

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: May 13, 2011

Enclosed with this memorandum are the following items:

- 5-4 Notice regarding a Rye Town Park Commission Meeting to be held on Tuesday, May 17, 2011 at 6:00 p.m. at the Port Chester Village Courtroom.
- 5-5 Legal Department Update from the Corporation Counsel dated May 13, 2011.
- 5-6 Meeting notice for the week of May 16, 2011 is available on the City website www.ryeny.gov under Calendar.

RYE TOWN PARK COMMISSION

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

PLEASE NOTE CHANGE IN VENUE

DUE TO LOSS OF ELEVATOR SERVICE AT 10 PEARL ST.

Elevators should be back in service by 5/20/2011

DATE & TIME: Tuesday, 5/17/2011@ 6:00PM

Place: Port Chester Village Courtroom
350 North Main Street, 2nd Floor
Port Chester, NY 10573

Tentative Agenda:

1. Roll Call
2. Pledge of Allegiance
3. Comments from the Public
4. 2011 Operating Budget
5. Parking Automation Bid Document
6. Park Manager's Report
7. Dog Policy
8. Correspondence

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council

FROM: Kristen K. Wilson, Corporation Counsel

SUBJECT: Litigation Update

DATE: May 13, 2011

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

ALJ O'Connell issued a "Briefing Schedule" dated May 6, 2011 in response to the comments submitted in April 2011 on the draft permit. All "Intervening Parties" have until June 8, 2011 to submit additional written arguments concerning the adequacy of the negative declaration. The DEC and the applicant will have until July 1 to submit any reply.

SCHUBERT V. CITY OF RYE, ET AL.

Plaintiffs/appellants filed the Civil Appeal Pre-Argument Statement. A CAMP conference was also calendared with staff counsel of the Second Circuit for June 8, 2011 at 11:30 a.m.

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 will reconsider 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

On May 13, 2011, the Planning Commission served 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

Routine calendar with no unusual dispositions.

Respectfully submitted,

Kristen K. Wilson

Kristen K. Wilson
Corporation Counsel

KKW/dfn