

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: September 2, 2011

Enclosed with this memorandum are the following items:

- 9-1 Notice from Westchester County Executive Robert P. Astorino dated September 1, 2011 that Federal Disaster Aid is available to Rye residents and businesses.
- 9-2 Press Release from Commissioner William R. Connors regarding the opening of school and the importance of safe driving.
- 9-3 Notice from the Harrison League of Women Voters regarding a discussion on the *City Manager Form of Government* with Mayor Douglas French and City Manager Scott Pickup to be held on Thursday, September 15, 2011 at 12:00 pm at the Harrison Public Library.
- 9-4 Legal Department Update from the Corporation Counsel dated September 2, 2011.
- 9-5 Notice from the Westchester County Rent Guidelines Board regarding a Public Meeting to be held on Wednesday, September 14, 2011 at 7:00 p.m. in White Plains.
- 9-6 Notice regarding an "Interactive" Sculpture Exhibit to be held at Oakland Beach at Rye Town Park on Saturday, September 17, 2011 from 1:00 to 5:00 p.m.
- 9-7 Notice regarding the 3rd annual Hounds on the Sound Dog Walk/Festival at Glen Island Park in New Rochelle on Sunday, October 2, 2011.
- 9-8 Notice from Verizon regarding programming changes effective October 15, 2011.
- 9-9 Meeting notice for the week of September 6, 2011 is available on the City website www.ryeny.gov under Calendar.

NEWS RELEASE

Ned McCormack, Communications Director (914) 995-2932

Contact: Donna Greene (914) 995-2935 ; Jessica Proud (914) 995-2950

FOR IMMEDIATE RELEASE: Sept. 1, 2011

ASTORINO ANNOUNCES FEDERAL DISASTER AID AVAILABLE TO RESIDENTS, BUSINESSES Details will be forthcoming on how to apply

County Executive Robert P. Astorino announced Thursday that Westchester residents and businesses are now eligible to apply for disaster aid in the aftermath of Hurricane Irene. Previously, it was announced that local governments and non profits would be eligible.

“Westchester residents and businesses, particularly in some areas of the county, have been hit very hard by damage from the storm,” said Astorino. “We don’t have all the details yet, but the Federal Emergency Management Agency is moving quickly to get federal relief dollars to our area.”

The first step, he said, is for residents and small businesses to register by calling FEMA’s registration number: 1-800-621-3362.

You may also go to the FEMA Web site: www.disasterassistance.gov for further information.

Astorino said that it is imperative that residents and businesses document their losses with photographs and with receipts from repairs. In addition, those impacted must contact their insurance company to find out what – if anything – is covered.

Plans are underway for FEMA to open a Disaster Recovery Center in Westchester. Information on the location will be announced as soon as it becomes available.

“As details emerge, we will get them out to residents, businesses and local governments as quickly as possible,” said Astorino. “In the meantime, people should get their information together so they can act quickly or apply online.”



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

August 19, 2011

FOR IMMEDIATE RELEASE

School's Open – Drive Carefully

CONTACT: William R. Connors
Police Commissioner
(914) 967-1234 ext. 300

School's Open – Drive Carefully, The City of Rye Police Department Urges

The City of Rye Police Department is urging parents to teach their children some simple safety tips before they head back to school.

“Very soon, hundreds of children will be walking to and from school - many for the first time,” said Police Commissioner William Connors. “Everyone who drives has a responsibility to be especially careful during this busy time for youngsters.”

Hundreds of young children are killed each year in collisions with motor vehicles, and thousands more are severely injured. Children tend to be at greater risk during the back-to-school period because they tend to be thinking more about seeing old friends than watching for cars and trucks. Others are caught up in the excitement of going to school for the first time.

To help protect children, Commissioner Connors offered these six pedestrian-safety tips from AAA New York, the local AAA affiliate:

- Look all ways before crossing the street.

- Cross only at corners.
- Obey police officers, school crossing guards, and traffic signals.
- Watch for turning cars.
- Be especially alert in bad weather.
- Play away from traffic.

Two recent phenomena are of particular concern: “Distracted Walking” and “Distracted Driving.” Drivers and pedestrians – both children and adults – can be so focused on talking on their cell phones, text messaging, or listening to their iPods that they forget their responsibility to concentrate on driving, or when walking to look or listen for traffic around them. The results can be tragic. We urge parents as the beginning of school approaches to not only take the time to review safety precautions with their children, but to reflect on, and correct, their own habits.

We extend our best wishes for a safe, healthy, fun, and inspirational school year.

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LEAGUE OF WOMEN VOTERS OF HARRISON

Presents

**"City Manager Form of Government"
A discussion with our Rye neighbors**

**The Honorable Douglas H. French, Mayor
Mr. Scott D. Pickup, City Manager
City of Rye, New York**

**Thursday, September 15, 2011 at 12 noon
Harrison Public Library, Bruce Avenue**

**Reservations Required/Lunch: \$11.00
Call Lola Geiger at 914/939-7066**

All are welcome to attend this informative discussion

Democracy is not a spectator sport!

**The League of Women Voters is a non-partisan organization that
does not support or oppose candidates or political parties.**

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: September 2, 2011

CLAIMS

A notice of claim has been filed by Kathryn McGill of 20 Willow Drive, Nanuet, New York. The notice states that on August 11, 2011 Ms. McGill's vehicle was damaged when struck by a City of Rye vehicle. The claim has been forwarded to our insurance carrier.

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

The ALJ granted the City's request for an adjournment. The City and all other parties now have until September 16, 2011 to file any appeals. Parties will have until October 14, 2011 to respond.

BASSETT v. CITY OF RYE

In an Order dated August 26, 2011, Judge Robert M. Berliner granted the City's motion to set aside the jury verdict and denied Plaintiff's motion for attorneys' fees since Plaintiff was not the prevailing party. After trial, a jury had found the City liable under 42 USC Section 1983. However, Judge Berliner found that there was no evidence presented at trial which could have rationally lead the jury to reach the conclusion that it did, particularly as it concerns the issue of whether or not the action complained of by the defendant was the result of any policy. As a result, Judge Berliner set aside the jury's verdict and found in favor of the City.

CASPI v. CITY OF RYE

The discovery deadline has been extended to October 31, 2011. A conference in this matter is scheduled for October 27, 2011. The deposition of the Plaintiff's father has concluded and the depositions for the defendant will be scheduled to take place between now and the end of October.

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

All causes of action against the City have been dismissed by Decision and Order of Hon. Gerald E. Loehr. Notice of Entry has been served. Plaintiff has 30 days to file a notice of appeal.

MOLLOY v. PLANNING COMMISSION

Appellants have submitted a motion to enlarge their time to file their appellate brief from the Appellate Division, Second Department. The new date to file the brief is 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.

RUNES v. BOARD OF ASSESSMENT REVIEW and CITY ASSESSOR

An Article 78 Petition has been filed by Richard Runes of 3 Kirby Lane North seeking to overturn the April 12, 2011 decision of the small claims hearing officer, JHO Luke M. Charde, Jr. who determined that the assessment on Mr. Runes' property was supported by the evidence put forth by the City.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn

WESTCHESTER COUNTY RENT GUIDELINES BOARD

**75 South Broadway
White Plains, New York 10601
Telephone 914-948-4434**

**Joseph G. Whelan, Jr., CPA, *Chair*
Public Member**

Members

Eliot J. Cherson, Esq.	Owner
Kenneth J. Finger Esq.	Owner
Eddie Mae Barnes, R.N.	Public
Ian Joseph	Public
Jane Morgenstern	Public
Elsa Rubin	Public
Genevieve H. Roche, Esq.	Tenant
Rev. Emma Jean Loftin-Woods	Tenant

**FOR INFORMATION:
MICHAEL BERRIOS
(718) 262-4816**

**CITY OF RYE, N.Y.
LAW DEPARTMENT**

9-1-11

NOTICE OF PUBLIC MEETING

DATE: Wednesday, September 14, 2011

TIME: 7:00 P.M.

