

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: July 27, 2012

Enclosed with this memorandum are the following items:

- 7-11 Notice regarding a *Family Fun Fair* sponsored by USAlliance Federal Credit Union to be held at 600 Midland Avenue on Sunday, July 29, 2012 from 11:00 a.m. to 3:00 p.m.
- 7-12 Updates from the Rye Golf Club.
- 7-13 Legal Department Update from the Corporation Counsel dated July 27, 2012.
- 7-14 Meeting notice for the week of July 30, 2012 is available on the City website www.ryeny.gov under Calendar.

Family Fun Fair

USAlliance Federal Credit Union
600 Midland Avenue

Sunday, July 29th • 11AM to 3PM



Food • Games • Prizes

Come in and have a complimentary family portrait taken by the Credit Union's scenic pond and fountains.

Rain Date Sunday, August 5th.

For more information, please call 914.921.0500 X1436



www.USAlliance.org



Rye Golf Club Updates

Pool

The pool will remain open for an extra week. New closing date will be Sunday, September 9, 2012.

Golf

We are in the process of implementing new Tee Sentry technology on several of the "blind" shots. This will enhance pace of play in addition to providing a safer environment. It is essential that all players are familiar with and use the Tee Sentry properly.

Information about the Tee Sentries will be available in the golf shop and from the golf staff. For the Sentry to work, it is imperative all groups use it.

Admin

There will be a new election process this year. Voting will now take place online. More information will follow outlining the timeline and procedure.

**CITY OF RYE
MEMORANDUM**

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

SETTLEMENT

In May I reported to you that Utica Mutual Insurance Company as subrogee of Ard Farrington of Garden Drive had filed a notice of claim for damages to their insured's vehicle caused by a City fire truck. Our insurance carrier has settled the claim for the amount of \$2,462.16.

TAX CERTIORARI
CARROLL v. CITY OF RYE

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

THE TOWN OF RYE AND THE RYE TOWN PARK COMMISSION v. THE ASSESSOR and Board of Assessment Review of the CITY OF RYE

The time for the City to file its opposition papers has been adjourned until August 8th.

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

The deposition of Commissioner Connors has been completed. The deposition of Lt. Verille is expected to be conducted in mid-July.

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 (appeal)

The City's appeal papers were filed this week.

PANETTA v. PLANNING COMMISSION (declaratory judgment/42 U.S.C. 1983 claim)

A discovery schedule has been agreed upon by both parties.

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 has filed an appeal with the Appellate Division, Second Department in this case in order to protect the City's interests. The City has six months to perfect the appeal.

BOARD OF MANAGERS OF THE IVES AT RYE v. CITY OF RYE

The City has served its Answer with Affirmative Defenses.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn