



Rye Town Park
95 Dearborn Ave.
Rye, NY 10580
914 967-0965

RYE TOWN PARK COMMISSION **TENTATIVE MEETING AGENDA**

Commission Members

Julie Killian – Commissioner
Dennis Pilla, Mayor-Village of Port Chester
Joseph Sack, Mayor-City of Rye
Benedict Salanitro, Commissioner
Paul Rosenberg, Mayor-Village of Rye Brook
Gary Zuckerman - President

DATE: TUESDAY, NOVEMBER 15, 2016

TIME: 6:00 P.M.

PURPOSE: MONTHLY MEETING

LOCATION: PORT CHESTER COURT, 350 NORTH MAIN STREET, 2ND FLOOR

1. Pledge of Allegiance
2. Roll Call
3. Adoption of Minutes: 8/16/2016, 9/20/2016 and 10/18/2016
4. Public Comment on Non Agenda Items
5. Presentation by NYU/Wagner Capstone Team
6. Park Management Report
7. Resolution to Engage Environmental Consultant Beth Evans
8. Discussion Regarding the Selection of a Consultant for a Restaurant RFP
9. Discussion Regarding Short Term License Extension for Restaurant
10. Financial Report
11. Adjourn

RYE TOWN PARK COMMISSION - MEETING MINUTES - October 18, 2016

A regular monthly meeting of the Rye Town Park Commission was held on Tuesday, October 18, 2016, at Port Chester Courthouse, 350 North Main Street, Port Chester, New York, with Commission President Gary J. Zuckerman presiding. Video and audio recorders were in use during the proceedings.

PRESENT: Commissioners Zuckerman, Benedict Salanitro, and Gregory Adams representing Commissioner Dennis Pilla. Mack Cunningham representing Joseph Sack joined later while the meeting was in progress.

ALSO

PRESENT: Commission Attorney Paul Noto, Commission Secretary Deborah Reisner, Park Director Terry Fanelli and Assistant Director- Park Development William Lawyer.

1. PLEDGE OF ALLEGIANCE

Acting Commissioner Gregory Adams led those present in the Pledge of Allegiance.

2. Adoption of Minutes

The minutes of the meetings held on August 16 and September 20 were tabled.

3. Public Comment on Non Agenda Items

Anne Muller of Rye Beach Avenue in Rye asked about the policy for leashing dogs in the post season.

4. Park Management Report

Terry Fanelli presented.

Rye Town Park - Management Report From: Sept 16 - Oct. 12, 2016

Director's Overview: The 2016 season has officially come to an end. With the exception of one security guard day and night and a few maintenance workers all employees' last day was September 30th.

Again, I cannot begin to thank my senior staff and all their employees for making this season a success and our park safe, clean for all that came to enjoy our Park.

In addition, I personally want to thank the Commission for giving me the opportunity to accept the challenge of running the park and leading the entire staff in achieving the goals for this season that were set by you as the Commission.

The Triathlon was held the weekend of September 24th & 25th. Security for this event was of the utmost importance. Our staff, in conjunction with Playland, the City of Rye Police Department, the Westchester County Police Department and the Triathlon Committee worked on plans to make the event secure and safe. Once again, I would like to commend all of the staff that worked during this event in making this spectacular event safe and successful. \$3,500 was received by the Park for this event.

Finances

BEACH INCOME REVENUE

MONTH TO MONTH

SEPTEMBER 2016

\$41,157

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SEPTEMBER 2015 \$77,574
VARIANCE \$36,417 BEHIND 2015

YTD
APRIL 16TH – SEPT 30, 2016 \$1,022,860
APRIL 16TH – SEPT 30, 2015 \$954,552
VARIANCE \$68,308 AHEAD OF 2015

UNITS	PERMITS	PARKING	BEACH
SEPTEMBER 2016	0	3,460	2,081
SEPTEMBER 2015	0	4,739	4,595
VARIANCE	0	(1,279)	(2,514)
APRIL 16– SEPT 30, 2016	2,154	40,399	54,384
APRIL 16 – SEPT 30, 2015	1,805	44,625	59,286
VARIANCE	349	(4,226)	(4,902)

Maintenance: The maintenance staff is working to get everything winterized by Oct. 14. They did some stone wall repair and further restoration of the pedestrian entrances and steps. Almstead carried out an aeration of the park lawns 9/16.

The pond aerators, circulator and waterfall were shut down for the winter. The fountain was shut as well. Fountain designer and constructor Lenny Sotolongo has volunteered to plant some sea grass bushes at no charge, to protect the fountain electrical outlet.

Rye City Council member Emily Hurd asked if RTP uses any pesticides. As far as we know, neither the Park nor FRTP grounds maintenance companies use any pesticides.

Volunteer Programs: Bill Lawyer is recruiting volunteers to carry out monthly beach cleanups from November through March. He has reached out to Russ Gold of the Rye Town Park Alliance. A team of Community Service workers from the Westhab program will work with Sal Valiente and Paul Cancel on maintenance projects over the coming months.

Security and Parking: The RTP staff was busy with the triathlon events from Sept. 22 - 26. All went well and safely. The “no dog” signs worked. And, the weather was perfect. Larry Miano reports that there will be 5 rangers working through November. They will be in charge of cleaning the bathrooms, as well. No more parking attendants will be working after 9/25.

Beach Operations - The beach was open for swimming the weekends of Sept 10-11 and 16-18. All the end of season tasks were completed by the end of September.

Personnel - Senior Staff had their final meeting on September 17th to discuss the 2016 season. Discussions were had as to what went well during the season what did not and what we can do to make the 2017 better. Also items that are needed for next season were discussed so they could be included when our budget process for next season begins. As with most of our staff meetings, Debbie Reisner was in attendance. Garry Zuckerman also

came to thank everyone for a job well done for the season and to listen to our discussions about improvements for the next season. I also met with Rye City Manager Marcus Serrano and the employees from the City of Rye's Parks & Recreation Department to discuss the season and what some of our ideas for improvements were for next season.

Programs: We had two Photo Shoots at the park - one with Boutique Productions and one with Bedford Fair. Facility use fees were paid. Bill Lawyer is working with fitness instructor Rachel Cooper to offer twice weekly "stroller fitness" sessions at the park, starting on October 14 - up to 10 moms.

On Oct. 7 Bill Lawyer met with Lee Sandford, who runs the Bootcamp by the Beach program at RTP. We updated the terms of the facility use fee, to bring it in line with other groups doing similar programs. She started back in 2009. She also does programs at Crawford Park. Three classes of second grade students came 9/22-23 for beach ecology programs led by staff of the Rye Nature Center. Resurrection School is hosting an inter-scholastic cross-country meet at RTP on Oct. 13. The Soul Ryeders decorated RTP trees and benches with pink ribbons on Oct. 1 to promote Breast Cancer Awareness month.

Planning is progressing for the New York Rangers 5k race, to be held at Playland and Rye Town Park on Saturday, Nov. 19th. The start and finish are at Playland, but the race comes through RTP along the beach path. They are paying RTP a facility use fee of \$500.00. There will be a variety of low-key events at Playland in the time leading up to the start of the race. This includes meeting Rangers Alums. Setup starts at 6am, registration starts at 8am, and the first race starts at 10 a.m. Everything will be finished by 1 pm. The event is being managed for MSG by Genesis Adventures, including setup and cleanup along the route through RTP.

On Saturday, Nov. 26 The City of Rye Recreation Dept. will be holding its annual Turkey Run, part of which runs along the RTP beach path. They will handle all the signage and race management. We received a request from the Angelman Foundation to have a walk-a-thon again, on May 20, 2017. They will be presenting their proposal at the October RTPC meeting.

Park Development: We were notified 9/29 that our proposal for a Capstone planning project from NYU/Wagner was selected by a team of four graduate students and their faculty advisor. We prepared a press release that was sent out 10/5. Gary Zuckerman, Debbie Reisner and Bill Lawyer had an on-site and office meeting with the 4 NYU team members on Oct. 6.

The 12 trees we ordered in the spring with the cost split 50-50 between RTP and the NY Power Authority. Our part of the cost will be divided 50-50 with the Friends of Rye Town Park. They will be arriving in mid to late October for planting by Bartlett.

We updated the web site regarding off-season policies, and we then posted new signs about the off-season policy information for the bulletin boards.

Acting Commissioner Mack Cunningham joined the meeting thus enabling the Commission to constitute a quorum.

5. Angelman Walk-a-thon Request for Approval

Bill Lawyer presented. The application was approved unanimously by voice vote.

6. Chambers of Commerce of Request

Bill Lawyer presented. The request for to award two Platinum Family membership gift certificates to the Chambers of Commerce of Rye and Rye Brook-Port Chester were unanimously approved by voice vote.

7. Discussion and Possible Resolutions Regarding New Restaurant RFP & Short term License Extension

President Zuckerman introduced the next item explaining that the resolution being introduced was to rebid the restaurant RFP with the aid of a consultant who specializes in restaurants.