**PLACE: New York State Division of Housing & Community Renewal
75 South Broadway, White Plains, New York 10601**

AGENDA

- 1. Call to order.**
- 2. Certification of 2011-2012 guidelines and adoption of Explanatory Statement.**
- 3. New business.**

Dated: August 31, 2011

Joseph G. Whelan, Jr., CPA, Chair

WESTCHESTER COUNTY RENT GUIDELINES BOARD



“Interactive” Sculpture Exhibit Scheduled For Oakland Beach At Rye Town Park Sept 17

What: “Beauties On The Beach” Sculpture Exhibit

Where: Oakland Beach at Rye Town Park - 95 Dearborn Ave, Rye NY 10580

When: Saturday, September 17th, 1:00 to 5:00 p.m. Rain date - 9/24/11.

How Much: Free; Parking \$5; \$3 for permit holders;

"Beauties on the Beach," an exhibition of five new Paper Mache sculptures, created by the sculptor, Rosemary Cove, will be presented on Oakland Beach in Rye Town Park on Saturday, September 17th, 2011. The works will be placed on the beach for viewing from 1 to 5 p.m. Everyone is welcome. Refreshments will be served.

The Paper Mache objects are arranged to create feminine forms, both abstract and figurative. From 5:30 - 6:00 p.m. viewers may participate in rearranging the forms and thus creating new compositions.

Commenting on the exhibit, Barbara Ingber, Director of the Artists' Museum of New York City said: "Like a breath of fresh air, Rosemary Cove's sculpture presents a vision of playfulness and creative freedom! These five bathing beauties rising from the sea evoke in us a spirit of freedom and joy of life!"

Rosemary Cove studied at the Parsons School of Design. She began her artistic career in the 1960's, working in a variety of media – nearly all focusing on the female figure.

Ms. Cove has had numerous exhibitions in NYC at the Ingber Gallery. Her works have been exhibited in galleries throughout the United States and England.

In 2005, the Ann Norton Sculpture Gardens held a major retrospective of Rosemary Cove's sculpture and collage in West Palm Beach Florida. Videos of her works can be seen on You Tube:

<http://www.youtube.com/watch?v=nfSIZCKU9jk&feature=related> and

<http://www.youtube.com/watch?v=qyrPIFGRkMU>

She recently exhibited "Beauties on the Beach" in Milford, CT by the sea.

Ms. Cove is currently a resident of White Plains.

The rain date for the exhibit is Saturday, September 24th 2011. For further information, phone the park at 914 967-0965. Rye Town Park is located at 95 Dearborn Avenue near Forest Avenue. The exhibit and reception are free, but parking from 9-5 is \$3 for persons with season permits and \$5 for those without permits.

hounds²⁰¹¹ on the sound

glen island park. new rochelle

Houn



On Sunday, October 2nd, the New Rochelle Humane Society and Pet Rescue will hold their 3rd annual Hounds on the Sound Dog Walk/Festival at Glen Island Park in New Rochelle.



There are many ways to be a part of this fun-filled event:

- become a sponsor
- become a donor
- become a friend
- be a vendor
- walk the walk and get your family and friends to sponsor you.

Help us continue our work of saving the lives of these beautiful animals.

For more information visit our website at
www.houndsonthesound.org



Dear Verizon Customer,

At Verizon, we strive to provide you with the best experience by keeping you informed of programming and content-related changes that occur on our network.

On or after October 15, 2011 there will be changes to your current channel lineup. The Independent Film Channel (IFC) will no longer be offered with the Showtime/Starz Entertainment Pack. However, IFC will be available in the Extreme 2009, Extreme 2010 HD and Ultimate HD Packages offered by Verizon. The IFC will also be moving to new channel locations.

Channel Name	New Channel Number
Independent Film Channel (IFC)	SD 234 and HD 734

We apologize in advance for any inconvenience this may cause. Remember that you have 24/7 access to your channel lineup by visiting us online at verizon.com/fiostvchannels.

Thanks for your loyalty as a FiOS® customer.

Verizon