

MEETING HELD JANUARY 20, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, January 20, 2015 at 8:00 P.M. in the Community Room of the Rye Neck High School, 300 Hornidge Road, Mamaroneck, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Deputy Supervisor Councilpersons Christina Collins, Thomas F.

Nardi, Robert Nioras, Deputy Supervisor William Villanova and Town Clerk Hope B. Vespia

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Assessor Denise Knauer, Town Attorney Paul J. Noto, Superintendent of Highways John DeCrescenzo, Town Comptroller David Byrnes, and Confidential Secretary to the Supervisor Bishop Nowotnik.

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Councilperson Collins gave an update of the Rye Town Sustainability Committee formed at the end of last year. The first initiative is to make a list of Sustainability Committees throughout Westchester County and observe who's doing what well. The Committee plans to explore methods for human outreach to let every person be aware of what they could do.

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

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On motion of Deputy Supervisor Villanova, seconded by Councilperson Nardi, the Town Board entered into Executive Session at 8:12 P.M. to discuss contract negotiations.

The Town Board returned from Executive Session at 8:32 P.M. Supervisor Carvin called for a motion to return. On motion of Deputy Supervisor Villanova, seconded by Councilperson Collins, the meeting was called into session.

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On motion of Councilperson Nioras, seconded by Councilperson Collins, the minutes for the meeting held December 16, 2014 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, 2014	
Total submitted to the Supervisor.....	\$2,252.00
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of December, 2014	
Deposited to Supervisor, Town of Rye.....	\$8,551,312.39
Deposited to Treasurer, Village of Port Chester.....	\$9,016,890.49
Deposited to Treasurer, Village of Rye Brook.....	\$58,544.25
Total.....	\$17,626,747.13

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

WHEREAS, the Town of Rye, having created by Resolution the 2012 Committee, had hired Gregory D. Arcaro, residing at 62 Stoneleigh Road, Scarsdale, New York 10583 as Program Administrator for said 2012 Committee, to assist the committee and to perform any additional function requested by the Town, and

WHEREAS, said Gregory D. Arcaro is deemed to be qualified to be re-appointed to the position of Program Administrator;

NOW, THEREFORE, BE IT RESOLVED, that Town of Rye Supervisor Joseph Carvin be and he hereby is authorized to execute a professional services contract with said Gregory D. Arcaro as Program Administrator, and

BE IT FURTHER RESOLVED, that said Gregory D. Arcaro shall be an independent contractor whose contract shall run from January 1, 2015 to December 31, 2015 which is terminable on thirty days' notice by either party, and

BE IT FURTHER RESOLVED, that the duties of said Program Administrator shall include updating the State of the Town Report; implementing the Model American Community Project of the Town of Rye; assisting the management of Rye Town Park; and assisting other projects as agreed upon with the Supervisor of the Town of Rye, and

BE IT FURTHER RESOLVED, that the Town shall pay said Gregory D. Arcaro for services rendered herein at a rate of forty-three dollars (\$43.00) per hour, payable on a monthly basis, and

BE IT FURTHER RESOLVED, that the total compensation for said Gregory D. Arcaro shall not exceed thirty-six thousand dollars (\$36,000.00) under the terms of the agreement.

ROLL CALL

AYES: Councilpersons Collins, Nardi, Nioras and Supervisor Carvin

NOES: Deputy Supervisor Villanova

ABSENT: None

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

WHEREAS, Town of Rye employee Neiva Garces, who was appointed May 20, 2014 as a part-time clerk in the Town Clerk's office is being transferred to the Town of Rye Justice Court, and

WHEREAS, there is a need to hire a part-time clerk in the Town Clerk's office, and

WHEREAS, a notice had been published for said position, and

WHEREAS, five applications had been received and three interviews had taken place, and

WHEREAS, Vivian Vallejo, residing at 191 Grace Church Street, Port Chester, New York 10573, was deemed to be the best qualified for the position;

NOW, THEREFORE, BE IT RESOLVED, that said Vivian Vallejo be and she hereby is appointed as part-time clerk in the office of the Town Clerk of the Town of Rye for a total of twenty-five hours per week effective immediately, and

BE IT FURTHER RESOLVED, that said receive a compensation of eighteen dollars (\$18.00) per hour, to be paid in bi-weekly installments, and

BE IT FURTHER RESOLVED, that scheduling will be arranged according to the needs of the office.

ROLL CALL

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

NOES: None

ABSENT: None

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

WHEREAS, the Town of Rye obtained the following properties via an In Rem proceeding under Index No. 860/13:

18 Prospect Street, Port Chester, New York - Tax Identification # Section 142.21 Block 1, Lot 31

209 Union Avenue, Mamaroneck, New York - Tax Identification # Section 154.50, Block 1, Lot 37, and

WHEREAS, the Town of Rye acquired fee simple title to the properties by Deed dated November 21, 2014 and said Deed was recorded in the Westchester County Clerk's Office on December 8, 2014 under Control No. 542623342, and

WHEREAS, the Town of Rye desires to sell these properties, and

WHEREAS, the Town of Rye wishes to retain the services of a real estate broker to market said properties;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye hereby retains the services of Rona Calogero of Julia B. Fee Sothebys International Realty to market said property at 209 Union Avenue, Mamaroneck, New York , and

BE IT FURTHER RESOLVED, that upon successful conclusion of a closing on said matter, the realtor shall be paid a commission on the sale of no more than six percent of the purchase price, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye retains the services of Merriam Dunn of Remax Real Estate to market said property at 18 Prospect Street, Port Chester, New York and

BE IT FURTHER RESOLVED, that upon successful conclusion of a closing on said matter, the realtor shall be paid a commission on the sale of no more than six percent of the purchase price, and

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to enter into and to execute any listing agreements for the sale and marketing of the two said properties, and

BE IT FURTHER RESOLVED, that the Town Board shall approve any proposed contract of sale for the sale of aforementioned properties which will be subject to further resolution of the Board.

ROLL CALL

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

NOES: None

ABSENT: None

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On motion of Deputy Supervisor Villanova, seconded by Councilperson Nardi, the following Resolution was adopted:

WHEREAS, the Town Board of the Town of Rye obtained the property known as Section 141.26, Block 1, Lot 1 on Bowman Avenue via an In Rem proceeding, and

WHEREAS, that the Town acquired fee simple title to the property by Deed dated November 21, 2014 and said Deed was recorded in the Westchester County Clerk's Office on December 8, 2014 as Control Number 542623342, and

WHEREAS, the Village of Rye Brook had recently conducted an environmental soil sampling on said property, and

WHEREAS, K&M Realty Group, Ltd, the former owner of the property may be interested in re-purchasing the property from the Town of Rye, and

WHEREAS, said K&M Realty Group, Ltd is desirous of undertaking additional soil sampling on the property under the supervision of a company they have retained known as Cornerstone Environmental, and

WHEREAS, said K&M Realty Group. Ltd needs the permission of the Town of Rye to enter upon the Town's property to conduct the additional soil samplings;

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the mutual terms, covenants and conditions, the Town Board of the Town of Rye hereby consents to said K&M Realty Group, Ltd to conduct conditional soil sampling on the real property known as Section 141.26, Block 1, Lot 1 under the supervision of aforementioned Cornerstone Environmental, and

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin be and he is hereby authorized to enter into and to execute the attached Indemnification Agreement permitting said K&M Realty Group, Ltd to conduct additional soil sampling so long as the Town of Rye is indemnified by said K&M Realty Group Ltd in an amount of at least one million dollars (\$1,000,000.00), and

BE IT FURTHER RESOLVED, that this authorization is retroactive to January 7, 2015, and

BE IT FURTHER RESOLVED, that the Town shall receive copies of the results of any soil samplings undertaken by said K&M Realty Group, Ltd. pursuant to this Resolution.

ROLL CALL

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

NOES: None

ABSENT: None

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

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, 2014, 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, 2014, and

BE IT FURTHER RESOLVED, that said O'Connor Davies, LLP be paid the sum of twenty three thousand, five hundred dollars (\$23,500.00) for said audit, payable in accordance with the percentages outlined in the engagement letter dated December 30, 2014, 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, Nardi, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

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On motion of Deputy Supervisor Villanova, seconded by Councilperson Nardi, 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, 2014, 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, 2014, and

BE IT FURTHER RESOLVED, that said O'Connor Davies, LLP be paid the sum of thirteen thousand, eight hundred dollars (\$13,800.00) for said audit, payable in accordance with the percentages outlined in the engagement letter dated December 31, 2014, 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, Nardi, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

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January 20, 2015

The Resolution: Inter-Municipal Agreement with the County of Westchester – Employee Assistance Services, was tabled.

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There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Nioras and unanimously approved, the meeting was adjourned at 9:05 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD FEBRUARY 17, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, February 17, 2015 at 8:00 P.M. at the Village of Rye Brook Village Hall at 938 King Street, Rye Brook, New York in the Main Conference Room with Supervisor Joseph Carvin presiding.

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

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Assessor Denise Knauer, Deputy Town Attorney Martha McCarty Sokol, Town Comptroller David Byrnes, and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: were Town Attorney Paul Noto and Superintendent of Highways John DeCrescenzo.

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Brian Kerr 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, and unanimously adopted, the minutes for the meeting held January 20, 2015 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, 2015	
Total submitted to the Supervisor.....	\$2,209.50
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of January, 2015	
Deposited to Supervisor, Town of Rye.....	\$33,037,390.65
Deposited to Treasurer, Village of Port Chester.....	\$1,236,400.20
Deposited to Treasurer, Village of Rye Brook.....	\$58,900.67
Total.....	\$34,332,691.52

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

WHEREAS, the Town Board of the Town of Rye obtained the property known as Section 141.26, Block 1, Lot 1 on Bowman Avenue via an In Rem proceeding, and

WHEREAS, the Town acquired fee simple title to the property by deed dated November 21, 2014 and said deed was recorded in the Westchester County Clerk's Office on December 8, 2014 as Control Number 542623342, and

WHEREAS, K&M Realty Group, Ltd, the former owner of the property, may be interested in purchasing said property from the Town of Rye, and

WHEREAS, the Town Board of the Town of Rye has agreed to sell the property to said K&M;

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the mutual terms, covenants and conditions, the Town Board of the Town of Rye hereby agrees to convey to said K&M Realty Group, Ltd. the said property known as Section 141.26, Block 1, Lot 1 on Bowman Avenue for the amount of one hundred twenty thousand dollars (\$120,000.00), and

BE IT FURTHER RESOLVED, that said K&M Realty Group, Ltd shall pay to the Town Attorney the sum of five hundred dollars (\$500.00) for the preparation of the transfer documents, and,

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to execute all necessary contracts and transfer documents necessary to convey said property from the Town of Rye to said K&M Realty Group Ltd.

