

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: May 11, 2012

Enclosed with this memorandum are the following items:

- 5-5 Invitation from Rye Post 128 of the American Legion to the Memorial Day observance to be held on the Village Green at 10:00 a.m. on Monday, May 28, 2012.
- 5-6 Invitation from the Town of Rye's African American Cemetery Committee to a Memorial Day ceremony to be held at 10:00 a.m. on Saturday, May 26, 2012 at the cemetery located at 215 North Street, Rye.
- 5-7 Memorandum from Police Commissioner William R. Connors dated May 9, 2012 regarding animal control and summer camp preparations.
- 5-8 Legal Department Update from the Corporation Counsel dated May 11, 2012.
- 5-9 Notice regarding a Rye Town Park Commission Meeting to be held on Tuesday, May 15, 2012 beginning at 6:00 p.m. at Rye Town Hall.
- 5-10 Notice from Westchester County dated May 7, 2012 regarding a new Crisis Prevention and Response Team.
- 5-11 Meeting notice for the week of May 14, 2012 is available on the City website www.ryeny.gov under Calendar.



RYE POST #128

**Memorial Day Observance
to be held on the Village Green at 10:00 AM on May 28, 2012**

PROPOSED ORDER OF CEREMONIES

Advance of Colors
Pledge of Allegiance

- **Father Joseph Lim**, Lt. Col. USAF Ret. Church of the Resurrection, Invocation and Benediction
- **George Sczcerba**, Post Commander, opening remarks
- **Hon. Doug French**, opening remarks
- **Hon. George Latimer**, opening remarks
- **Benjamin Patton**, Principal Speaker:
Benjamin Patton is the youngest grandson of WWII's General George S. Patton, Jr. and son of the late Major General George S. Patton. He is a Manhattan-based documentary filmmaker specializing in producing biographies for individuals and families. A former producer at New York City's PBS affiliate, he recently developed the I Was There Media Project initiative (more at www.iwastheremedia.org), which organizes filmmaking workshops designed especially for veterans coping with Post Traumatic Stress. Mr. Patton is the author of the recently released Berkley book, *Growing Up Patton: Reflections on Heroes, History and Family Wisdom*. For more information and background, please visit www.growinguppatton.com.
- **Matthew Pike**, a student at Resurrection School will recite Lincoln's Gettysburg Address
- **Arthur Stampleman** will receive the Americanism Award
- **John M. Kingery Memorial Essay Contest** winners will be announced with prizes provided by Rye Ford Subaru
- **James McKenzie** will receive the Eagle Scout Award
- **Frank Tolme** will receive and award for heroic actions during World War II
- **John M. Durkee** will be announced as the Post's selection for Boys' State
- **Placing of Wreaths** – Reading of WW I War Dead
- **Robin Latimer** will sing God Bless America
- **Dan Brown**, or someone selected by him, will play Taps

Retreat the Colors



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



May 9, 2012

Memorandum for: Sally Rogol, Superintendent of Recreation
Scott Yandrasevich, Manager, Rye Golf Club
Fred Gioffre, Director, Rye Town Park
Edward Shine, Ed.D, Superintendent of Schools, Rye City School District
Peter Mustich, Ed.D, Superintendent of Schools, Rye Neck School District
Scott Nelson, Headmaster, Rye Country Day School
Christine Siller, Executive Director, Rye Nature Center
Suzanne Clary, President, Jay Heritage Center
Gregg Howells, Executive Director, Rye YMCA
Scott Umbel, Senior Program Director, Rye YMCA
Irene Lustgarten, Executive Director, Community Synagogue
Lawrence Kaiser, General Manager, American Yacht Club
Mauro R. Piccininni, General Manager, Coveleigh Club
Richard Lacoursiere, General Manager, Shenorock Shore Club
Albert Brunner, General Manager, Manursing Island Club
Dominic Zeoli, General Manager, Westchester Country Club
Robert Schlingman, General Manager, Apawamis Club
Sheri Jordan, Director, Rye Historical Society
Helen Gates, Executive Director, Rye Arts Center

Subject: **ANIMAL CONTROL/SUMMER CAMP PREPARATIONS**

As you will recall, during the summer of 2010 the City of Rye experienced highly unusual activity by coyotes. At that time, we made certain recommendations to the organizations that manage summer camps within the community, and we appreciate the steps all of you who sponsored camps or other summer programs took to enhance the safety of our children.

