

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: March 18, 2011

Enclosed with this memorandum are the following items:

- 3-11 Press Release from Police Commissioner William R. Connors regarding coyote season.
- 3-12 Notice of a special Rye Town Park Commission Meeting to be held on Tuesday, March 22, 2011 at 7:30 a.m. at Rye Town Hall.
- 3-13 Legal Department Update from the Corporation Counsel dated March 18, 2011.
- 3-14 Letter from Lincoln Janus, Verizon Franchise Manager, dated March 16, 2011 regarding an increase in rates for eleven channels. .
- 3-15 Meeting notice for the week of March 21, 2011 is available on the City website www.ryeny.gov under Calendar.



William R. Connors
Police Commissioner

POLICE DEPARTMENT

City of Rye, New York
21 McCullough Place
Rye, N. Y. 10580
Phone: (914) 967-1234
FAX: (914) 967-8341



PRESS RELEASE

March 17, 2011

FOR IMMEDIATE RELEASE

CITY OF RYE PREPARES FOR SEASONAL INCREASE IN COYOTE ACTIVITY

Contact: Police Commissioner William R. Connors (914) 967-1234

Coyote attacks on humans are rare; unfortunately, the City of Rye experienced two attacks on small children during the summer of 2010. Following those incidents, the Department assumed an aggressive posture regarding coyote control. Whether as a result of those efforts or simply a matter of normal seasonal patterns, we have had very few sightings and no reports of unusual coyote behavior in recent months. However, as the warmer weather approaches, we can expect to see some increase in activity. In light of the 2010 attacks, we will be maintaining a proactive approach to the animals, and will monitor the situation closely for any signs of abnormal behavior.

Coyotes are active at night, but not nocturnal. They are most frequently seen in daylight during their mating season, February/March. Activity increases during those months and especially when their young are born in April/May. The young begin to wander out of the den in June/July, and during fall they are sent off to find their own territories. Coyotes eat anything: deer, mice, rats, frogs, squirrels, rabbits, birds, birdseed, pet food, fruits and vegetables, and garbage. They generally prey on smaller animals – therefore, small pets are at risk. They will eat cats, and they will attack small dogs – not as food, but as threats to their territory. They will generally not bother larger dogs (over 35 pounds).

As a rule, coyotes are timid animals; they can live close by humans, on the fringe of wooded areas or along streams, but are typically afraid of human contact. They are easily frightened by aggressive behavior. The danger arises when they lose their fear through a combination of factors:

- “Suburban coyote food” – garbage, pet food, pets – is saturated with human odor.

- Human behavior becomes non-threatening – i.e., running away into a home is behaving like prey.
- Food smells like people, people sometimes act like prey, and occasionally, people feed them – therefore, they lose their fear and can potentially become dangerous.

The primary danger posed by coyotes is to pets – cats and small dogs. For dogs, especially in March and April when they are setting up their dens and establishing territory. Attacks on humans are rare: for example, 650 people are hospitalized and one killed annually by dogs in New York State, and only a handful of coyote attacks occur nationwide. Unfortunately, the City of Rye and the Sound Shore area experienced highly abnormal behavior during the summer of 2010.

Residents are advised to take the following steps for personal safety:

- If you encounter a coyote, be aggressive. Loud noises and forceful behavior will normally scare the animal away. Wave your arms and throw sticks or stones. Boat horns and pepper spray are considered very effective.
- Do not feed coyotes.
- Do not provide food sources that may attract them, such as outdoor pet food or bird seed. They may be attracted by the birds and rodents drawn to bird feeders.
- Make garbage inaccessible.
- Do not allow pets to run free. Coyotes can see cats or small dogs as prey (coyotes' average weight is 35 pounds; they will usually yield their territory to mid-sized or larger dogs).
- Small children should be supervised by an adult while outdoors.
- Unusual coyote behavior should be reported to the Police Department so sightings can be recorded and officers dispatched if necessary. Attacks or emergency situations should be reported via 911.

Based on current levels of activity, there are no immediate plans for hunting and trapping; however, the Department has been issued a Hazing Permit that will authorize hazing after the end of the hunting season on March 27th. Wildlife experts indicate that activities such as hunting, trapping, and hazing are necessary to restore the natural fear of human contact that has been lost by certain animals. Hazing involves making noise, throwing objects, or taking similar action to decrease the animals' comfort level around humans. We will be tracking all reported coyote sightings and monitoring developments closely; if there is any indication of abnormal behavior that would warrant a more aggressive approach, we will seek authorization to begin trapping or hunting.

The Department has posted a "Coyote Fact Sheet" with general information on the City's website, and distributed a poster prepared by the New York State Department of Environmental Conservation to appropriate institutions around the City. Copies of both are attached. We will confer with summer camps prior to the beginning of their season regarding recommended precautions.

Coyote sightings should be reported immediately by calling 911 or the Police Department's main number, (914) 967-1234.

General information about coyotes is available on the City of Rye's website, www.ryeny.gov, as well as on the New York State Department of Environmental Conservation's website, <http://www.dec.ny.gov> . We have found the Nixle service to be an effective and expedient way of informing the community of developments regarding coyotes and other public safety issues; we urge residents to take advantage of the opportunity to register for email and text message notifications www.nixle.com .

###



CITY OF RYE FACT SHEET RE: COYOTES

Residents of Rye take great pride in the natural endowments of our community: one-fifth of the City's land is dedicated to recreation and conservation. It is important to remember that we share these areas with the animals that inhabit them; a variety of animals are found within our community, including deer, fox, rabbits, raccoons, and coyotes.

Coyotes are hunters, and primarily feed on rodents, insects, and small animals, including rabbits, squirrels, and small deer. They are normally timid around humans, but some coyotes in suburban areas have lost their fear of people, which can be dangerous. It is important to act aggressively to maintain that natural fear.

WHAT YOU SHOULD DO:

- If you encounter a coyote, be aggressive. Loud noises and forceful behavior will normally scare the animal away. Wave your arms and throw sticks or stones.
- Do not feed coyotes.
- Do not provide food sources that may attract them, such as outdoor pet food or bird seed. They may be attracted by the birds and rodents drawn to bird feeders.
- Make garbage inaccessible.
- Do not allow pets to run free. Coyotes can see cats or small dogs as prey (coyotes' average weight is 35 pounds; they will usually yield their territory to mid-sized or larger dogs). Conflicts are most frequent in March and April, when coyotes are establishing their dens.
- Small children should be supervised by an adult while outdoors.

Coyote attacks on humans can happen, although they are rare (for example, in an average year in New York State, 650 people are hospitalized and one killed in dog attacks, vs. a handful of coyote attacks nationwide). The mere presence of coyotes in our community is part of the ecology of the area, and not dangerous in itself; however, the animals' behavior should be monitored to ensure that they are not acting dangerously or aggressively, or exhibiting a lack of fear.

Unusual coyote behavior should be reported to the City of Rye Police Department at (914) 967-1234 so sightings can be recorded and officers dispatched if necessary. Attacks or emergency situations should be reported via 911.

Additional information on coyotes can be found on the New York State Department of Environmental Conservation's website, <http://www.dec.ny.gov/animals/6971.html>

What Should I Do When I Encounter a Coyote?

Seeing a coyote is not a bad thing. Often, hikers, hunters, bird watchers, etc, will encounter coyotes in the field simply because their activities put them in places that coyotes call home. However, to reduce the likelihood of bad interactions with coyotes, the simple answer to the question "what should I do when I see a coyote?" is to make it fear you. This is especially important when we see coyotes in areas that are commonly used by people, especially children, such as parks, playgrounds, and schoolyards. We cannot change the fact that coyotes do exist, and will continue to exist in suburban and urban areas. We can, however, condition them to not want to encounter people. Here are a couple of techniques that may help with this. Keep in mind that not all of these techniques instill fear in coyotes, but simply disturb or annoy them in hopes of discouraging them from hanging around a particular area.

- **Sound an air horn**
- **Spray the coyote with a hose**
- **Use visual and/or auditory scare devices** - A number of products exist that use a motion sensor to activate a spot light and radio or some other noise intended to chase off undesired animals.
- **Yell, wave your arms, and make yourself look big and scary** - Use body language to reinforce your aggression. Make sure that your voice and body language are as aggressive as possible. Taking a step or making a quick, sudden movement toward the coyote can make this approach more effective.
- **Throw rocks or sticks**
- **Spray with pepper spray** - This is a last resort approach and is designed more to discourage or stop an attack.

In the case of an attack, fight back! Kick, Punch, Poke

Make sure to target sensitive areas such as the eyes, nose, and throat. A large prey item that fights back is not a desirable target for a coyote. Make sure children have a plan that involves the aggression tactics described above in case they have an encounter with a coyote. Small children should be supervised and told to yell out "coyote" repeatedly until an adult responds.