ROLL CALL

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

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On motion of Councilperson Collins, seconded by Councilperson Nardi, and unanimously approved, the Resolution to authorize the sale of In-Rem property known as 209 Union Avenue, Mamaroneck, New York was tabled.

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On motion of Councilperson Nardi, seconded by Councilperson Villanova, and unanimously approved, the Resolution for Appraisal Services designating Valuation Plus, Inc. and Lane Appraisals was tabled.

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

WHEREAS, Assessment Advisors, LLC, 736 N. Western Avenue, #383, Lake Forest, Illinois 60045, provides *Income Works* as a stand-alone commercial valuation program in web-based format, and

WHEREAS, since the commercial data is surveyed each year and updated according to market conditions, the contract is renewed each year;

NOW, THEREFORE, BE IT RESOLVED, that said Assessment Advisors, LLC, be designated to provide said Income Works to the Town of Rye, for the calendar year 2015 and,

BE IT FURTHER RESOLVED, that the cost for said program, not to exceed eighteen thousand dollars (\$18,000.00), is hereby approved.

ROLL CALL

AYES: Councilpersons Collins, Nardi, 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, Petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by William Cass 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:

February 17, 2015

Section/Block/Lot:		154.33- 1-22					
Address:		629-631 Willow Street					
Roll Year	Actual Assessment	Petitioner Value	Petitioner Indicated Reduction (\$)	Petitioner Indicated Reduction (%)	Consent Judgment 9-17-14	FINAL Reduction (\$)	FINAL Reduction (%)
2005	825,000	\$500,000	\$325,000	39.39%	710,000	115,000	14%
2006	858,000	\$400,000	\$458,000	53.38%	710,000	148,000	17%
2007	873,100	\$400,000	\$473,100	54.19%	730,000	143,100	16%
2008	873,100	\$500,000	\$373,100	42.73%	720,000	153,100	18%
2009	873,100	\$400,000	\$473,100	54.19%	720,000	153,100	18%
2010	820,700	\$450,000	\$370,700	45.17%	730,000	90,700	11%

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.
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, Nardi, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

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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 2014 Assessment Roll (Completed, Verified and Filed in 2014) for the 2015 Town Budget and Taxes.

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

WHEREAS, in 1981, the State of New York enacted Section 1903 of the Real Property Tax Law 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 **66.917992** (the "**Homestead Base Proportion**") and a higher rate for all other property owners equal to a rate of **33.082008** (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 **2014** Assessment Roll (completed, verified and filed in **2014**) for the **2015 Town** budget and taxes;

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 66.917992 and (II) the Non-Homestead Base Proportion at a rate equal to 33.082008** 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 **2014** Assessment Roll (completed, verified and filed in **2014**) for the **2015 Town** budget and taxes.

ROLL CALL

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

NOES: None

ABSENT: None

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On motion of Councilperson Collins, seconded by Councilperson Nardi, the rental agreement for a special event to be held at Crawford Park on August 29, 2015 was unanimously approved.

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There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Nioras and unanimously approved, the meeting was adjourned into executive session at 9:10 P.M. to discuss contract negotiations.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD MARCH 03, 2015

A special meeting of the Town Board of the Town of Rye, New York, was held on Tuesday, March 03, 2015 at 7:30A.M. in the Town Clerk's Office, Town of Rye, 222 Grace Church Street, New York, with Deputy Supervisor William Villanova presiding.

PRESENT: in addition to Deputy Supervisor Villanova, were Councilpersons Thomas F. Nardi and Robert Nioras and Town Clerk Hope B. Vespia.

ALSO

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

ABSENT: were Councilperson Christina Collins and Supervisor Joseph Carvin.

Deputy Supervisor Villanova called the meeting to order at 8:25A.M. and asked Town Clerk Vespia to call the Roll.

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

WHEREAS, the Town Board of the Town of Rye obtained the property known as Section 154.50, Block 1, Lot 37, known as 209 Union Avenue, Mamaroneck, New York via an In Rem proceeding filed with the Supreme Court, County of Westchester on September 5, 2013 under Index No. 860/13, and

WHEREAS, the Town of Rye acquired fee simple title to the property by deed dated November 21, 2014 and said deed was recorded in the Westchester County Clerk's Office on December 8, 2014 as Control Number 542623342; and

WHEREAS, the Town Board of the Town of Rye has enlisted the services of Rona Colagero, real estate broker, to market the property, and

WHEREAS, Dan He is interested in purchasing the property from the Town of Rye, and

WHEREAS, the Town Board of the Town of Rye has determined the property to be surplus property and that the price to be paid is reasonable;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye has agreed to sell said property to said Dan He, and

BE IT RESOLVED, that in consideration of the mutual terms, covenants and conditions, the Town Board of the Town of Rye hereby agrees to convey to said Dan He, the said property known as Section 154.50, Block 1, Lot 37, 209 Union Avenue, Mamaroneck, New York for the amount of three hundred forty-five thousand dollars (\$345,000.00), and

BE IT FURTHER RESOLVED, that Deputy Supervisor William Villanova be and he hereby is authorized to execute all necessary contracts and transfer documents necessary to convey said property from the Town of Rye to said Dan He.

ROLL CALL

AYES: Councilpersons Nardi and Nioras and Deputy Supervisor Villanova

NOES: None

ABSENT: Councilperson Collins and Supervisor Carvin

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

WHEREAS, the Town Board of the Town of Rye obtained the property known as Section 141.26, Block 1, Lot 1 on Bowman Avenue via an In Rem proceeding, and

March 03, 2015

WHEREAS, the Town acquired fee simple title to the property by deed dated November 21, 2014 and said deed was recorded in the Westchester County Clerk's Office on December 8, 2014 as Control Number 542623342, and

WHEREAS, K&M Realty Group, Ltd, the former owner of the property, may be interested in purchasing said property from the Town of Rye, and

WHEREAS, the Town Board of the Town of Rye has agreed to sell the property to said K&M;

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the mutual terms, covenants and conditions, the Town Board of the Town of Rye hereby agrees to convey to said K&M Realty Group, Ltd. the said property known as Section 141.26, Block 1, Lot 1 on Bowman Avenue for the amount of one hundred twenty thousand dollars (\$120,000.00), and

BE IT FURTHER RESOLVED, that said K&M Realty Group, Ltd shall pay to the Town Attorney the sum of five hundred dollars (\$500.00) for the preparation of the transfer documents, and

BE IT FURTHER RESOLVED, that Deputy Supervisor William Villanova be and he hereby is authorized to execute all necessary contracts and transfer documents necessary to convey said property from the Town of Rye to said K&M Realty Group Ltd.

ROLL CALL

AYES: Councilpersons Nardi and Nioras and Deputy Supervisor Villanova

NOES: None

ABSENT: Councilperson Collins and Supervisor Carvin

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There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Nioras and unanimously approved, the meeting was adjourned 8:35A.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD APRIL 21, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York was held March 17, 2015 at 8:00P.M. in the Village of Port Chester Courtroom, 350 North Main Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

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

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Assessor Denise Knauer, Town Attorney Paul Noto, Town Comptroller David Byrnes and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: was Superintendent of Highways John DeCrescenzo.

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

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The 2014 independent audit was presented by Scott Owen and Jeff Shaver who reviewed the financial statements and supplementary information for the year ending December 31, 2014.

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Councilperson Nioras gave a presentation for the proposed capital plan for Crawford Park that he and Councilperson Nardi prepared. The conditions of all areas of the park were examined and photographed, indicating the sections that were in need of prompt attention. A list of costs for the most essential needs was provided. Councilperson Collins added that she and Mr. Nowotnik did a walk through which began the energy audit process. Once the initial results are received, Councilperson Collins hoped to tie in the recommendations with the capital plan. Deputy Supervisor Villanova suggested that the Board meet with the finance department and create a capital program and explore ways to fund the entire project.

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Supervisor Carvin presented a detailed review of the "Rye Town Dissolution" process to provide its constituent municipalities and citizens an opportunity to eliminate an unnecessary layer of government. He gave an overview of the process and a recap of what had transpired since 2010. Since the Village of Port Chester and the Village of Mamaroneck had subsequently voted not to go forward with the legislation, the Rye Town Dissolution was off the table.

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Deputy Supervisor Villanova gave an update regarding a potential Legacy Field. The Town of Rye was part of discussions several years ago about the opportunity to participate with the County of Westchester Legacy Field Grants. He stated that through a series of recent meetings with local school, town and county officials, it was decided that there was still a need for the field. Going forward, the committee will identify the engineer's reports and plans already created and put together with existing plans that the County may have.

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Town Assessor Knauer presented an overview of service levels of the Assessment Department. In response to claims that the Assessor's Office is not adequately staffed, she said that staffing is consistent with the guidelines of the International Association of Assessor Office. The staff has been supplemented by third party vendors with cutting edge technology companies. Assessor Knauer provided a comparable table of assessment history from 2008 to 2014 for each of the villages, as well as market trends of the Multiple Listing Service's of Westchester County median home values for the same period of time. She concluded that the Town's assessment trends followed market trends.

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On motion of Councilperson Villanova, seconded by Councilperson Nardi, and unanimously adopted, the minutes for the meetings held March 17, 2015 were approved as presented.

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The following Departmental Reports were received and ordered filed: prevalent

TOWN CLERK HOPE B. VESPIA, for the month of March, 2015	
Total submitted to the Supervisor.....	\$2,216.50
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of March, 2015	
Deposited to Supervisor, Town of Rye.....	\$10,723,377.10
Deposited to Treasurer, Village of Port Chester.....	\$111,320.45
Deposited to Treasurer, Village of Rye Brook.....	\$3,495,030.57
Total.....	\$14,329,728.12

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On motion of Councilperson Villanova, seconded by Councilperson Collins, the Town Board of the Town of Rye authorized Supervisor Carvin to approve a donation of two thousand dollars (\$2,000.00) to the Independence Day Committee towards the festivities of July 4, 2015.

ROLL CALL

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

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

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

WHEREAS, the American Legion Port Chester Post 93 has formally requested a contribution of one thousand, five hundred dollars (\$1,500.00) on budget line item 7550-0445 toward the ceremonies to be held at Veterans' Memorial Park, Westchester Avenue, Port Chester, New York on Monday, May 25, 2015 and

WHEREAS, the said American Legion Post has requested an additional contribution of one thousand, five hundred dollars (\$1,500.00) on budget line item 7550-0477 toward the Memorial Day Parade, Westchester Avenue, Port Chester, New York on Monday, May 25, 2015;

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to make the said requested monetary contributions to the aforementioned American Legion Port Chester Post 93.

ROLL CALL

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

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On motion of Councilperson Villanova, seconded by Councilperson Collins, the Town Board of the Town of Rye authorized Supervisor Carvin to approve a donation of two thousand dollars (\$2,000.00) to the Independence Day Committee towards the festivities of July 4, 2015.

ROLL CALL

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

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Resolution in Support of the Westchester/Putnam Association of Town Supervisors' Position on Dredging in the Hudson River

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

WHEREAS, the Hudson River is an American Heritage River, and the Hudson River Valley is a National Heritage Area, and the health and beauty of the Hudson River is critical to the economic vitality of the communities surrounding the river, including those throughout Westchester and Putnam Counties, as well as the state and the country-at-large, and

WHEREAS, sections of the Hudson River - from Hudson Falls to New York City – are federal superfund sites because the General Electric Corporation (GE) discharged large quantities of polychlorinated biphenyls (PCBs) from two of its manufacturing plants between 1947 and 1977, and

WHEREAS, the Westchester/Putnam Association of Town Supervisors (“WPATS”) has been asked by Clearwater, Riverkeeper and other organizations to support their efforts to cause the PCBs to be removed from the Hudson River to further restore the Hudson River to its former ecological health, and to spur the revival of long-dormant economic opportunities for both the upper and lower Hudson communities, including the towns in Westchester and Putnam Counties, and

WHEREAS, WPATS is made up of supervisors from towns in Westchester and Putnam Counties and, although they do not speak for the individual towns, this resolution and the data they have received will be sent to all the towns of Westchester and Putnam in hopes of supportive resolutions from their governing bodies, and

WHEREAS, WPATS lends its voice to this effort and urges a more thorough removal of PCBs from the Hudson River and calls upon GE to: (1) dredge all areas of PCB-contaminated sediments in River Sections 2 and 3 that would require cleanup under the applicable standards in River Section 1, including, at a minimum, the 136 acres identified by the federal Trustees; (2) conduct any additional necessary removal of soils and sediments in PCB-contaminated “hot spots” in and around the upper Hudson River, including cleanup of the Champlain Canal to ensure full use of the canal by deep draft shipping vessels; and (3) complete a thorough analysis and robust cleanup of the Hudson River, including the floodplains and the Old Champlain Canal, in order to restore the River to its full health and value as a natural and economic resource;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town of Rye fully supports the Westchester/Putnam Association of Supervisors' position on the dredging in the Hudson River.

ROLL CALL

AYES: Councilpersons Collins, Nardi, Villanova and Supervisor Carvin

NOES: None

ABSTAIN: Councilperson Nioras

ABSENT: None

* * * * *

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

WHEREAS, the Town of Rye wishes to change from a dual assessment system (Vision and RPS) and to adopt a single assessment system, and

WHEREAS, GAR Associates, of 632 Plank Road, Suite 203, Clifton Park, New York 12065, is deemed qualified to provide a single assessment system, and

WHEREAS, the following services which are to be provided include:

- Statistical analysis to determine inequities
- Refine residential neighborhood delineation
- Create residential valuation models in RPSV4
- Generate valuation documents for residential parcels requiring valuation review;

NOW, THEREFORE, BE IT RESOLVED, that said GAR Associates will provide assessment support services to the Town of Rye for the calendar year 2015, and

BE IT FURTHER RESOLVED, that the said GAR Associates will be paid twenty-four thousand, five hundred dollars (\$24,500.00) for the support services.

ROLL CALL

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

* * * * *

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

WHEREAS, there is a vacancy on the Town of Rye Board of Assessment Review and the Town of Rye wishes to fill that vacancy;

NOW, THEREFORE, BE IT RESOLVED, that Raymond Sculky, residing at 111 Perry Avenue, Port Chester, New York, be and he hereby is appointed a member of the Town of Rye Board of Assessment Review for a five-year term, effective immediately and expiring September 30, 2019, subject to approval of the New York State Office of Real Property Services and the satisfactory completion of any training requirements, at an annual compensation of two thousand, five hundred dollars (\$2,500.00), and

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

ROLL CALL

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

* * * * *

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

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD MAY 19, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York was held May 19, 2015 at 8:00P.M. in the Village of Port Chester Courtroom, 350 North Main Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

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

ALSO

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

ABSENT: were Councilperson Christina Collins, Receiver of Taxes Nicholas C. Mecca and Superintendent of Highways John DeCrescenzo.

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

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

WHEREAS, the Town of Rye, in an effort to reduce the cost of government while providing services wishes to advertise for Request for Qualifications (RFQ), and

WHEREAS, the Town of Rye's primary service responsibilities include real estate tax assessment and collection of taxes, clerk functions, municipal court, park maintenance and financial administration, and

WHEREAS, the Town is interested in outsourcing it's finance, administration, tax collection and clerical functions and group them under a unified contract, and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Rye authorizes Supervisor Carvin to send out documents specifying the scope of work and requirements with the RFQ.

ROLL CALL

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

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On motion of Councilperson Villanova, seconded by Councilperson Nardi, and unanimously adopted, the minutes for the meeting held April 21, 2015 were approved as presented.

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

WHEREAS, the Crawford Park Mansion, Pavilion and grounds are available for events to residents of the Town of Rye, and

WHEREAS, the Town Board determined it necessary to create a policy to provide order and protection for the Crawford Park facility and neighboring boundaries, and

WHEREAS, the Town of Rye implemented a new policy requiring the Town Board, by Resolution to review and approve all events anticipating the number of guests to exceed 150;

NOW, THEREFORE, BE IT RESOLVED, that the Confraternity of Virgin Mary of Cisne has applied for a special event to be held August 9, 2015 with the anticipation of 180 to 200 guests attending.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye authorizes Supervisor Carvin to grant permission to The Confraternity of Virgin Mary of Cisne to hold this event with the directive that all guidelines be observed.

ROLL CALL

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

* * * * *

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

WHEREAS, the Crawford Park Mansion, Pavilion and grounds are available for events to residents of the Town of Rye, and

WHEREAS, the Town Board determined it necessary to create a policy to provide order and protection for the Crawford Park facility and neighboring boundaries, and

WHEREAS, the Town of Rye implemented a new policy requiring the Town Board, by Resolution to review and approve all events anticipating the number of guests to exceed 150;

NOW, THEREFORE, BE IT RESOLVED, that the Program to Honor the Virgin of Guadalupe has applied for a special event to be held August 16, 2015 with the anticipation of 200 guests attending.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye authorizes Supervisor Carvin to grant permission to Sandra Cedillo for her group to hold this event with the directive that all guidelines be observed.

ROLL CALL

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

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Members of the Board engaged in a lengthy discussion regarding capital improvements to the Crawford Park mansion, pavilion and grounds, which includes painting the building and replacing the windows, as well as tree pruning and removal services on the grounds of Crawford Park.

On motion of Councilperson Nardi, seconded by Councilperson Nioras, and unanimously adopted, the Town Board of the Town of Rye authorizes Supervisor Joseph Carvin to send Requests for Professional Services for painting the said Crawford Park mansion and replacing windows in said Crawford Park mansion.

ROLL CALL

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

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On motion of Councilperson Nardi, seconded by Councilperson Nioras, and unanimously adopted, the Town Board of the Town of Rye authorizes Supervisor Joseph Carvin to send Requests for Professional Services for Tree Pruning and Removal Services in Crawford Park.

ROLL CALL

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

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The Board discussed the intent to go forward with the renovation of the Crawford Park pavilion bathrooms, but agreed that an architect would be required to design and assure that the project is in compliance with the New York State disability law.

On motion of Councilperson Nardi, seconded by Councilperson Nioras, and unanimously adopted, the Town Board of the Town of Rye authorizes Confidential Secretary Bishop Nowotnik to submit Request for Professional Services for Architectural Services to design the renovations for the Crawford Park pavilion bathrooms project.

ROLL CALL

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

On motion of Councilperson Villanova, seconded by Councilperson Nardi, and unanimously adopted, the Town Board of the Town of Rye approved the Resolution from TD Bank requesting Supervisor Joseph Carvin and Town Comptroller David Byrnes to sign administrative documents acknowledging the Town of Rye’s new address at 222 Grace Church Street, Port Chester, New York .

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

WHEREAS, Petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by **Thomas Bottiglieri and Peter Marzziotti**, were duly served upon the

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:

Roll Year	Assessment	Assessment per Sq Ft	Petitioner Value (On Petition)	Petitioner Indicated Reduction (\$)	Petitioner Indicated Reduction (%)	Consent Judgment [CJ] Assessment Reduced To	CJ \$ Reduct.	CJ % Reduct.
2012	\$394,300	\$217	\$250,000	\$144,300	37%	\$ 380,000	14,300	4%
2013	\$410,000	\$225	\$250,000	\$160,000	39%	\$ 380,000	30,000	7%
2014	\$401,800	\$221	\$250,000	\$151,800	38%	\$ 380,000	21,800	5%

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

Town of Rye: Summer 2015 Job Readiness Training & Internship Program

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

WHEREAS, the Town of Rye recognizes that the 2010 Census of Population and the 2009-13 American Community Survey recorded the following:

- 46,181 people live in the Town of Rye
 - 28,967 (63%) live in the Village of Port Chester
 - 9,347 (20%) live in the Village of Rye Brook
 - 7,807 (17%) live in Rye Neck
- 2,923, youth (6%), ages 15-19, live in the Town of Rye
- 2,443 (84%) of these youth attend high school
- 480 (16%) of these youth do not attend high school

WHEREAS, the Town of Rye recognizes that its future and that of its constituent villages depends on the inclusion of youth in the workforce, community organizations and government, and

WHEREAS, the Town of Rye recognizes that, while high school curricula includes the basic skills needed for entering the workforce, it does not include courses on job readiness skills, and

WHEREAS, the Town of Rye recognizes that many youth in Town are not enrolled in high school and do not have many of the basic skills needed for entering the workforce, and

WHEREAS, the Town recognizes that many employers are not yet able to employ youth for summer jobs and many youth are left with nothing to do during the summer, and

