

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members
FROM: Frank J. Culross, City Manager
SUBJECT: Enclosures - Council Packet
DATE: August 28, 2009

Enclosed with this memorandum are the following items:

- 8-13 Litigation Update from the Corporation Counsel dated August 28, 2009.
- 8-14 Meeting notice for the week of August 31, 2009.
- 8-15 Boat Basin election results
- 8-16 New York Power Authority electric supply options update
- 8-17 WMOA September meeting notice

FJC/emmm
Encs.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kevin J. Plunkett, Corporation Counsel
SUBJECT: Litigation Update
DATE: August 28, 2009

LITIGATION

There was no activity this week in litigation affecting the City.

ADMINISTRATIVE PROCEEDING

BEAVER SWAMP BROOK - Wetland permit for the T/V of Harrison Project Home Run

As previously reported to you by Deputy Corporation Counsel Kristen Wilson, the City received a favorable "Ruling on SEQRA Compliance" from Administrative Law Judge (ALJ) Daniel O'Connell. ALJ O'Connell has remanded the application by Harrison for Project Home Run back to the Department of Environmental Conservation (DEC) staff to take a "hard look" at SEQRA issues and make a determination. The pending adjudicatory hearing is stayed pending the outcome of the SEQRA ruling.

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: August 24, 2009

There are no meetings scheduled for the week of August 31, 2009.

cc: News Media
Kerry Donahue

To City Council

CITY OF RYE

MEMORANDUM

TO: Frank J. Culross, City Manager
Peter T. Fox, Boat Basin Supervisor

FROM: Dawn F. Nodarse, City Clerk

SUBJECT: De Pauw Municipal Boat Basin Commission
and Nominating Committee Election

DATE: August 27, 2009

The following are the results of the Boat Basin Election:

Envelopes Received	127
Ballots Cast	127
Invalid Ballots	3

The election results for three representatives to the De Pauw Municipal Boat Basin Commission are (three open seats) :

Candidates	# of Votes Received
Andrew Bodnar	78
George DeFilippo	82
Richard Dempsey	75
Benjamin Poole	48
Robert Rispoli	88

The election results for one member to the Nominating Committee are:

Candidates	# of Votes Received
Frank Mangiamele	24
Ford Winters	99

Dawn F. Nodarse
Dawn F. Nodarse
City Clerk

DFN/dcm



**New York Power
Authority**

August 21, 2009

Hon. Steven Otis
Mayor
City of Rye
1051 Boston Post Rd.
Rye, NY 10580

Dear Mayor Otis:

The purpose of this letter is to advise you that the New York Power Authority (“NYPA”) is working together with the County of Westchester to stabilize future electricity costs for the Westchester Governmental Customers. In an effort to do so, NYPA has issued a Request for Proposal (“RFP”) seeking additional energy supply resources to serve Westchester Governmental Customers.

We hope to identify a supplier or suppliers who will provide the Westchester Governmental Customers with energy at favorable prices for a period of 3 to 5 years. If we are successful, we will enter into a new supply contract(s) with the supplier(s). You, along with all the other Westchester Governmental Customers, will then be given the option of purchasing from NYPA, under your existing electricity supply agreement (the “Supplemental Agreement”) a pro rata share of the energy offered by the supplier(s). NYPA will purchase from the suppliers the amount of energy requested by its Customers.

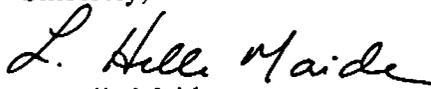
If you decide to “opt in” and participate in the new long-term supply purchase, we will need to amend the Supplemental Agreement to provide that you agree to remain a customer of NYPA with respect to the new supply until the end of the term of the new supply contract(s). On the other hand, if you do not wish to participate in the new purchase, you need not do anything; your Supplemental Agreement will continue as before.

We are not asking for any action from you at this time. This letter is just to advise you of the efforts NYPA is taking to better manage future electricity costs for our Westchester Governmental Customers and to let you know that in the near future we will be sending you the Amendment to the Supplemental Agreement. As we get closer to selecting a bidder, we will provide you with more information.

Hon. Steven Otis
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August 21, 2009

If you have any questions, or would like to discuss further, please contact your Account Executive, Alicia Baly at (914) 287-3495 (alicia.baly@nypa.gov) or me at (914) 390-8111 (helle.maide@nypa.gov).

