

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members
FROM: Scott Pickup, Acting City Manager
SUBJECT: Enclosures - Council Packet
DATE: September 4, 2009

Enclosed with this memorandum are the following items:

- 9-1 Notice from Jerry Mulligan, Westchester County Commissioner of Planning, regarding a Public Hearing to be held on Tuesday, September 8, 2009 at 7:30 p.m concerning the four proposed municipal flood mitigation projects.
- 9-2 Notice from the Westchester County Rent Guidelines Board regarding a Public Meeting to be held on Wednesday, September 16, 2009 at 7:00 p.m.
- 9-3 Results from the 2009 Rye Golf Club Commission & Nominating Committee Election.
- 9-4 Litigation Update from the Corporation Counsel dated September 4, 2009.
- 9-5 Meeting notice for the week of September 8, 2009.

SDP/emm
Encs.



Andrew J. Spano
County Executive

Department of Planning
Gerard E. Mulligan, AICP
Commissioner

The Westchester County Board of Legislators will hold a public hearing concerning the four proposed, municipal flood mitigation projects, which would be partially funded under the County's Flood Mitigation Program, at 7:30 p.m. Tuesday, September 8, Westchester County Michaelian Office Building, 148 Martine Avenue, White Plains. These projects have been recommended for funding by County Executive Andy Spano and the Westchester County Flood Action Task Force. The projects have been proposed by the Town of Mamaroneck, Village of Scarsdale, Village of Tarrytown, and City of Rye and Village of Rye Brook (jointly applied).

The public hearing is required as part of the Board's action on the proposed capital funding for these projects under the County's Flood Mitigation Program. Your attendance is not mandatory. The link to legislation that is the subject of the hearing is:

<http://meetings.westchesterlegislators.com/Citizens/FileOpen.aspx?Download=Attachments&AttachmentID=2472>

Please do not hesitate to contact me by phone or e-mail (below) or you can contact Rob Doscher (rrd1@westchestergov.com or 995-4423) if you have questions or would like more information.

Regards,

A handwritten signature in cursive script that reads "Jerry Mulligan".

Jerry Mulligan
Commissioner
914-995-4402
jem1@westchestergov.com

WESTCHESTER COUNTY RENT GUIDELINES BOARD

75 South Broadway
White Plains, New York 10601
Telephone 914-948-4434

Joseph G. Whelan, Jr., Chair
Public Member

Members

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Kenneth J. Finger Esq.	Owner
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Jane Morgenstern	Public
Jay Shapiro	Tenant
Emma-Jean Loftin Woods	Tenant



FOR INFORMATION:
MICHAEL BERRIOS
(718) 262-4717

NOTICE OF PUBLIC MEETING

DATE: **Wednesday, September 16, 2009**

TIME: **7:00 P. M.**

PLACE: **New York State Division of Housing (DHCR)**
75 South Broadway # 2nd Floor
White Plains, New York 10601

AGENDA

1. Call to Order.
2. Review minutes of prior meeting.
3. Certification of guidelines for year 10/1/09 - 9/30/10.
4. Such other business as may properly be brought up before the board.

September 2, 2009

Joseph G. Whelan, Jr., Chair
WESTCHESTER COUNTY RENT GUIDELINES BOARD

CITY OF RYE

MEMORANDUM

TO: Frank Culross, City Manager
Scott Yandrasevich, Rye Golf Club Manager

FROM: Dawn F. Nodarse, City Clerk

SUBJECT: Rye Golf Club Commission & Nominating Committee Election

DATE: September 3, 2009

The following are the results of the Golf Club Election:

Envelopes Received	188
Ballots Cast	265
Invalid Ballots	4

The election results for four representatives to the Golf Club Commission are:

Candidates	# of Votes Received
Frank Adimari	173
Dan DeVito	200
Patrick Dooley	214
Tom Kennedy	207
P. Stephen Lamont	152
Richard Verille	181

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

Candidates	# of Votes Received
Tom DeMarco	117
Rob Kressler	107

Dawn F. Nodarse
Dawn F. Nodarse
City Clerk

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kevin J. Plunkett, Corporation Counsel
SUBJECT: Litigation Update
DATE: September 4, 2009

LITIGATION

PETER ACCIAVATTI and AMY CUSTODE v. CITY OF RYE

In June, I reported to you that this proceeding was commenced by Petitioners who sought an order pursuant to Real Property Tax Law Section 736(2) to reverse, annul and set aside the determination of Small Claims Assessment Review Hearing Officer Luke M. Charde, Jr. and grant them a reduction in the assessed value of their property. I am pleased to report that Supreme Court Justice Gerald E. Loehr dismissed the Petition. He determined that there was a rational basis for the Hearing Officer's determination and, therefore, dismissed Petitioners' claim of unequal assessment. He also determined that Petitioners waived their claim of excessive assessment and, in any event, dismissed such claim because the property was improperly reassessed on sale because such claim was belied by the evidence that it was reassessed as a result of the construction of a new house on the property. A copy of the Decision and Order is available for review in the Law Department. Notice of Entry of the Decision and Order has been served. Congratulations to Noreen Whitty for her advocacy before the Hearing Officer that made the record for us to successfully defend the lawsuit.

R.B. CONWAY & SONS, INC. v. CITY OF RYE

A Summons and Verified Complaint in connection with the above referenced matter was served on the City this week. The formal commencement of this action was not unexpected. Plaintiff claims that it is owed additional money for work performed in connection with the dredging of the Boat Basin. Plaintiff had previously filed a Notice of Claim in this action.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kevin J. Plunkett
Corporation Counsel

KJP/dfn

**CITY OF RYE
MEMORANDUM**

TO: Department Heads
FROM: City Clerk's Office
SUBJECT: Weekly Meeting Notice
DATE: September 3, 2009 - REVISED

Meetings scheduled to be held during the week of September 7, 2009.

WEDNESDAY, SEPTEMBER 9, 2009

Rye Recreation Commission
7:00 P.M.
Damiano Center

Rye Golf Club
7:00 P.M.
Whitby Castle Board Room

THURSDAY, SEPTEMBER 10, 2009

Zoning Board of Appeals
7:30 P.M.
Council Chambers
Mayor's Conference Room

Traffic & Transportation Committee
7:30 P.M.
Employee Lounge

cc: News Media
Kerry Donahue