

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: May 6, 2011

Enclosed with this memorandum are the following items:

- 5-1 Notice regarding the *Port Chester Fest* to be held on Saturday, May 21, 2011 from 12:00 p.m. to 6:00 p.m. at Adee St. and Abendroth Ave. in Port Chester.
- 5-2 Legal Department Update from the Corporation Counsel dated May 6, 2011.
- 5-3 Meeting notice for the week of May 9, 2011 is available on the City website www.ryeny.gov under Calendar.

PORT CHESTER FEST



Celebrating Arts & Culture

FOURTH ANNUAL FEST

SATURDAY • MAY 21, 2011 • FREE ADMISSION

RAIN OR SHINE

A Multicultural Art and Music Festival for the Whole Family

Celebrating Local Art, Music, Food, Diversity and Family

Performances (12:00 pm – 6:00 pm)

- Port Chester High School Marching Band
- Mt. Zion Baptist Church – *Intergenerational Choir*
- Keltic Dreams – *Multicultural Irish Dance Troup*
- The Rye Town Community Band
- Pablito y Su Avalancha – *Music of Uruguay and Salsa*
- Mario Tacca & Mary Manicini – *Traditional music of Italy*
- Julie Corbalis – *Local folk sensation*
- Markax Laiku Bolivia with Morenada Central de Port Chester Bolivian Carnival Dancers

Family Art Workshops & Crafts

- Clay Art Center
- Face Painting with Miguel Cossio
- Community Art with Tova Snyder
- Michael's Arts and Crafts
- Campaign for the Westchester Children's Museum
- Rye Arts Center
- ArtsWestchester Workshop
- Open Door's Americorps *and More!*

Presented in association with the folk arts program of ArtsWestchester, with support from the New York State Council on the Arts.

Intersection of Adee Street and Abendroth Avenue, Port Chester, NY • For more information call: 914-939-8055 or visit our website at portchesterfest.org.
If you want to participate by having a table, as a volunteer, or as a sponsor, please call Daniel Lipka at (914) 939-8055 or email Communitycouncil@verizon.net



United Way
of Westchester and Putnam



COUNCIL OF COMMUNITY SERVICES
PORT CHESTER • TOWN OF RYE • RYE BROOK

Helen Andrus Benedict Foundation

In memory of John E. Andrus

DON BOSCO



PORT CHESTER, NY



S.
O.
S.



State of the Arts



NYSCA



Hudson Health Plan • Edo Japanese Steakhouse • HDSW • Applebee's • PC Housing Authority
Enoch Brady and Associates • WESTMED Medical Group • The Carver Center

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: May 6, 2011

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

The City submitted comments to the ALJ regarding the draft permit conditions and an update on the City's Petition for Party Status.

SCHUBERT V. CITY OF RYE, ET AL.

A Notice of Appeal has been filed in connection with this matter. On or before May 12, 2011, Plaintiffs' attorney will have to file a Civil Appeal "Pre Argument Statement" in which he will have to specify what "issues" he wants the Second Circuit to consider on appeal.

R.B. CONWAY V. CITY OF RYE

The trial has been calendared for September 2011.

DELLI PAOLI V. ZONING BOARD OF APPEALS

The Zoning Board of Appeals is going to be reconsidering the application of Delli Paoli in light of the Supreme Court's recent decision at its May meeting.

SHEW v. CITY OF RYE

This matter is now fully submitted in Supreme Court, Westchester County

MOLLOY v. PLANNING COMMISSION

Petitioner's Appellants appeal is still pending.

PANETTA v. PLANNING COMMISSION

This matter is now fully submitted to the Westchester County Supreme Court Judge.

MUNDINGER v. PLANNING COMMISSION

A court appearance in front of Hon. Colangelo was held on Tuesday, May 3, 2011. A motion schedule was set. The Planning Commission has until Friday May 13, 2011 to prepare and serve the Certified Record of Proceedings. The Planning Commission's answer and any other supporting affidavits are due on June 3, 2011. Oral argument has been calendared for June 13, 2011.

CITY COURT

People v. Curry – this matter was finally resolved this week after the Building Inspector inspected the improvements to defendants’ property and found that the improvements were in compliance with the applicable New York State Building and Property Maintenance Code. Due to the length of time this case was pending, the disrespect the defendants showed towards the Court, and the numerous times the Building Department inspected the premises, the City imposed a \$5,000 fine. A consent judgment is being prepared and will be entered into by the defendants.

Otherwise, routine calendar with no unusual dispositions.

Respectfully submitted,

Kristen K. Wilson

Kristen K. Wilson
Corporation Counsel

KKW/dfn