On a motion by Commissioner Salanitro and seconded by Acting Commissioner Cunningham, the matter was opened for discussion.

President Zuckerman sought advice of legal counsel as to whether the consultant must be chosen through an RFP or because this would be considered a professional service, an RFP could be avoided. Commission attorney Paul Noto responded that the commission could solicit proposals through an RFQ if it chose to do so. However, if the City of Rye or a constituent of the commission is happy with a consultant, we can use that.

Public Comment

Sean Dougherty of 20 Redfield Street in Rye asked how Mack Cunningham was qualified to serve on the Commission panel. President Zuckerman explained that it well established practice by the Rye Town Park Commission that if a commissioner is not able to attend, that commissioner may send a representative to attend in his or her place with full authority.

Mr. Dougherty asked that the restaurant consultant be brought before the commission to establish the consultant is qualified.

RESOLUTION

On motion of Commissioner Salanitro, seconded by Acting Commissioner Cunningham the following Resolution was adopted:

WHEREAS, the License Agreement for Seaside Johnnies expires on December 31, 2016; and

WHEREAS, the Rye Town Park Commission published a request for proposals for interested parties to apply to be considered for the restaurant currently located at Rye Town Park; and

WHEREAS, the Rye Town Park Commission received two (2) proposals from said request for proposals; and

WHEREAS, Seaside Johnnies submitted a proposal and Angelo Liberatore submitted a proposal to be considered; and

WHEREAS, Angelo Liberatore subsequently withdrew his proposal and requested not to be considered due to the fact the he felt he did not have enough time to set up the restaurant if he were selected to operate the restaurant; and

WHEREAS, the Rye Town Park Commission wishes to republish a request for proposals for the restaurant operation at Rye Town Park; and

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WHEREAS, the Rye Town Park Commission further seeks to retain a consultant that specializes in drafting RFP's for restaurant operations on municipal property.

NOW, THEREFORE, BE IT RESOLVED that the Rye Town Park Commission shall retain a consultant that specializes in drafting requests for proposals and soliciting restaurants to submit proposals for operation on municipal properties; and

BE IT FURTHER resolved that the Rye Town Park Commission shall immediately solicit potential firms who specialize in this field and shall establish a procedure to evaluate potential firms and select one for the purpose of drafting an RFP for the restaurant operation at Rye Town Park.

AYES: Commissioners Salanitro and Zuckerman and Acting Commissioners Cunningham and Adams.

NAYS :

Dated: October 18, 2016

President Zuckerman introduced a draft resolution that would offer the current restaurant licensee an extension of up to two years. In the interest of full transparency he reported that both Commissioners Sack and Killian, while not able to attend this meeting had notified him that they were in support of limiting the offer of a license extension to one year only.

President Zuckerman then invited discussion from the Commissioners in attendance.

Commissioner Salanitro expressed the hope that the consultant might expedite the process of issuing and bringing the RFP process to a successful conclusion. If this process could take less than one year, he would want that.

Acting Commissioner Cunningham explained he had served on the working group that had brought in a new restaurant operator into Whitby Castle. He then expressed his concerns about the urgency to get the new RFP process completed in one year and the current draft with an uncertain extension time limit.

President Zuckerman asked if he wished to amend the resolution in any way. Acting Commissioner Cunningham said he would only support a one year commitment.

President Zuckerman pointed out that since there were only four commissioners in attendance, that a unanimous vote was required in order to pass the resolution. He then asked the other commissioners their views on amending the two-year extension offer to a one year extension. Commissioner Salanitro said he would support the amendment.

Public Comment

Sheri Jordan of 15 Coolidge Avenue in Rye and executive director of the Rye Historical Society inquired as to the duration of the process when the City of Rye ran its RFP for Whitby Castle. Commissioner Cunningham replied that the process included multiple bidders. The City convened a working group to move the process forward. The group identified three finalists and did site visits to each. He said the process had taken 90 days.

Ms. Jordan then clarified her question by asking how long the process took from hiring the consultant to signed contract. Mr. Cunningham said the process took five to six months.

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Sean Dougherty spoke again, urging the commission exercise caution in engaging a consultant who has actually owned and run restaurants. He then went on to say that the park's restaurant location is a gem on the east coast and that the notion that the restaurant would not succeed as a year-round business is a fiction.

Commissioner Salanitro made a motion to amend the draft resolution to authorize President of the Commission, Gary Zuckerman, to commence negotiations with Starfish Grill, Inc. for an extension not to exceed one (1) year.

RESOLUTION

On motion of Commissioner Salanitro seconded by Acting Commissioner Cunningham the following Resolution was adopted as amended:

WHEREAS, the License Agreement for Seaside Johnnies expires on 12/31/2016; and

WHEREAS, the Rye Town Park Commission intends to publish a new request for proposals for the restaurant operation; and

WHEREAS, that process should take approximately 12 to 18 months;

NOW, THEREFORE, BE IT RESOLVED that the Rye Town Park Commission agrees to extend Seaside Johnnies License Agreement to Starfish Grill, Inc for a period not to exceed 1 year commencing January 1, 2017; and

BE IT FURTHER RESOLVED that the terms and conditions of said extended Agreement shall be agreed upon between the Rye Town Park Commission and Starfish Grill, Inc. and be it further resolved that the President of the Commission, Gary Zuckerman, is authorized to commence negotiations with Starfish Grill, Inc. for an extension not to exceed one (1) year, and

BE IT FURTHER RESOLVED that the Rye Town Park Commission must approve the terms and conditions of the one year extension.

ROLL CALL:

AYES: Commissioners Salanitro and Zuckerman and Acting Commissioners Cunningham and Adams.

NAYS :

Dated: OCTOBER 18, 2016

Sean Dougherty asked for clarification on the meaning of the resolution that was just passed.

Commissioner Salanitro recommended the formation of a steering committee to guide the Commission in the process of selecting the restaurant and that this working group includes members of the community. President Zuckerman endorsed this idea.

John Ambrose, owner of Seaside Johnnies asked to speak and pointed out that the duration of the licensing has changed several times through this RFP process. He said he and his partner were prepared to be flexible to a point. One year would not be acceptable. They prefer three years.

Bishop Wayne Powell a lifelong resident of Mamaroneck who now resides in North Stamford expressed his admiration for Seaside Johnnies restaurant.

Russ Gold of 7 Hayward Place and co-founder of the Rye Town Park Alliance in Rye expressed support for a two year extension. A restaurateur with whom he is familiar explained that his organization makes its decisions two years out.

8. Update on NYU/Wagner Capstone Team

Commission Secretary Debbie Reisner presented a brief summary of the process by which the Town on behalf of the Rye Town Park Commission had applied for and was selected for Capstone program that is run by NYU / Robert F. Wagner Graduate School of Public Service. She went on to outline the scope of the that the team of graduate students would be doing. The scope of work included:

1. Conducting town hall forums for stakeholders and conduct other qualitative and quantitative research
2. Identifying best practices of parks and how they are used in similar circumstances (i.e., located in residential, suburban environment)
3. Developing performance metrics and outline a process framework for future success. How do you measure a successful park? Is it use? Is it environmental sustainability? Is it an integration of the two? How would we measure that?
4. Identifying, examining and recommending strategies for access and serving a social good, environmental impact.

President Zuckerman expressed the hope that one of the outcomes of the Capstone project would be bringing all the stakeholders together to determine what the future of the park will be. He also expressed the hope that if we get the CFA grant, that the Capstone team's work can be folded in to that initiative and position us to create shovel-ready projects for future development.

Sheri Jordan got up to congratulate the commission. She said applying for this program shows great foresight. As the executive director of the Rye Historical Society she reported to the Commission that on October 16th, Rye Town Park had been the focus of this year's annual history walking tour. She offered to provide a tour for the Commissioners.

Chris Meyer of 362 Rye Beach Avenue in Rye also offered congratulations and expressed the view that applying for the Capstone program showed great vision for the park.

9. **Financial Report**

Navy Djonovic presented the financial report.

President Zuckerman reviewed the decision reached by the Commission in the final months of 2015 that both the Town and the City would transfer \$50,000 that had been set aside in their respective budgets to the park's capital fund. While this transfer is not compulsory because the Park had an operating surplus in 2015, he believed both entities will do so.

He asked the staff to work on a capital projects list that specified priority projects.

Acting Commissioner Salanitro asked when the County's sewer project was scheduled to begin. Commissioner Salanitro reported that he had discussed this with consultant who was working with the

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county. The work would begin within the month and be conducted primarily in Playland. The plan is to come into Rye Town Park as late as possible.

10. Motion to Adjourn

Commissioner Salanitro made a motion to adjourn. The meeting adjourned at 7:35 PM.

MEETING MINUTES FOR RYE TOWN PARK COMMISSION HELD **September 20,2016**

A regular monthly meeting of the Rye Town Park Commission was held on Tuesday, September 20, 2016, at Port Chester Courthouse, 350 North Main Street, Port Chester, New York, with Commission President Gary J. Zuckerman presiding. Video and audio recorders were in use during the proceedings.

