

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members
FROM: Frank J. Culross, City Manager
SUBJECT: Enclosures - Council Packet
DATE: July 31, 2009

Enclosed with this memorandum are the following items:

- 7-23 Letter from Brian Moon, New York State Office of Real Property Services, dated July 23, 2009 regarding the Notice of Tentative State Equalization Rate for the 2009 Assessment Roll.
- 7-24 Letter from Henry Mazzucca, Chief Compliance Section, United States Environmental Protection Agency, dated July 28, 2009 regarding Rye's MS4 Compliance Evaluation Inspection (CEI).
- 7-25 Litigation Update from the Corporation Counsel dated July 31, 2009.
- 7-26 Meeting notice for the week of August 3, 2009.

FJC/emmm
Encs.



To City Council
Received

JUL 30 2009

LEE KYRIACOU
Executive Director

STATE OF NEW YORK
EXECUTIVE DEPARTMENT
OFFICE OF REAL PROPERTY SERVICES
16 SHERIDAN AVENUE
ALBANY, NEW YORK 12210-2714
TEL. (518) 474-1071 FAX (518) 486-7755
Website: <http://www.orps.state.ny.us>

City Manager's Office
Rye, New York
TIMOTHY J. MAHER
DIRECTOR
CENTRAL SUPPORT SERVICES

July 23, 2009

TO: Municipal Officials
FROM: Brian Moon, Real Property Analyst
SUBJECT: 2009 State Equalization Rates – Rate Complaints

The State equalization rate complaint Instructions and rate complaint forms are no longer included with the mailing of the Tentative Notice of your State equalization rate. Both of these can be found on our website. The link for the complaint instructions is:

<http://www.orps.state.ny.us/ess/eqrates09/index.cfm>

All of the complaint forms can be accessed from the instructions. The link for the main complaint form is:

<http://www.orps.state.ny.us/ref/forms/pdf/rp6085.pdf>

Either the instructions or forms may be printed from these locations.

If you would like a copy of the rate complaint instructions or additional complaint forms mailed to you, please contact Kim Lee at (518) 474-5666. Thank you.

State of New York
 State Board of Real Property Services
 16 Sheridan Avenue
 Albany, New York 12210-2714

Received

JUL 30 2009

Notice of Tentative State Equalization Rate
 for the 2009 Assessment Roll

City Manager's Office
 Rye, New York

Mr. Steven Otis, Mayor
 City of Rye
 City Hall
 1051 Boston Post Road
 Rye, NY 10580

County of Westchester
 City of Rye

Tentative Equalization Rate: * 1.94 *

HEARING DATE:
 8/24/09 10:00 AM

HEARING PLACE: Office of Real Property
 Services
 16 Sheridan Avenue
 Albany, New York

On 7/23/2009 the State Board of Real Property Services established a tentative 2009 State equalization rate of 1.94 for your municipality. This equalization rate was computed using data from your municipality's 2008 assessment roll. If final 2009 assessment roll data produces a significantly different rate, we will recompute the equalization rate and notify you.

This tentative rate is the same as the "local stated level of assessment (LOA)" declared by the assessor and displayed on your tax bills. The tentative equalization rate indicates the level at which a municipality is assessing property in relation to its full market value, as measured by the Office of Real Property Services. This tentative equalization rate supports your stated LOA. However, this does not say anything about the uniformity of assessments in your municipality. Since your municipality has not completed a recent reassessment, we recommend that you examine your assessment roll for inequities and consider reassessing.

A copy of the data reports showing the computation of the tentative State equalization rate is being sent to your assessor. If class equalization rates have been established for your assessing unit, they are provided on the attached list.

The full value standard of the tentative 2009 State equalization rate is the total full value as of July 1, 2008. The percentage change in the estimate of full value between the 2008 State equalization rate and the 2009 State equalization rate due to the change in full value standard for your municipality is 2.1%. The percentage change for the other municipalities in your county is shown on the enclosed report.

A written complaint and all evidence which you wish to submit in support of that complaint must be mailed or hand delivered to Darlene A. Maloney, Assistant to the State Board, at the Albany office of the State Board at the above address at least five days before the hearing date set forth above. The complaint must be made on the enclosed complaint form and signed by the chief executive officer or legal representative. Please refer to Subpart 186-15 of the Board's rules and the State Equalization Rate and Complaint Process booklet when preparing supporting documentation if you file a complaint. The complaint booklet is available on the ORPS website at <http://www.orps.state.ny.us> or you may contact your ORPS regional office or Brian Moon or Kim Lee in Equalization Support Services in Albany at (518) 474-5666.

