

**AGENDA
TOWN BOARD
TOWN OF RYE**

MEETING TO BE HELD TUESDAY, AUGUST 16, 2016

7:30 P.M.

**VILLAGE OF RYE BROOK VILLAGE HALL
MAIN CONFERENCE ROOM
938 KING STREET
RYE BROOK, NEW YORK 10573**

I. PLEDGE OF ALLEGIENCE

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Meeting Held July 11, 2016**
- B. Meeting Held July 27, 2016**

IV. PRESENTATIONS

- A. Presentation of Accounting Report**
- B. Town of Rye Internship Program**
- C. Crawford Park Special Event - Port Chester Soccer - Christina Flores**

V. COMMENTS FROM THE PUBLIC

VI. COMMUNICATIONS/RESOLUTIONS

- A Resolution: IMA - Town of Rye and Mamaroneck**
- B. Resolution: Certiorari - Clay Fitness Center - Riverdale Avenue**
- C. Resolution: Certiorari - 8 Edgewood Drive, Rye Brook, NY**
- D. Resolution: Architect/Engineer for Crawford Mansion**
- E. Resolution: RFP for Contractor for Crawford Pavillion**
- F. Resolution: "Thinking Differently"**
- G. Resolution: Authorize Supervisor Zuckerman to Request RTP Exemption**
- H. Resolution: In-Rem Property - 136 Poningo Street**
- I. Resolution: Columbus Day Celebration Committee Donation**

VII. REPORTS

- A. Assessor**
- B. Crawford Park**
- C. Finance**
- D. Tax Receiver - Report Submitted**
- E. Town Clerk - Report Submitted**
- F. Superintendent of Highways - Report Submitted**

VIII. COMMENTS FROM THE COUNCILPERSONS

A

RESOLUTION

On motion of Councilperson _____, seconded by Councilperson _____, 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 2016 assessment roll for the following property owners in the Town of Rye:

Maria Rappoccio, 30 Haines Boulevard
Mitchell Markowitz, 26 Mohegan Lane

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

Cary Sleeper, 3 Bayard Street (Board of Assessment Review Member)

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

WHEREAS, going forward, this resolution shall apply to any future assessment appeals involving town employees, officials, members of the Board of Assessment Review, or where it is determined by the Assessor that there is a conflict of interest.

WHEREAS, the IMAs for the Town of Rye and the Town of Mamaroneck will be executed by the Town of Rye Supervisor and a designee by the Town of Mamaroneck.

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

ROLL CALL:
AYES:
NOES:
ABSENT:

Dated: August 16, 2016

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

I, HOPE B. VESPIA, Town Clerk of the Town of Rye, New York, do hereby certify that I have compared the foregoing copy with the copy of Resolution adopted by the Town Board of the Town of Rye, at a meeting held on August 16, 2016 at which time a quorum was present, and that the same is a true and correct transcript of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town of Rye, New York, this 17th day of August, 2016.

Hope B. Vespia
Town Clerk

A

AGREEMENT

BETWEEN THE TOWN OF RYE AND THE TOWN OF MAMARONECK WHEREBY (A) THE TOWN OF MAMARONECK'S BOARD OF ASSESSMENT REVIEW WILL ADJUDICATE A GRIEVANCE CHALLENGING THE ASSESSED VALUATION OF A PROPERTY IN THE TOWN OF RYE AND (B) THE ASSESSOR OF THE TOWN OF MAMARONECK WILL REPRESENT THE TOWN OF RYE IN THAT PROCEEDING.

THIS AGREEMENT (the "Agreement") is made as of the ~~10th~~ day of August 2016, by and between the Town of Rye a municipal corporation organized and existing under the laws of the State of New York, with its principal place of business located at 222 Grace Church Street, 3d Floor, Port Chester, New York 10573, and the Town of Mamaroneck, a municipal corporation organized and existing under the laws of the State of New York, with its principal place of business located at 740 West Boston Post Road, Mamaroneck, New York, 10543.

RECITALS

WHEREAS, General Municipal Law §119-o authorizes a municipality to enter into or assign a municipal function to another municipality by executing an inter-municipal agreement with that municipality, and

WHEREAS, Anthony and Maria Rappoccio ("Petitioner"), and Mitchell and Ellen Markowitz ("Petitioner"), are owners of certain real property within the Town of Rye. Maria Rappoccio, is an employee of the Rye Town Assessment Office; and Mitchell Markowitz was the former Rye Town Assessor, and

WHEREAS, the Petitioners filed a complaint challenging the 2016 assessed valuation ("Petitioner's Grievance") for their respective properties located at 30 Haines Boulevard, Port Chester, New York 10573 ("Property"); and 26 Mohegan Lane, Rye Brook, New York, 10573 ("Property").

WHEREAS, the attorney, appointed by the Town Board of the Town of Rye, serves as Counsel to the Town of Rye and its Assessor and its Board of Assessment Review and is sometimes called upon to advise, appear and/or defend grievances and SCAR proceedings involving the Town of Rye, and

WHEREAS, the Town Assessor, appointed by the Town Board of the Town of Rye, also is charged with the responsibility of defending grievances and SCAR proceedings involving challenges to assessments of real property located within the Town of Rye, and

WHEREAS, the Board of Assessment Review of the Town of Rye hears grievances filed by owners of real property located within the Town of Rye, and

WHEREAS, the members of Board of Assessment Review of the Town of Rye are appointed by the Town Board of the Town of Rye, and

WHEREAS, it would present a conflict of interest or give the appearance of impropriety for the Counsel to the Town of Rye, its Assessor and its Board of Assessment Review to be involved in the adjudication of the Petitioner's Grievance, and

WHEREAS, to avoid any conflict of interest and to avoid the appearance of impropriety the Town Board of the Town of Rye has determined that no one affiliated with the Town of Rye should be involved with the Petitioner's Grievance, and

WHEREAS, the Town of Rye has asked the Town of Mamaroneck (a) to authorize the Board of Assessment Review of the Town of Mamaroneck ("Mamaroneck BAR") to determine the Petitioner's Grievance and (b) to authorize the Assessor of the Town of Mamaroneck ("Mamaroneck Assessor") to represent the Town of Rye before the Mamaroneck BAR in connection with the Petitioner's Grievance and in any SCAR proceeding that the Petitioner may bring with respect to the Petitioner's Grievance.

Now therefore intending to be bound, the Town of Rye and the Town of Mamaroneck agree as follows:

1. The Town Assessor of the Town of Rye shall refer the Petitioner's Grievance and SCAR petition, should one be filed, to the Town of Mamaroneck. The Mamaroneck BAR shall treat the Petitioner's Grievance as if it were a challenge to the assessed value of real property located within the Town of Mamaroneck.
2. (a) The Town of Rye grants the Mamaroneck Assessor the authority to take any and all appropriate action to defend the Property's 2016 assessment before the Mamaroneck BAR and in Court in a SCAR proceeding should the petitioner file a SCAR proceeding challenging the Property's 2016 assessment.

(b) The Town of Rye also grants the Mamaroneck Assessor the authority to negotiate a resolution of the Petitioner's Grievance and will abide by and/or approve any settlement that the Mamaroneck Assessor may reach with the Petitioner or his/her representative.

(c) If the Mamaroneck Assessor deems an appraisal of the Property to be necessary, the Town of Mamaroneck shall order such appraisal and the Town of Rye shall reimburse the Town of Mamaroneck for the cost of such appraisal. The cost of said appraisal(s) is to be agreed upon by both the Rye and Mamaroneck Assessors at the time such appraisal(s) are required.
3. The Town of Rye also shall pay the Town of Mamaroneck for any and all costs in connection with the Mamaroneck Assessor's time, and for additional appraisals, if needed.
4. This Agreement shall terminate and all obligations that the Mamaroneck Assessor must perform hereunder shall cease if (a) the Petitioner does not file a SCAR proceeding or commence a proceeding pursuant to Article 7 of the Real Property Tax Law after the Mamaroneck BAR renders its decision on the Petitioner's Grievance or (b) a SCAR proceeding is adjudicated by the Supreme Court of the State of New York or (c) the Mamaroneck Assessor negotiates a resolution of the Petitioner's Grievance or (d) the

Petitioner commences either (i) a proceeding pursuant to Article 7 of the Real Property Tax Law after the Mamaroneck BAR renders its decision on the Petitioner's Grievance, (ii) an Article 78 proceeding challenging the determination made by the Supreme Court of the State of New York in a SCAR proceeding or (iii) any other litigation challenging the Property's 2016 assessment, it being understood that this Agreement does not authorize or require the Town of Mamaroneck, the Mamaroneck Assessor, the Mamaroneck BAR or any of its other officers, employees, consultants, representatives, attorneys or volunteers to represent the Town of Rye in any litigation other than the Mamaroneck Assessor representing the Town of Rye in a SCAR proceeding brought by the Petitioner to challenge the Property's 2016 assessment.

5. The respective representatives of each municipality, who execute this Agreement on behalf of their respective municipal corporations, are duly authorized and empowered to execute this Agreement.
6. Any and all notices, communications, payments and demands required under this Agreement shall be made in writing, addressed as follows, or to such other address as may be hereafter designated, in writing, by each party hereto:

- a. To Rye:

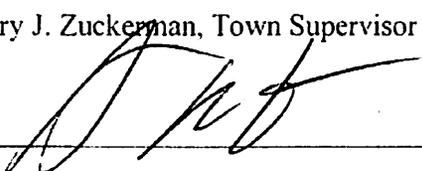
Town of Rye
222 Grace Church Street, 3rd Floor
Port Chester, New York 10573
Att: Gary J. Zuckerman, Town Supervisor

- b. To Mamaroneck:

Town of Mamaroneck
740 West Boston Post Road
Mamaroneck, New York 10543
Att: Town Administrator

7. This Agreement contains the entire understanding of the parties who hereby acknowledge that there has been and are no representations, warranties, covenant or understandings other than those expressly set forth herein.
8. Neither this Agreement nor any provision hereof, shall be amended or modified, or deemed amended or modified, except by an agreement in writing duly subscribed and acknowledged by all parties to this Agreement with the same formality as this Agreement.
9. This Agreement shall be binding upon, and for the benefit of, the parties, their heirs, successors and assigns.
10. All matters affecting the interpretation of this Agreement and the rights of the parties hereto shall be governed by the laws of the State of New York.

IN WITNESS THEREOF, the Town of Rye and the Town of Mamaroneck have agreed to the terms and conditions set forth therein.

_____	Date: _____
Gary J. Zuckerman, Town Supervisor	
	

Stephen V. Altieri, Town Administrator	Date: <u>8/10/10</u>

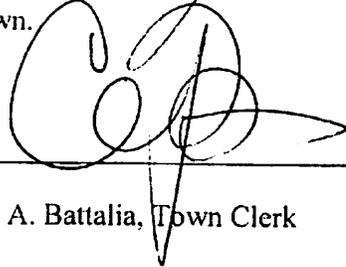
Certificate of Authorization

I, Hope Vespia, certify that (a) I am the Town Clerk of the Town of Rye, a municipality existing under the laws of the State of New York, (b) Gary J. Zuckerman, the person who signed this Agreement on behalf of the Town of Rye, is the Supervisor of the Town of Rye, (c) Mr. Zuckerman was authorized by the Town Board of the Town of Rye to execute this Agreement on behalf of the Town and (d) such authority was in full force and effect when Mr. Zuckerman executed this Agreement on behalf of the Town.

Hope Vespia, Town Clerk

Certificate of Authorization

I, Christina A. Battalia, certify that (a) I am the Town Clerk of the Town of Mamaroneck, a municipality existing under the laws of the State of New York, (b) Stephen V. Altieri, the person who signed this Agreement on behalf of the Town of Mamaroneck, is the Town Administrator of the Town of Mamaroneck, (c) Mr. Altieri was authorized by the Town Board of the Town of Mamaroneck to execute this Agreement on behalf of the Town and (d) such authority was in full force and effect when Mr. Altieri executed this Agreement on behalf of the Town.

A handwritten signature in black ink, appearing to read 'C.A. Battalia', is written over a horizontal line. The signature is stylized and somewhat cursive.

Christina A. Battalia, Town Clerk

B

RESOLUTION

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

WHEREAS, Petitions and Notices of Petitions to review the assessment for taxation of the real estate owned by **Hillside Properties Inc. and CS Goodfriend & Company Inc. for the properties located at 13-A and 13 Riverdale Avenue (formerly known as 23 and 13 Riverdale Avenue), Port Chester (136.56-1-48 and 136.56-1-49)** 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:

Assmt / Index Year	136.56-1-48			136.56-1-49			Combined AV Both Lots 48 & 48 FROM	Combined AV Both Lots 48 & 49 TO	Total \$ Reduction	Total % Reduction
	From AV	To AV	Difference / Reduction	From AV	To AV	Difference / Reduction				
2009	300,500	95,500	205,000	2,150,000	1,704,500	445,500	2,450,500	1,800,000	650,500	27%
2010	230,000	93,000	137,000	1,978,000	1,707,000	271,000	2,208,000	1,800,000	408,000	18%
2011	123,500	93,500	30,000	2,132,700	1,706,500	426,200	2,256,200	1,800,000	456,200	20%

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:

NOES:

ABSENT:

Dated: August 16, 2016



FISCAL IMPACT MEMO

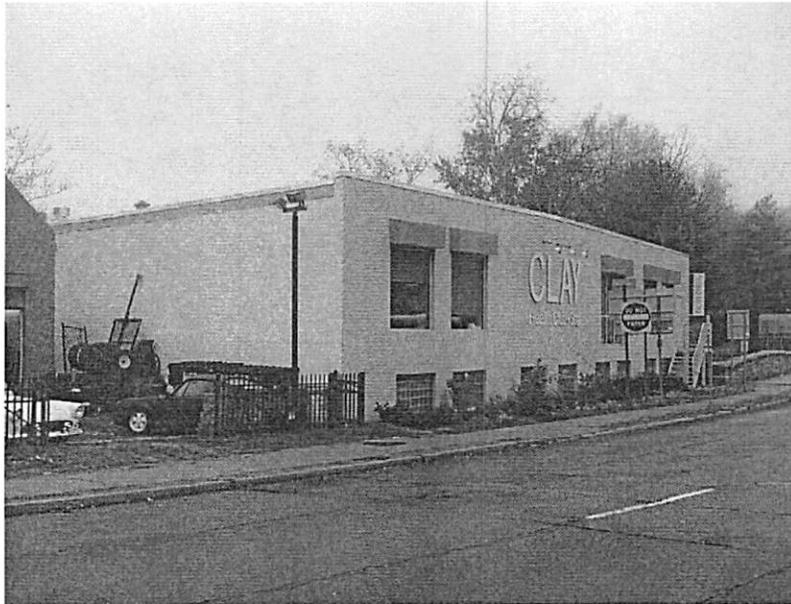
--CONFIDENTIAL--

TO: Gary J. Zuckerman, Supervisor; Rye Town Board; Paul Noto, Esq.,
Tony Cerreto, Esq.

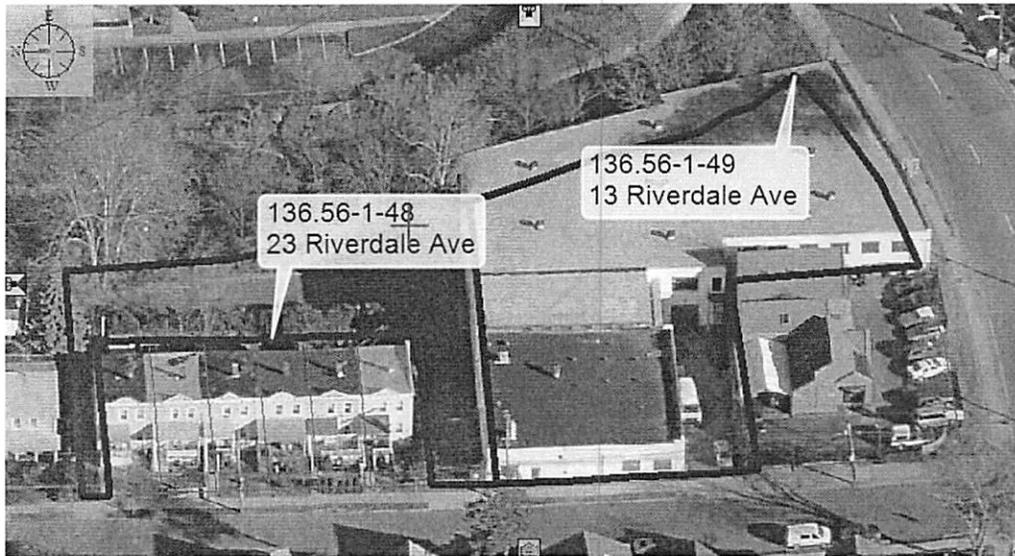
FROM: Denise S. Knauer, IAO, Town Assessor

DATE: August 12, 2016

RE: Tax Certiorari Settlement
13-A Riverdale Avenue, Port Chester (136.56-1-48)
Hillside Properties, Inc. v. Town of Rye
13 Riverdale Avenue, Port Chester (136.56-1-4)
CS Goodfriend & Company Inc. v. Town of Rye



This certiorari settlement is for the combined parcels located at 13-A & 13 Riverdale (f/k/a 23 & 13 Riverdale). It is the property currently leased by the tenant known as Clay Fitness and their parking lot.



The proposed reductions are as follows:

Assmt / Index Year	136.56-1-48			136.56-1-49			Combined AV Both Lots 48 & 48 FROM	Combined AV Both Lots 48 & 49 TO	Total \$ Reduction	Total % Reduction
	From AV	To AV	Difference / Reduction	From AV	To AV	Difference / Reduction				
2009	300,500	95,500	205,000	2,150,000	1,704,500	445,500	2,450,500	1,800,000	650,500	27%
2010	230,000	93,000	137,000	1,978,000	1,707,000	271,000	2,208,000	1,800,000	408,000	18%
2011	123,500	93,500	30,000	2,132,700	1,706,500	426,200	2,256,200	1,800,000	456,200	20%

The above reductions for years 2008 through 2010 are supported by an appraisal dated July 20, 2015 by Steve Sherwood, MAI, of Valuation Plus. No reductions were warranted for assessment years 2011 through 2015.

The following is a fiscal impact analysis outlining the ESTIMATED tax refunds.

LEVY YEAR	ASSMT YEAR	Vlg	TOTAL Assessment Reduced	TOTAL Assessment Reduced To	Difference (Refund Based On)	TOWN		COUNTY		VILLAGE		PCSD	
						RATE NON-Homestead	Tax Refund	RATE	Tax Refund	RATE NON-Homestead	Tax Refund	RATE NON-Homestead	Tax Refund
2010/11	2009	VPC	2,450,500	1,800,000	650,500	0.091496	\$ 60	3.071196	\$1,998	9.149640	\$ 5,952	17.73408	\$ 11,536
2011/12	2010	VPC	2,208,000	1,800,000	408,000	0.07583	\$ 31	3.37678	\$1,378	9.308938	\$ 3,798	19.57157	\$ 7,985
2012/13	2011	VPC	2,256,200	1,800,000	456,200	0.06749	\$ 31	3.5672	\$1,627	9.858233	\$ 4,497	21.57937	\$ 9,845
TOTALS*:							\$ 121		\$5,003		\$ 14,247		\$ 29,366
												GRAND TOTAL:	\$ 48,737

**These refunds are estimates subject to final calculation by Tax Receiver, Treasurer, and/or Comptroller. Differences may be due to rounding.*

The actual town/county refund will be determined by Nick Mecca.

RESOLUTION

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

WHEREAS, Petition and Notices of Petition to review the assessment for taxation of the real estate owned by 8 Edgewood LLC, located at 8 Edgewood Drive, Rye Brook (135.28-1-28) 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	Settlement Assessment Reduced To	\$ Reduct.	% Reduct.
2015	\$1,040,600	535,800	504,800	49%

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:

NOES:

ABSENT:

Dated: August 16, 2016



FISCAL IMPACT MEMO

--CONFIDENTIAL--

TO: Gary J. Zuckerman, Supervisor; Rye Town Board; Paul Noto, Esq.,
Christopher Bradbury, Rye Brook Administrator

FROM: Denise S. Knauer, IAO, Town Assessor

DATE: August 12, 2016

RE: Tax Certiorari Settlement
8 Edgewood Drive (135.28-1-28)
8 Edgewood LLC v. Town of Rye



This is a certiorari settlement for one year for a non-owner occupied single family.

The attached summary memo from Carol Vergara, the tax representative, is self-explanatory. The subject sold for \$470,000 on 6/7/13. No appeals were filed for assessment years 2013 or 2014. Also attached is a current (5/25/16) listing for the subject for \$599,000. The property has not yet sold. Since the court recognizes a sale as the highest and best indicator of value, I am recommending a 2015 assessment reduction to 535,800, which represents the 2013 sale price of \$470,000 adjusted +14% for market conditions.

We are aware that the owner/developer (an LLC) intends to either gut renovate the current dwelling or construct a new one. As of June 15, 2016, according to the Rye Brook Building Department, the

owners have an application before the Zoning Board, but as of that date they had no permits. As such, when we are further apprised of the permit activity we will be able to capture improvements to the property.

The proposed reduction is as follows:

Roll Year	Assessment	Settlement Assessment Reduced To	\$ Reduct.	% Reduct.
2015	\$1,040,600	535,800	504,800	49%

Below is my fiscal impact analysis outlining the ESTIMATED tax refunds. The school refund is ESTIMATED based on the 2015/16 school tax rate since the 2016/17 school tax rate will not be set until the end of August 2016. The actual refund will be determined by Nick Mecca.

Levy Year	ASSMT YEAR	Vlg	Assmnt Reduced From	Assmnt Reduced To	Difference (Refund Based On)	TOWN		COUNTY		VILLAGE of Rye Brook		BBSD	
						Homestead	Tax Refund	RATE	Tax Refund	Homestead	Tax Refund	Homestead	ESTIMATED Tax Refund (based on the 2015/16 school tax rate)
2016	2015	VRB	1,040,600	535,800	504,800	0.033891	\$ 171	3.358062	\$ 1,695	7.737521	\$3,906	17.041355	\$ 8,602
GRAND TOTAL:												\$ 14,375	

**These refunds are estimates subject to final calculation by Tax Receiver, Treasurer, and/or Comptroller.
The Blind Brook School Refund is ESTIMATED based on the 2015/16 Homestead Tax Rate.
To be recalculated when the 2016/17 school tax rate is available.
Differences may be due to rounding.*

D
RESOLUTION

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

WHEREAS, NYS's Office of Community Renewal awarded the Town of Rye a grant of three hundred ninety eight thousand, three hundred twenty six dollars (\$398,326.00) in federal Community Development Block Grant Funds to make Crawford Park handicapped accessible, and

WHEREAS, one of the projects to make Crawford Park handicapped accessible is to make the Mansion handicapped accessible at an estimated cost of two hundred fifty five thousand, four hundred eighty one dollars (\$255,481.00) (including A/E fees); and

WHEREAS, the Town is also interested in making other non-handicapped accessible improvements to the Mansion; and

WHEREAS, an architect/engineer is needed to prepare the plans and specifications for both projects; and

WHEREAS, the Town's procurement policies and the guidelines of the NYS CDBG Program require that the selection of the architect/engineer firm be the result of a public Request for Proposals (RFP); and

WHEREAS, the Town Council authorized such an RFP at its meeting of July 11, 2016 and two firms responded by the August 9th deadline; and

WHEREAS, the Town reviewed all the proposals and found the proposal from " _____ " to be the most responsive to the Town's RFP;

NOW THEREFORE BE IT RESOLVED, that the Rye Town Council authorizes the Town to enter into a contract for up to \$ _____ with _____.

ROLL CALL
AYES:
NOES:
ABSENT:

Dated: August 16, 2016

STATE OF NEW YORK _____)
COUNTY OF WESTCHESTER) ss:
TOWN OF RYE _____)

I, Hope B. Vespia, Town Clerk of the Town of Rye, New York, do hereby certify that I have compared the foregoing copy with a copy of the Resolution adopted by the Town Board of the Town of Rye, at a meeting held on August 16, 2016 at which time a quorum was present, and that the same is a true and correct transcript of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town of Rye, New York, on this 17th day of August, 2016.

Hope B. Vespia
Town Clerk

RESOLUTION

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

WHEREAS, NYS’s Office of Community Renewal awarded the Town of Rye a grant of three hundred ninety eight thousand, three hundred twenty-six dollars (\$398,326.00) in federal Community Development Block Grant Funds to make Crawford Park handicapped accessible, and

WHEREAS, the Town of Rye committed to provide an additional (\$398,326.00) to make Crawford Park handicapped accessible; and

WHEREAS, part of this project is making the Pavilion at Crawford Park handicapped accessible; and

WHEREAS, the Town of Rye is interested in making complementary, non-handicapped accessible improvements to the Pavilion; and

WHEREAS, the Town retained the architectural firm - “Arconics Architecture” - to prepare plans and specifications for making handicapped accessible and complementary improvements to the Pavilion; and

WHEREAS, a contractor is needed to make these improvements to the Pavilion; and

WHEREAS, the Town’s procurement policies and the guidelines of the NYS CDBG Program require that the selection of a contractor be the result of the public notice soliciting bids; and

WHEREAS, the Town has prepared a such an RFP;

NOW THEREFORE BE IT RESOLVED, that the Rye Town Council authorizes the Town to issue the RFP with a response date of September 19, 2016.

ROLL CALL
AYES:
NOES:
ABSENT:

Dated: August 16, 2016

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:
TOWN OF RYE)

I, Hope B. Vespia, Town Clerk of the Town of Rye, New York, do hereby certify that I have compared the foregoing copy with a copy of the Resolution adopted by the Town Board of the Town of Rye, at a meeting held on August 16, 2016 at which time a quorum was present, and that the same is a true and correct transcript of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town of Rye, New York, on this 17th day of August, 2016.

Hope B. Vespia
Town Clerk

F

RESOLUTION

Resolution Calling on Town of Rye Residents and Business Owners to Adopt the “Think Differently” Initiative to Assist Individuals with Special Needs and Their Families.

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

WHEREAS, the “Think Differently” initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

WHEREAS, our state and communities are stronger because of our diversity and differences; and

WHEREAS, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19%, of Americans, have a type of disability or special need; and

WHEREAS, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS, it is important to promote and provide guidance to those with special needs on how to access publically supported services available to them in the community; and

WHEREAS, it is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS, adopting the “Think Differently” initiative is an important statement that our Town officials, business owners and residents can make to show their support for the differently-abled children and adults with special needs, and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Rye residents and business owners to adopt the “Think Differently” initiative so that all are better prepared to communicate with, provide for, and support those living on the Autism Spectrum and with special needs.

ROLL CALL

AYES:

NOES:

ABSENT:

Dated: August 16, 2016



COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

July 8, 2016

Dear Supervisor,

Earlier this month, the City of Troy became the first municipality in New York State to adopt Dutchess County's "Think DIFFERENTLY" initiative, doing so unanimously. I respectfully ask your town to similarly consider our "Think DIFFERENTLY" initiative, which would be a great step forward for residents with special needs – one that can be replicated throughout our state.

Since its inception in 2015, our "Think DIFFERENTLY" initiative has been embraced throughout Dutchess County, and the message has resonated greatly in our community – from businesses and organizations learning how to better welcome their neighbors with special needs, to a greater sense of inclusiveness among residents of all abilities. Dutchess County has also partnered with local sponsors to offer free movie days and picnics for our children with special needs and their families, exemplifying our desire to have every resident, regardless of ability, feel welcome in their own community.

"Think DIFFERENTLY" is a call to action, a genuine challenge to determine if we have it within ourselves to look past our differences and treat others the way we would hope to be treated. Too often, too many with special needs are overlooked and their unique abilities ignored. Instead, we seek to lift each other up and embrace all residents of all abilities.

As the father of a daughter who lives on the autism spectrum, I sincerely ask you to answer our call and consider adopting "Think DIFFERENTLY" in your town. I envision other cities, towns and villages across the state following your lead; and together, we can make our state a model for the nation, letting citizens from Maine to Florida to California know that in New York, we "Think DIFFERENTLY."

Enclosed is a draft resolution for your review. I encourage you to call me at (845) 486-2000 or e-mail me at countyexec@dutchessny.gov should you need more information.

Best regards,

Marcus J. Molinaro
Dutchess County Executive

G

RESOLUTION

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

WHEREAS, the Town of Rye owns Rye Town Park together with the City of Rye, and

WHEREAS, Rye Town Park is a public park which was created in 1907 by an Act of the New York State Legislature, and

WHEREAS, from 1908 through 2010, the Park was wholly exempt from real property taxes pursuant to Real Property Tax Law Section 406(2), and

WHEREAS, in 2011 the Assessor the City of Rye determined that the portion of the Park that had been licensed to a private corporation for the operation of a restaurant was taxable and placed that property on the City's assessment roll for the 2011 tax year, and

WHEREAS, the Rye Town Park Commission and the Town of Rye commenced a proceeding against the Assessor and the City of Rye Board of Assessment Review to strike the property from the City's assessment roll on the grounds that the property was tax exempt, and

WHEREAS, the Appellate Division, Second Judicial Department, determined in its Decision dated July 27, 2016 that Real Property Tax Law Section 406(2) applies wherein real property owned by a municipal corporation not within its corporate limits while used for a public park shall be exempt from taxation by any municipal corporation in which it is located provided that the governing board thereof shall so agree in writing, and

WHEREAS, there is no written agreement with the City of Rye granting tax exempt status to that portion of the park for which the action was filed, and

WHEREAS, the Town of Rye would like the City of Rye to exempt that portion of the park and restore the exemption as it existed prior to 2011,

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Rye hereby requests and authorizes Town Supervisor Gary Zuckerman to request, in writing, from the City Council of the City of Rye, a written agreement granting a tax exemption for Rye Town Park consistent with all of the provisions of Real Property Tax Law Section 406(2).

