

* * * * *

Goldie Solomon 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.

* * * * *

Supervisor Carvin introduced the newly appointed Assessor, Denise Knauer to the public.

* * * * *

Supervisor Carvin gave a presentation on the status of the 2013 Income and Expense Local Law.

* * * * *

On motion of Councilperson Collins, seconded by Councilperson Villanova, the minutes for the meetings held July 16, 2013 and August 08, 2013 were approved as presented.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of July, 2013	
Total submitted to the Supervisor.....	\$3,997.75
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of July, 2013	
Deposited to Supervisor, Town of Rye.....	\$371,315.38
Deposited to Treasurer, Village of Port Chester.....	\$1,827,474.95
Deposited to Treasurer, Village of Rye Brook.....	<u>\$2,020,333.28</u>
Total.....	\$4,219,123.61
CRAWFORD PARK, for the month of July, 2013	
Reported by Confidential Secretary Bishop Nowotnik.....	\$5,975.00

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the Town Board of the Town of Rye authorizes Supervisor Carvin to approve a donation of seven hundred fifty dollars (\$750.00) adopted in the 2013 budget, to the Columbus Day Celebration Committee towards the festivities of the 2013 Columbus Day Parade.

ROLL CALL

AYES: Councilpersons Collins, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilpersons Mendicino and Nioras

* * * * *

August 27, 2013

The Town of Rye wishes to change the policy for hiring off-duty police officers for events at Crawford Park in Rye Brook, New York. The previous policy for alcohol use and large events at said park required the presence of Rye Brook police officers for a 4-hour minimum at sixty dollars (\$60.00) per hour. The newly-approved fee is for a 3-hour minimum at one hundred dollars (\$100.00) per hour.

On motion of Councilperson Villanova, seconded by Councilperson Collins, the policy change was unanimously approved.

* * * * *

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 Summit Apartment Corp. vs. Town of Rye (2006 - 2012), 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, Villanova and Supervisor Carvin
NOES: None
ABSENT: Councilpersons Mendicino and Nioras

* * * * *

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

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD JUNE 18, 2013

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, June 18, 2013 at 7:30 P.M. in the Community Room of the Rye Neck High School, 310 Hornidge Road, Mamaroneck, New York 10543, 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 J. Noto, Superintendent of Highways John DeCrescenzo, Town Comptroller David Byrnes, Program Administrator Greg Arcaro and Confidential Secretary to the Supervisor Bishop Nowotnik.

* * * * *

Margarito Rivas, the honored guest in celebration of his 100th birthday, led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer. A video recorder and audio recorder were in use during the proceedings.

* * * * *

On motion of Councilperson Villanova, seconded by Councilperson Collins, the Public Hearing for Local Law No. 1 Year 2013 "Income and Expense Statements" was declared open.

Village of Rye Brook Mayor Paul Rosenberg acknowledged that the Village Board of Rye Brook had endorsed this Local Law unanimously.

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, and unanimously adopted, the Public Hearing was closed.

On motion of Councilperson Villanova, seconded by Councilperson Collins, and unanimously adopted, Local Law No. 1 Year 2013 "Income and Expense Statements" was adopted as follows:

A. Where real property is income producing property and the owner or his representative filed a grievance with the Board of Assessment Review, the owner shall be required to submit to the Assessor's Office not later than the first day of August, 2013 for those statements due in 2013 and not later than seven days after filing the grievance in all succeeding years, a statement of all income derived from any and all expenses attributable to the operation of such property as follows:

(1) Where the owner's books and records reflecting the operation of the property are maintained on a calendar year basis, the statement shall be for the calendar year preceding the date the statement shall be filed.

(2) Where the owner's books and records reflecting the operation of the property are maintained on a fiscal year basis for federal income tax purposes, the statement shall be for the last fiscal year concluded as of the first day of August preceding the date the statement shall be filed.

(3) Notwithstanding the provisions of paragraphs one and two of this subdivision, where the owner of the property has not operated the property and is without knowledge of the income and expenses of the operation of the property for a consecutive twelve month period concluded as of the first day of August preceding the date of the statement shall be filed, then the statement shall be for the period of ownership.