THE COMPLAINT FORM AND SUPPORTING DOCUMENTATION DEADLINE IS: 8/19/2009

The hearing itself is not an adjudicatory proceeding. You will, however, have the opportunity to explain the written materials previously submitted, and/or to offer oral statements in support of your complaint. As the duly authorized representative of the State Board, the hearing officer will communicate your comments, in summary form, to the Board. Staff will review the written documentation you submitted in support of your complaint, to determine whether to recommend to the Board that changes be made in the calculation of the State equalization rate.

The State Board will meet on November 10, 2009 in Albany. We will notify you of the recommendation and the exact time and location of the Board meeting.

cc: Ms. Noreen P. Whitty, Appointed Assessor
 City of Rye
 City Hall
 1051 Boston Post Road
 Rye, NY 10580

Municipal Code	Municipal Name	(A) 2008 State Equalization Rate	(B) 2009 State Equalization Rate and Status	(C) Percentage Change in Estimate of Full Value
550800	City of Mt Vernon	2.64	2.72 Tentative	-2.94%
551000	City of New Rochelle	2.44	2.44 Tentative	0.00%
551200	City of Peekskill	3.00	3.00 Tentative	0.00%
551400	City of Rye	1.98	1.94 Tentative	2.06%
551700	City of White Plains	2.75	2.84 Tentative	-5.14%
551800	City of Yonkers	2.34	2.55 Tentative	-10.02%
552000	Town of Bedford	8.88	8.80 Tentative	0.91%
552200	Town of Cortlandt	1.61	1.62 Tentative	-0.62%
552201	Village of Buchanan	2.13	2.25 Tentative	-5.33%
552203	Village of Croton-on-Hudson	3.18	3.30 Tentative	-3.64%
552400	Town of Eastchester	1.38	1.43 Tentative	-3.50%
552401	Village of Bronxville	100.00	No Rate Yet	
552403	Village of Tuckahoe	1.50	1.46 Final	-0.07%
552600	Town of Greenburgh	2.96	2.95 Tentative	0.34%
552601	Village of Ardsley	2.76	2.79 Final	-1.31%
552603	Village of Dobbs Ferry	2.78	2.82 Final	-1.81%
552605	Village of Elmsford	2.97	3.00 Final	-2.35%
552607	Village of Hastings-on-Hudson	2.74	2.80 Final	-2.83%
552609	Village of Irvington	2.84	2.92 Final	-3.19%
552611	Village of Tarrytown	2.78	2.77 Final	-1.42%
552800	Town of Harrison	1.56	1.51 Tentative	3.31%
553000	Town of Lewisboro	8.46	8.90 Tentative	-4.94%
553200	Town of Mamaroneck	1.62	1.59 Tentative	1.89%
553201	Village of Larchmont	1.62	1.64 Final	-1.36%
553203	Village of Mamaroneck	1.69	1.72 Final	-2.18%
553400	Town of Mount Pleasant	1.40	1.31 Tentative	6.87%
553401	Village of Sleepy Hollow	22.13	21.89 Final	0.13%
553403	Village of Pleasantville	7.76	8.08 Tentative	-3.96%
553600	Town of New Castle	17.00	17.45 Tentative	-2.58%
553800	Town of North Castle	1.91	1.94 Tentative	-1.55%
554000	Town of North Salem	8.11	8.88 Tentative	-8.67%
554200	Town of Ossining	5.05	5.12 Tentative	-1.37%
554400	Town of Pelham	100.00	100.00 Tentative	0.00%

Column C is the percentage change in the estimate of full value between the 2008 State equalization rate and the 2009 State equalization rate due to the change in full value standard.

This percentage change is important because county and school taxes are apportioned according to a municipality's share of the full value of the county or the school. A municipality will be apportioned a larger share of the tax levy if its full value increases by a larger percentage than others, or if its full value decreases less than the decrease for other municipalities in the county or school.

The information shown in columns B and C is subject to change as the other tentative rates are established in the county and as rates are finalized after the completion of rate complaint processing. You will be sent a complete report when we have established 2009 State equalization rates for all municipalities in your county.