WHEREAS, the Town has supported successful Summer Job Readiness Training and Internship Programs for youth in the Town for the past three years with the following business and community partners:

Allstate Insurance	Carver Center
Centro Cristiano Nueva Vida Church	Clay Arts Center
Council of Community Services	Family Services of Westchester
One World United and Virtuous	Port Chester Cares Community Coalition
Port Chester Children's Place Day Care Program	Port Chester Dog Park
Port Chester Head Start	Port Chester/Rye NAACP
Rye, Rye Brook and Port Chester League of Women Voters	St. Frances AME Zion Church
Studio 14 Indoor Cycling and Yoga	Village of Port Chester

NOW, THEREFORE, BE IT RESOLVED, that the Town authorizes a Job Readiness Training and Internship Program for the summer of 2015 with the following budget:

BUDGET - TOWN OF RYE - INTERNSHIP PROGRAM - SUMMER 2015			
Time Period	Costs	Budget	
Job Readiness Workshop: July 6-13	Materials, copies, computer time		\$ 75
Job Readiness Workshop: July 6-13	Intern Stipends During Workshop	10 interns; \$7/hr; 12hrs	\$ 840
Internship: July 13 - Aug 14	Intern Stipends During Placement (1/2 pay; employer match)	10 interns; \$3.5/hr; 12hrs/week; 5 wks	\$ 2,100
Closing Reception: Aug 14			\$ 75
Total Direct Cost			\$ 3,090
NOTE: Town of Rye 2015 Budget, "Youth Programs" (7180-0494) = \$6,000			

ROLL CALL

AYES: Councilpersons Nardi, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collins

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May 19, 2015

The following Departmental Reports were received and ordered filed: prevalent

CLERK HOPE B. VESPIA, for the month of April, 2015

Total submitted to the Supervisor.....\$1,990.50

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of April, 2015

Deposited to Supervisor, Town of Rye.....\$25,209,543.59

Deposited to Treasurer, Village of Port Chester.....\$36,617.17

Deposited to Treasurer, Village of Rye Brook.....\$187,626.14

Total.....\$25,433,786.90

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

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD JUNE 16, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York was held June 16, 2015 at 8:00P.M. in the Village of Port Chester Courtroom, 350 North Main Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

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

ALSO

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

ABSENT: were Councilperson Christina Collins and Town Assessor Denise Knauer

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Rye Town Park Commission Member, Benedict Salanitro led those present in the Pledge of Allegiance and Deputy Supervisor Villanova read the opening prayer. A video recorder and an audio recorder were in use during the proceedings.

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On motion of Councilperson Villanova, seconded by Councilperson Nardi, and unanimously adopted, the minutes for the meeting held May 19, 2015 were approved as presented.

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On motion of Councilperson Villanova, seconded by Councilperson Nardi, the criteria for the Town of Rye – Community Impact Award was adopted:

The Town of Rye values those residents and organizations whose extra-ordinary actions have greatly improved the quality of life in the Town of Rye.

The Town wishes to publically recognize these model residents and organizations.

Eligibility:

- All residents living in the Town of Rye and all organization operating in the Town of Rye
- All candidates must be nominated by person or organization other than the nominee

Criteria:

- Nominees actions have significant improved the quality of life in the Town of Rye
- Length of service
- Recognition by others
- Unanimous approval by the Town Council

Process:

- Nomination forms are received by the Town Clerk (hvespia@townofryeny.com)
- Copies of completed nomination forms are sent to all Councilmembers and placed on the agenda of the next Council meeting
- At the next Council meeting, the Council acts on the nominations included on the agenda
- Approved awards are presented at following Council meeting

Nominations forms are available at Town Offices, 222 Grace Church Street, Port Chester, New York, 10573 and on the Town's website www.townofryeny.com

ROLL CALL

AYES: Councilpersons Nardi, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: Councilperson Collin

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The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of May, 2015
Total submitted to the Supervisor.....\$1,563.00

RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of May, 2015
Deposited to Supervisor, Town of Rye.....\$4,668,899.86
Deposited to Treasurer, Village of Port Chester.....\$70,426.56
Deposited to Treasurer, Village of Rye Brook..... \$17,710.65
Total..... \$4,757,037.07

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There being no further business, on motion of Councilperson Villanova, seconded by Councilperson Nardi, and unanimously approved, the meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD JULY 21, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York was held July 21, 2015 at 8:00P.M. in the Village of Port Chester Courtroom, 350 North Main Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

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

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Superintendent of Highways John DeCrescenzo, Town Attorney Paul Noto, Town Assessor Denise Knauer, Town Comptroller David Byrnes and Confidential Secretary to the Supervisor Bishop Nowotnik

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

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On motion of Councilperson Villanova, seconded by Councilperson Nardi, and unanimously adopted, the minutes for the meeting held June 16, 2015 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 June, 2015	
Total submitted to the Supervisor.....	\$1,980.50
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of June, 2015	
Deposited to Supervisor, Town of Rye.....	\$1,018,265.28
Deposited to Treasurer, Village of Port Chester.....	\$9,935,570.39
Deposited to Treasurer, Village of Rye Brook.....	\$8,921,162.80
Total.....	\$19,874,998.47

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

WHEREAS, there are approximately \$1,238,052.30 in uncollected taxes due to the Town of Rye, and

WHEREAS, approximately \$1,238,052.30 of uncollected taxes are delinquent in excess of two (2) years and are therefore eligible for In Rem Tax Foreclosure proceedings.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Rye does and hereby authorizes the Town Attorney to commence an In Rem Tax Foreclosure proceeding against all eligible properties for which a tax lien has been filed and have remained unpaid for a period of two (2) years, and

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

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

ROLL CALL

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

NOES: None

ABSENT: None

* * * * *

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

WHEREAS, the Town of Rye is the owner of Crawford Park, located in Rye Brook, New York, and therefore is responsible for upkeep and beautification of said park, and

WHEREAS, it had been determined that there was the need of tree pruning and tree removal services in said park, and

WHEREAS, it has been determined that 25 trees need pruning and 20, removal, and

WHEREAS, the Town of Rye had requested proposals for said tree pruning and tree removal services, and

WHEREAS, four companies had responded with proposals, and

WHEREAS, the lowest bid presented was from Almstead Tree & Shrub Care Co., 58 Beechwood Avenue, New Rochelle, New York 10801;

NOW, THEREFORE, BE IT RESOLVED, that Town of Rye Supervisor Joseph Carvin be and he hereby is authorized to enter in agreement with said Almstead Tree & Shrub Care Co., and

BE IT FURTHER RESOLVED, that said Almstead Tree & Shrub Care Co. be paid the sum of thirteen thousand, five hundred sixty-one dollars and ninety-five cents (\$13,561.95).

ROLL CALL

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

NOES: None

ABSENT: None

* * * * *

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

RESOLVED, that by virtue of Article 4, Section 64 of the Town Law authorizing the Town Board to designate, by resolution, the banks and trust companies in which the Supervisor, Town Clerk, Receiver of Taxes and Councilpersons shall deposit all monies coming into their hands for the Town of Rye. The Town Board does hereby designate Sterling National Bank, (formerly Hudson Valley Bank), 21 Scarsdale Road, Yonkers, New York 10573 as a depository for the year 2015 who has complied with requirements laid down by the Board for the depositories of funds for the Town of Rye:

ROLL CALL

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

NOES: None

ABSENT: None

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

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

Sterling National Bank, (formerly Hudson Valley Bank) 21 Scarsdale Road, Yonkers, NY 10701

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

ROLL CALL

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

NOES: None

ABSENT: None

* * * * *

Deputy Supervisor Villanova called for a motion to execute the following agreement:

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

WHEREAS, Inter Municipal Agreements (“IMAs”) have been entered into reciprocally between the Town of Rye and the Town of Mamaroneck to hear and determine each other’s BAR grievances and SCARs, for the following property owners in the Town of Rye:

Joseph Carvin, 55 Hillandale Road, Rye Brook
Hope Vespia, 14 Arlington Place, Rye Brook
Maria Rappoccio, 30 Haines Boulevard, Port Chester
Mitchell Markowitz, 26 Mohegan Lane, Rye Brook

And for the following property owner in the Town of Mamaroneck:

Eve Neuman (Chairperson of the BAR)

WHEREAS, the IMAs for the above Town of Rye property owners are hereby attached to this resolution and made a part hereof.

BE IT RESOLVED, that the use of IMAs between the Towns of Rye and Mamaroneck are hereby approved.

ROLL CALL

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

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

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD SEPTEMBER 1, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York was held September 1, 2015 at 7:30 P.M. in the Village of Port Chester Courtroom, 350 North Main Street, Port Chester, New York, with Supervisor Joseph Carvin presiding. This meeting was rescheduled from the August 18, 2015 regular monthly meeting.

PRESENT: in addition to Supervisor Carvin were Councilpersons Thomas F. Nardi, Robert Nioras and Town Clerk Hope B. Vespia. Councilperson Christina Collins entered the meeting at 7:45 P.M.

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Attorney Paul Noto, Town Comptroller David Byrnes and Confidential Secretary to the Supervisor Bishop Nowotnik

ABSENT: Deputy Supervisor William Villanova, Superintendent of Highways John DeCrescenzo and Town Assessor Denise Knauer

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Town Clerk Vespia led those present in the Pledge of Allegiance and Supervisor Carvin 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 Nioras seconded by Councilperson Nardi, and unanimously adopted, the minutes for the meeting held July 21, 2015 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 July, 2015	
Total submitted to the Supervisor.....	\$1,980.50
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of July, 2015	
Deposited to Supervisor, Town of Rye.....	\$ 682,153.27
Deposited to Treasurer, Village of Port Chester.....	\$1,618,953.43
Deposited to Treasurer, Village of Rye Brook.....	\$ 874,319.58
Total.....	\$3,175,426.28

* * * * *

On motion of Councilperson Nioras, seconded by Councilperson Nardi, the Town Board of the Town of Rye authorizes Supervisor Carvin to approve a donation of fifteen hundred dollars (\$1,500.00) as adopted in the 2015 budget, to the Columbus Day Celebration Committee towards the festivities of the 2015 Columbus Day Parade.