(4) The Town Assessor may for good cause shown extend the time for filing an income and expense statement by a period not to exceed thirty days.

B. Such statements shall contain the following declaration: "I certify that all information contained in this statement is true and correct to the best of my knowledge and belief. I understand that the willful making of any false statement of material fact herein will subject me to the provisions of law relevant to the making and filing of false instruments and will render this statement null and void."

C. The form on which such statement shall be submitted shall be prepared by the Town Assessor and copies of such form shall be made available at the office of the department in the county in which the property is located. The Town Assessor may, by rule, require such statement to be submitted electronically in such form and such manner as the Town Assessor may determine. For good cause, the Town Assessor may waive any rule requiring electronic filing and may permit a statement to be filed in such other manner as the Town Assessor may designate.

D. (1) In the event that the owner of income-producing property files a grievance with the Board of Assessment Review they must file an income and expense statement no later than seven days after filing the grievance in all succeeding years. In the event that the owner of income producing property files a grievance and fails to file an income and expense statement within seven days after filing the grievance or by August 1, 2013 for any grievance filed in 2013, such owner shall be subject to a penalty in amount not to exceed three percent (3%) of the assessed value of such income producing property for the current fiscal year.

(2) Where an income and expense statement required under the provisions of this section has not been timely filed, the Town Assessor may compel by subpoena the production of the books and records of the owner relevant to the income and expenses of the property, and may also make application to any court of competent jurisdiction for an order compelling the owner to furnish the required income and expense statement.

E. As used in this section, the term "income-producing property" means real property owned for the purpose of securing an income from the property itself but shall not include residential property containing three or fewer dwelling units or property classified as Homestead as defined in Article 19 of the Real Property Tax Law.

F. Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for the Town Assessor or any official or employee of the Town, any member of the Board of Assessment Review, any person engaged or retained by the Town, the Assessor or the Board of Assessment Review on an independent contract basis or any person who, pursuant to this section, is permitted to inspect any income and expense statement or to whom a copy, an abstract or a portion of any such statement is furnished to divulge or make known any manner the amount of income and/or expense or any particulars set forth or disclosed in any such statement required under this section. The officers charged with custody of such statements shall not be required to produce any income and expense statements or evidence of anything contained in said statement if any action or proceeding in any court, except on behalf of the Town or the Town Assessor. Nothing herein shall be construed to prohibit the delivery to an owner or his or her duly authorized representative of a certified copy of any statement filed by such owner pursuant to this section or to prohibit the publication of the statistics so classified as to prevent the identification of particular statements and the items thereof, delivery of a copy to a legal representative or other professional retained by the Town or the Board of Assessment Review retained with respect to a proceeding to review the assessment of the property as issue for use solely with respect to the review of said assessment and for no other purpose. Any violation of the provisions of this section shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year, or both, at the discretion of the Court and if the offender be an officer or employee of the Town or a member of the Board of Assessment Review, the offender shall be dismissed from office.

G. The Town Assessor shall be authorized to promulgate rules and regulations necessary to effectuate the purposes of this section.

H. Subdivision "F" of this section shall be deemed a state statute for purposes of paragraph (a) of subdivision two of section eighty-seven of the public officer's law.

I. Upon adoption of this local law, Local Law No.1 of 2009 is hereby rescinded and of no further force or effect.

Ordered by the Town Board
Town of Rye, New York
Hope B. Vespia, Town Clerk

* * * * *

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

WHEREAS, the Town of Rye has been leasing the property known as The Town Garage at 511 West William Street in Rye Brook, New York to the Village of Rye Brook, and

WHEREAS, said lease expires on May 31, 2015, and

WHEREAS, the Village of Rye Brook has expressed a desire to purchase said property, and

WHEREAS, the Town Board of the Town of Rye has determined that the said property is no longer needed for a public purpose and is surplus property to the Town of Rye as the entire property is currently leased to the Village of Rye Brook, and

WHEREAS, the Town Board of the Town of Rye believes the sale of the property is in the best interest of the Town at a minimum consideration of six hundred eighty-five thousand dollars (\$685,000.00) in addition to the buyer paying the costs of any abstract of title, is determined to be a fair and adequate compensation;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye hereby authorizes the sale of the aforementioned parcel of land known as 511 West William Street, Rye Brook, New York, Section 141.35-2-43 to the Village of Rye Brook, and

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to execute a contract of sale together with all transfer documents necessary to transfer title to the property to the Village of Rye Brook, and

BE IT FURTHER RESOLVED, that this Resolution is subject to a Permissive Referendum and shall take effect in accordance with the provision of Section 91 of the New York State Town Law.

ROLL CALL

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

NOES: None

* * * * *

Supervisor Carvin excused himself from the meeting at 8:05 P.M.

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Collins, the minutes for the meeting held May 21, 2013 were approved as presented.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of May, 2013
Total submitted to the Supervisor.....\$3,166.00

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of May, 2013
Deposited to Supervisor, Town of Rye.....\$4,720,799.19
Deposited to Treasurer, Village of Port Chester.....\$28,108.73
Deposited to Treasurer, Village of Rye Brook.....\$9,902.29
Total.....\$4,758,810.21

CRAWFORD PARK, for the month of May, 2013
Reported by Confidential Secretary Bishop Nowotnik.....\$4,970.00

* * * * *

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

WHEREAS, the Town Board of the Town of Rye has reduced expenditures over the past several years, and

WHEREAS, the Town Board of the Town of Rye has eliminated the Parks Department in order to save money, and

WHEREAS, the Town Board of the Town of Rye has identified the equipment attached hereto as Schedule "A" as surplus equipment and no longer necessary for Town operations;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye shall sell said equipment as surplus property, and

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to place the equipment up for sale either by auction or by advertisement, and

BE IT FURTHER RESOLVED, that said Supervisor be and he hereby is authorized to execute any and all necessary transfer documents to convey said surplus equipment to the approved purchasers, and

BE IT FURTHER RESOLVED, that said Supervisor shall report to the Town Board on the status of the sale and the amounts received for each piece of equipment sold herein.

ROLL CALL

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

NOES: None

ABSENT: Supervisor Carvin

List of Surplus Equipment

Lot # Description

- Lot 6 1992 Snapper HD snow blower
- Lot 18 2- 6hp snow throwers
- Lot 11 2007 Meyers snowplow
- Lot 12 2007 Meyers snowplow
- Lot 13 2003 electric road sander
- Lot 14 2007 gas powered road sander
- Lot 10 2003 Western snowplow
- Lot 3 1984 Chevy dump Truck (Yellow)
- Lot 9 1996 Chevy dump truck (Blue)
- Lot 19 1981 Ford tractor
- Lot 20 2- Deere F 932 lawn tractors
- Lot 5 1992 Giant Vac leaf sucker
- Lot 4 2000 Little Wonder walk behind blower
- Lot 17 2006 Billygoat walk behind leaf blower
- Lot 21 3- Redmax weed whackers
- Lot 1 2002 Scag 72" riding mower
- Lot 2 2004 Bobcat 48" walk behind mower
- Lot 15 2004 John Deere 72" riding mower
- Lot 16 2006 Toro 62" riding mower

* * * * *

Carmen Ibazzi from the SER of Westchester office submitted a letter to the Town Board requesting a reduction in the monthly rental payments.

* * * * *

On motion of Deputy Supervisor Villanova, seconded by Councilperson Nioras, and unanimously adopted, the rent for SER of Westchester, Inc. for office space at the Town Office Building, 10 Pearl Street, Port Chester, New York, be reduced from five hundred dollars (\$500.00) to three hundred dollars (\$300.00) per month and that Town Attorney Paul Noto review the present lease and make any necessary changes.