ROLL CALL:

AYES:

NOES:

ABSENT:

Dated: August 16, 2016

H
RESOLUTION

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

WHEREAS, the Town Board of the Town of Rye acquired title to 136 Poningo Street, Port Chester, New York known as Parcel ID 136.78-3-16 by Deed dated May 17, 2016 by virtue of a Judgment entered on May 2, 2016 by the Hon Joan B. Lefkowitz in the matter of a Foreclosure of Tax Liens by proceeding In Rem pursuant to Article 11 of the Real Property Tax Law by the Town of Rye; and

WHEREAS, 136 Poningo Street, Port Chester, New York has been deemed surplus property by the Town Board of the Town of Rye; and

WHEREAS, the Town desires to sell the property; and

WHEREAS, the former owner Noila M. Catala desires to purchase the property back from the Town of Rye for the sum of One Hundred Thousand Dollars (\$100,000.00).

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Rye hereby sells the property known as 136 Poningo Street, Parcel ID 136.78-3-16 to Noila M. Catala having an address at 7 Maple Place, Port Chester, New York for the sum of \$100,000.00; and

BE IT FURTHER RESOLVED that Purchaser shall pay to the Town Attorney, the sum of \$500.00 for the preparation of all transfer documents; and

BE IT FURTHER RESOLVED that the Purchaser shall be responsible for the filing of the Deed and the payment of any real estate transfer tax, if any; and

BE IT FURTHER RESOLVED that the Town Supervisor, Gary Zuckerman, is hereby authorized to execute and sign any Deed and/or transfer documents necessary to transfer said property to Purchaser consistent with the terms of this Resolution.

ROLL CALL
AYES:
NOES:
ABSENT:

Dated: August 16, 2016

STATE OF NEW YORK :
COUNTY OF WESTCHESTER: ss:
TOWN OF RYE :

I, HOPE B. VESPIA, Town Clerk of the Town of Rye, New York, do hereby certify that I have compared the foregoing copy with the copy of the Resolution adopted by the Town Board of the Town of Rye, at a meeting held on August 16, 2016, at which time a quorum was present, and that the same is a true and correct transcript of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town of Rye, New York on this 17th day of August, 2016.

Hope B. Vespia
Town Clerk

I

RESOLUTION

On motion of Councilperson , seconded by Councilperson , the Town Board of the Town of Rye authorizes Supervisor Zuckerman to approve a donation of fifteen hundred dollars (\$1,500.00) as adopted in the 2016 budget, to the Columbus Day Celebration Committee towards the festivities of the 2016 Columbus Day Parade.

ROLL CALL

AYES:
NOES:
ABSENT:

Dated: August 16, 2016

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss:
TOWN OF RYE)

I, Hope B. Vespia, Town Clerk of the Town of Rye, New York, do hereby certify that I have compared the foregoing copy with a copy of the Resolution adopted by the Town Board of the Town of Rye, at a meeting held on August 16, 2016 at which time a quorum was present, and that the same is a true and correct transcript of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town of Rye, New York, on this 17th day of August, 2016.

Hope B. Vespia
Town Clerk



Columbus Day Celebration Committee

*P.O. Box 1048
Port Chester NY 10573*

Founded 1906

AUG 16 AM 11:10

TOWN CLERK
TOWN OF RYE



Edward T. Sexton
General Chairman

Toni Ganim
Vice Chairman

July 25, 2016

Honorable Gary Zuckerman &
Board of Trustees
Town of Rye
222 Grace Church Street
Port Chester, New York 10573

Re: 2016 Columbus Day Parade

Dear Supervisor Zuckerman & Board Members:

The Columbus Day Celebration Committee held their first meeting in preparation for this year's parade and festivities. Our biggest challenge this year is to raise money to cover the cost for the bands and expenses for the parade, which is scheduled for Sunday, October 09, 2016 (Rain Date October 16, 2016).

The Committee appreciates the generosity from the Town of Rye for their donations in the past years. Once again we come to you requesting your financial assistance for this year's parade and hope you will be able to increase your donation.

Thank you in also advance for your favorable response.

Very truly yours,

Edward T. Sexton
Chairman