Municipal Code	Municipal Name	(A) 2008 State Equalization Rate	(B) 2009 State Equalization Rate and Status	(C) Percentage Change in Estimate of Full Value
554600	Town of Pound Ridge	13.75	14.56 Tentative	-5.56%
554800	Town of Rye	100.00	100.00 Tentative	-0.55%
555000	Town of Scarsdale	1.64	1.66 Tentative	-1.20%
555200	Town of Somers	11.25	11.70 Tentative	-3.85%
555400	Town of Yorktown	2.10	2.20 Tentative	-4.55%
555600	Town of Mount Kisco	17.39	17.68 Tentative	-1.64%
555601	Village of Mount Kisco	8.52	8.69 Final	-2.96%

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To City Council



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Received

JUL 30 2009

City Manager's Office
Rye, New York

JUL 28 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Article Number: 7005 3110 0000 5929 9937

Steven Otis, Mayor
City of Rye
3rd Floor City Hall
1051 Boston Post Road
Rye, New York 10580

Re: MS4 Inspection-City of Rye
SPDES Permit No. NYR20A381

Honorable Steven Otis:

This is in reference to the United States Environmental Protection Agency's (USEPA) Region 2, MS4 Compliance Evaluation Inspection (CEI) at the subject facility on June 3 through July 1, 2009. The report indicates that the City of Rye is in compliance with Part VII.A.2.g. of the New York State Department of Environmental Conservation SPDES General Permit For Stormwater Discharges from MS4 under the Illicit Discharge Detection and Elimination (IDDE).

Should you have any questions feel free to contact Jerry Ciotola at (212) 637-4223 or myself at (212) 637-4229.

Sincerely yours,

Henry Mazzucca for H.M.

Henry Mazzucca, P.E., Chief
Compliance Section

Enclosure

cc: Joe DiMura, P.E., Director, Bureau of Water Compliance Programs, NYSDEC
Patrick Ferracane, Env. Program Specialist, Region 3, NYSDEC

MS4 Inspection Report/City of Rye – June 3, 10, 17, 25 and July 1, 2009

Background

The City of Rye storm sewer system is a separate system. The majority of Rye's stormwater conveyance is to the Beaver Swamp Brook and Blind Brook, which ultimately discharge to Long Island Sound. The City of Rye is located east of the New England Thruway in the northeast area of Westchester County, New York and covers an area of approximately 20 square miles. The 2000 Census shows a population of 15,000.

Rye is bordered on the south by the Village of Mamaroneck, on the west by the Town of Harrison, on the north by Port Chester.

The main water body to which the majority of stormwater flows is Long Island Sound by way of the Blind Brook. Approximately 67 outfalls discharge to it, with 25 outfalls discharging to the Beaver Swamp Brook, and 3 to Milton Harbor. The New York State Department of Environmental Conservation identifies the Blind Brook as having water quality related problems on its 303(d) List (Individual Waterbody's with Impaired Segments) as pollution due to silt /sediment from urban runoff. Milton Harbor is also classified as impaired for pathogens and floatables.

Introduction

On 6/3/2009, a briefing meeting was held with City of Rye officials George J. Mottarella, and Chris Tallarini, City Engineers, along with Mike Ritchie and Jim Maxwell, Dolph Rotfeld Engineering to discuss the storm-water management plan. Mr. Chris Tallarini of the City of Rye Engineering/Public Works Dept. assisted in our field surveys of the outfalls and catch basins in the municipality that drain to the storm sewer system, and ultimately to Long Island Sound. There are approximately 95 outfalls and 1500 catch basins under Rye's jurisdiction. The purpose of this multi-divisional effort is to identify potential sources of pathogens which are impacting water quality in the area. The EPA Region 2 Inspectors Jerry Ciotola and Robert Ferri conducted the survey. The survey involved a reconnaissance of the town public works yard, all storm-water outfalls, and a random sampling of catch basins throughout the light commercial areas.

Location: City of Rye, NY

Outlet Location: Long Island Sound

Weather Conditions: On each of the days spent in the field, the weather was dry (early in the morning on June 10th there was a drizzle). There was a significant rain event within the previous 24 hrs on both June 10th and June 17, 2009.

