

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: April 27, 2012

Enclosed with this memorandum are the following items:

- 4-13 Notice regarding the Rye Arts Center Sculpture Show to be held from April 27, 2012 through June 16, 2012 with an opening reception on Sunday, May 6, 2012 at the Rye Arts Center from 4-6 p.m.
- 4-14 Legal Department Update from the Corporation Counsel dated April 27, 2012.
- 4-15 Meeting notice for the week of April 30, 2012 is available on the City website www.ryeny.gov under Calendar.

Beyond Routine

New Directions in Contemporary Figurative Sculpture



Tricia Cline, *Cat Sings to the Acolytes*, Porcelain

May 6 - June 16

Opening Reception:

Sunday, May 6th from 4-6 pm

RAC Gallery & Performing Arts Room

Curated by Bob Clyatt

This exhibition will feature the work of 20 U.S. - based sculptors who are creating innovative contemporary works built on a foundation of anatomical rigor and classical training in sculpting the human form.

Public Art - Downtown Rye

April 27 - May 23

In conjunction with this exhibition, works will be on view in Rye's main downtown shopping area along Purchase Street.

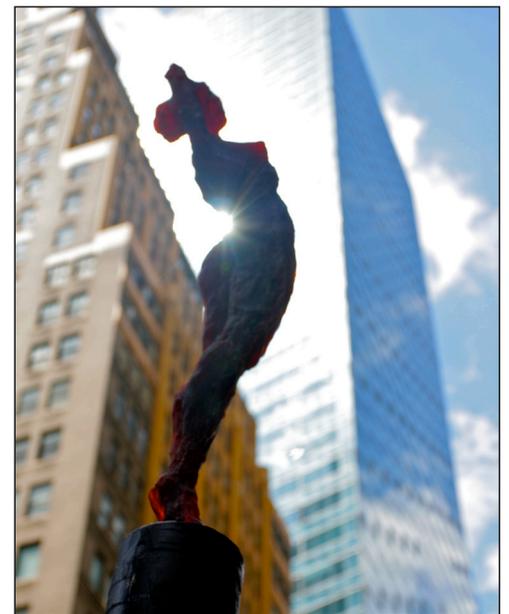
Featured Artwork: Joan Benefiel and Jeremy Leichman, *Figures from NY Fashion Center Pilings Project*, 2011.

Exhibit underwritten through the generosity of RAC Gallery Patrons:

Julie & Gary Killian, Fran & David Magee, Laurie & Rob Platek, Joyce & Paul Rheingold, Peter & Erin Sinnott, and Liz & Oliver Stanton.



Our programs are made possible, in part, by ArtsWestchester with funds from Westchester County Government and with public funds from the New York State Council on the Arts, celebrating 50 years of building strong, creative communities in New York State's 62 counties.



WWW.RYEARTSCENTER.ORG

THE RYE ARTS CENTER
51 MILTON RD.
RYE, NY 10580
(914) 967-0700

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**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: April 27, 2012

TAX CERTIORARI
CARROLL v. CITY OF RYE

Post-trial briefs have been submitted and the Judge's site visit has occurred.

LITIGATION
DAPOLITE v. PICKUP

An Article 78 Petition has been served on the City Manager by an employee seeking to vacate a letter of reprimand issued to him on March 8th.

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

The City and its consultants met with the Town/Village of Harrison and its consultants to discuss the discrepancies in the hydrologic analyses performed in 2010. The City is waiting to hear back from Harrison as to whether Harrison will provide certain data to the City for verification of the flood storage capacity at the Project Home Run site.

BASSETT v. CITY OF RYE

The plaintiff has filed a notice of appeal of the decision of Judge Berliner to the Appellate Division, Second Department. The Notice of Appeal was filed within the required time after Notice of Entry was served.

CASPI v. CITY OF RYE

On February 28th a telephone conference was conducted with Judge Yanthis and all parties. The Court gave a six month deadline for all discovery, including expert disclosure. All discovery must be completed by September 7th. No exceptions will be granted. A final conference is scheduled for September 6th.

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.

PANETTA v. PLANNING COMMISSION

Judge Colangelo issued an Order amending the Court's prior Decision and Order dated December 16, 2011 severing Plaintiff's causes of action for a declaratory judgment and those pursuant to 43 U.S.C. Sec. 1983. These causes of action are being transferred to the Supreme Court for further proceedings with the other causes of action originally interposed by Plaintiff remaining dismissed.

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.

BUTLER v. PLANNING COMMISSION

In addition to the Notice of Appeal, Petitioners also filed a motion to reargue and renew in Supreme Court. Petitioners allege that Hon. Albert A. Lorezno misapplied, overlooked or misapprehended certain relevant facts and controlling legal authority. The return date is calendared for May 18, 2012.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn