

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: December 23, 2010

Enclosed with this memorandum are the following items:

- 12-13 Legal Department Update from the Corporation Counsel dated December 23, 2010.
- 12-14 Meeting notice for the week of December 27, 2010 is available on the City website www.ryeny.gov under Calendar.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Interim Corporation Counsel
SUBJECT: Litigation Update
DATE: December 23, 2010

LITIGATION

OSBORN v. CITY OF RYE

The City, the Rye City School District and the Osborn have reached a settlement in this matter using the Appellate Division, Second Department's (the "Appellate Division") decision and the lower court's calculations as guidance to reach consensus among all three parties.

The parties also settled the pending tax certiorari's matters for the years 2004 to 2010 using the Appellate Division's analysis and guidance. The proposed Order and Judgment and Consent Order were delivered to the Judge for his signature.

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

No new developments.

SCHUBERT V. CITY OF RYE, ET AL.

No new developments.

R.B. CONWAY V. CITY OF RYE

No new developments.

DELLI PAOLI V. ZONING BOARD OF APPEALS

No new developments.

SHEW v. CITY OF RYE

No new developments.

MOLLOY v. PLANNING COMMISSION

No new developments.

TOWNSEND v. BOARD OF APPEALS

No new developments.

PANETTA v. PLANNING COMMISSION

No new developments.

HEAL the HARBOR v. CITY OF RYE

No new developments.

SCHUBERT v. PLANNING COMMISSION, et al

No new developments.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,

A handwritten signature in black ink that reads "Kristen K. Wilson". The signature is written in a cursive style with a large initial "K".

Kristen K. Wilson
Interim Corporation Counsel

KKW/dfn