PRESENT: Commissioners Zuckerman, Julie Killian, and Benedict Salanitro, Joseph Sack, representing Commissioner Rosenberg was Joan Feinstein and representing Commissioner Dennis Pilla was Village Councilman Louis Marino.

ALSO

PRESENT: Commission Attorney Paul Noto, Commission Secretary Deborah Reisner, Park Director Terry Fanelli and Assistant Director- Park Development William Lawyer.

1. PLEDGE OF ALLEGIANCE

Joan Feinstein led those present in the Pledge of Allegiance.

2. ADOPTION OF MINUTES:

The minutes of the August 16 meeting were tabled.

3. PUBLIC COMMENT ON NON AGENDA ITEMS

Bill Bischelli of 382 Milton Road in Rye and a representative of The Friends of Rye Town Park (FRTP) asked about plans for maintaining the park during the winter. Park Director Terry Fanelli briefed the assembly regarding the post season operating plan.

Diane Horner of 129 Beach Avenue in Rye Neck expressed her view that the ambiance, cleanliness and management of the park was tremendous this year.

4. Park Management Report

Terry Fanelli presented

Rye Town Park - Management Report - From: August 12 - Sept 15 2016

Director's Overview My goal for this season was to keep the Park safe, clean for all to come and enjoy the beauty of the Park. Another top priority was to enable staff to work as a team to achieve these goals. With the exception of a few complaints, I believe these goals were accomplished and I cannot begin to thank enough my entire staff for making it all happen.

The season officially ended September 5th. Currently we are in post season until the end of September, with a skeleton maintenance and security staff remaining after that. Lifeguards will be on duty only weekends, thru September 18th. After that time, a skeleton crew will be in to finalize clean up and shut down. Preparations have begun for season clean up and shut down.

Finance - BEACH INCOME REVENUE

MONTH TO MONTH	
AUGUST 2016	\$232,624
AUGUST 2015	\$276,311
VARIANCE	\$43, 687 BEHIND 2015

YTD	
APRIL 16TH – AUGUST 31, 2016	\$981,703
APRIL 16TH – AUGUST 31, 2015	\$876,978
VARIANCE	\$104,725 AHEAD OF 2015

LABOR DAY WEEKEND
 DUE TO THE TRACK AND PREDICTIONS FOR TROPICAL STORM HERMINE, THE 4 DAY LABOR DAY WEEKEND FOR THIS SEASON WAS NOT A FINANCIAL SUCCESS.

LABOR DAY WEEKEND 2016	\$19,082
LABOR DAY WEELEND 2015	\$61,026
VARIANCE	\$41,944 BEHIND 2015

UNITS

	PERMITS	PARKING	
BEACH			
AUGUST 2016	1	\$15,341	\$14,661
AUGUST 2015	1	\$20,822	\$19,318
VARIANCE	0	(\$5,481)	(\$4,657)
APRIL 16– AUGUST 31, 2016	2147	\$55,365	\$52,303
APRIL 16 – AUGUST 31, 2015	1788	\$59,378	\$54,691
VARIANCE	359	(\$4,013)	(\$2,388)

We have had a few problems with computer hardware over the last month and our relationship with Sullivan Data has been nothing but outstanding. Their quick response to our problems led to having no downtime processing transactions. They have been a welcome asset. In addition to being on call, they have prepared a plan for our network upgrade, for plans to work thru the off-season and have it all ready to begin installation in early April 2017. We now have all our software backed up and it is being done daily.

All computers will be removed from the booths and permit office on September 27th by Sullivan Data. They will be packed, labeled and stored at Sullivan’s headquarters. In addition to all the computers, for the first time our server and all printers will be stored as well.

Maintenance

Despite the dry weather the pond continued to be in good condition, with environmentally safe treatments being administered during the period. Two heavy rains helped also.

We had some minor damage to trees due to a storm on Aug 16. Oak tree 205 was hit by lightning. The Pin oak 84 had its leaves turn brown, due to a mold in the roots. Bartlett treated both trees. Oak tree 205 seems to be doing fine -- no sign of leaf die-off.

John Zicca trimmed some branches on the pagoda tree, including one that had cracked during the storm. Charlie Northshield of The Friends of Rye Town Park (FRTP) and I met with Frazer Pehmoeller of Bartlett to review the various projects that are underway.

Frazer is recommending that a lightning rod unit be set up on tulip tree 91 -- the tallest tree in the park. This will attract lightning and transport it safely to the ground, diverting it from other possible targets. This will cost \$1,800 and we are proposing RTP and the FRTP split the cost. This would be within the park's budget for tree work.

The maintenance staff planted grass seed and hay/straw mulch in the area near the Cope sculpture. They are watering it, but the weather has not been helpful.

In addition to the daily and weekly cleaning and facility maintenance, the staff carried out extensive cement repair and repainting work in various places around the park - a great improvement!

Using the rowboat, the staff removed debris that was clogging the pond aerators. They cleaned out the garage and carpenter shop and fixed the water heater. They made preparations for the hurricane that did not arrive. Working with the lifeguard staff, after Labor Day they started storage of equipment for the winter.

Security and Parking

Larry Miano has prepared the parking/security schedule through September. The ATV is now registered with DMV so that it can be used on the streets if necessary.

The Rye City Police issued 2 off-leash summonses 9/1. Two young adults were stopped by Rye City Police from entering the park at 2 am on 9/4.

We had an incident on the evening of Aug. 26 where some youths who were attending a Little League party at one of the RTP pavilions caused some minor damage to the fountain. Lenny Sotolongo was able to get everything cleaned up in time for the dedication ceremony Aug. 27.

At Commission President Gary Zuckerman's request we are looking at ways to protect the fountain electrical outlet. These include a decorative fiberglass "rock" that could cover it, or planting some kind of shrubs.

Beach Operations - Mark Cassata reports that things went very smoothly, with no major safety, health and security issues. One woman had heat exhaustion. We were only closed due to weather one day. We had 5 days when the beach attendance was over 1,000. The daily average estimate was 626 for days when the beach was open for swimming. Mark reports that a lot of the lifeguard equipment is old, and should be replaced for next year.

Personnel

Despite staff shortages, we were able to keep the beach open for swimming nearly every day the weather permitted.

Programs - We received several proposed program requests. One was for a boat-building activity to build teamwork skills. We had two walk-athon requests, but the dates they wanted wouldn't work. We are working with the Alzheimer Foundation on a possible program in February, but many issues need to be resolved.

And we are working with MSG and the New York Rangers to co-host a 5k run with Playland on Nov. 19. The event is not definite yet, however. The race would involve runners using Playland Park and the RTP beach path. They would also have to get Rye Police to monitor Dearborn, Forest and Rye Beach Ave. Their "sponsor" is Northwell Health. Bill Lawyer met with them on 9/9 and is working with them on the details. The event would begin and end at Playland, so there will not be any cars or other facilities at RTP-- only volunteers helping direct the runners. This could be a great opportunity to promote RTP.

The final Rye Library storytime program at Rye Town Park was held Aug 16. The library staff is looking forward to holding the programs next summer. The High Performance Track Club is holding training sessions for up to 15 elementary school children on Mondays and Wednesdays from 9/12 through 11/9. They are paying \$25 per session. Second grade classes from Milton School will be coming to RTP 9/22-23 for beach ecology programs led by staff from the Rye Nature Center.

We are working with the staff of the Westchester Triathlon, Rye City and County police, Playland Staff, EMS and many other groups to get ready for this year's events on Sept. 24 and 25. They are paying \$3,500 to cover the park's expenses. We are making special efforts to let people know that dogs are not permitted in the park on those days. We will have signs, flyers and listing on the park web site, and various Rye Town Park Facebook pages.

Terry reports that pavilion rentals have continued mostly on weekends in September. 2 Photo Shoots, one with Boutique Productions and with Bedford Fair are in the works to be filmed at the Park.

Park Development

Builder Lou Larizza and his company built the "Cope" sculpture platform to the specifications provided by the artist. It was completed August 10th. The five sculpture components were installed on August 23rd. The information sign was installed 9/13. We worked with our insurance company to provide coverage for the exhibit while it's at RTP. We are splitting the cost with the Rye Arts Center. Hundreds of people are posting photos of Cope on Facebook.

The restored fountain and plaque were dedicated on Saturday, Aug. 27th with a public memorial ceremony organized by JoAnn Leon.

As part of RTP's membership in the Rye Chamber of Commerce, we are helping with the "Mistletoe Magic" program the Sunday after Thanksgiving. We will request that, as in previous years, the RTPC allows us to donate a platinum family permit for the summer of 2017. This will be part of a raffle, with the proceeds going to the Chamber's scholarship fund.

We received notice Aug 19th that the 12 trees we ordered in the spring with the cost split 50-50 between RTP and the NY Power Authority will be arriving in mid to late October for planting by Bartlett. Our part of the cost will be divided 50-50 with the Friends of Rye Town Park.

The Rye Town Park rating on its Google Business web site is an average of 3.8 out of 5 for 37 reviews. We got 4 excellent/very good reviews on Trip Advisor. The reviews are attached with this report. As can be seen, there is some confusion about who can visit Rye Town Park. We can get copies of the Google Business reviews, but that will take some time

We updated the web site and put the post-labor day fees at the top of the home page to make it easier for people to find them. We did the same with the "no dogs" policy the days of the triathlon.

5. Presentation Regarding Proposed MSG & Rangers 5K Run

Lisa Aulebach, Brian Miranda from Madison Square Garden presented plans for a proposed 5K race on November 19. The Commissioners asked a few questions. On a motion introduced by Commissioner Salanitro and seconded by Commissioner Killian, the event was approved unanimously by a voice vote.

6. Presentation Regarding SOUL RYEDERS Proposed "Tie The Town Pink breast cancer awareness campaign"

Lisa Dominici Faries of the SOUL RYEDERS presented the organization's proposal to adorn trees throughout the park with pink ribbons in observance of 3rd Annual TieTheTownPink Breast Cancer Awareness Campaign. On a motion introduced by Commissioner Killian and seconded by Commissioner Salanitro, the event was approved unanimously by a voice vote.

7. Presentation of Audit Report

The auditors from the firm of O' Connor, Davies, Munns, & Dobbins, LLC addressed the Commission. Mr. Scott Oling began the presentation by noting that the Independent Auditor's Report describes the responsibilities of the auditors and the type of opinions offered. The draft financial statements are prepared by the Park's accountants. The main function of the audit is to form an opinion on the financial state of the Park. It is the opinion of the auditors that the financial statement presents fairly the financial position of the Park for fiscal year 2015. The auditor found no material weaknesses or deficiencies in the Rye Town Park report.

Mr. Oling reviewed the budget for the Commission, noting that the financial budget was positive. He recommended that the Commission consider making budget adjustments as the season progresses to address changes between budgeted and actual performance. He also highlighted an uncollected account receivable item for sales tax of \$63,000.

President Zuckerman explained that when he took office he had observed that the commission had been remitting sales tax to the NYS Department of Taxation & Finance. He thought this was an error because

Rye Town Park is a municipal entity and should be exempt from sales tax. Therefore, he had instructed the accounting team to request a refund. This process was ongoing.

Commissioner Salanitro pointed out that the Commission recognized at the end of 2015 that there would likely be a positive cash flow for the fiscal year. At that time, the Commissioners had agreed that even if the required contribution were smaller, as a result of the surplus, both the Town and the City would contribute the \$50,000 each had budgeted for park support anyway. And these funds would go to the capital fund. Commissioner Feinstein pointed out that such a contribution from the Town and City would be voluntary.

The Park's senior accountant Navy E. Djonovic of Maier Markey & Justic LLP then discussed 2016 season financial results through the month of August.

8. Resolution to Accept Audit

RESOLUTION

On motion of Commissioner Killian, seconded by Commissioner Marino, the following Resolution was adopted as amended:

WHEREAS, the Rye Town Park Commission is required to retain professional services for the annual auditing of financial statements of the governmental activities and each major fund of the Rye Town Park Commission, and

WHEREAS, O'Connor Davies, LLP, 500 Mamaroneck Avenue, Harrison New York 10528, auditors for Rye Town Park, has conducted an audit of the financial statements for the year ended December 31, 2015 in accordance with auditing standards and accounting practices generally accepted in the United States of America;

NOW, THEREFORE, BE IT RESOLVED, that the required audit of the Rye Town Park Commission for the year ended December 31, 2015 has been completed and submitted by said O'Connor Davies, LLP, and

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

ROLL CALL

AYES: Commissioners Zuckerman, Killian, Salanitro, Sack, and acting Commissioner Feinstein representing Paul Rosenberg and Acting Commissioner Marino representing Dennis Pilla

NOES:

ABSENT:

Dated: September 20, 2016

9. Resolution to Select a Licensee and to Retain Special Counsel

President Zuckerman introduced this item of the agenda by welcoming the many emails that had been received from members of the community. He went on to summarize the history of the Commission's most recent RFP for a new restaurant licensee, observing that the process had resulted in a single viable proposal from the current owners of Seaside Johnnies, John Ambrose and Sam Chernin. Regarding the resolution before the Commissioners for

consideration, he explained the resolution gives him the authority to negotiate with Mr. Ambrose and engage an expert on restaurant agreements and licenses so that we can get the best agreement we can.

On a motion by Acting Commissioner Marino and seconded by Acting Commissioner Feinstein, the item was opened for discussion.

President Zuckerman expressed the view that the restaurant is a needed amenity to the park and earns \$100,000 in revenue. It will be up to the commission how to go forward.

Commissioner Sack asked for clarification of his understanding regarding the permissible length of a license agreement. Commission attorney Paul Noto replied that when the original restaurant licensing agreement was approved, no legislation existed and that subsequently, legislation was approved that specified licenses for longer than three years required approval of the New York State Legislature.

Commissioner Killian expressed the view that a restaurant consultant should be hired to help us figure out what went wrong with the RFP and help draft another that would elicit a greater response.

The public was invited to comment.

Sean Dougherty of 20 Redfield Street in Rye spoke several times, expressing the view that the window of time provided to respondents of the RFP had not been sufficient and that many restaurateurs should be interested in running an establishment at that location. He went on to express his view that the current restaurant does not reflect the community in which it is located. He recommended reopening the RFP for at least 90 days to have other bidders come to the table. Further, the location should be mandated to be a year-round operation.

Jamie Jensen of 588 Forest Avenue expressed the view that the Commission should be managing by mission; that it was time to stop and gather data. She also advocated having a conversation about transparency.

Russ Gold, 7 Hayward Place and co-founder of the Rye Town Park Alliance in Rye expressed dissatisfaction with what he saw as a pattern of deception. On August 2nd the Alliance received an email inviting them to be part of the process for evaluating restaurant proposals. Now that there is only one proposal, the process has stopped. He said he is eager to offer input.

Bill Bisceglia of 382 Milton Road in Rye expressed the view Seaside Johnnies does a great job. He recommended that the Commission extend the license for two years and put out another RFP.

Commissioners' comments:

Commissioner Sack expressed the view that more bidders should be sought. He said that Mr. Ambrose should be commended for running the restaurant for so many years but that the community feedback that is not so positive. He was in favor of engaging the assistance of a consultant to get more people in the process and get a more fleshed out proposal from Mr. Ambrose.

Commissioner Killian expressed the view that this is not about Seaside Johnnies but about what should be there. She was in favor of a one year extension.

Sam Chernin of 591 City Island Avenue in the Bronx, Co- owner of Seaside Johnnies expressed the view that the location would not support a year-round business.

Richard Runes, 3 Kirby Lane North of Rye recommendation that the most you can give proposer is a three- year deal without an act of the legislature. He advised the Commission form a subcommittee to negotiate an extension.

Laura Brett of 661 Milton Road of Rye and a former Commissioner advised the Commissioners not to feel pressure to make a decision that night. The City of Rye's experience with Whitby Castle demonstrated that there is no reason to assume you can't get a restaurant in there by spring. She said it is worth it to step back to discuss your goals for the park first.

Vito Larusso of 9 Waters Edge in Rye, and president of the Waters Edge Homeowners' Association said that the residents of his community do not wish to have a year round restaurant.

On a motion by Acting Commissioner Marino the motion the matter was withdrawn and Attorney Paul Noto was charged with conducting a conversation with the John Ambrose and Sam Chernin to explore if they would be amenable to a lease extension.

10. Comment from Commissioners

Commissioner Sack then said the City of Rye received legal papers from a law firm representing the Commission and the Town of Rye regarding the filing of an appeal to the tax certiorari that has been ongoing for many years He expressed concern that this had been done without the approval of the Commission. President Zuckerman explained that the Town of Rye had hired the law firm to represent it in this matter and that the Town of Rye intended to pay the legal fees.

Commission Attorney Paul Noto said that in 2011 the Commission did authorize the defense of the tax certiorari case and technically, since the case is not over, the authorization is still in place. In his opinion, filing for an appeal was not beyond President Zuckerman's authority.

11. Adjourn

On a motion by Commissioner Salanitro the meeting was adjourned at 8:42pm.

DRAFT

MINUTES FOR RYE TOWN PARK COMMISSION MEETING HELD TUESDAY, AUGUST 16, 2016

A regular monthly meeting of the Rye Town Park Commission was held on Tuesday, TUESDAY, AUGUST 16, 2016, at Rye Brook Village Hall, 938 King Street in Rye Brook, New York, with Commission President Gary J. Zuckerman presiding. A video recorder was in use during the proceedings but due to technical difficulties only the first half hour was recorded.

PRESENT: Commissioner Zuckerman, Commissioners Julie Killian, Dennis Pilla and Benedict Salanitro, Mack Cunningham of the City of Rye representing Commissioner Joseph Sack and Trustee Jason Klein of the Village of Rye Brook representing Commissioner Rosenberg.

ALSO

PRESENT: Town Attorney Martha McCarty representing Commission Attorney Paul Noto, Commission Secretary Deborah Reisner, Park Director Terry Fanelli and Assistant Park Director-Development William Lawyer.

1. PLEDGE OF ALLEGIANCE

Mack Cunningham led those present in the Pledge of Allegiance.

2. ROLL CALL

Commissioner Zuckerman called the meeting to order at 6:15 PM and asked Commission Secretary Reisner to call the roll.

3. ADOPTION OF MINUTES

The minutes of the June 21, 2016 monthly meeting were adopted, as amended. The minutes of the July 19, 2016 meeting were adopted.

4. PUBLIC COMMENT

Meighan Corbett of 600 Forrest Avenue in Rye expressed the view that some meetings of the Rye Town Park Commission should be held closer to the park.

5. PARK MANAGEMENT REPORT

The Park Management report was presented by Park Director Terry Fanelli. The following was submitted to the commission in writing.

Rye Town Park - Management Report - Period From: July 15 through August 11

Finance -

We received an income and expense report through June 30, along with budget numbers for

comparison. The actual net income is \$113,321.

Maintenance

The pond is doing fairly well, despite the lack of rain. The pond company carried out two DEC approved treatments. The saplings planted in 2015 are also doing well. The fertilization and emerald ash borer beetle treatment will be carried out in September.

In addition to daily tasks, the staff carried out a number of repair and improvement projects. These included repairs to the men's tunnel and gate, north bathroom, cement work in various areas of the park, dumpsters, golf carts, and garage door. Two drain plates were replaced. On the improvement side, the staff installed the new benches and attached the memorial plaques. And, they helped with cleanup after the outdoor movie/magic show and Shakespeare production

Security and Parking

The park rangers helped with the logistics of getting the outdoor movie, magic show and Shakespeare vehicles safely to and from the areas along the path, as well as monitoring the north beach bathrooms. Larry Miano reports that there were no health or safety incidents, or problems with overflow parking.

Parking was full for brief periods on several occasions, so people were advised to go to Playland.

Beach Operations

Mark Cassata reports that the staff was busy due to four capacity crowds on sunny days. Admission to the beach had to be closed briefly for safety sake. Along with the minor first aid cases, there were 2 cases of heat exhaustion and 2 water rescues. We had 11 days with temperatures over 90. Mark added that despite the beach crowds, everyone was well behaved and respectful of the rules. The county health department came for an evaluation, and the beach passed with flying colors.

Personnel

We had a senior staff meeting July 28th. A wide range of topics were covered including end of the season staffing shortages. We had a staff party on Aug. 11, featuring an exciting thunder, lightning and downpour show at no extra charge. SSJ donated the food and beverages.

Programs -

Bill Lawyer is working with Chris Mauch to host an "MG" Walk to raise awareness about the fight against myasthenia gravis. It is tentatively scheduled for Sat Oct 22. We had to re-schedule the outdoor movie and magic show due to the prediction of thunderstorms. This included media releases, posters and flyers. We also had to get a new magician due to a schedule conflict. Everything went well on July 21 with about 150 participants. In addition to the Tuesday concert series, at Terry's recommendation, we hired a local DJ to hold a "Disco Night" event on July 22nd.

We spent many hours working with the LawnChair Theatre Company to prepare for their performances of Shakespeare's "Twelfth Night." Saturday's performance was moved to Rye Presbyterian Church due to the threat of thunderstorms. 60 people attended. As the park had received a \$1,000 sponsorship from the Atria Senior Community, we contributed \$60 toward custodial costs to ensure that show would

go on. Sunday's Aug. 7 performance was held as scheduled, and about 160 people attended.

The Rye Library's "Storytimes" programs were held on Tuesdays, with an average attendance of 40 adults and children.

Bill Lawyer worked with a children's music operation, "Songs From Seeds" to offer a free program at RTP on Saturday, Sept. 3rd. Throughout the period, Bill Lawyer updated the park bulletin boards and web site regarding upcoming events and changes in the schedule.

We were approached by the MAC Angels Foundation to hold an event in September, but all the weekends were booked.

Terry Fanelli attended a Triathlon planning meeting on Aug 10. As in past years, the sponsor will pay RTP a facility use fee of \$3,500 for 5 days presence at the park -the heaviest of which will be on Sept 24 and 25 - the dates of the triathlons and expo

Park Development

Bill and Terry worked with JoAnn Leon regarding scheduling a dedication ceremony for the restored fountain. We sent out media releases - the event will be held at 10:30 a.m. on Sat. Aug 27th. Terry Fanelli handled a facility use agreement with a film company to shoot scenes on the beach at the north end of the park.

Bill Lawyer worked with representatives of the Rye Arts Center and developer Lou Larizza to finalize the site for the sculpture base. Groundbreaking started on Aug. 8. The project was nearly complete by Aug. 11.

Some members of the Rye Town Park Alliance suggested holding a sand sculpture event at the park. Such events are held at various beaches along the East Coast, including Greenwich. It was decided to gather ideas and plan for something next summer, with participant prizes and a sand sculptor demonstration.

We received both positive and negative feedback from the public during the period. The RTP Alliance's Facebook page, Google's RTP Business site, the RTP web site and a letter were used for questions and comments about park operations.

Questions were asked regarding when the Cope sculpture would be installed. Assistant Park Director – Development Bill Lawyer addressed this issue, explaining that insuring exhibit was the final issue to work out. He reported that insurance would cost approximately \$165 for the year, on a pro-rated basis. By acclimation the Commission agreed to cover the insurance cost.

6. Presentation of Accounting Report

Navy Djonovic of the accounting firm of Maier Markey & Justic LLP, presented the draft accounting report. The following written report was submitted to the Commission:

Discussion ensued regarding the Park's capital account. Commissioner Salanitro recommended a discussion be held at a subsequent meeting on the capital budget.

7. Discussion of Proposals to Restaurant Request For Proposals (RFP)

President Zuckerman announced that two proposals had been submitted to the Commission in response to the Commission's RFP. However, one of them was withdrawn. Specifically, Angelo Liberatore emailed a letter to Commission Secretary Debbie Reisner on August 16th that formally withdrew his proposal.

The other team was invited to address the Commission. John Ambrose and Sam Chernin, co-owners of the Park's current restaurant Seaside Johnnies presented their proposal and plans with assistance from their architect Rex Gedney of Crozier Gedney Architects, P.C.

The presentation included discussion of the challenges and opportunities of running the restaurant as a year-round business. Both Mr. Ambrose and Mr. Chernin said that they have built their restaurants on City Island into 12 month concerns, it was very difficult and required many years. President Zuckerman said that the decision to open in winter would be left up to the licensee.

Comments from the Public

Meighan Corbett of 600 Forrest asked whether the proposed plans would increase the restaurant's capacity. Mr. Ambrose said capacity would remain the same.

Jamie Jensen of 588 Forrest Avenue asked what the process would be for deciding how to proceed now that the Commission had only one proposal to consider. President Zuckerman answered that as this is a contractual matter, the process would likely be discussed by the commissioners in executive session.

John Velossi of 6 Village Green in Port Chester, said he wished to be a character witness for Mr. Ambrose. He went on to describe the ways in which Mr. Ambrose is a good boss and community member.

8. Resolution to Request Tax Exemption from the City of Rye

President Zuckerman introduced the next order of business by explaining that since 1907, when the Park was first created up through 2010, the Park was wholly exempt from real property taxes pursuant to RPTL 406(2). Then, in 2011 the City of Rye Assessor made a determination that the portion of the Park that was licensed to Seaside Johnnies was taxable. The Town and the Rye Town Park Commission commenced a proceeding to have the exemption restored. In 2013 the Supreme Court ruled in favor of the Town and Commission.

In July of 2016, however, the Appellate Division, Second Judicial Department, rendered a decision based on RPTL Section 406(2). The implications of this interpretation is that in order for the entire Park to maintain a tax exempt status, there must be a written agreement from the governing board of the municipality in which the park is located (the Rye City Council). In light of this development, the Commission was now considering a resolution granting President Zuckerman the power to write to the Rye City Council to request reinstatement of the Park's tax exempt status.

RESOLUTION

On motion of Commissioner Pilla seconded by Commissioner Salanitro, the following Resolution was adopted:

WHEREAS, the Rye Town Park Commission manages Rye Town Park; 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 Rye Town Park Commission 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 Rye Town Park Commission hereby requests and authorizes Rye Town Park Commission President 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: Commissioners Pilla, Salanitro, Klein and Zuckerman

NOES:

ABSTENTIONS: Commissioners Cunningham and Killian

Dated: AUGUST 16, 2016

There being no further business before the Commission a Motion to adjourn was made by Commissioner Pilla and Seconded by Commissioner Salanitro.

Adjourned at 7:20 PM

Scope of Work

2 November 2016

Capstone Client (“Client”):

Town of Rye

Capstone Team (“Team”):

Team Sound View: Chelsea Brandon, Barbara Ioannidis, Colin Murphy, Jenny O’Connell

1. The Project

Project Site

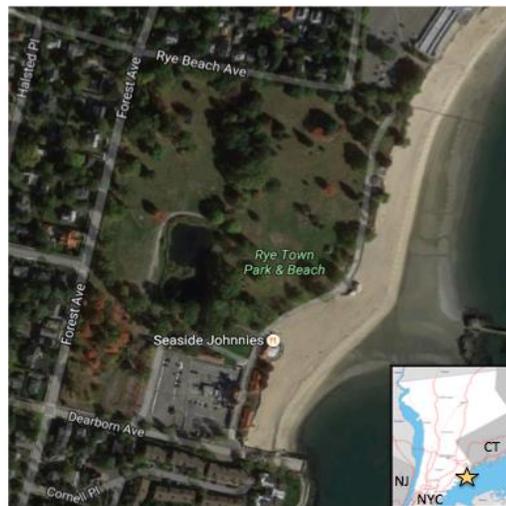
Rye Town Park (“RTP”) encompasses a 28.1-acre public park and 34.5-acre beach located in the City of Rye, New York, in Westchester County and situated on the Long Island Sound. RTP provides open, recreational space to residents of both the City and the Town of Rye, as well as non-residents from other Westchester communities. Pursuant to the Capstone Client Application, the stated intention of both the City and Town of Rye is to “steward this singular and historic open space for...residents and future generations.” The park is governed by the Rye Town Park Commission, which comprises elected and appointed officials from the City and Town of Rye. The primary obligation of the Commission is to “represent community residents, optimize access and enjoyment of the park, and provide oversight to the park’s operations.”¹

RTP is bounded to the north by Rye Beach Avenue, to the south by Dearborn Avenue, to the west by Forest Avenue, and to the east by Oakland Beach and the Long Island Sound (see Figure 1 below). The beach area of Playland Amusement Park, which has been designated as a National Historic Landmark, is northeast of RTP. The City of Rye and the Town of Rye have shared jurisdiction over RTP.

The park portion’s elevation is approximately fifteen (15) feet above the beach level, with riprap providing a foundation/retaining wall along the shoreline to the east. Landscape features include: stone walls, terrace, stone bridge, outdoor lighting fixtures, staircases, ramps, paved and unpaved pathways, trees, plantings, lawns, a small pond, and Oakland Beach. There are seventeen (17) structures within the park portion that house a diversity of uses, including office space, a bathing complex, a restaurant, two snack bars, and storage space. Of these structures, six (6) are designated as ‘historically significant’. The park structures are not winterized and therefore are only used seasonally.

¹ Capstone Client Application

Figure 1. Rye Town Park



Source: Google Maps

Key Issues Pedestrian use of the park, traffic congestion, pollutants, and the need to accommodate parking on green space have increased dramatically in recent years. With these increases come a host of challenges. Currently there is no long-term vision for RTP, specifically with respect to maximizing social benefits while also protecting RTP's natural resources and minimizing environmental impact. One reason that a long-term vision has not been created is that there is a broad spectrum of stakeholders who need to be given the opportunity to engage in planning the future of RTP in an organized setting.

Objectives of the Project

The Client has identified seven specific objectives that will inform a long-term master plan for RTP:

- (1) Identify the stakeholders, their alignment, and their vision for RTP;
- (2) Identify strategies to maximize access to RTP's social good (i.e., passive recreation, open space, historical significance, public arts), while minimizing environmental degradation caused by traffic congestion, air/land/water pollutants, and parking on the green space;
- (3) Establish RTP's mission and make recommendations as to how to balance this mission with its suburban location - specifically relating to quality of life issues such as traffic, pedestrian safety, litter, and noise;
- (4) Diversify RTP's budget to provide stable financial planning beyond the existing revenue stream from seasonal fees;
- (5) Determine how RTP's historical structures factor into the long-term plan and finances;
- (6) Explore opportunities in the structure of the Rye Town Park Commission to accomplish planning goals for RTP; and
- (7) Define metrics to guide and measure the operations and management of RTP, and develop a framework for measuring success.

2. Project Scope

Through independent research and stakeholder engagement, the Team will provide the Client with a deliverable that includes: (i) an existing conditions summary, including an inventory of RTP’s resources and features, as well as key land use, transportation, and infrastructure elements in the surrounding area; (ii) a summary of stakeholder outreach and findings; (iii) a best practice report for park management and planning; (iv) a framework to measure RTP’s success with respect to the objectives; (v) recommendations that address the key issues and challenges facing RTP; and (vi) program of short-, mid-, and long-term implementation mechanisms. The sources of this analysis will incorporate literature review from relevant articles and journals on open space and park planning, minutes and summaries of public meetings, and collection and summary of GIS and park user data. The Team will collect and analyze the most recent demographic data from the City and Town of Rye, Rye Brook, Port Chester, and the Rye Neck portion of Mamaroneck from municipal and census sources, and will request any park-specific data on permit holders, non-permit holding visitors, park programming, revenue streams, and so on directly from the Client. The Team acknowledges that the recommendations provided in the analysis will likely address more than public access and sustainability, and will be influenced based on the existing conditions research and stakeholder outreach.

The Team will coordinate with stakeholder groups, such as the Rye Town Park Commission, the Friends of Rye Town Park, and Rye Town Park Alliance and, in partnership with the Client hold one public workshop to solicit community input on their vision for RTP. The Team will also meet with local interest groups by appointment, depending on availability and demand. In addition, the Team will attend at least two of the Rye Town Park Commission’s monthly public meetings to provide a mid-project progress report, and to present findings in May. Finally, the Team will conduct a community survey to elicit further stakeholder input on RTP. The optimal platform for the community survey will be determined at a later date, but may include one or more of the following: online, email, “windshield/intercept,” and/or standard mail.

3. Deliverables

PHASE I (October - December): Case Studies and Existing Conditions

[October 2016 – January 2017]

- a. Field Work
 - i. Existing Conditions
 1. Analyze intended and actual park uses.
 2. Research land use and key policies and regulations that impact project area (i.e., housing, employment and economic activities, transportation, infrastructure, open space and waterfront access).
- b. Case Studies Review
 - i. Research precedents of successful parks of similar size, environment and typology.

PHASE II (November-March): Community Outreach and SWOT Analysis

[November 2016 – March 2017]

- a. Community Profile
 - i. Identify and map park stakeholders and users.
 - 1. Research historical, cultural, and basics of the neighborhood and surrounding communities.
 - ii. Survey community needs and compile and track community responses.
 - 1. Attend Public Commission Meetings.
 - a. January/February, May
 - i. Assemble individual/private meetings with interest groups if needed.
 - 2. Host a “Public Workshop” specifically for our research, with open comment and breakout sessions.
 - 3. Community Surveys
 - a. Online and/or windshield survey
 - b. Mail-in and/or online survey for permit holders
 - iii. SWOT Analysis
 - 1. Identify park strengths, weaknesses, opportunities, and threats
 - a. Recommendations/initiatives for balancing social good and sustaining the environment
 - b. Analysis to include relevant data provided by the client

PHASE III (March-May): Recommendations and Implementation Strategies Report

[March – May 2017]

- a. Complete first draft of comprehensive long-term park plan by late March.
 - i. The plan will incorporate recommendations for both physical changes and for year-round programming to address both environmental and social needs. Recommendations for Rye Town Park will be based on research, observations and community input. The plan will:
 - 1. Reference case studies when necessary.
 - 2. Solidify Rye Town Park mission and vision statement.
 - 3. Identify park users/visitors/stakeholders.
 - 4. Determine appropriate framework for quantifying park success.
- b. Finalize the comprehensive long-term park plan by the middle of April.
 - i. The final plan will incorporate comments from the Client and other stakeholders, as necessary.
- c. Present final plan to the Client in late April or early May.
 - i. Final presentation may take place at the May Commission meeting, if the Client would prefer a final presentation to be in front of stakeholders.

4. Communication

Team Sound View would be happy to hear your feedback at any time. You may contact the members of the capstone team by email at TeamSoundView.RTP@gmail.com.

RYE TOWN PARK MANAGEMENT REPORT

OCTOBER 13TH – NOVEMBER 8TH, 2016

DIRECTOR'S OVERVIEW

Though we are well into the offseason of the Park, walkers, runners and sun lovers are still enjoying the Park on a daily basis.

Maintenance

As of October 14th, all water in the park with the exception of the main bathrooms has been shut off. All post-season work has been completed by the maintenance staff. To date, until the end of November, two maintenance workers are busy scraping painting all interior offices.

Bathrooms and the main beach gate are opened daily and will be until November 27th at which time they will remain closed.

GPS Landscaping is continuing lawn maintenance and fall cleanup on a weekly basis.

John Zicca continues monitoring issues at the park and with garbage collection.

12 new trees were delivered, and planted by Bartlett. The cost for these will be split with the Friends of Rye Town Park. Deirdre Curran donated the funds for the Friends' half of the purchase and planting of the 12 trees. Half of the 12 trees were donated by the NY Power Authority. In addition, Bartlett started work to install a lightning rod on the tallest tree in the park.

Security

We are currently in the process of getting bids for all locks to be changed in the Park. Security staff is still at the Park, one day and one night until November 27th. Other than a problem with people nailing advertisement signs on trees at the park, which is not legal and word from the community is being spread, there are no incidents to report.

Finances/Network

We are working with the M Group preparing the preliminary budget for next season.

Along with Sullivan Data, plans for the installation of a new network, WIFI and a network based phone system are being put into place. Research on software support has begun. In addition, research on automation and new camera software and installation is being done.

Programs

The Stroller Fit program started on Oct. 14, with classes on Mondays and Fridays through Nov. 21. The MSG Rangers 5k race and the Rye City Recreation Turkey Run will be passing through RTP on the beach path the 19th and 26th of November. Current staff at the park is working with these organizations to insure all goes smoothly.

The first off-season monthly beach cleanup will be on Sat. Nov. 12 from 9-11 am. Bill and Russ Gold have been working to recruit volunteers and have a good group of adults and children planning to attend.

Park Development

The Rye City and Port Chester/Rye Brook Chambers will each be raffling a platinum family season permit to support their activities.

A Rye family is donating \$750 for the purchase and planting of a memorial dogwood tree at RTP.

Event planning for the 2017 season has begun with hopes of being able to add more events for the season.

Rentals of the pavilions for the upcoming season are being booked.

We updated the web site regarding off-season policies, and new signs about the off -season policy information and events have been placed in the bulletin boards.

RESOLUTION

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

WHEREAS, the Rye Town Park Commission must undertake repairs to the beach access ramp and repair the seawall at Rye Town Park; and

WHEREAS, the necessary construction will require permits from the New York State Department of Environmental Conservation including a Tidal Wetland and Coastal Erosion Management permit; and

WHEREAS, the engineer on the project, Dolph Rotfeld, PE is in need of additional assistance from an environmental consulting firm.

NOW THEREFORE, BE IT RESOLVED that the Rye Town Park Commission hereby retains the services of Evans Associates at 205 Amity Road, Bethany, CT 06524 for the purpose of assisting Dolph Rotfeld Engineering in preparing the application and supporting materials including but not limited to completion of a Joint Application Form and Full Environmental Assessment Form as well as a project narrative; and

BE IT FURTHER RESOLVED that the cost of these services shall not exceed \$6,000.00 unless otherwise approved by the Rye Town Park Commission and Evans Associates shall be paid pursuant to the fee schedule attached hereto in an amount not to exceed \$6,000.00. Any amount above \$6,000.00 must receive prior approval from the Rye Town Park Commission.

ROLL CALL:

AYES:

NOES:

Dated: NOVEMBER ____, 2016



Evans Associates
Environmental Consulting, Incorporated

September 27, 2016

Mr. Dolph Rotfeld, P.E.
Dolph Rotfeld Engineering, P.C.
200 White Plains Road
Suite 315
Tarrytown, New York 10591

**RE: Proposal for Professional Services: Rye Town Beach
Beach Access Ramp and Repair of Sea Wall Applications to NYS DEC
City of Rye, Westchester County, New York**

Dear Dolph:

Pursuant to your recent request, I have reviewed the email correspondence from Rebecca Crist at the New York State Department of Environmental Conservation (NYS DEC) and have spoken to Matt Chlebus (NYS DEC CEHA program), and I am pleased to offer our services in support of applications for a Tidal Wetland and Coastal Erosion Management permits from NYS DEC. It is my understanding that your office would prepare the plans and specifications for the proposed structures, but would like our assistance in preparing the other supporting materials. Our services would therefore include:

- 1) Completion of the Joint Application Form and a Full Environmental Assessment Form for the projects. It is my recommendation that the two projects be submitted at the same time to facilitate permit review.
- 2) Preparation of a project narrative discussing the existing site conditions, including the potential for nesting habitat for the Common Tern (a State-listed threatened species) and the potential impacts to the coastal area by the proposed work. In accordance with the requirements of the Coastal Erosion Management Application (attached), the project narrative will include a discussion of alternatives and mitigation measures which have been considered or proposed as part of the project, as well as construction methods and erosion and sediment control measures which will be taken.



205 Amity Road
Bethany, CT 06524
Tel: 203.393.0690
Fax: 203.393.0196

- 3) If requested, we can also assist with any applications for permits required by the City of Rye, including representation at meetings before the Planning Commission or the Conservation Advisory Council.

COST OF SERVICES

We would provide these services on a time and materials basis in accordance with the attached fee schedule. Based on a similar application that we made on behalf of an applicant (Coveleigh Club) in Rye, I would anticipate that the work to complete all of the items above would cost approximately \$5,500 to \$6,000. As always, we will do our best to keep the costs down, but we cannot predict what revisions or additional information may be required during the Permit Review process with the NYS DEC and the City.

AUTHORIZATION

If this proposal is acceptable, please sign the authorization below and return it to our office. If you have any questions regarding this proposal, please do not hesitate to call me at 203-393-0690 x112.

Sincerely,



Beth Evans
Principal

THE ENCLOSED PROPOSAL FOR PROFESSIONAL SERVICES IS ACCEPTABLE IN ITS PRESENT FORM, AND EVANS ASSOCIATES IS HEREBY AUTHORIZED TO BEGIN WORK. THE UNDERSIGNED GUARANTEES PAYMENT OF ALL OBLIGATIONS TO EVANS ASSOCIATES INCURRED PURSUANT TO THIS AGREEMENT.

SIGNED

DATE

Please Print Name and Title



**FEE SCHEDULE FOR HOURLY SERVICES
EFFECTIVE JANUARY 2016**

The fee to clients is the total of Items I and II below:

I. STAFF CHARGES

<u>Personnel</u>	<u>Hourly Rate</u>
Principal	\$150.00
Design Staff	
Licensed Professional Engineer	150.00
Senior Landscape Architect	150.00
Landscape Designer / CADD Operator	95.00
Environmental Analyst	95.00
Soil Scientist	95.00
Clerical / Word Processing	50.00
Evening or weekend meetings are billed at a flat fee: \$550.00	

II. INCIDENTAL EXPENSES

Reimbursable out-of-pocket expenses such as travel, lodging, report printing, map reproduction, messenger service, express deliveries, postage, and purchase of photographs or publications relative to the project shall be billed at cost plus 10% to cover administrative handling. All such expenses shall be itemized on each monthly invoice, and extraordinary expenses will not be incurred without authorization of the client.

III. PAYMENT SCHEDULE

Invoices for on-going projects shall be issued monthly. Invoices for projects of limited scope will be issued upon completion of work. All invoices are **due upon receipt**, and invoices outstanding after 30 days will be assessed a carrying charge for each 30-day period or portion thereof.



NYSDEC Coastal Erosion Management Application Checklist

A Coastal Erosion Hazard Area (CEHA) permit is only required for work in CEHA areas. This checklist is designed to assist with CEHA permits only. Additional permits may be required from DEC, or other Federal, State, or Local agencies.

The goal of this checklist is to assist applicants in the preparation of a complete NYSDEC Coastal Erosion Management (CEM) Permit Application. This list is split into two parts. The first part contains the general requirements for a CEM application. All requirements from Part 1 must be met in order for the application to be considered complete. Part 2 lays out additional requirements that must be met for certain types of projects.

We strongly urge those applicants unfamiliar with DEC permitting procedures, as well as those with complex, multiresidential, commercial or industrial projects, to schedule a pre-application conference. Applicants are often pleased to discover that a meeting with DEC staff and other potentially involved agencies in a pre-application conference facilitates explaining the proposed project to these agencies. This meeting allows you to obtain preliminary answers to questions about:

- project plans,
- construction procedures, including equipment access and logistics of materials and equipment storage
- application procedures,
- NPFA and SHA boundaries, and
- standards for permit issuance

If your project does not meet permit issuance standards, you may discuss your project's ability to meet CEHA [variance](#) criteria at your pre-application conference. To schedule your pre-application conference, [contact](#) the the appropriate [regional DEC Environmental Permits office](#).

All project plans must show the Coastal Erosion Hazard Area boundaries. Determinations of these boundaries are the responsibility of the applicant.

Part 1: General Standards

1. Completed and signed [Joint Application for Permit form](#)
2. Part 1 of an [Environmental Assessment Form \(EAF\)](#) completed and signed. If project is a Type I action, use the Full EAF. If project is an unlisted action, use the Short EAF. Information on classifying a project for the State Environmental Quality Review process can be found in [6 NYCRR Part 617](#).
3. Letter signed by landowner designating an authorized agent when the Joint Application for Permit form is not signed by the landowner. Permits are only issued to the landowner, regardless of the designation of an authorized agent.

