

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: January 28, 2011

Enclosed with this memorandum are the following items:

- 1-11 Letter from the Village of Port Chester dated January 21, 2011 endorsing the concept of the East Coast Greenway.
- 1-12 Legal Department Update from the Corporation Counsel dated January 28, 2011.
- 1-13 Meeting notice for the week of January 31, 2011 is available on the City website [www.ryeny.gov](http://www.ryeny.gov) under Calendar.



# VILLAGE OF PORT CHESTER

222 Grace Church Street, Port Chester, NY 10573

Joan Mancuso  
Village Clerk

January 21, 2011

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The Honorable Andrew Cuomo  
Governor of New York  
Executive Chambers  
Albany, NY 12224

New York State Department of Transportation  
Region 8, Eleanor Roosevelt State Office Building  
4 Burnett Boulevard  
Poughkeepsie, NY 12603

Commissioner Edward Burroughs  
Westchester County Planning Dept.  
414 Michaelian Building  
148 Martine Avenue  
White Plains, NY 10601

Mayor Douglas H. French  
City of Rye  
1051 Boston Post Road  
Rye, NY 10580

Mayor Noam Bramson  
City of New Rochelle  
515 North Avenue  
New Rochelle, NY 10801

Mayor/Supervisor Joan B. Walsh  
Town/Village of Harrison  
1 Heineman Place  
Harrison, NY 10528

Supervisor Valerie O'Keeffe  
Town of Mamaroneck  
740 West Boston Post Road  
Mamaroneck, NY 10543

Mayor Joseph C. Hays, Jr.  
Village of Pelham Manor  
Four Penfeld Place  
Pelham Manor, NY 10803

Mayor Norman S. Rosenblum  
Village of Mamaroneck  
123 Mamaroneck Avenue  
Mamaroneck, NY 10543

Mayor Joshua L. Mandell  
Village of Larchmont  
120 Larchmont Avenue  
Larchmont, NY 10538

Dear Governor Cuomo, New York State Department of Transportation,  
Commissioner Burroughs, Mayor French, Mayor Bramson,  
Mayor/Supervisor Walsh, Supervisor O'Keeffe, Mayor Hays, Mayor Rosenblum and  
Mayor Mandell;

Enclosed please find a certified copy of a resolution adopted by the Board of  
Trustees of the Village of Port Chester at a meeting held on December 20, 2010 that the  
Board endorses the concept of the East Coast Greenway.

On behalf of the Board of Trustees please accept their gratitude for your attention  
to this important matter.

Very truly yours,

Joan Mancuso  
Village Clerk

cc: East Coast Greenway  
Mayor Pilla and the Board of Trustees

**VILLAGE OF PORT CHESTER  
RESOLUTION  
ENDORING THE EAST COAST GREENWAY ROUTE  
THROUGH THE VILLAGE OF PORT CHESTER**

On motion of TRUSTEE BRANCA, seconded by TRUSTEE MARINO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

**WHEREAS**, the East Coast Greenway Alliance, a not for profit organization is spearheading the East Coast Greenway, a proposed 2600-mile, shared-use pathway that will pass through Westchester County to connect cities, towns and villages along the eastern seaboard from Calais, Maine, to Key West, Florida; and

**WHEREAS**, New York is one of 15 states and the District of Columbia through which the Greenway runs; and

**WHEREAS**, the Greenway, considered the "urban equivalent of the Appalachian Trail," will pass through sites showcasing the nation's industrial, historic, and cultural diversity; and

**WHEREAS**, the Greenway will spur the building of a network of pedestrian and bicycling greenways through New York, a goal encouraged by the New York Department of Transportation and other agencies; and

**WHEREAS**, the Greenway will serve bicyclists, walkers, equestrians, the physically challenged and other non-motorized users, both local residents and long-distance travelers; and

**WHEREAS**, the Greenway, by providing a largely off-road route separated from vehicular traffic, will encourage people of all ages to be outdoors more, improving their health and physical fitness while enjoying their playing fields, parks and nature preserves; and

**WHEREAS**, the Greenway, by offering tourists and shoppers access to cultural and historical sites, will bring economic benefits to municipalities and businesses along the route;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Port Chester, New York, hereby endorses the concept of the East Coast Greenway and its passage through the Village of Port Chester along the designated route of Mill Street to Abendroth Avenue, to Waterfront Place/Don Bosco Place then to Grace Church Street; and

**BE IT FURTHER RESOLVED**, the East Coast Greenway Alliance is hereby authorized to assist the Village to erect necessary signage along the route; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the East Coast Greenway, the Governor of the State of New York, the New York State Department of Transportation, the Westchester County Planning Department, the City of Rye, the Town of Harrison, the Town of Mamaroneck, Village of Mamaroneck, the Village of Larchmont, the City of New Rochelle and the Village of Pelham Manor.

ROLL CALL

AYES: Trustees Didden, Terenzi, Kenner, Branca, Marino, Brakewood and Mayor Pilla

NOES: None

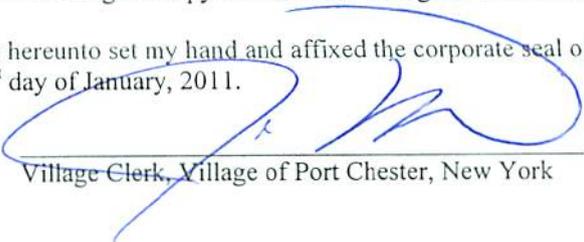
ABSENT: None

DATE: December 20, 2010

STATE OF NEW YORK) ss:  
COUNTY OF WESTCHESTER)

I, JOAN MANCUSO, Village Clerk of the Village of Port Chester, New York, do hereby certify that I have compared the foregoing copy with the original copy on file in the Village of Port Chester.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Port Chester, New York this 21<sup>st</sup> day of January, 2011.

  
\_\_\_\_\_  
Village Clerk, Village of Port Chester, New York

(Seal)

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Rye City Council  
FROM: Kristen K. Wilson, Corporation Counsel  
SUBJECT: Litigation Update  
DATE: January 28, 2011

**LITIGATION**

**OSBORN v. CITY OF RYE**

The Osborn, the City and the Rye School District met and exchanged the necessary payments/refunds in furtherance of the Settlement Agreement. This matter is now closed.

**BEAVER SWAMP BROOK – (DEC Administrative proceeding)**

The Town of Harrison has submitted noise and visual Impact updates to the Department of Environmental Conservation (DEC). It is expected that an update on traffic impacts will be completed in February.

**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**

A Motion to Dismiss plaintiff's Amended Complaint has been filed.

**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**

In a nine-page Decision, Order & Judgment dated January 20, 2011, Judge Barbara Zambelli has granted the City's Motion to Dismiss this Article 78 proceeding.

SCHUBERT v. PLANNING COMMISSION, et al

No new developments.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,

*Kristen K. Wilson*

Kristen K. Wilson  
Corporation Counsel

KKW/dfn