

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: July 22, 2011

Enclosed with this memorandum are the following items:

- 7-17 Notice from United Water regarding the importance of conservation during the current heat wave.
- 7-18 Notice regarding a Special Rye Town Park Commission Meeting to be held on Tuesday, July 26, 2011 at 7:30 a.m. at Rye Town Hall.
- 7-19 Legal Department Update from the Corporation Counsel dated July 22, 2011.
- 7-20 Letter from City Manager Scott Pickup dated July 22, 2011 in response to a resident question regarding the condition of Rye streets.
- 7-21 Meeting notice for the week of July 25, 2011 is available on the City website [www.ryeny.gov](http://www.ryeny.gov) under Calendar.

UNITED WATER CUSTOMERS ARE URGED TO CONSERVE WATER DURING THE CURRENT HEAT WAVE AND REFRAIN FROM ALL OUTDOOR WATER USAGE FOR THE NEXT SEVERAL DAYS. AS A RESULT OF THE CURRENT HOT, DRY WEATHER PATTERN, WE ARE EXPERIENCING UNUSUALLY HIGH DEMAND LEVELS. ALL LAWN IRRIGATION SYSTEMS SHOULD BE SHUT OFF DURING THIS TIME, AS OUTDOOR WATERING CAN INCREASE SYSTEM DEMANDS BY AS MUCH AS 50%.

WE THANK OUR CUSTOMERS FOR THEIR COOPERATION AS WE CONTINUE TO WORK HARD TO MAINTAIN UNINTERRUPTED SERVICE.

Sincerely,

**Chris Graziano**

*Manager*

**UNITED WATER NEW ROCHELLE**

**UNITED WATER WESTCHESTER**

2525 Palmer Avenue.

New Rochelle, NY 11793

Ph: 914-637-5337

Fax: 914-637-5333



*Making the planet sustainable is the best job on Earth.*



*Rye Town Park  
95 Dearborn Ave.  
Rye, NY 10580  
914 967-0965*

## **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, 7/26/2011@ 7:30AM

**PLACE:** Rye Town Hall  
10 Pearl Street-3<sup>rd</sup> Floor Courtroom  
Port Chester, New York 10573

### **Tentative Agenda:**

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Comments from the Public**
- 4. Consider Promotional rate options for 2011 season**

**CITY OF RYE  
MEMORANDUM**

**TO:** Honorable Mayor and Rye City Council  
**FROM:** Kristen K. Wilson, Corporation Counsel  
**SUBJECT:** Litigation Update  
**DATE:** July 22, 2011

**CLAIMS**

A notice of claim has been filed by State Farm Insurance Companies as subrogee of Robert F. Kaplan. The notice states that on July 6, 2011, Mr. Kaplan's parked automobile was damaged by a City sanitation truck. The claim has been forwarded to our insurance carrier.

**LITIGATION**

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

A response was received from the ALJ this week in connection with this matter and is being reviewed.

**R.B. CONWAY V. CITY OF RYE**

The trial has been calendared for September 2011.

**DELLI PAOLI V. ZONING BOARD OF APPEALS**

The Board of Appeals reaffirmed the Board of Architectural Review's decision to deny the application at their May meeting.

**SHEW v. CITY OF RYE**

Plaintiff has filed a reply memorandum of law with supporting affidavits in further support of Paul Shew's motion to file a late amended notice of claim.

**MOLLOY v. PLANNING COMMISSION**

Appellants have submitted a motion to enlarge their time to file their appellate brief from the Appellate Division, Second Department. No decision has been rendered. If the request is granted, the new date would be September 5, 2011.

**PANETTA v. PLANNING COMMISSION**

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

**MUNDINGER v. PLANNING COMMISSION**

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

CITY COURT  
PEOPLE v. SCHUBERT

This matter was adjourned until October 19<sup>th</sup>.

Respectfully submitted,

*Kristen K Wilson*

Kristen K. Wilson  
Corporation Counsel

KKW/dfn



## CITY OF RYE

1051 BOSTON POST ROAD RYE, NY 10580-2996  
TEL: (914) 967-5400 FAX: (914) 967-4604

July 22, 2011

Mr. James Schoff  
226 North Street  
Rye, New York 10580

Dear Mr. Schoff:

I apologize for the time lapse in our correspondence; I wanted to make sure that the County DPW had completed the re-paving of the derelict areas on North Street.

This work was completed in late June, and I am sure that you join me in thanking Bill Philips and his crew for addressing this deteriorating stretch of pavement.

The City is also engaging in CBD improvements beginning in early August with traffic and pedestrian safety improvements to the Locust and Purchase intersections.

These permanent improvements (the first major paving and restoration work done in the CBD since the early 1990's) will hopefully spark additional citizen interest in funding additional improvements for streets like Smith.

The City is also contracted to re-pave Boston Post Road from approximately the Library Lane signal to the entrance ramp for Playland Parkway (depending on oil price surcharge impacts on asphalt prices).

The City makes every effort to fund and maintain our permanent infrastructure of streets, sidewalks, bridges and storm drains, and we are unsure of the future as we adjust to the new reality of the tax cap.

Thank-you for your earlier letter, and I hope we have addressed at least some of your concerns.

Sincerely,

A handwritten signature in black ink that reads 'Scott Pickup'.

Scott D. Pickup  
City Manager

J A M E S S C H O F F

May 23, 2011

Office of City Manager  
City Hall  
1051 Boston Post Rd.  
Rye, NY 10580

Dear Mr. Pickup,

I recently read in the local newspaper an article referring to upcoming planned landscaping /planting improvements to a few Rye streets, mainly located in the downtown area. This is nice to hear. I have to say, however, I'd be much more enthusiastic about the news if, at the same time, I read about some plans to address the even greater need to perform the major repairs and/or re-surfacing many of Rye's streets so urgently need.

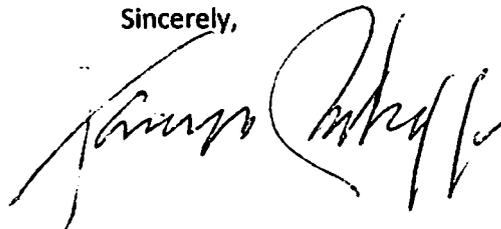
The condition of Purchase Street, Smith Street and many sections of the Post Road is disgraceful and the roads up and around the train station can only be described as "third world". Parts of North St., where we live, are not much better. Frankly, friends from out-of-town are shocked at the condition of our streets knowing the residents they serve. It's clear to me the city has let the streets go far too long before giving them the attention they require and it disturbs me I read nothing intended to improve the situation. Holding off on this kind of maintenance is both appealing in the short run ---and, unfortunately, always more costly in the end.

So, the city gets no points from me as far as making the intersections on Purchase St. more attractive. In my opinion, the first priority ought to be put the streets in first-class condition before putting a lot of effort into making them "look nicer". Right now, the streets of Rye are collectively in horrible shape and the attention and \$ should be directed into fixing them instead of placing some plants around and filling in some holes.

I can only hope the Council comes forth soon with a plan to do something in this area; I would certainly support one.

Sincerely,

Cc: Mayor's Office

A handwritten signature in black ink, appearing to read "James Schoff", written over a large, faint circular stamp or watermark.