

**CITY OF RYE  
MEMORANDUM**

**TO:** Honorable Mayor and Council Members

**FROM:** Scott D. Pickup, City Manager

**SUBJECT:** Enclosures - Council Packet

**DATE:** September 23, 2011

Enclosed with this memorandum are the following items:

- 9-19 Letter from John Corlett, AAA Director of Traffic Safety and Government Affairs, with the announcement that the City of Rye has won a Gold Award in the 2011 Community Traffic Safety Awards Program.
- 9-20 Notice from Westchester County that the FEMA Disaster Recovery Center in White Plains will close on Monday, September 26, 2011 at 8:00 p.m.
- 9-21 Legal Department Update from the Corporation Counsel dated September 23, 2011.
- 9-22 Reverse 911 Message with a traffic advisory due to the Westchester County Triathlon being held on Sunday, September 25, 2011.
- 9-23 Meeting notice for the week of September 26, 2011 is available on the City website [www.ryeny.gov](http://www.ryeny.gov) under Calendar.



Received

SEP 21 2011

City Manager's Office  
Rye, New York

EXECUTIVE OFFICES  
1415 Kellum Place  
Garden City, NY 11530-1690  
(516) 746-7730  
AAA.com

September 20, 2011

Honorable Douglas French, Mayor  
City Of Rye  
1051 Boston Post Road  
Rye, NY 10580

Dear Mayor French:

Congratulations! Your community has won a Gold Award in the 2011 Community Traffic Safety Awards Program.

You are cordially invited to join us at AAA New York's 47<sup>th</sup> Annual Community Traffic Safety Awards luncheon. This year's luncheon will be held on Tuesday, October 25<sup>th</sup> at The Carlton, in Eisenhower Park, East Meadow, New York.

In an effort to keep the program shorter than in previous years, we will take award presentation photographs during a one-hour, pre-luncheon reception beginning at 11:30 a.m. This will be the only opportunity to be photographed with your award. Please make every effort to arrive on time.

We have also extended an invitation to your chief law enforcement official. However, due to space limitations, attendance will be limited to no more than two representatives from each community. Kindly confirm your attendance by phoning the Club at (516) 873-2364 by October 15<sup>th</sup>.

On behalf of our members, we look forward to the opportunity to recognize your community for your commitment to traffic safety. We hope you will be able to attend and look forward to seeing you on October 25<sup>th</sup>. For your convenience, travel directions are enclosed.

Very truly yours,

A handwritten signature in blue ink that reads 'John Corlett'.

John Corlett  
Director  
Traffic Safety and Government Affairs

JAC: cm  
Enc.



## AAA COMMUNITY TRAFFIC SAFETY AWARDS PROGRAM

### Purpose

The AAA Community Traffic Safety Awards Program (CTSAP) is an AAA club-based awards program for communities of all sizes. Awards are given to outstanding communities based on their efforts to improve local traffic safety.

### Procedure

AAA clubs make applications available to cities, counties, towns and villages, asking officials to describe their traffic safety activities of the previous year. The activities may include everything from pedestrian, bicycle, school bus and senior safety education programs, to DWI and seatbelt enforcement, along with roadway safety projects and emergency response innovations.

### Awards

Communities are rated based on their application responses and documentation. Winners are honored with a plaque to recognize their efforts.

- **Platinum Award:** Given to communities that demonstrate outstanding success in addressing local traffic safety issues.
- **Gold Award:** Given to communities that implement programs and projects that demonstrate a superior effort at addressing local traffic safety issues.
- **Silver Award:** Given to communities that implement programs and projects that demonstrate a strong, sustained effort to address local traffic safety issues.
- **Bronze Award:** Given to communities that implement programs and projects that demonstrate a substantial effort to address local traffic safety issues.
- **Pedestrian Safety Commendations and Citations:** Given to communities for consecutive years without a pedestrian fatality.
- **Special Traffic Safety Awards:** Given each year to an individual and an organization for exceptional efforts to improve traffic safety.



