

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: May 18, 2012

Enclosed with this memorandum are the following items:

- 5-12 Notice from Westchester County Department of Public Works regarding an extended lane closure on the North Street Bridge from Monday, May 21, 2012 until Monday, June 18, 2012 during the bridge structure rehabilitation work.
- 5-13 Notice regarding an Open House on the proposed changes at 120 Old Post Road. to be held on-site on Wednesday, May 23, 2012 between 4:30 p.m. and 7:30 p.m.
- 5-14 Legal Department Update from the Corporation Counsel dated May 18, 2012.
- 5-15 Memorandum from Police Commissioner William R. Connors dated May 16, 2012 regarding the annual Veterans and Service Members Appreciation Day to be held at Playland on Sunday, May 27, 2012.
- 5-16 Meeting notice for the week of May 21, 2012 is available on the City website www.ryeny.gov under Calendar.



Robert P. Astorino
County Executive

Department of Public Works and Transportation

Jay T. Pisco, P.E.
Commissioner

FOR IMMEDIATE RELEASE

WESTCHESTER COUNTY DEPARTMENT OF PUBLIC WORKS **TRAFFIC ADVISORY**

NORTH STREET BRIDGE (BIN # 3348230)

OVER THE PLAYLAND PARKWAY
CITY OF RYE

BRIDGE STRUCTURE REHABILITATION WORK

EXTENDED LANE CLOSURE

RELEASE: May 17, 2012.

ROADWAY: Old Post Road/North Street Bridge over the Playland Parkway.

LIMITS: Old Post Road between NYS Thruway Access Drive and Playland Parkway Access Dr.

WHAT: 2 phase bridge structure rehabilitation work.

IMPACTS: Beginning Monday, May 21, 2012 phase one (1) of work will require Old Post Road/North Street northbound to be closed to at Playland Parkway for a duration of four (4) weeks.

Motorists are advised to follow the posted detour route using Playland Access Drive to Theodore Fremd Avenue to North Street to Old Post Road.

Phase two (2) of work will commence at the conclusion of phase one (1) and southbound Old post Road/North Street will be closed at Playland Parkway. A traffic advisory update will be issued at that time.

WHEN: Monday, May 21, 2012 until Monday June 18, 2012.

WHO: Westchester County Department of Public Works and Transportation Contract # 11-543.

For additional information please contact Westchester County Traffic Engineering Division at (914) 995-2555.



Alfred Weissman
Real Estate, LLC

Owner Developer

May 11, 2012

City of Rye
Old Post Road
Rye, NY 10580

RE: Open House 5/23
120 Old Post Road, Rye, NY 10580

Dear Sir or Madam,

For the last 12 years I have lived here in Rye with my wife and three children. *This community* offers an amazing quality of life and so many wonderful amenities to its residents. We are all fortunate to call it home.

In addition to my home, I also own a large commercial office property on the Playland Access Road. Unfortunately, there are currently millions of square feet of vacant office space here in Westchester County. In spite of our best efforts, we have had little interest from tenants in two years of marketing the property and the building remains mostly vacant. We have filed with the City for a reduction in taxes as the value of the building is substantially diminished.

In thinking of alternate uses for the property, we have developed a plan for a small hotel that would not have any restaurant or catering facilities and would provide many benefits to the City of Rye:

1. Increased Tax base (both property tax and occupancy tax)
2. Reduced traffic with 70 less parking spaces than exiting office building
3. More residential appearance (see attached rendering)
4. Reduced traffic flow
5. Increased green landscaped area by 15,000 square feet
6. No alcohol will be served on the property.
7. An upscale hotel chain will ensure quality of the operation.

In order to develop this use, we need to get a modification to the local zoning. The proposed modification is very limiting and restrictive. This will protect the character of the area and create a first class development.

If you have any questions, please feel free to call me in my office. In addition, we are hosting an Open House which we invite you to attend. The Open House will be May 23rd between 4:30 and 7:30 in the afternoon. There is also a Planning Commission meeting to discuss this proposal on June 5th.

I thank you in advance for your consideration.



All the best,

Alan
Alan



**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: May 18, 2012

CLAIMS

A Notice of Claim has been filed by Rye Ford Subaru. The notice states that one of their vehicles was struck by a Rye Police vehicle while a customer was test driving it. 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

The City served papers in opposition to the Petitioners' motion to reargue and renew. The return date on Petitioners motion is May 25, 2012.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn



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 16, 2012

Memorandum for: Scott D. Pickup, City Manager

Subject: **REVERSE 911 MESSAGE – PLAYLAND MEMORIAL DAY
EVENT**

On Sunday, May 27, 2012, Westchester County is scheduled to hold its annual Veterans and Service Members Appreciation Day at Playland. The event includes a flyover by several military helicopters, which land at Playland for a tactical demonstration by members of the United States Marine Corps.

As in past years, I am planning to transmit the attached message via the Reverse 911 System and Nixle in the days immediately preceding the event to advise local residents of this activity.

Submitted for your information.

A handwritten signature in cursive script that reads "William R. Connors".

WRC/wrc

William R. Connors
Police Commissioner

REVERSE 911 RE: ARMED FORCES DAY 5/27/12

This is the City of Rye Police Department calling via Reverse 911. On Sunday, May 27th, between 2:00 P.M. and 5:00 P.M., “Armed Forces Appreciation Day” will be held at Playland. A Memorial Day ceremony will be held, after which U.S. Marines will perform a live demonstration. Helicopters will perform an overhead sweep before landing outside the Edith G. Reade Sanctuary, and a group of Marines will disembark to secure the “landing zone” and set up a perimeter. There will also be a search and rescue demonstration.

After the demonstration, the helicopters will be available for public display along with the weapons typically used by a Marine Corps rifle platoon.

We are calling just to alert residents that this activity will be occurring in the vicinity of Playland, and that there is no cause for alarm. The helicopters and ground activity are just a demonstration, and part of a tribute to the men and women of our armed forces. In addition, as we approach this first weekend of summer, which is traditionally a peak travel time, we remind our residents to drive safely, use seat belts, and to have a safe Memorial Day weekend.