The City of Rye, NY

On June 10th, 2009 the Disbrow town yard was inspected. Two grease drains in the garage area were observed having oil residual, but Rye DPW officials explained that the drains were plugged, and not connected to an active inlet or catch basin. The facility has covered storage areas. No oil/water separator exists. The refueling area was clean. Diesel and gasoline spill kits were available. Salting material is stored in a separate covered shed. Vehicle washdown at the facility is stored and pumped to a septic receiving truck once a month.

OUTFALLS

City of Rye Outfalls Inspected

Location	EPA Inspection	Pipe Diameter (inches)	Results
<u>Beaver Swamp Brook</u>			
<u>Outfalls</u>			
Parsons Point	6/10/09		No flow (bio-retention pond)
979 Forest	6/10/09		Flowing clear
Hewlett Ave	6/10/09		Flowing clear (3 pipes)
8 Phillips Lane	6/10/09		Flowing clear (headwall w/regulator)
711 Forest Ave	6/10/09		Flowing clear (2 pipes)
Bird Lane (cul de sac)	6/10/09		Dry, no flow
Oakland Beach Ave	6/10/09		Submerged (pier at Dearborne Ave)
3 Martin Butler	6/10/09		Flowing clear
Playland parking lot	6/10/09	CIP	submerged
Playland lake	6/10/09		Dry, no flow
9 Heritage Lane	6/10/09		trickle
10 Martin Road	6/10/09		No outfall observed (wetland)
18 Hook Road	6/10/09		No outfall observed (wetland)
7 Stoney Crest	6/10/09		Flowing clear (Playland Lake)
1 StoneyCrest/Rockridge	6/10/09		Not observable, no access
Manursing Way	6/10/09		Flowing clear
11 Weissman	6/10/09		Dry, swale (Playland Pond)
Kirby Lane/Grace Chuch	6/10/09		Flowing. Partially submerged
48 City Hall parking lot	6/10/09		dry

53 City Hall parking lot	6/10/09		Flowing clear
54 City Hall parking lot	6/10/09		Flowing clear
#55 (YMCA parking lot)	6/10/09		dry
#56 (behind library)	6/10/09		Flowing clear
#58 (behind YMCA)	6/10/09		Flowing clear
#58A(behind YMCA)	6/10/09		dry
#60 (Locust Ave Bridge)	6/10/09	12"RCP	dry
#61 (Locust, white house)	6/10/09		dry
#61A (Elm Place)	6/10/09		trickle
#62 (Theodore Fremd)	6/10/09		Not observable (under bridge)
#64 (Theodore Fremd)	6/10/09		Trickle, clear
#65 (near retaining wall)	6/10/09		Not observable
BS-10 (171 Osborne Rd)	6/17/09	24"	Flowing clear
BS-11 (171 Osborne Rd)	6/17/09	24"	dry
BS-13 (Rye Corporate Ctr)	6/17/09	18"	Partially submerged, flowing
BS-14 (Rye Corporate Ctr)	6/17/09	12"	dry
BS-15 (Rye Corporate Ctr)	6/17/09	22"	dry
BS-16 (Rye Corporate Ctr)	6/17/09		spillway
BS-17 (Theodore Fremd Rd)	6/17/09		Not observable
BS-12 (Woods Ln cul de sac)	6/17/09	12"	Submerged
BS-9 (Glen Oaks Drive)	6/17/09		Submerged
BS-8 (Wilson Ave)	6/17/09	12"	Submerged
BS-7 (Park Ave)	6/25/09		Submerged, flowing
BS-6 (Bradford Ave)	6/25/09		Submerged
BS-5 (Hunt Place)	6/25/09	20"	Flowing clear,+2 small drains
BS-4 (3 Devereux Court)	6/25/09	16x24"	Not observable
BS-2 (Hannan & Bixby)	6/25/09		Trickle, clear
BS-1 (14 Hannan Pl)	6/25/09	12"	dry
BS-18 (Meade Pond)	6/25/09	16"	Submerged, no outlet
BS-20 (North Street Bridge)	6/25/09	36"	Submerged, not observable
BS-21 (North Street Bridge)	6/25/09	24"	Submerged, flowing clear
BS-23 (311 Locust Ave)	6/25/09	12"	dry