4. Project plans (4 copies of each) showing an accurate depiction of the existing conditions and the proposed work. See details below.
- scale (minimum 1" = 30') and North arrow
 - name of preparer and date prepared, and name of property owner
 - property lines and names of all adjacent landowners
 - county tax map numbers
 - address of project location (street and number); if vacant land, give utility pole number or other landmark
 - if project is on Long Island, New York City or Westchester County, identify the Mean High Water Line (MHW)
 - if project is on the Great Lakes, identify the Mean High Water line (MHW) as defined in 6 NYCRR Part 608: [Use and Protection Of Waters](#), and the Mean Low Water (MLW) line
 - outline and identify existing and proposed structures
 - provide dimensions of proposed structures/work areas, grade changes, excavation, filling, and/or clearing and grubbing
 - indicate topographic elevations referenced to National Geodetic Vertical Datum 1929 (NGVD 29) if project is on Long Island, New York City or Westchester County, and
 - International Great Lakes Datum 1985 (IGLD 85) if the project is on Lake Ontario or Lake Erie.
 - if cross sectional views will be prepared, indicate their location on the Site Plan
 - all areas of filling, grading, clearing and grubbing must be shown on site plan

NOTE: Site plans not-to-scale (or NTS) are not acceptable for new construction, restorations, or modifications of structures. Surveys altered by someone other than a NYS licensed Land Surveyor or architect unless otherwise indicated are not acceptable.

5. Recent color photos of project site mounted on a separate sheet labeled with date taken, site address and applicant name; include photo direction detail on site plan.
6. An aerial photo, such as those produced in Google Maps or Bing Maps, showing the current conditions and boundaries of the project site.
7. Location map must show roads with the project site clearly identified and proposed machinery access route clearly identified. If equipment will access and/or work from barge, please specify. - 4 copies.
8. Stamped and signed survey by a NYS licensed Land Surveyor showing existing conditions - 4 copies. Must show full width of the Natural Protective Feature Area (NPFA) and Structural Hazard Area (SHA) lines as depicted on the official DEC Coastal Erosion Area Hazard map (may be obtained at DEC regional office, local building department or by calling (518) 402-8185). Identify the natural protective features (bluff, dune or beach) on the survey by locating: toe and crest of bluff; seaward and landward toes and crest of dune.
9. Indicate and describe the proposed construction methods, techniques, dimensions, and materials to be used.

Part 2: Additional Plan Details for Specific Types of Projects

For Projects Requiring a Cross Section View--Refer to project types below to determine specific requirements for cross sectional details.

These are the Basic Details required:

- scale** (1" = 30') and north arrow
- identify on the Site Plan where the cross section is located
- name of preparer, name of landowner, and date prepared
- indicate topographic elevations referenced to National Geodetic Vertical Datum 1929 (NGVD 29) if project is on Long Island, New York City or Westchester County, and International Great Lakes Datum 1985 (IGLD 85) if the project is on Lake Ontario or Lake Erie.
- existing and proposed structures and grades
- dimensions of all proposed work and affected areas in inches and feet
- distances between structures and components (i.e. distance between new sheathing and old sheathing, distance from bulkhead to house)

Types of Projects

1. Building Structures: Addition, Modification, Restoration, and Reconstruction

Add to Site Plan View:

- specify foundation material (block, poured, piled)
- nature of surface of existing and proposed driveway and/or parking areas (i.e. paved, or unpaved)
- total lot square footage
- percent of lot covered by existing footprint of structures, etc
- percent of lot covered by proposed footprint of structures, etc
- footprint of existing structures, etc., in square feet
- footprint of proposed structures, etc., in square feet
- identify location and details of new or existing septic system, and statement as to septic system capacity for proposed work

Add to Cross Section View:

- show a cross section through the septic system and any new structure in relation to the surrounding ground elevations, nearby structures, and natural protective features

2. Septic systems, dry wells, drainage structures

Add to Site Plan View:

- test hole location; date and time taken
- test hole data including distance to groundwater

Add to Cross Section View:

- structural component dimensions
- separation distance between components and seasonal high groundwater elevation (minimum 2 feet above is required)

3. Walkways and stairways down bluffs or over dunes

Add to Cross Section View:

- height of planking and decking over grade
- footer material, dimensions, depth, and installation method

4. Filling; Dredge Material Deposition; Excavating; Clearing; Grading; Bluff/Dune Restoration; Beach Nourishment

Add to Site Plan View:

- outline of area(s) to be affected by these activities
- identify toe and crest of bluff, or seaward toe, landward toe, and crest if a dune
- if grade changes exceed 2', show contour lines for existing and proposed elevations at 2' intervals
- volume and location of material to be placed/removed in cubic yards
- source and type of material involved (sand, silt, loam, rock) and how the determination of the material type was made. Also include grain size for beach nourishment projects
- method of placing/removing material and location of disposal

Add to Cross Section View - needed when grade changes exceed 2' and for all beach nourishment projects:

- existing and proposed slope of surfaces
- volume of material, in cubic yards, to be placed

5. Dredging/excavation of waterways/beaches

Add to Site Plan View:

- outline area to be dredged
- existing and proposed depths referenced to apparent low water (low water determined on the date and time of site inspection, not the mean low water determined from an 18 year average).
- volume to be removed in cubic yards
- state location of deposition of dredged material
- state the method of dredging/excavation (i.e. hydraulic dredging, clam shell bucket, etc.)
- for hydraulic dredging, show diked disposal area and overflow weir for dewatering

Add to Cross Section View:

- area to be dredged with existing and proposed bottom depths
- for hydraulic dredging, show details of diked disposal area and overflow weir.

6. Retaining walls and shoreline stabilization structures (i.e. gabions, revetments, bulkheads)

justification of the project, stating why a shoreline stabilization structure is required.

- Include supporting documentation such as historic/current erosion rates on the property, historic/current photography, historic/current surveys or site plans, etc.

Reasonable alternatives should be considered to the proposed activity (i.e. toe stone, grading, vegetation, terracing, geogrid, etc.). The department encourages applicants to

- consider the use of “soft” solutions over “hard” structural solutions. Include documentation such as why you feel your method is best suited for the project location and why it was chosen over other shoreline stabilization methods.

The project must not cause a measureable increase in erosion at the proposed site or to

- neighboring properties. Include supporting documentation such as how the structure will tie into the property and the current conditions, with photographs, of the neighboring properties.

A long-term maintenance program must be included with every permit application for

- construction, modification, or restoration of an erosion protection structure. The program must include specifications for normal maintenance of degradable materials, and the periodic replacement of removable materials.

Add to Site Plan View:

- direction of littoral drift (direction of where sediment is drifting to)
- distances from existing substantial structures (i.e. dwelling or telephone pole) in relation to the proposed construction
- source, type and volume (cubic yards) of material proposed for backfill
- limits of backfill

Add to Cross Section View:

- distances from existing structures
- depth below grade of structural components
- depth below apparent low water (low water determined on the date and time of site inspection, not the mean low water determined from an 18 year average) of project components
- if rock structures are proposed, minimum weights and grades of all stone used
- quantity of materials used below mean high water
- details on existing and/or proposed drainage
- type of filter fabric to be used, how and where it is to be placed
- backfill area
- detail of foundation design

7. Groins, jetties and breakwaters

Add to Site Plan View:

- distance landward end is proposed from existing structure(s)
distance from seaward end of structure to apparent high water (High water determined on the date and time of site inspection, not the mean high water determined from an 18 year average)
- the date and time of site inspection, not the mean high water determined from an 18 year average)
- direction of littoral drift
distances of principal structures on property from apparent high water (High water determined on the date and time of site inspection, not the mean high water determined from an 18 year average)

Add to Cross Section View:

- elevation landward end to be above/below mean high water
- elevation seaward end to be above/below mean low water
- existing slope of beach or nearshore area
- proposed slope of bottom of structure and final beach/nearshore grade
- details of foundation design

Additional requirements for new groins, jetties, breakwaters:

- a list of names and current addresses of all landowners within 500' down drift of project site
- a written evaluation of effects of proposed structure on down drift shoreline by a coastal engineer/coastal specialist and an analysis of the effect(s) of the structure(s) on the site based on US Army Corps of Engineers Coastal Engineering Manual, found at: <http://chl.erdc.usace.army.mil/cem>

Additional Guidance

Additional information on the New York State Department of Environmental Conservation's Coastal Erosion Hazard Area program, please visit: <http://www.dec.ny.gov/lands/28923.html>

Example diagrams of coastal structures are given on the DEC website at: <http://www.dec.ny.gov/permits/6342.html>

Additional information on coastal erosion structure engineering can be found in the United States Army Corps of Engineers Coastal Engineering manual located at: <http://chl.erdc.usace.army.mil/cem>

For additional information regarding New York State's Coastal Policies, please visit the New York State Department of State website at: <http://www.dos.ny.gov/communitieswaterfronts/pdfs/CoastalPolicies.pdf>