Report an attack to your local police agency immediately. Follow up with a call to DEC so that we, in conjunction with local law enforcement can act accordingly. Contact your New York State Department of Environmental Conservation (DEC) **Region 3 Wildlife Office** at (845)256-3098 to report any other undesirable interactions with coyotes.



New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources
Bureau of Wildlife



RYE TOWN PARK COMMISSION

SPECIAL MEETING NOTICE

Commission Members

Joseph Carvin-President
Douglas French, Mayor-City of Rye
Dennis Pilla, Mayor-Village of Port Chester
Joan Feinstein, Mayor-Village of Rye Brook
Benedict Salanitro, Commissioner
Joseph Sack, Commissioner

DATE & TIME: Tuesday, 3/22/2011@ 7:30AM

Place: Rye Town Hall
10 Pearl Street, 3rd Floor
Port Chester, NY 10573

Tentative Agenda:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Parking Automation RFP**

Bishop M. Nowotnik

Purchasing Director &
Confidential Secretary to the Supervisor
Town of Rye
10 Pearl Street
Port Chester, New York 10573
Tel: 914-939-3075 ext. 101
Fax: 914-939-1465
Cell: 914-400-6924

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: March 18, 2011

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

DEC staff – region III issued a negative declaration last week. The ALJ circulated a proposed timeframe for comments on the draft permit.

SCHUBERT V. CITY OF RYE, ET AL.

Motion to dismiss still pending.

R.B. CONWAY V. CITY OF RYE

Trial calendared for September 2011.

DELLI PAOLI V. ZONING BOARD OF APPEALS

A notice of entry of the Decision and Order has been served and filed.

SHEW v. CITY OF RYE

Motion to dismiss on behalf of the City of Rye has been served and filed. Opposition papers are due March 25, 2011.

MOLLOY v. PLANNING COMMISSION

Petitioner's Appellants appeal still pending.

PANETTA v. PLANNING COMMISSION

Petitioner's reply papers are due in early April.

SCHUBERT v. PLANNING COMMISSION, et al

Article 78 Proceeding is fully submitted and we are waiting decision from Westchester County, Supreme Court.

CITY COURT

Schwartz v. Rye – oral argument has been calendared in the Appellate Division, Second Term. Otherwise, routine calendar with no unusual dispositions.

Respectfully submitted,

Kristen K. Wilson

Kristen K. Wilson
Corporation Counsel

KKW/dfn

Lincoln V. Janus
Franchise Manager
Verizon Video



205 N. Michigan Ave., Floor 7018E
Chicago, IL. 60601
312-260-3506
lincoln.v.janus@verizon.com

March 16, 2011

Dear Municipal Official:


This is to inform you that, due to the rising cost of providing quality premium programming, the rate for several FIOS TV premium entertainment packages will be increasing, effective April 17, 2011. The following packages will be increased by \$1.00 per month: Movie/HBO, Movie Package 08, HBO/Movie 08, Movie/HBO/MAX, Movie/HBO/MAX/All Access, Spanish Language, and Here!. The HBO/Max Package and Movie Package will be increasing by \$2.00 per month. Please note these changes affect both existing and new customers. However customers subscribed to a term promotional offering that extends after April 17, 2011 will not experience an increase until the end of the promotional term. Affected customers will receive written notice by March 17, 2011. See chart below.

Spanish Language	\$ 11.99	\$ 12.99
HBO/MAX	\$ 22.99	\$ 24.99
MOVIE PACKAGE	\$ 13.99	\$ 15.99
MOVIE PACKAGE 08	\$ 15.99	\$ 16.99
MOVIE/HBO	\$ 21.00	\$ 22.00
HBO/MOVIE 08	\$ 26.00	\$ 27.00
MOVIE/HBO/MAX	\$ 36.00	\$ 37.00
MOVIE/HBO/MAX/ALL ACCESS	\$ 31.00	\$ 32.00
PROMOTIONAL MOVIE/HBO MAX	\$ 30.99	\$ 31.99
PROMOTIONAL MOVIE/HBO MAX	\$ 31.00	\$ 32.00
Here!	\$ 7.99	\$ 8.99

* As of April 17, 2011

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact me.

Sincerely,


Lincoln Janus