Robert P. Astorino, Westchester County Executive

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## NEWS RELEASE

Ned McCormack, Communications Director (914) 995-2932

Contact: Donna Greene (914) 995-2935

FOR IMMEDIATE RELEASE: Sept. 23, 2011

### **FEMA DISASTER RECOVERY CENTER IN WHITE PLAINS WILL CLOSE NEXT WEEK Residents can still apply for help from Hurricane Irene online and by phone**

The Disaster Recovery Center operated by FEMA at the Westchester County Center in the aftermath of Hurricane Irene will close next week, as demand for its services has declined since the storm hit last month.

County Executive Robert P. Astorino reminded Westchester residents and businesses that the last day of operation will be **Monday, Sept. 26 from 8 a.m. to 8 p.m.** (The center will be open Friday, Sept. 23 and Saturday 24, but be closed Sunday, Sept. 25.)

After that, residents and business may continue to apply for Hurricane aid online or by phone.

“I thank FEMA for its work to help our residents and businesses affected by Hurricane Irene,” said Astorino. “But if anyone out there who was impacted by the storm has not yet sought aid, I urge them to do so – either by visiting the Disaster Recovery Center or calling or going online. We want people to get the help that they may be entitled to.”

The DRC at the County Center opened Sept. 7. In addition, FEMA had a mobile center in Mount Kisco for three days earlier this month.

To date, 1,500 people or businesses from Westchester have registered with FEMA, of which 250 visited one of the DRCs.

With Westchester being declared a disaster area by President Obama, residents and businesses are eligible to apply for disaster aid, along with local governments and nonprofit agencies. The first step is to register: by calling FEMA’s registration number 1-800-621-3362; or online at [www.disasterassistance.gov](http://www.disasterassistance.gov). For those with speech or hearing disabilities, use the TTY number at 800-462-7585. **FEMA strongly advises people to register in advance of visiting the disaster center.**

**CITY OF RYE  
MEMORANDUM**

**TO:** Honorable Mayor and Rye City Council  
**FROM:** Kristen K. Wilson, Corporation Counsel  
**SUBJECT:** Litigation Update  
**DATE:** September 23, 2011

**TAX CERTIORARI**

Notices of Petition on behalf of property owners seeking judicial review of their property tax assessments under Article 7 of the Real Property Tax Law are being served on the City. Petitions seeking reduction of assessments must be filed within 30 days of the final completion and filing of the assessment roll prepared annually by the Assessor.

**LITIGATION**

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

A proceeding will be commenced to challenge the Negative Declaration issued by the Department of Environmental Conservation in connection with Harrison's Project Homerun.

**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. Plaintiff has until the end of September to file an appeal.

**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 pre-trial conference was postponed until September 30<sup>th</sup>.

**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**

A Notice of Appeal to the Appellate Division, Second Department has been filed on behalf of Paul Shew seeking to overturn the Decision and Order rendered by Hon. Gerald E. Loehr in this case.

MOLLOY v. PLANNING COMMISSION

By letter dated September 2, 2011, the Petitioner/Appellant has requested an additional enlargement of time to perfect her appeal from the Appellate Division, Second Department.

PANETTA v. PLANNING COMMISSION

In a ten-page Decision and Order dated September 12th, Judge Colangelo has dismissed the petition in this matter and found that the Planning Commission did not act beyond its authority when it found that the road (Howard Place) could not be "suitably improved" in accordance with the City's own road standards. The notice of entry has been filed and served and the petitioner has 30 days to file a notice of appeal.

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

**REVERSE 911 MESSAGE – TRIATHLON 2011**

This is the City of Rye Police Department calling via the Reverse 911 system with a traffic advisory. The Westchester County Triathlon will be held on Sunday, September 25th, beginning at 7:00 AM and ending around noon. The event starts and ends at Rye Town Park. Although the course of the bicycle and running events will remain open to traffic, some temporary detours and intermittent street closings may be necessary, particularly in the vicinity of Forest Avenue, Grace Church Street, Playland Parkway, and Milton Point. Please allow extra travel time and use caution for runners and bikers in the roadway. In addition, spectators at the event are reminded that the seasonal prohibition on parking in the vicinity of Rye Town Park remains in effect, and parking violations will be enforced. Thank you.