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Mendicino and unanimously adopted, the meeting was adjourned at 9:55 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD SEPTEMBER 17, 2013

A meeting of the Town Board of the Town of Rye, New York was held on September 17, 2013 at 8:00P.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, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ABSENT: were Councilperson Michele Mendicino, Town Assessor Mitchell Markowitz and Town Comptroller David Byrnes.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Attorney Paul J. Noto, Superintendent of Highways John DeCrescenzo, Program Administrator Greg Arcaro and Confidential Secretary to the Supervisor Bishop Nowotnik.

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Dick Hubert 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 Collins, the minutes for the meeting held August 27, 2013 were approved as amended.

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The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of August, 2013	
Total submitted to the Supervisor.....	\$4,224.50
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of August, 2013	
Deposited to Supervisor, Town of Rye.....	\$511,611.18
Deposited to Treasurer, Village of Port Chester.....	\$113,260.71
Deposited to Treasurer, Village of Rye Brook.....	<u>\$54,003.18</u>
Total.....	\$678,875.07
CRAWFORD PARK, for the month of August, 2013	
Reported by Confidential Secretary Bishop Nowotnik.....	\$7,730.00

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Collins and unanimously approved, the meeting was adjourned into executive session to discuss the personnel policy for an individual at 8:40 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD OCTOBER 15, 2013

A meeting of the Town Board of the Town of Rye, New York was held on October 15, 2013 at 8:00P.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 Comptroller David Byrnes, Town Assessor Denise Knauer, Town Attorney Paul J. Noto, Superintendent of Highways John DeCrescenzo, Program Administrator Greg Arcaro and Confidential Secretary to the Supervisor Bishop Nowotnik.

* * * * *

Bryan Diaz, the summer intern, 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 for the meeting held September 17, 2013 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 September, 2013	
Total submitted to the Supervisor.....	\$3,437.00
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of September, 2013	
Deposited to Supervisor, Town of Rye.....	\$38,406,969.99
Deposited to Treasurer, Village of Port Chester.....	\$135,260.11
Deposited to Treasurer, Village of Rye Brook.....	<u>\$18,677.97</u>
Total.....	\$38,560,908.07
CRAWFORD PARK, for the month of September, 2013	
Reported by Confidential Secretary Bishop Nowotnik.....	\$8,215.00

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Collins, and unanimously approved, the date for the regular monthly meeting was changed from November 19, 2013 to November 12, 2013.

* * * * *

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

WHEREAS, the musical/play Flashbacks reviewed the history of the Town of Rye, and

WHEREAS, local elementary school fourth grade students are studying the history of the Town of Rye as part of the history curriculum, and

WHEREAS, said students attended the performance of said play Flashbacks which was presented at the Capitol Theatre in Port Chester, New York on September 30, 2013, and

WHEREAS, said play Flashbacks was made possible by the Port Chester Council of the Arts in conjunction with the Town of Rye;

October 15, 2013

NOW, THEREFORE, BE IT RESOLVED THAT Town of Rye Supervisor Joseph Carvin be and he hereby is authorized to make a donation of one thousand, five hundred dollars (\$1,500.00) to the Port Chester Council of the Arts to help defray the costs of producing said play.

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 of Rye commenced an In Rem proceeding in Westchester County Supreme Court under Index No. 4057/12, and

WHEREAS, the Town of Rye took title to property known as 38 Washington Mews, Port Chester, New York, Parcel ID Section 142.22, Block 3 and Lot 39, and

WHEREAS, pursuant to Order of Judge Francesca Connelly, a deed transferring the property from the Receiver of Taxes to the Town Supervisor was recorded in the Office of the Westchester County Clerk on August 27, 2013, and

WHEREAS, on and about September 3, 2013, the occupants were notified that the Town of Rye is now the rightful owner of said property and that said occupants must vacate immediately in order for the Town to list the property for sale to a third party, and

WHEREAS, to date, the occupants of the premises have not vacated the premises and the Town has been unable to obtain possession of the premises;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye hereby retains Aldo V. Vitagliano, Esq. with offices at 150 Purchase Street, #9, Rye, New York 10580 to commence eviction proceedings in order to obtain a warrant of eviction securing the premises for the Town of Rye, and

BE IT FURTHER RESOLVED, that said Aldo V. Vitagliano, Esq. be paid two hundred dollars (\$200.00) per hour up to a maximum of one thousand dollars (\$1,000.00) for legal services rendered herein, and

BE IT FURTHER RESOLVED, that the Town of Rye will pay any expenses, filing fees, process servers and any other expenses necessary to effectuate this Resolution.