During 2011 and thus far in 2012, we have not experienced aggressive or abnormal coyote behavior, and we sincerely hope that remains the case. However, interaction with wildlife is increasingly a part of living in suburbia, and increased numbers of coyote sightings during the spring and early summer months are likely. Therefore, we believe it would be wise for any of you who are sponsoring camps or similar programs to continue to implement some of the same precautions that were employed by summer camps during 2010 and 2011, such as:

- Discussing with campers what to do if they confront a wild animal
- Establishing procedures to be followed if an animal is seen in the vicinity of a camp
- Equipping counselors with whistles or other sound-producing devices
- Making air horns available to counselors, group leaders, or supervisors
- Ensuring that the police are notified of sightings or unusual activity.

I have attached copies of the City of Rye's "Coyote Fact Sheet" and a poster prepared by the New York State Department of Environmental Conservation, both of which are available on the City of Rye website. We also have a limited supply of larger, laminated posters. If you require additional posters, please feel free to contact me either at the above telephone number or by email at wconnors@ryepd.ryeny.gov .

I thank you in advance for your assistance and cooperation, and look forward to a safe and enjoyable summer camp season.



William R. Connors
Police Commissioner

WRC/wrc

cc: Scott D. Pickup, City Manager



CITY OF RYE FACT SHEET RE: COYOTES

Residents of Rye take great pride in the natural endowments of our community: one-fifth of the City's land is dedicated to recreation and conservation. It is important to remember that we share these areas with the animals that inhabit them; a variety of animals are found within our community, including deer, fox, rabbits, raccoons, and coyotes.

Coyotes are hunters, and primarily feed on rodents, insects, and small animals, including rabbits, squirrels, and small deer. They are normally timid around humans, but some coyotes in suburban areas have lost their fear of people, which can be dangerous. It is important to act aggressively to maintain that natural fear.

WHAT YOU SHOULD DO:

- If you encounter a coyote, be aggressive. Loud noises and forceful behavior will normally scare the animal away. Wave your arms and throw sticks or stones.
- Do not feed coyotes.
- Do not provide food sources that may attract them, such as outdoor pet food or bird seed. They may be attracted by the birds and rodents drawn to bird feeders.
- Make garbage inaccessible.
- Do not allow pets to run free. Coyotes can see cats or small dogs as prey (coyotes' average weight is 35 pounds; they will usually yield their territory to mid-sized or larger dogs). Conflicts are most frequent in March and April, when coyotes are establishing their dens.
- Small children should be supervised by an adult while outdoors.

Coyote attacks on humans can happen, although they are rare (for example, in an average year in New York State, 650 people are hospitalized and one killed in dog attacks, vs. a handful of coyote attacks nationwide). The mere presence of coyotes in our community is part of the ecology of the area, and not dangerous in itself; however, the animals' behavior should be monitored to ensure that they are not acting dangerously or aggressively, or exhibiting a lack of fear.

Unusual coyote behavior should be reported to the City of Rye Police Department at (914) 967-1234 so sightings can be recorded and officers dispatched if necessary. Attacks or emergency situations should be reported via 911.

Additional information on coyotes can be found on the New York State Department of Environmental Conservation's website, <http://www.dec.ny.gov/animals/6971.html>

What Should I Do When I Encounter a Coyote?