Blind Brook Outfalls

OF-9 (Purchase Avenue)	6/17/09	18"	Flowing clear
OF-25 (79 Blind Brook Ln)	6/17/09	6"	Not observable
OF-22A (Blind Brook Ln)	6/17/09	36"	Flowing clear
OF-10 (Blind Brook Ln)	6/17/09	24"	flowing
OF-11(Wapanocca Ave)	6/17/09	36"	Partially submerged
OF-13(Wapanocca Ave)	6/17/09	24"	Partially submerged
OF-21(Wapanocca Ave)	6/17/09	8"	Partially submerged
OF-12 (Wapanocca Ave)	6/17/09	24"	Slightly flowing
OF-14 (Highland Rd Bridge)	6/17/09	8"	dry
OF-15 (Highland Rd Bridge)	6/17/09	18"	dry
OF-16 (Highland Rd Bridge)	6/17/09	18"	dry

OF-17 (Highland Rd Bridge)	6/17/09	12"	dry
OF-18 (Highland Rd Bridge)	6/17/09	8"	dry
OF-22A (92 Mendota Ave)	6/17/09	36"	Flowing clear
OF-22B (92 Mendota Ave)	6/17/09	18"	dry
OF-24 (Mendota Ave)	6/17/09	36"	Flowing clear
OF-44 (Nature center trail)	6/17/09	12"	dry
OF-45 (Nature center trail)	6/17/09	12"	Partially submerged
OF-19 (Highland Rd & I95)	6/17/09	42"	Flowing clear
OF-20 (Highland Rd & I95)	6/17/09	24"	dry
OF-50 (Boston Post Rd)	6/17/09	6"	dry
OF-51 (Orchard Ave Bridge)	6/17/09	24"	Flowing clear
OF-52 (Orchard Ave Bridge)	6/17/09	24"	dry
OF-49 (Orchard Ave Bridge)	6/17/09	6"	dry
OF-43 (Nature Center Bridge)	6/17/09	24"	Flowing clear
BN-1(Ridge Street Bridge)	6/17/09		Flowing clear
OF-46A (Central Ave Bridge)	6/17/09		dry
OF-47A (Central Ave Bridge)	6/17/09		dry
OF-41 (Boston Post Rd)	6/25/09		dry
OF-40 (Boston Post Rd)	6/25/09	8"	dry
OF-41A (Boston Post Rd)	6/25/09	8"	Flowing clear
OF-42 (Boston Post Rd)	6/25/09	18"	Partially submerged
OF-38 (Roger Sherman Pl)	6/25/09	12"	Not observable
OF-34 (Parkway Dr)	6/25/09	12"	Not observable, swamp
OF-31 (24 Sonn Dr)	6/25/09	36"	Partially submerged
OF-32 (24 Sonn Dr)	6/25/09	12"	Flowing
OF-33 (24 Sonn Dr)	6/25/09	24"	Partially submerged
OF-28 (Harbor Terrace)	6/25/09	12"	dry
OF-29 (Harbor Terrace)	6/25/09	12"	dry
OF-30 (Harbor Terrace)	6/25/09	8"	dry
OF-39 (Brookdale)	6/25/09	12"	submerged
OF-26 (Harbor Terrace Dr)	6/25/09	12"	dry
OF-25 (21 Westbank Rd)	6/25/09	12"	dry
OF-8 (Park Lane)	6/25/09	12"	submerged
OF-6 (City of Rye Marina)	6/25/09	48"	submerged
OF-7 (City of Rye Marina)	6/25/09	12"	submerged
OF-1 (720 Milton Harbor)	6/25/09	24"	Submerged
Stuyvesant Ave #1	6/25/09		Submerged, clear
Stuyvesant Ave #2	6/25/09	CIP	Submerged, clear

CATCH BASINS

The following inspections of catch basins were performed on July 1, 2009. Stops are indicated on attached map. Stops with asterisks (*) could use some immediate attention. We would only take a GPS reading for catch basins or inlets that would be considered appropriate for sampling.

Stop #1

Time: 10:25

Type of Inspection (catch basin, outfall, etc.): catch basin (#87, #88, #89)

Location (cross streets): Purchase St and MTA Bridge

Drainage to: Blind Brook

Inspection Observations: clear, flowing

Photo ID: none

Stop #2

Time: 10:35

Type of Inspection (catch basin, outfall, etc.): catch basin (#69)

Location (cross streets): McCulloch Place

Drainage to: Blind Brook

Inspection Observations: flowing

Photo ID: none

Stop #3

Time: 10:35

Type of Inspection (catch basin, outfall, etc.): catch basin (#83)

Location (cross streets): MTA Parking lot & McCulloch Pl

Drainage to: Blind Brook

Inspection Observations: normal, no flow

Photo ID: none

Stop #4

Time: 10:40

Type of Inspection (catch basin, outfall, etc.): catch basins (#70 & #71)

Location (cross streets): Boston Post Rd & Purdy Ave

Drainage to: Blind Brook

Inspection Observations: full

Photo ID: none

Stop #5

Time: 10:40

Type of Inspection (catch basin, outfall, etc.): catch basin

Location (cross streets): middle of Smith Street

Drainage to: Blind Brook

Inspection Observations: dry

Photo ID: none

Stop #6

Time: 10:45

Type of Inspection (catch basin, outfall, etc.): catch basin (#44)

Location (cross streets): Smith Street & School Road

Drainage to: Blind Brook

Inspection Observations: some sediment

Photo ID: none

Stop #7

Time: 10:45

Type of Inspection (catch basin, outfall, etc.): catch basin (#66)

Location (cross streets): Schools & Purdy Ave

Drainage to: Blind Brook

Inspection Observations: full

Photo ID: none

Stop #8

Time: 10:46

Type of Inspection (catch basin, outfall, etc.): catch basin (#64)

Location (cross streets): Purdy & 1st Street

Drainage to: Blind Brook

Inspection Observations: full with some sediment from nearby construction site

Photo ID: none

***Stop #9 40.59.087 -073.41.041**

Time: 10:50

Type of Inspection (catch basin, outfall, etc.): catch basins (#64)

Location (cross streets): Purdy & 1st Street

Drainage to: Blind Brook

Inspection Observations: detergent flowing into catch basin from cleaning at Sunrise

Pizza

Photo ID: yes

Stop #10

Time: 10:55

Type of Inspection (catch basin, outfall, etc.): catch basins (115 & 115A)

Location (cross streets): 1st Street

Drainage to: Blind Brook

Inspection Observations: full

Photo ID: none

***Stop #11**

Time: 10:57

Type of Inspection (catch basin, outfall, etc.): catch basin (#62)

Location (cross streets): Purchase & Purdy Ave

Drainage to: Blind Brook
Inspection Observations: nearby drains directly connected to catch basin
Photo ID: none

Stop #12

Time: 11:01
Type of Inspection (catch basin, outfall, etc.): catch basin (#59)
Location (cross streets): West Purdy Ave
Drainage to: Blind Brook
Inspection Observations: flowing clear
Photo ID: none

Stop #13

Time:
Type of Inspection (catch basin, outfall, etc.): catch basin (# 56)
Location (cross streets): Purchase St
Drainage to: Blind Brook
Inspection Observations: full
Photo ID: none

Stop #14

Time:
Type of Inspection (catch basin, outfall, etc.): 4 catch basins (# 49, 50, 52, 54)
Location (cross streets): corner Purchase & Elm
Drainage to: Blind Brook
Inspection Observations: full
Photo ID: none

Stop #15

Time: 11:10
Type of Inspection (catch basin, outfall, etc.): 2 catch basins
Location (cross streets): Smith & Purchase
Drainage to: Blind Brook
Inspection Observations: full
Photo ID: none

Stop #16

Time: 11:15
Type of Inspection (catch basin, outfall, etc.): catch basin (#36)
Location (cross streets): in front of City of Rye fire dept.
Drainage to: Blind Brook
Inspection Observations: full
Photo ID: none

Stop #17

Time: 11:51

Type of Inspection (catch basin, outfall, etc.): 2 catch basins (#35 & #33)

Location (cross streets): bridge

Drainage to: Blind Brook

Inspection Observations: full (drop basin)

Photo ID: none

Stop #18

Time: 11:55

Type of Inspection (catch basin, outfall, etc.): 2 catch basins (#29 & #30)

Location (cross streets): Soon Drive & Crescent Ave

Drainage to: Blind Brook

Inspection Observations: full/dry

Photo ID: none

Stop #19

Time:

Type of Inspection (catch basin, outfall, etc.): catch basin (#31)

Location (cross streets): Locust Avenue

Drainage to: Blind Brook

Inspection Observations: normal

Photo ID: none

Stop #20

Time:

Type of Inspection (catch basin, outfall, etc.): 3 catch basins (#2, #5, & #6)

Location (cross streets): Locust and Theodore Friem

Drainage to: Blind Brook

Inspection Observations: normal, flowing

Photo ID: none

Stop #21

Time: 11:30

Type of Inspection (catch basin, outfall, etc.): 2 catch basins (#7 & #8)

Location (cross streets): Theodore Frem & Elm Pl.

Drainage to: Blind Brook

Inspection Observations: full with sediment

Photo ID: none

Stop #22

Time: 11:35

Type of Inspection (catch basin, outfall, etc.): 3 catch basins (#9, #10, #10A)

Location (cross streets): Elm Place (Morton's Fishhouse)

Drainage to: Blind Brook

Inspection Observations: full, flowing
Photo ID: none

Stop #23

Time: 11:45

Type of Inspection (catch basin, outfall, etc.): 3 catch basins (#15, #16, #17)

Location (cross streets): car park #2 Shopping Lot

Drainage to: Blind Brook

Inspection Observations: silted/sediment

Photo ID: none

Findings and Potential Sampling Locations

During the inspection of Rye outfall #64 (40 59.087'-073 41.041') opposite Sunrise Pizza, a trail consisting of phosphorous detergent and scum was observed in the town stormwater drain. After an investigation of the area by EPA inspectors Jerry Ciotola and Robert Ferri and Asst. City Engineer Christopher Tallarini, it was discovered that restaurant mats were being washed into the storm sewer by an employee of Rye Bar and Grill. The Restaurant owner immediately ceased the discharge and pledged to discontinue this type of practice. Mr. Tallarini stated that he would monitor compliance and conduct a meeting with local businesses to train store owners that this is illegal.