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 Collins and unanimously approved, the meeting was adjourned into executive session to discuss the personnel policy for an individual at 8:40 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD OCTOBER 29, 2013

A special meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, October 29, 2013 at 7:45 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 Michele Mendicino, Robert Nioras, William Villanova and Town Clerk Hope B. Vespia.

ABSENT: was Councilperson Christina Collins

* * * * *

Supervisor Carvin led those present in the Pledge of Allegiance.

Town Clerk Vespia presented the 2014 Tentative Budget to the Town Board.

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the Public Hearing for the 2014 Preliminary Budget was set for Tuesday, November 12, 2013 at 7:00 P.M. with the regular monthly meeting to follow.

* * * * *

There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Mendicino and unanimously adopted the meeting was adjourned at 8:25 A.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD DECEMBER 17, 2013

A Public Hearing for the 2014 Preliminary Budget and the monthly meeting of the Town Board of the Town of Rye, New York were held on December 17, 2013 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 Supervisor Joseph Carvin, Councilpersons Michele Mendicino, Robert Nioras, William Villanova and Hope B. Vespia

ABSENT: were Councilperson Collins and Superintendent of Highways John DeCresenzo

ALSO

PRESENT: were Town Justice Anthony Provenzano, Town Attorney Paul J. Noto, Town Assessor Denise Knauer, Town Comptroller David Byrnes and Confidential Secretary to the Supervisor Bishop Nowotnik.

* * * * *

Councilperson Mendicino 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.

* * * * *

Deputy Supervisor Villanova opened the Public Hearing for the 2014 Preliminary Budget and asked if there was anyone present who would like to comment for or against.

There were no comments.

On motion of Councilperson Mendicino, seconded by Councilperson Nioras, and unanimously adopted the Public Hearing for the 2014 Preliminary Budget was closed.

* * * * *

Deputy Supervisor asked for a motion to go into executive session to discuss a personnel history.

On motion of Councilperson Mendicino, seconded by Councilperson Nioras, and unanimously approved, the Board entered into executive session.

Supervisor Joseph Carvin arrived at the meeting and on motion of Councilperson Nioras, seconded by Councilperson Mendicino, and unanimously approved, the meeting was reopened.

Supervisor Carvin announced that this would be the last Town Board meeting for Councilperson Mendicino and took the time to acknowledge the 18 years she had served as a Board member. Councilperson Mendicino received many accolades, proclamations and flowers in recognition of her dedicated service. The Town Board also presented her with a gift.

* * * * *

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of November, 2013

Total submitted to the Supervisor.....\$1,363.50

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of November, 2013

Deposited to Supervisor, Town of Rye.....\$994,103.24

Deposited to Treasurer, Village of Port Chester.....\$134,828.12

Deposited to Treasurer, Village of Rye Brook.....\$24,464.51

Total.....\$1,153,395.87

CRAWFORD PARK, for the month of November, 2013

Reported by Confidential Secretary Bishop Nowotnik.....\$730.00

December 17, 2013

On motion of Councilperson Villanova, seconded by Councilperson Mendicino, the minutes for the meeting held November 12, 2013 were approved as presented.

* * * * *

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

WHEREAS, the tentative budget of the Town of Rye for the year 2014 had been prepared and filed with the Town Clerk on October 28, 2013, and

WHEREAS, the Town Clerk presented the tentative budget to the Town Board of the Town of Rye at a special meeting held on October 29, 2013, and

WHEREAS, a Public Hearing on the Preliminary Budget was held on November 12, 2013 and continued for the meeting to be held on December 17, 2013;

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 2014, 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 Mendicino, Nioras, Villanova and Supervisor Carvin
 NOES: None

ABSENT: Councilperson Collins

* * * * *

Bryan Diaz, the Community Coordinator for the Council of Community Services and Julia Solo, the Westchester Community Organizer for Community Voices Heard gave a presentation on the upcoming event "Poverty Summit" to be held January 24, 2014 at Saint Peter's Church located at 16 Smith Street and Westchester Avenue, Port Chester, New York at 6:30 P.M.