Sincerely,



L. Helle Maide
Director – Key Accounts

cc: Frank Culross
Joseph Fazzino



WESTCHESTER MUNICIPAL OFFICIALS ASSOCIATION

1133 Westchester Ave., Suite N-220 White Plains, NY 10604 • Phone (914) 948-2075 • Fax (914) 470-2972

To City Council

MEETING NOTICE

Thursday, September 10, 2009

HOST: Town of North Castle

PLACE: Swiss Re
175 King Street
Armonk, NY

6:00 p.m. Reception

7:00 p.m. Business Meeting

7:15 p.m. Dinner

7:45 p.m. Speaker

AGENDA

1. Call to Order – Lee V.A. Roberts, President
2. Introduction of the Town of North Castle Officials and Staff in attendance - Supervisor Reese Berman
3. Introduction of Special Guests – Lee V.A. Roberts, President
4. Roll call of members, with numbers in attendance – Drew Fixell, Secretary
5. Approval of Minutes for May 14, 2009
6. Approval of Vouchers – Dennis Pilla, Treasurer
7. Announcements:
8. Committee Reports:
9. Old Business:
10. New Business:

SPEAKERS: Patricia (Patti) Wood and Doug Wood, founders of Grassroots Environmental Education, a non profit organization

PROGRAM: “How Green Is My Town?”

Next Meeting – – October 8, 2009

Please Note: If you will be attending this meeting, you must make a reservation by e-mailing Sharon Tomback at supervisor@northcastleny.com or by calling 914-273-3001 Monday through Friday between the hours of 9:30 a.m. and 5:00 p.m. Reservations must be made by **Thursday, September 3, 2009.**

If you make a reservation and do not attend without canceling your reservation, you will be responsible for the full cost of the meal.

- OFFICERS**
- LEE V.A. ROBERTS, President
Supervisor, Bedford
- REESE BERMAN, 1st Vice President
Supervisor, North Castle
- CHUCK LESNICK, 2nd Vice President
Council President, Yonkers
- DREW FIXELL, Recording Secretary
Mayor, Tarrytown
- DENNIS PILLA, Treasurer
Mayor, Port Chester

- EXECUTIVE COMMITTEE**
- STEPHEN V. ALTIERI
Administrator, Mamaroneck
- MICHAEL BLAU
Administrator, Tarrytown
- CATHERINE BORGIA
Supervisor, Town of Ossining
- EDWARD BRANCATI
Supervisor, Lewisboro
- LINDA G. COOPER
Manager, Ossining
- GENNARO FAIELLA
Administrator, New Castle
- ALFRED A. GATTA
Manager, Scarsdale
- BARBARA GERRARD
Supervisor, Town of New Castle
- WILLIAM HANAUER
Mayor, Ossining
- MARY MARVIN
Mayor, Bronxville
- ROBERT MEEHAN
Supervisor, Mount Pleasant
- VALERIE M. O'KEEFE
Supervisor, Mamaroneck
- STEVE OTIS
Mayor, Rye
- JOHN PIERPONT
Manager, Pelham Manor
- JOHN SLOAN
Councilman, Cortlandt
- JOSEPH SOLIMINE
Supervisor, Pelham

COUNSEL
LESTER D. STEINMAN, Esq.

EXECUTIVE DIRECTOR
ANNE M. JANIAK

FINANCE ASSISTANT
NOREEN FISHER

- MEMBERS**
- ARDSLEY
BEDFORD
BRIARCLIFF MANOR
BRONXVILLE
BUCHANAN
CORTLANDT
CROTON-ON-HUDSON
DOBBS FERRY
EASTCHESTER
ELMSFORD
GREENBURGH
HARRISON
HASTINGS-ON-HUDSON
IRVINGTON-ON-HUDSON
LARCHMONT
LEWISBORO
MAMARONECK
MAMARONECK TOWN
MOUNT KISCO
MOUNT PLEASANT
MOUNT VERNON
NEW CASTLE
NEW ROCHELLE
NORTH CASTLE
NORTH SALEM
OSSINING
OSSINING TOWN
PEEKSKILL
PELHAM
PELHAM MANOR
PELHAM TOWN
PLEASANTVILLE
PORT CHESTER
POUND RIDGE
RYE BROOK
RYE CITY
RYE TOWN
SCARSDALE
SLEEPY HOLLOW
SOMERS
TARRYTOWN
TUCKAHOE
WHITE PLAINS
YONKERS
YORKTOWN