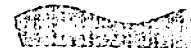
Seeing a coyote is not a bad thing. Often, hikers, hunters, bird watchers, etc, will encounter coyotes in the field simply because their activities put them in places that coyotes call home. However, to reduce the likelihood of bad interactions with coyotes, the simple answer to the question "what should I do when I see a coyote?" is to make it fear you. This is especially important when we see coyotes in areas that are commonly used by people, especially children, such as parks, playgrounds, and schoolyards. We cannot change the fact that coyotes do exist, and will continue to exist in suburban and urban areas. We can, however, condition them to not want to encounter people. Here are a couple of techniques that may help with this. Keep in mind that not all of these techniques instill fear in coyotes, but simply disturb or annoy them in hopes of discouraging them from hanging around a particular area.

- **Sound an air horn**
- **Spray the coyote with a hose**
- **Use visual and/or auditory scare devices** - A number of products exist that use a motion sensor to activate a spot light and radio or some other noise intended to chase off undesired animals.
- **Yell, wave your arms, and make yourself look big and scary** - Use body language to reinforce your aggression. Make sure that your voice and body language are as aggressive as possible. Taking a step or making a quick, sudden movement toward the coyote can make this approach more effective.
- **Throw rocks or sticks**
- **Spray with pepper spray** - This is a last resort approach and is designed more to discourage or stop an attack.

In the case of an attack, fight back! Kick, Punch, Poke

Make sure to target sensitive areas such as the eyes, nose, and throat. A large prey item that fights back is not a desirable target for a coyote. Make sure children have a plan that involves the aggression tactics described above in case they have an encounter with a coyote. Small children should be supervised and told to yell out "coyote" repeatedly until an adult responds.

Report an attack to your local police agency immediately. Follow up with a call to DEC so that we, in conjunction with local law enforcement can act accordingly. Contact your New York State Department of Environmental Conservation (DEC) **Region 3 Wildlife Office at (845)256-3098** to report any other undesirable interactions with coyotes.



**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: May 11, 2012

CLAIMS

A Notice of Claim has been filed by Utica Mutual Insurance Company as subrogee of Ard Farrington of Garden Drive. The notice states that their insured's vehicle was damaged by a City fire vehicle that was responding to a call. The claim has been forwarded to our insurance carrier.

A Notice of Claim has been filed by Kemper Services Group as subrogee of Louis Jeanette of Pawling, New York. The notice states that their insured's vehicle was damaged when it was in collision with a City vehicle on I-684. The claim has been forwarded to our insurance carrier.

TAX CERTIORARI

CARROLL v. CITY OF RYE

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

LITIGATION

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.

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.

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



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

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

DATE & TIME: Tuesday, 5/15/2012 @ 6:00PM

**PLACE: Rye Town Hall
10 Pearl Street -3rd Floor Court Room
Port Chester, New York 10573**

Tentative Agenda:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of Minutes: 4/17/2012**
- 4. Comments from the Public**
- 5. Management Reports**
- 6. RTP Sign Committee**
- 7. RTP Capital Committee**
- 8. Correspondence requests**

Adjourn



Robert P. Astorino
County Executive

Department of Community Mental Health

Grant E. Mitchell, M.D.
Commissioner

May 7, 2012

Dear Community Partner(s);

I am writing to inform you about a new Crisis Prevention and Response Team (CPRT) that has been added to Westchester County's rich array of services for those experiencing a psychiatric or emotional crisis in the community. The Westchester County Department of Community Mental Health has partnered with St. Vincent's Hospital Westchester, A Division of St. Joseph's Medical Center, to deliver quality services to those in crisis or nearing a crisis with a strong focus on prevention. The team is also available to provide education and skills training to those who can help manage, and ultimately, prevent crises.

You will find enclosed a flyer and magnet with specific information about the team and how it operates. Please contact them directly with questions and feel free to make copies of the flyer for distribution to the general public.

We understand the impact that your services have on the lives of so many in our communities and hope that you will utilize the CPRT as a resource and/or encourage those you come in contact with to call the team as needed.

Sincerely,

Grant Mitchell, MD