* * * * *

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

WHEREAS, the Town of Rye had commenced a foreclosure action in 2009 under Index No. 3314/09, and

WHEREAS, the Town of Rye foreclosed on the property located at Shore Drive, Port Chester, New York, known as Property ID 142.63-1-30.1, and

WHEREAS, a Deed was executed on August 5, 2010 and filed with the Clerk of the County of Westchester on August 30, 2010 conveying said property to the Town of Rye, and

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

December 17, 2013

WHEREAS, Richard Cohen of 622 Rushmore Avenue, Mamaroneck, New York has offered four thousand dollars (\$4,000.00) for said property which is a fair and reasonable consideration for the property given that is not a buildable lot and that it has been owned by the Town of Rye since 2010 and no other party has expressed any interest in purchasing said property;

NOW, THEREFORE BE IT RESOLVED, be it resolved that the Town Board of the Town of Rye hereby authorizes Supervisor of the Town of Rye to execute a Deed and other transfer documents necessary to convey the property known as Shore Drive, Port Chester, New York ID# 143.63-1-30.1 to Richard Cohen, or to the entity he may choose, for the sum of \$4,000.00.

ROLL CALL

AYES: Councilpersons Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collins

* * * * *

Bryan Diaz, the Community Coordinator for the Council of Community Services and Julia Solo, the Westchester Community Organizer for Community Voices Heard gave a presentation on the upcoming event "Poverty Summit" to be held January 24, 2014 at Saint Peter's Church located at 16 Smith Street and Westchester Avenue, Port Chester, New York at 6:30 P.M.

* * * * *

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

WHEREAS, on July 16, 2013, the Town Board of the Town of Rye ("sellers") authorized Supervisor Joseph Carvin to enter into a contract with Dominick Neri, Peter Shapiro and Anthony R. Tirone DPA Joint Ventures as the preferred purchasers ("purchasers") for the property at 10 Pearl Street, Port Chester, New York and the parking lot, and

WHEREAS, the Town of Rye forwarded Contracts of Sale to the attorney, said Anthony R. Tirone, for said purchasers, and

WHEREAS, said purchasers have requested permission to assign the Contract of Sale from Peter Shapiro and Anthony R. Tirone to Dominick Neri, and

WHEREAS, said assignment is permissible upon the consent of the sellers, and

WHEREAS, the terms of the original Contract of Sale shall remain in full force and effect and are not in any way amended by the proposed assignment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye hereby approves the assignment of the Contract of Sale from the Town of Rye and Dominick Neri, Peter Shapiro and Anthony Tirone DPA Joint Ventures to the Town of Rye and Dominick Neri as sole purchaser, and

BE IT FURTHER RESOLVED, that said Supervisor Carvin be and he hereby is authorized to sign and execute the amendment to the contract and the assignment of the contract for the purchase of said real estate.

ROLL CALL

AYES: Councilpersons Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collins

* * * * *

December 17, 2013

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

WHEREAS, Crawford Mansion, located in Crawford Park, Rye Brook, New York, is owned by the Town of Rye, and

WHEREAS, a gas leak was discovered outside the mansion, and

WHEREAS, the gas pipe which was originally installed in the year 1923 has to be replaced, and

WHEREAS, a request for proposal was advertised and only one bid was received and publicly opened in the Town Clerk's office on December 2, 2013, and

WHEREAS, Robison Plumbing, 500 Executive Blvd., Elmsford, New York 10523, submitted a bid for nine thousand, eight hundred thirty-seven dollars (\$9,837.00) and provided the specifications which covered all the required work;

NOW, THEREFORE, BE IT RESOLVED that Town of Rye Supervisor Joseph Carvin be and he hereby is authorized to award the contract to said Robison Plumbing.

ROLL CALL

AYES: Councilperson Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collins

* * * * *

On motion of Councilperson Mendicino, seconded by Councilperson Villanova, the following Resolution was adopted, as amended for \$5,100.

WHEREAS, the Town of Rye is responsible for maintenance of assessment data and inspection of properties in accordance with New York State standards, and

WHEREAS, SDG (Systems Development Group) has previously provided online hosting services of assessment data (Image Mate Online) for the Town of Rye. Per a proposal dated 12/13/13, SDG will now be providing Outpost (a mobile field assessment system) and Image Mate Professional GIS Software (analytical tools).

The total fees, as amended of \$5,100 is detailed as follows:

SDG Outpost Mobile Field Assessment System \$2,700 (annual fee)

(Includes 12 month licensing and Support, 5 Concurrent Users)

Outpost Sentry Brix Secure Communications Server \$750 (onetime fee)

(Installation / Configuration / Testing / Training)

SDG Image Mate Professional (Desktop) GIS Software - 1 License – Town of Rye \$975

(Coordination w/Westchester County GIS / Installation / Configuration / Testing / Training)

*Amended to also include \$675 for two (2) computer tablets for mobile access to be procured separate from the SDG proposal.

RESOLVED, that Systems Development Group, Inc., 441 Trenton Avenue, Utica, NY 13502 is hereby designated to provide the aforementioned assessment services to the Town of Rye for the calendar year 2014, and

BE IT FURTHER RESOLVED, that the cost for such annual services in an amount of \$5,100 is hereby approved.

December 17, 2013

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

WHEREAS, Assessment Advisors, LLC, will provide *Income Works* as a standalone commercial valuation program in web based format.

WHEREAS, the cost is not to exceed twenty-six thousand dollars \$26,000, as follows:

Base fee for 2014 data year = eighteen thousand dollars (\$18,000.00)
2013 data year for an additional eight thousand dollars (\$8,000)
(if 2013 is purchased before December 31, 2013)

RESOLVED, that Assessment Advisors, LLC, 736 Western Avenue, 383, Lake Forest, IL 60045 is hereby designated to provide *Income Works*, as a standalone commercial valuation program in web based format, to the Town of Rye for the calendar year 2014, and

BE IT FURTHER RESOLVED, that the cost for such program in an amount not to exceed \$26,000.00 is hereby approved.

ROLL CALL

AYES: Councilpersons Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collins

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

WHEREAS, the Town of Rye is relocating its offices to 222 Grace Church Street, Port Chester, New York, and

WHEREAS, by resolution at a special meeting held on August 08, 2013, the Town Board selected Arconics Architecture, P.C., 545-1/2 Westchester Avenue, Rye Brook, New York, to provide architectural services to design new office space at said location and budgeted a fee not to exceed ten thousand dollars (\$10,000.00), and

WHEREAS, the work must be expanded to include additional architectural and engineering services, and

WHEREAS, the additional scope of work, which includes added square footage and addressing building code compliance among other work, is in the amount of seven thousand, five hundred dollars (\$7,500.00), making the amended contract fee in the amount of seventeen thousand, five hundred dollars (\$17,500.00);

NOW, THEREFORE, BE IT RESOLVED, that Town Supervisor Joseph Carvin be and he hereby is authorized to execute an amended agreement with said Arconics Architecture, P.C. to provide architectural services for the said fee of seventeen thousand, five hundred dollars (\$17,500.00), and

BE IT FURTHER RESOLVED, the Town Board recognizes the fact that the landlord of said office building will reimburse the Town of Rye for some of the expenses for these architectural and engineering services over a period of 5 years.

ROLL CALL

AYES: Councilpersons Mendicino, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collins

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December 17, 2013

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

WHEREAS, The Town Board of the Town of Rye is selling Town Hall at 10 Pearl Street, and

WHEREAS, the Town needs to relocate its offices to another location within the Town of Rye, and