ROLL CALL

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

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

WHEREAS, Petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by **SR Holdings I, LLC (in 2012) and Kunaveer Properties, LLC (in 2014)**, 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:

Roll Year	Owner	Assessment	Petitioner Value (On Petition)	Petitioner Value (Based on Sales Price)	Petitioner Indicated Reduction (\$)	Petitioner Indicated Reduction (%)	Consent Judgment Total	CJ \$ Reduct. TBD	CJ % Reduct. TBD
2012	SR Holdings I, LLC	\$519,300	\$51,930	\$375,000	\$144,300	27.79%	\$375,000	\$ 144,300	27.79%
2014	Kunaveer Properties LLC	\$464,900	\$46,490	\$375,000	\$89,900	19.34%	\$375,000	\$ 89,900	19.34%

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 Village of Port Chester does not require approval this settlement/refund per their resolution dated August 17, 2015 that requires approval of any village refunds in excess of \$3,500.
4. The Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
5. This resolution shall take effect immediately.

ROLL CALL

AYES: Councilpersons Nardi, Nioras and Supervisor Carvin
 NOES: None
 ABSTAIN: Councilperson Collins
 ABSENT: Deputy Supervisor Villanova

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

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

WHEREAS, the maximum JCAP grant award is \$30,000, and may be used for a variety of purposes, including security equipment, furniture, courtroom and court facility improvements and renovations, and **WHEREAS**, any funds awarded pursuant to this application shall be used only in accordance with the provisions of Chapter 280 of the Laws of 1999 and with all rules and regulations governing the Justice Court Assistance Program, and

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

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

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

NOW BE IT FURTHER RESOLVED, that Supervisor Carvin and the Rye Town Board authorizes this application to be submitted prior by October 16, 2015

ROLL CALL

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

* * * * *

Supervisor Carvin asked Councilperson Nardi to explain the process on the decision made for the following resolution and to share with the public the plans for the Crawford Mansion, Park and Pavilion. Supervisor Carvin expressed his wish to explore the additional staircase to the second floor of the Mansion since the plans were already drawn several years ago. He mentioned that he would like to liberate the second floor and offer rental space to organizations. Councilperson Collins agreed with the Supervisor and suggested that since the Town is going to have an architect on hand, they possibility could get some professional advice and direction. Councilperson Nioras expressed several concerns regarding the demand or lack of usage of the second floor. He conveyed the urgency to replace the windows and doors and have the exterior of the mansion painted for preservation purposes and to avoid further water damage. Discussion ensued among Board members and all agreed to have their requests and concerns conversed to the architect to receive qualified recommendations.

On motion of Councilperson Nardi, seconded by Councilperson Collins, the following Resolution was adopted as modified:

WHEREAS, in 1970, the Town of Rye was deeded the mansion located at 122 North Ridge Street, Rye Brook, New York, which had served as the private residence of Mrs. Edna Crawford, and

WHEREAS, the said property has been upgraded to a public park, called Crawford Park, which includes a covered picnic pavilion with a capacity to serve approximately 160 people with storage and bathroom facilities built in the early 1900's, and

WHEREAS, the Town of Rye wishes to improve public access to and safety at the said picnic pavilion to conform to modern-day standards, and

WHEREAS, the Town of Rye had advertised for an experienced, qualified firm to provide design, engineering and construction administration services for said renovation, and

WHEREAS, five (5) proposals had been received, and

WHEREAS, Arconics Architecture, P. C., 545 ½ Westchester Avenue, Rye Brook, New York presented the low bid for said renovation and was deemed the most qualified to perform said services;

NOW, THEREFORE, BE IT RESOLVED, that Town of Rye Supervisor Joseph Carvin be and he hereby is authorized to enter into contract with said Arconics Architecture, P.C., and

BE IT FURTHER RESOLVED, that said Arconics Architecture, P.C. be paid the fixed amount of (\$22,500.00) twenty-two thousand five hundred dollars.

ROLL CALL

AYES: Councilpersons Collins, Nardi, Nioras and Supervisor Carvin

NOES: None

ABSENT: Deputy Supervisor Villanova

* * * * *

Supervisor Carvin suggested that the staircase to the second floor be explored. Discussion

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

WHEREAS, NYS's Office of Community Renewal has issued a "Request for Proposals" to municipalities in Westchester County to use \$4.1 million in federal Community Development Block Grant Funds, and

WHEREAS, these funds can be used for housing, public facilities and economic development projects, and

WHEREAS, the Town of Rye is eligible to apply, and

WHEREAS, Town has met with NYS OCR's representative - Peter Harckham - to discuss possible applications, and

WHEREAS, projects that provide handicapped accessibility can be totally funded by CDBG funds regardless of income limits, and

WHEREAS, Town staff has identified the following four projects that would create handicapped accessibility at Town facilities and would qualify for 100% CDBG funds:

1. The mansion at Crawford Park
2. The bathrooms at the pavilion at Crawford Park
3. The playground at Crawford Park
4. The African American Cemetery;

WHEREAS, applicants are required to meet Citizen Participation requirements by issuing a public notice and holding a public hearing prior to submission of an application, and

WHEREAS, applications must be submitted by 4pm Friday, October 23, 2015.

NOW THEREFORE BE IT RESOLVED, that the Rye Town Council authorizes Town staff to prepare applications for the above four project and to set a public hearing on the projects as part of the Council's September 15th meeting.

ROLL CALL

AYES: Councilpersons Collins, Nardi, Nioras and Supervisor Carvin

NOES: None

ABSENT: Deputy Supervisor Villanova

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There being no further business, on motion of Councilperson Nioras, seconded by Councilperson Nardi, and unanimously approved, the meeting was adjourned into executive session to discuss personnel and contracts at 8:25 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD SEPTEMBER 16, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York was held September 16, 2015 at 8:00 P.M. in the Crawford Mansion, 122 North Ridge Street, Rye Brook, New York, with Supervisor Joseph Carvin presiding.

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

ALSO

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

ABSENT: Councilperson Robert Nioras

* * * * *

Pat Sestito 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 presented the first Town of Rye Community Impact Award to Pat Sestito for his tremendous commitment to the community for many years. Mr. Sestito, now retired from TD Bank would always be present to volunteer and take part in many events. He is being honored for his diligence as a community activist and for his countless efforts.

* * * * *

Mr. John P. Giancola, a representative from Ahneman Kirby, LLC presented an update on the Otter Creek Bridge and proposed several options regarding the restoration of the bridge. Request for Proposals were advertised in November of 2013 and four bids were received. The bids fluctuated between ninety-four thousand dollars (\$94,000.00) to two hundred twenty- nine thousand dollars (\$229,000.00) which afforded the bridge with a possible life span of 15 years. A verbal quote of fifty eight thousand dollars (\$58,000.00) was proposed approximately 60 days ago, but declined due to the lack of the proper equipment to perform the project. The structure of a new precast concrete structure bridge all-inclusive would cost over five hundred thousand dollars (\$500,000.00) with a life span of approximately 35 years. Supervisor Carvin and Deputy Supervisor Villanova reviewed the original bids and Superintendent of Highways DeCrescenzo explained that at the time the bids were received, they were declined by the Town Board. He added that the engineer recently surveyed the bridge and recommended that the restoration would provide an additional fifteen years of service to the bridge. Superintendent DeCrescenzo agreed and believed that the project go out to bid again if there was no longer an interest from the prior bids received. Deputy Supervisor Villanova felt that there must be a remedy between \$58,000.00 and \$229,000.00. Confidential Secretary to the Supervisor Bishop Nowotnik mentioned that this project was the result of the wing-wall in need of structural repair and that the bridge gets inspected periodically and has not been flagged for any dangers. He agreed that it was entirely possible that the bridge could operate in a very safe environment for the next ten to fifteen years.

* * * * *

Councilperson Collins excused herself from the meeting due to illness.

Program Administrator, Greg Arcaro introduced Peter Harckham, Assistant Director of the Office of Community Renewal to explain the Westchester 2015 Community Development Block Grant (CDBG) being offered to municipalities. The Town Board wishes to apply for a grant to provide handicapped accessibility to the Crawford Park Mansion, Pavilion bathrooms and playground and as well as the African American Cemetery. Mr. Harckham provided information regarding the eligibility, criteria and process.

On motion of Councilperson Villanova, seconded by Councilperson Nardi, and unanimously adopted, the date set for the Public Hearing for the Community Development Block Grant (CDBG) was set for October 20, 2015 at 7:30 P.M. in the Village of Port Chester Courtroom, 350 North Main Street, Port Chester, New York.

ROLL CALL

AYES: Councilpersons Nardi, Villanova and Supervisor Villanova

NOES: None

ABSENT: Councilpersons Collins and Nioras

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Supervisor Carvin asked for comments from the public.

Dave Thomas formally announced that the Friends of the African American Cemetery have Incorporated and now have a New York State Not- for- Profit Status and are seeking funding for a 501C3. They have created a Facebook Page and a Go-Fund Me Page as a fundraising site. Mr. Thomas thanked the Town of Rye and Program Administrator Arcaro for their assistance in attaining this. Mr. Thomas announced that there will be a ceremony at the cemetery for Veterans Day on November 7, 2015 at 10:00 A.M.

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On motion of Councilperson Villanova seconded by Councilperson Nardi, and unanimously adopted, the minutes for the meeting held September 1, 2015 were approved as presented.

The following Departmental Reports were received and ordered filed:

TOWN CLERK HOPE B. VESPIA, for the month of September, 2015	
Total submitted to the Supervisor.....	\$2,579.00
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of September, 2015	
Deposited to Supervisor, Town of Rye.....	\$35,850,556.76
Deposited to Treasurer, Village of Port Chester.....	\$170,401.23
Deposited to Treasurer, Village of Rye Brook.....	\$13,926.37
 Total.....	 \$36,034,884.36

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On motion of Deputy Supervisor Villanova, seconded by Councilperson Nardi, the following Resolution was adopted:

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that town justices annually provide their court records and dockets to their respective town auditing boards, and that such records then be examined and/or audited and that fact be entered into the minutes of the board’s proceedings, and

WHEREAS, O’Connor Davies, LLP, 500 Mamaroneck Avenue, Harrison, New York 10538, auditors for the Town of Rye, has conducted an audit for the Town Justice Court statements of cash receipts, cash disbursements and cash balances for the year ending December 31, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board acknowledges that the required audit of the Town of Rye Court’s records has been conducted and submitted by said O’Connor Davies, LLP, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye accepts the audit by said O’Connor Davies, LLP.