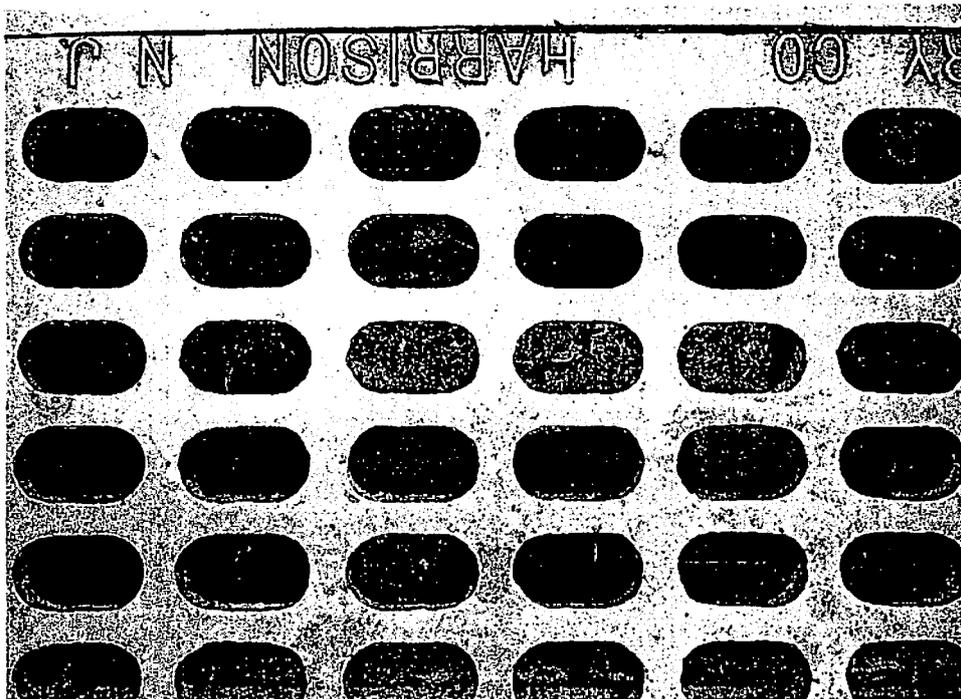


Figure 1-Detergents entering drain

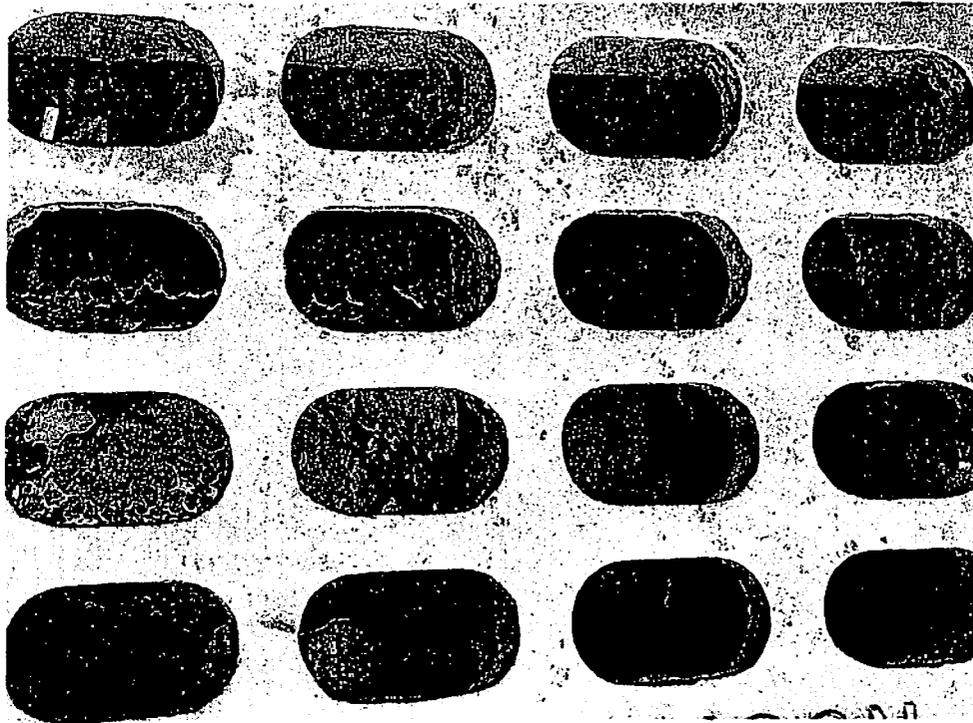


Figure 2-detergents entering drain

PHOTOGRAPH LOG (Panasonic Lumix L8Z)

City of RYE, NY (Unedited photos taken by Jerry Ciotola, Environmental Engineer, USEPA Region 2, WCB, July 1, 2009)

Photograph No.	Photograph Description
1	Figure 3-Detergents entering drain
2	Figure 4-detergents entering drain

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kevin J. Plunkett, Corporation Counsel
SUBJECT: Litigation Update
DATE: July 31, 2009

CLAIMS

A notice of claim has been filed by Claude Staley of 17 Radcliffe Avenue. The notice states that on July 7, 2009 Mr. Staley's parked automobile was damaged when a City vehicle backed into it. The claim has been forwarded to our insurance carrier.

A notice of claim has been filed by O. Paul Shew. The notice claims breach of employment contract between Mr. Shew and the City of Rye. The claim has been forwarded to our insurance carrier.

TAX CERTIORARI SETTLEMENTS

BARKSDALE TENANTS CORP (130 Theodore Fremd Avenue)

The property is a 30-unit cooperative building. The settlement covers assessment years 2002 through 2008 with reductions in assessments ranging from 9% to 23%. In addition, petitioner's attorney will discontinue four earlier years that were outstanding. The refunds due under the settlement are \$21,435 (City), \$28,843 (County) and \$77,888 (School). The assessment will be frozen for three years in accordance with the law. The School District has approved the settlement.

COVELEIGH CLUB

The City had an appraisal prepared of the property for assessment years 2003 through 2008. The tentative settlement reached results in assessment reductions ranging from 26.5% to 41% and closely approximates the values indicated by the City's appraiser. The refunds due under the settlement are \$62,392 (City), \$85,000 (County) and \$225,563 (School). The assessment will be frozen for three years in accordance with the law. The School District has approved the settlement.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,

Kevin J. Plunkett

Kevin J. Plunkett
Corporation Counsel

KJP/dfn

**CITY OF RYE
MEMORANDUM**

TO: Department Heads
FROM: City Clerk's Office
SUBJECT: Weekly Meeting Notice
DATE: July 24, 2009

Meetings scheduled to be held during the week of August 3, 2009.

MONDAY, AUGUST 3, 2009

Board of Architectural Review
8:00 P.M.
Council Chambers
Mayor's Conference Room

TUESDAY, AUGUST 4, 2009

Special City Council Meeting/Workshop
8:00 P.M.
Council Chambers
Mayor's Conference Room

cc: News Media
Kerry Donahue