ROLL CALL

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

* * * * *

On motion of Councilperson Nardi, seconded by Deputy Supervisor Villanova, the following Resolution was adopted:

WHEREAS, Petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by **West Plains Services, Inc. (Parcel 142.22-1-1 200 Westchester Avenue)** 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:

Roll Year	Assessment	Petitioner Value	Petitioner Appraised Value	Pet. Appraised Value Reduct. (\$)	Pet. Appraised Value Reduct. (%)	Consent Judgment (Reduced Assessment)	CJ \$ Reduct.	CJ % Reduct.
2008	640,000	\$64,000	\$500,000	\$140,000	21.9%	\$ 550,000	\$ 90,000	14%
2009	640,000	\$64,000	\$475,000	\$165,000	25.8%	\$ 525,000	\$ 115,000	18%
2010	588,800	\$58,880	\$404,000	\$184,800	31.4%	\$ 500,000	\$ 88,800	15%
2011	556,400	\$55,640	\$404,000	\$152,400	27.4%	Withdrawn	Withdrawn	Withdrawn
2012	556,400	\$55,640	\$404,000	\$152,400	27.4%	Withdrawn	Withdrawn	Withdrawn
2013	556,400	\$55,640	\$404,000	\$152,400	27.4%	Withdrawn	Withdrawn	Withdrawn
2014	556,400	\$55,640	\$404,000	\$152,400	27.4%	Withdrawn	Withdrawn	Withdrawn
2015	584,100	\$58,410	\$404,000	\$180,100	30.8%	Withdrawn	Withdrawn	Withdrawn

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 Village of Port Chester does not require approval this settlement/refund per their resolution dated August 17, 2015 that requires approval of any village refunds in excess of \$3,500.
4. The Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
5. This resolution shall take effect immediately.

ROLL CALL

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

* * * * *

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

WHEREAS, the Town of Rye is the keeper of records and ledgers for records that go back to the year, 1647.

WHEREAS, these records include Birth, Marriage and Death Records that are state mandated to be assessable and on file dating back to 1847. These volumes are secure and permanent records and in vital need of restoration, and

WHEREAS, Councilperson Nardi, with the assistance of Town Clerk Vespia took the lead to contact Linda Bull, Regional Advisory Officer for the State Archives and Retention Association and other Town Clerks for recommendations for firms that provided the best work for the best price.

WHEREAS, that twenty-five hundred dollars (\$2,500.00) has been allocated on the 2015 budget for preservation of records.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Rye authorizes the Town Clerk to proceed with the restoration of four volumes, and

BE IT FURTHER RESOLVED, for the cost not to exceed eighteen hundred fifty dollars (\$1,850.00)

ROLL CALL

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

* * * * *

September 16, 2015

Confidential Secretary Bishop Nowotnik presented an update on the Capital Plan for the Crawford Park Mansion, Pavilion Bathrooms, Playground and Fields. Originally Councilperson Nioras put forth a comprehensive Capital Plan for the Crawford Mansion exterior painting and replacement of windows and doors, the Pavilion and Park. Mr. Nowotnik outlined these projects which the Board had approved publication for request for proposals. Bids had been received for the exterior painting and the bids for windows and doors will be due by September 30th. Arconics Architectural firm had been awarded the bid for design and architectural services for the Pavilion Bathrooms. Mr. Nowotnik also updated the Board on the tree removal and pruning project.

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There being no further business, on motion of Councilperson Nardi, seconded by Councilperson Villanova and unanimously approved, the meeting was adjourned at 9:50 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD OCTOBER 20, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York was held October 20, 2015 at 7:30 P.M. in the Courtroom, Village of Port Chester, 350 North Main Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christina Collins, Thomas F. Nardi, Robert Nioras and Town Clerk Hope B. Vespia. Deputy Supervisor Villanova entered the meeting at 8:00 P. M.

ALSO

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

Supervisor Carvin called the meeting to order and Town Clerk Vespia called the Roll.

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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.

Town Clerk Vespia presented an Affidavit of Publication stating that the following Public Notice was duly published in the Journal News, Central Area, certified by Principal Clerk and the Westmore News Principal Clerk Angelina Brescia on October 20, 2015,

PUBLIC NOTICE is hereby given that the Rye Town Board invites the public to a hearing to discuss possible uses of federal Community Development Block Grant (CDBG) funds in the Town of Rye. The funds can be used for housing, public facilities and economic development projects and to provide accessibility to such projects for persons with disabilities.

The Town Board is considering applying for funds to provide accessibility for persons with disabilities to the:

1. Mansion at Crawford Park
2. Bathrooms at the pavilion at Crawford Park
3. Playground at Crawford Park
4. African-American Cemetery

Additional information about the CDBG Program can be found at <http://www.nyshcr.org/funding/OCR>

The hearing will be held at 7:30 P.M. on October 20, 2015 in the Courtroom, Village of Port Chester, 350 North Main Street, Port Chester, New York 10573.

Hope B. Vespia
Town Clerk
Town of Rye
222 Grace Church Street
Port Chester, New York 10573

On motion of Councilperson Nardi, seconded by Councilperson Collins, the Public Hearing was declared open.

Program Administrator Arcaro delivered a presentation on the Grant while the President of the Friends of Crawford Park (FCP) Laura Klein, narrated the resources requested through the Grant to be implemented in the mansion, pavilion, playgrounds and fields. Mrs. Klein explained the role of the FCP was to partner with the Town of Rye to apply for the CDBG. They reached out to the community for support and with the input from leaders and disability advocates had created a plan and a budget. Theresa Stevens, the Horticultural Chair of FCP, introduced the Sensory Garden plan. She explained that as part of making the park more accessible for persons with disabilities, the Sensory Garden would include features that address all of the five senses and more specifically make the garden interactive for people with disabilities from birth defects or who suffer from autism and also those who are over-or under-stimulated. The Sensory Garden plan brings in objects that appeal to the visual sense or sound from too much stress or stimuli. Mrs. Klein presented the plan for an elevator to the second floor of the mansion. Accessibility would be the key to the five rooms and bathrooms which could be utilized and provide a vibrant community center. Mr. Arcaro discussed the general idea of the Community Block program and specifically noted the direction they were heading to make the park one hundred percent accessible. The application included providing accessibility for persons with disabilities to the first and second floor of the Crawford Mansion, the bathrooms in the mansion as well as those in the pavilion, parking, the walkways to the playground, and the Sensory Garden.

Mr. Arcaro discussed the cost and time period from the application, award of the contact, construction bids and completion of project which is expected to take not more than two years.

Supervisor Carvin asked for comments from the public

There being no others to speak for or against the proposals, on motion of Councilperson Collins, seconded by Councilperson Nardi and unanimously approved, the Public Hearing was closed.

On motion of Councilperson Collins, seconded by Councilperson Nardi, and unanimously approved the public meeting was reopened.

* * * * *

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

WHEREAS, New York State’s Office of Community Renewal has issued a “Request for Proposals” to municipalities in Westchester County to apply for \$4.1 million in federal Community Development Block Grant (“CDBG”) Funds, and

WHEREAS, CDBG funds can be used for public infrastructure, public facilities, housing and economic development projects, and

WHEREAS, the Town has met with NYS officials to discuss possible applications by the Town, and

WHEREAS, although the Town is not involved in public infrastructure, housing or economic development projects, and is not eligible to apply for CDBG funds for public facilities because the median income of the Town’s residents exceeds the limits of the CDBG Program, the Town is eligible to apply for projects that provide handicapped accessibility to Town facilities, and

WHEREAS, the Friends of Crawford Park, Westchester Disabled on the Move, and Access Westchester have volunteered to work with the Town to prepare an application to make Crawford Park handicapped accessible, and

WHEREAS, the Town held a duly-noticed public hearing on October 20th to listen to ideas from the community, and

WHEREAS, the community is very supportive of applying for CDBG funds to make Crawford Park handicapped accessible,

NOW, THEREFORE BE IT RESOLVED, that the Rye Town Council authorizes the Town to submit an application to New York State for up to \$400,000 of CDBG funds to make the following improvements to Crawford Park:

- The first floor of the mansion handicapped accessible
- A bathroom on the first floor of the mansion handicapped accessible
- The second floor of the mansion handicapped accessible
- A bathroom on the second floor of the mansion handicapped accessible
- Two bathrooms at the pavilion handicapped accessible
- A new handicapped accessible playground
- A new handicapped accessible sensory garden
- Two new handicapped accessible parking spaces for the pavilion and new playground
- A new handicapped accessible path linking the new playground and new parking

NOW THEREFORE BE IT FURTHER RESOLVED, that the Rye Town Council commits to match any CDBG funds it receives from New York State in order to be able to make Crawford Park handicapped accessible.

ROLL CALL

AYES: Councilpersons Collins, Nardi, Nioras and Supervisor Carvin

NOES: None

ABSENT: Deputy Supervisor Villanova

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

WHEREAS, Rye Town will be submitting a CDBG Application to the County of Westchester for improvements to Crawford Park including renovations of the bathrooms at the pavilion, renovations in the mansion to make it handicapped accessible, to add new accessible parking between the mansion and the pavilion, to add new universally accessible play equipment in the playground and to add a sensory garden and walkway to the playground, and

WHEREAS, the costs of these projects will be approximately six hundred ninety thousand dollars (\$690,000.00), and

WHEREAS, the maximum obtained from CDBG funding is (\$400,000.00), and

WHEREAS, the application will require an architect to provide schematics and cost estimates for the project at the mansion and pavilion and for a minimum of two (2) handicapped parking spaces between the mansion and the pavilion.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye shall retain the firm of Arconics Architects to provide the schematics and cost estimates for the project with the mansion and pavilion for the purposes of applying for CDBG money, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye shall pay Arconics Architects not to exceed the sum of seven thousand five hundred dollars (\$7,500.00) for professional services to provide the schematics and cost estimates for the project, and

BE IT FURTHER RESOLVED, that Supervisor Joe Carvin is authorized to enter into a contact with Arconics Architects to effectuate the above Resolution and to further execute any and all documents necessary to file the CDBG application with New York State.

ROLL CALL

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

NOES: None

ABSENT: Deputy Supervisor Villanova

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On motion of Councilperson Nardi, seconded by Councilperson Collins, and unanimously approved, the Town Board entered into executive session at 8:00 PM for litigation and to discuss a personnel matter.

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On motion of Councilperson Nardi, seconded by Councilperson Collins, and unanimously approved, the Town Board reconvened from executive session.

On motion of Deputy Supervisor Villanova seconded by Councilperson Collins, and unanimously adopted, the minutes for the meeting held September 16, 2015 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, 2015	
Total submitted to the Supervisor.....	\$2,579.00
RECEIVER OF TAXES NICHOLAS C. MECCA, for the month of September, 2015	
Deposited to Supervisor, Town of Rye.....	\$35,850,556.76
Deposited to Treasurer, Village of Port Chester.....	\$170,401.23
Deposited to Treasurer, Village of Rye Brook.....	\$13,926.37
Total.....	\$36,034,884.36

* * * * *

Town Clerk Vespia presented the Tentative Budget for the Fiscal Period 2016 to the Town Board.

A Public Hearing for the 2016 Budget was set for the next Town Board Meeting.

On motion of Councilperson Collins, seconded by Councilperson Nardi, and unanimously approved, the regular monthly meeting date was changed from November 17, 2015 to November 19, 2015 at 7:00 PM at which time a public hearing will be held upon completion of review and modification of the Tentative Budget.

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Assessor Knauer gave a presentation for the website.

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

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

WHEREAS, the American Legion Port Chester Post 93 has formally requested a contribution of one thousand dollars (\$1,000.00) toward the Veterans’ Day ceremonies to be held at Veterans’ Memorial Park, Westchester Avenue, Port Chester, New York on Sunday, November 8, 2015, and

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Joseph Carvin be and he hereby is authorized to make said monetary contribution to the aforementioned American Legion Port Chester Post 93.

ROLL CALL

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

* * * * *

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

WHEREAS, Petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by **BRG Rye Brook LLC, located at 90 S. Ridge Street, Rye Brook (141.27-1-9)** were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, and

Roll Year	Assessment	Petitioner Value (On Petition)	Petitioner Indicated Reduction (\$)	Petitioner Indicated Reduction (%)	Settlement Assessment Reduced To	\$ Reduct.	% Reduct.
2014	\$9,820,800	\$8,800,000	\$1,020,800	10.4%	8,800,000	1,020,800	10%

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:

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.
2. 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.
3. 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.
4. The Supervisor of the Town of Rye be and he hereby is authorized to make and pay refunds on the terms set forth herein.
5. This resolution shall take effect immediately.

ROLL CALL

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

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

WHEREAS, Petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by **10 Mill Street LLC, located at 10 Mill Street, Port Chester (142.23-2-10)** were duly served upon the Board of Assessment Review and Assessor in the Town of Rye, as detailed in the following chart:

Roll Year	Assessment	Petitioner Value	Petitioner Indicated Reduction (\$)	Petitioner Indicated Reduction (%)	Agreed Settlement	Agreed Settlement (%)	Agreed Settlement (\$)
2009	957,500	\$400,000	\$557,500	58.22%	900,000	6%	57,500
2010	880,900	\$292,500	\$588,400	66.80%	Withdrawn	Withdrawn	Withdrawn
2011	587,700	\$300,000	\$287,700	48.95%	Withdrawn	Withdrawn	Withdrawn
2012	587,700	\$300,000	\$287,700	48.95%	Withdrawn	Withdrawn	Withdrawn
2013	573,000	\$400,000	\$173,000	30.19%	Withdrawn	Withdrawn	Withdrawn
2014	573,000	\$400,000	\$173,000	30.19%	Withdrawn	Withdrawn	Withdrawn

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:

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, Nardi, Nioras, Villanova and Supervisor Carvin

NOES: None

ABSENT: None

* * * * *

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

WHEREAS, the Town of Rye, with the assistance of Councilpersons Robert Nioras and Thomas Nardi created a Master Plan for the Crawford Park Mansion, Pavilion, fields and grounds, and

WHEREAS, it had been determined that the exterior of the Crawford Mansion was in need of painting to preserve and prevent further age and weather damage, and

WHEREAS, a request for proposals (RFP) was advertised for said painting services and five qualified painters responded with bids, and

WHEREAS, the lowest bid presented was from Service Unlimited, 131 Pearl Street, Port Chester, New York, and

NOW, THEREFORE BE IT RESOLVED, that after a thorough review of the proposals, the Town Board of the Town of Rye authorizes Supervisor Carvin to enter into an agreement with Service Unlimited, and

BE IT FURTHER RESOLVED, that Service Unlimited be paid the sum of thirty-five thousand, seven hundred dollars (\$35,700.00) which includes twenty-five thousand, nine hundred dollars (\$25,900.00) for painting the Main House and Trim and nine thousand eight hundred dollars (\$9,800.00) for painting the windows and doors exterior frames as specified in the contact.

ROLL CALL

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

NOES: None

ABSENT: None

* * * * *

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

WHEREAS, the Town Board of the Town of Rye obtained the property known as Section 141.44 Block 3 Lot 9 known as 76 Inwood Avenue, Port Chester, New York and Section 141.44 Block 3, Lot 10 known as 70 Inwood Avenue, Port Chester, New York by Deed dated November 21, 2014 and said Deed was recorded in the Westchester County Clerk’s Office on December 8, 2014 under Control No. 542623342, and

WHEREAS, the Town Board of the Town of Rye has determined that said properties are surplus and the Town of Rye is desirous of disposing of said properties, and

WHEREAS, Belpointe Capital Management, LLC or its Assignee is interested in purchasing the two properties from the Town of Rye, and

WHEREAS, said Belpointe Capital Management, LLC has offered to purchase the properties for the full amount of taxes due and owing to the Town of Rye at the time of closing plus reasonable closing costs incurred by the Town of Rye, and

WHEREAS, said Belpointe Capital Management, LLC has agreed to take the properties “as is” subject to judgments and NYS tax liens;

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the mutual terms, covenants

BE IT FURTHER RESOLVED, that Belpointe Capital Management, LLC shall be permitted to undertake appropriate environmental testing on said properties so long as they execute an indemnification agreement holding the Town of Rye harmless from any and all claims, losses, expensed and/or damages suffered by the Town of Rye specifically and solely in connection with any environmental review conducted by said Belpointe Capital Management LLC, and

BE IT FURTHER RESOLVED, that Supervisor Joseph Carvin is hereby authorized to execute the indemnification agreement pertaining to said environmental testing, and

BE IT FURTHER RESOLVED, that said Supervisor Carvin shall be authorized to execute all necessary contracts and transfer documents necessary to convey said properties from the Town of Rye to said Belpointe Capital Management LLC if the properties pass the environmental tests and said Belpointe Capital Management LLC is still interested in purchasing said properties under the above terms.

ROLL CALL

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

NOES: None

ABSENT: None

* * * * *

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

WHEREAS, the Town of Rye operates Rye Town Park and Crawford Park, and

WHEREAS, these Parks are maintained for public use, and

WHEREAS, families throughout our Town and adjoining communities enjoy using these Parks, and

WHEREAS, Rye Town is committed to providing a safe and welcoming atmosphere for children and adults alike, and

WHEREAS, the operation of Unmanned Aerial Vehicles, (also known as an *unmanned-aircraft vehicle system* (UAVS) *remotely piloted aerial vehicle* (RPAV), *remotely piloted aircraft* (RPA), a “drone” or similar names) pose a possible threat to the safety, security and basic privacy of the general public using the Parks located in Rye Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rye shall prohibit the use of Unmanned Aerial Vehicles on or above Rye Town Parks, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye will only allow the lawful operation of Unmanned Aerial Vehicles by Law Enforcement, Government Operations, United States Military, Emergency Services and specific operations designated in writing and by resolution of the Town of Rye, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Rye will provide this law to the Village of Rye Brook, Village of Port Chester, Village of Mamaroneck, City of Rye, Westchester County, New York State, the U.S. Department of Justice, Department of Homeland Security and the Transportation Security Administration for the purpose of enforcement.

ROLL CALL

AYES: Councilpersons Collins, Nardi, Villanova and Supervisor Carvin

NOES: None

ABSTAIN: Councilperson Nioras

* * * * *

Discussion regarding the Crawford Mansion Windows and Doors Replacement ensued. Confidential Secretary to the Supervisor Nowotnik presented a sample window for the Town Board to inspect. Mr. Nowotnik requested assistance from two architectural firms explaining that while it may be a small task for an architect, it would be a very difficult task for him to make decisions and changes he felt he didn’t have the policy right to do so. The solarium window and large doors would be custom and costly. Some suggestions would create fundamental alterations based on the product being recommended that would alter the look. Councilpersons Villanova and Collins agreed to work with Mr. Nowotnik to make this a collaborative effort. Supervisor Carvin encouraged Mr. Nowotnik to reach out to the architectural firm for assistance.

* * * * *

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

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD NOVEMBER 25, 2015

A special meeting of the Town Board of the Town of Rye, New York was held on November 25, 2015 at 7:30 A.M. in the Office of the Town Clerk, 3rd floor, 222 Grace Church Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

PRESENT: in addition to Supervisor Carvin were Councilpersons Christine Collins and Thomas F. Nardi

ALSO

PRESENT: were Receiver of Taxes Nicholas C. Mecca, Town Assessor Denise Knauer, Secretary to the Supervisor Bishop Nowotnik and Assistant to the Town Clerk Vivian Vallejo

ABSENT: were Councilperson Robert Nioras and Deputy Supervisor William Villanova

Supervisor Carvin called the meeting to order and Deputy Town Clerk Nicholas C. Mecca called the roll.

Supervisor Carvin led the Pledge of Allegiance.

Deputy Town Clerk Mecca presented the 2016 Preliminary Budget to the Supervisor and members of the Town Council.

On motion of Councilperson Collins and seconded by Councilperson Nardi the 2016 Preliminary Budget was accepted.

ROLL CALL

AYES: Councilperson Collins, Nardi and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras and Deputy Supervisor Villanova.

* * * * *

Confidential Secretary to the Supervisor Nowotnik presented the following Resolution.

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

WHEREAS, the Town Board of the Town of Rye seeks to retain the services of a consultant regarding the operation of the office of Tax Receiver, specifically as it pertains to the processing of exemption terminated matters, pursuant to the Real Property Tax Law 520(3), and

WHEREAS, Ann Marie Berg, 14 Americo Circle, Ossining, New York 10562 was deemed qualified to be said consultant;

NOW, THEREFORE, BE IT RESOLVED, that Town of Rye Supervisor Joseph Carvin be and he hereby is authorized to enter into agreement with said Ann Marie Berg, and

November 25, 2015

BE IT FURTHER RESOLVED, that said Ann Marie Berg be compensated the sum of \$150.00 (one hundred fifty dollars) per hour for said consultation services which shall include her travel time, and

BE IT FURTHER RESOLVED, that said agreement is in its entirety and may be changed only in writing signed by both parties.

ROLL CALL

AYES: Councilperson Collins, Nardi and Supervisor Carvin

NOES: None

ABSENT: Councilperson Nioras and Deputy Supervisor Villanova.

* * * * *

There being no further business on motion of Councilperson Nardi, seconded by Councilperson Collins and unanimously approved, the meeting adjourned at 8:05AM.

Respectfully submitted,

Nicholas C. Mecca,
Deputy Town Clerk

MEETING HELD DECEMBER 03, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York was held Thursday, December 03, 2015 at 6:00 P.M. in the Village of Port Chester Courtroom, 350 North Main Street, Port Chester, New York, with Supervisor Joseph Carvin presiding. This meeting was rescheduled from the November 17, 2015 regular monthly meeting.

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

ALSO

PRESENT: were Town Attorney Paul J. Noto, Program Administrator Greg Arcaro and Confidential Secretary to the Supervisor Bishop Nowotnik.

ABSENT: were Deputy Supervisor William Villanova, Receiver of Taxes Nicholas C. Mecca, Superintendent of Highways John DeCrescenzo, Town Assessor Denise Knauer and Town Comptroller Dave Byrnes.

* * * * *

Anthony Baxter led those present in the Pledge of Allegiance and Supervisor Carvin read the opening prayer.

The Town Clerk presented an Affidavit of Publication stating that the following Notice of Publication was duly published in the Central Area of the Journal News, duly certified by Cecilia Hernandez, principal clerk, on November 19, 2015 and duly published in the Westmore News on November 27, 2015.

PRELIMINARY BUDGET
TOWN OF RYE, NEW YORK
FOR THE FISCAL YEAR 2016

PLEASE TAKE NOTICE, that the Town Board of the Town of Rye will hold a **PUBLIC HEARING** for the purpose of reviewing the said Preliminary Budget to be held in the Court Room of the Village of Port Chester, 350 North Main Street, Port Chester, New York, Friday afternoon, at 6:00 P.M.

The proposed salaries of the members of the Town Board are as follows: Supervisor, -0-; and Town Councilmen (4) at \$4,000.00 each; the proposed salary of the Town Clerk is \$97,286.00; and the proposed salary of the Superintendent of Highways is \$2,500.00.

Interested persons will be afforded the opportunity to be heard at this time.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RYE, NEW YORK
HOPE B. VESPIA, TOWN CLERK

The Supervisor declared the Public Hearing open and asked if there was anyone present from the Public who would like to speak for or against the said Preliminary Budget. There were none.

The Town Board reviewed items on the budget. Town Attorney Noto reported that the Line item 2500 (Sale of Property and Recovery) under Schedules of Revenues for the amount of three hundred thousand dollars (\$300,000.00) was estimated too high and should be reduced. Line item 2500 was reduced to two hundred thousand dollars (\$200,000.00). The Board discussed Line item 3005 (Mortgage Tax) under said Schedules of Revenues for the amount of nine hundred fifty thousand dollars (\$950,000.00) and agreed that nine hundred twenty-five thousand dollars (\$925,000.00) would be a more realistic amount.

The Town Board reviewed the General Fund Appropriations on page 18 of the Preliminary Budget under Transfer to Debt Service. Councilperson Nioras asked what had been spent to date to compare pre-budget items to actual and further stated that he would not approve Line item 9950.0000 (Transfer to Capital Fund) for the amount of one hundred thousand dollars (\$100,000.00) unless the said amount was spent this year. Supervisor Carvin asked that a coherent set of numbers be circulated to the Board.

Upon further review, on motion of Councilperson Nioras, seconded by Councilperson Nardi, and unanimously approved, the Hearing was adjourned at 6:30 P.M. and scheduled to reconvene at the regular monthly meeting and budget deadline date of December 15, 2015.

* * * * *

On motion of Councilperson Collins, seconded by Councilperson Nioras, the Board entered into executive session at 6:40 P.M. to discuss a specific employee.

On motion of Councilperson Collins, seconded by Councilperson Nioras, the Board resumed from executive session at 6:55 P.M.

* * * * *

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

WHEREAS, Andrew Hastings, who resides at 1 Wilton Road, Rye Brook, New York adjacent to Crawford Park has requested that the Town of Rye remove two (2) trees in Crawford Park adjacent to his property at his expense, and

WHEREAS, the Town of Rye has carefully reviewed the request, has made a visual inspection of the two (2) trees and has made a determination that it would be appropriate to remove the two (2) trees in the interest of public safety and preventing any potential damage to the Hastings property in the event the trees fall onto the Hastings home.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Rye agrees that the two (2) trees identified on the photograph attached hereto may be removed; and will be removed by contractors selected by the Town of Rye, and

BE IT FURTHER RESOLVED, that Andrew Hastings shall reimburse the cost of the removal of the trees, grinding of the stumps and top soil remediation of the affected area, and

BE IT FURTHER RESOLVED, that Andrew Hastings agrees that he will also pay to have two (2) replacement trees to be planted and be placed a sufficient distance away from any home where it might pose a future danger, and

BE IT FURTHER RESOLVED, that the replacement trees be of a certain type and size and suggest that the tree diameter be 2 inches or more at a height of 5 feet above the ground and be of a suitable hardwood type as Oak, Elm Maple or Pine.

ROLL CALL

AYES: Councilpersons Collins, Nardi, Nioras and Supervisor Carvin

NOES: None

ABSENT: Deputy Supervisor Villanova

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

WHEREAS , on November 2, 2014, a tree in Crawford Park fell onto the property of John and Diane Berardi at 4 Jennifer Lane, Rye Brook, New York, and

WHEREAS, the tree caused damage to the Berardi residence such that the Berardis' incurred damage to their property in the amount of eight thousand six hundred thirty-five dollars and sixty-two cents (\$8,635.62), and

WHEREAS, the Berardis' were obligated to pay one thousand dollars (\$1,000.00) as and for their deductible, and

WHEREAS, the Berardis' are seeking reimbursement of the \$1,000.00 deductible due to the fact that the damage to their property was caused by a fallen tree in Crawford Park owned by the Town of Rye.

NOW, THEREFORE, BE IT RESOLVED, that Town Supervisor, Joe Carvin, is authorized to execute to execute any documents necessary to effectuate this settlement.

ROLL CALL

AYES: Councilpersons Collins, Nardi, Nioras and Supervisor Carvin

NOES: None

ABSENT: Deputy Supervisor Villanova

* * * * *

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

WHEREAS, the Town of Rye has been consistently applying a procedure to all terminated exemptions on individual properties for more than 20 years, and

WHEREAS, the Town of Rye has engaged Ann Marie Berg EA, as an outside consultant, to review these procedures, and

WHEREAS, after meetings and discussions with the Town Assessor, Receiver of Taxes, Town Clerk and the Consultant, it became apparent that a modification to the current procedure was required to comply with Section 520 of the New York Real Property Tax Law, and

WHEREAS, this group recognized that all the jurisdictions that the Town of Rye collects taxes for every year (i.e. the villages, school districts and Westchester County) have received all the levies they are owed every year, and

WHEREAS, this group recommended in its joint memo dated November 18, 2015 that the Town should process the terminated exemptions of individual property taxpayers as follows:

1. Immediately, these Exemptions Terminated should be processed in accordance with the procedures outlined in Section 520 of the New York Real Property Tax Law
2. These procedures should not be applied retroactively

NOW, THEREFORE BE IT RESOLVED, that the Town of Rye process Exemptions Terminated as recommended by the Town Clerk, Tax Receiver and Consultant in their consolidated memo of November 18, 2015.

ROLL CALL

AYES: Councilpersons Collins, Nardi, Nioras and Supervisor Carvin

NOES: None

ABSENT: Deputy Supervisor Villanova

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There being no further business, on motion of Councilperson Collins, seconded by Councilperson Nioras, and unanimously approved, the meeting was adjourned at 7:20 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

MEETING HELD DECEMBER 15, 2015

A regular monthly meeting of the Town Board of the Town of Rye, New York was held Tuesday, December 15, 2015 at 7:00 P.M. in the Village of Port Chester Courtroom, 350 North Main Street, Port Chester, New York, with Supervisor Joseph Carvin presiding.

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

ALSO

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

ABSENT: were Deputy Supervisor William Villanova, Receiver of Taxes Nicholas C. Mecca, Superintendent of Highways John DeCrescenzo, Town Assessor Denise Knauer and Town Comptroller Dave Byrnes.

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

* * * * *

Supervisor Carvin reopened the Public Hearing for the 2016 Preliminary Budget and asked for comments from the public.

Goldie Solomon expressed the historical worth and significance of the Town of Rye and deemed that it should never be dissolved.

Councilperson Nioras entered the meeting at 7:15 PM as discussion ensued regarding the budget. He mentioned the contingency fund of forty thousand dollars (\$40,000.00) for the 2016 had been drastically reduced from the amount of ninety thousand dollars (\$90,000.00) budgeted in 2015. He did not understand the rationale and Supervisor Carvin explained the reasoning that one hundred sixty thousand dollars (\$160,000.00) was set aside for the fund balance and anticipated revenues may increase, especially in the estimated mortgage tax. Councilperson Nioras also mentioned the three part-time lines in the Town Clerk's budget and that one should be transferred to the Tax Office budget.

* * * * *

There being no further comments, on motion of Deputy Supervisor Villanova, seconded by Councilperson Nardi, the Public Hearing was closed.

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

WHEREAS, the tentative budget of the Town of Rye for the year 2016 had been prepared and filed with the Town Clerk on October 19, 2015 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 19, 2015, and

WHEREAS, a Public Hearing on the Preliminary Budget was held on December 3, 2015 and continued for the meeting to be held on December 15, 2015;

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 2016, and

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

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

ROLL CALL

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

NOES: None

ABSENT: None

* * * * *

On motion of Deputy Supervisor Villanova, seconded by Councilperson Carvin, the minutes seconded by Councilperson Nardi, and unanimously adopted, the minutes for the meetings held October 20, 2015 and December 03, 2015 were approved as presented.

On motion of Deputy Supervisor Villanova, seconded by Councilperson Collins, the minutes for the meeting held November 25, 2013 were adopted with Councilperson Nioras abstaining.

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Supervisor Carvin presented a power point of eight years of progress, accomplishments and recognition to the Town Board and Staff for their dedication and diligence.

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There being no further business, on motion of Deputy Supervisor Villanova, seconded by Councilperson Nioras, and unanimously approved, the meeting was adjourned at 7:55 P.M.

Respectfully submitted,

Hope B. Vespia
Town Clerk

