

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: August 17, 2012

Enclosed with this memorandum are the following items:

- 8-9 Notice regarding a Rye Town Park Commission Meeting to be held on Tuesday, August 21, 2012 beginning at 6:00 p.m. at Rye Town Hall.
- 8-10 Notice regarding a Rye City School District Board of Education Special Meeting to be held on Wednesday, August 22, 2012 beginning at 6:00 p.m. at 411 Theodore Fremd Avenue, Suite 100S.
- 8-11 Legal Department Update from the Corporation Counsel dated August 17, 2012.
- 8-12 Meeting notice for the week of August 20, 2012 is available on the City website www.ryeny.gov under Calendar.



*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, August 21, 2012 @ 6:00PM**

PLACE: **Town of Rye, 3rd flr Courtroom
10 Pearl Street,
Port Chester, New York 10573**

Tentative Agenda:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of Minutes: June 19th Meeting and July 17th Meeting**
- 4. Comments from the Public**
- 5. Management Reports**
- 6. Financial Report**
- 7. Correspondence/Requests**

Adjourn



The Rye City School District

411 Theodore Fremd Avenue, Suite 100S

Rye, New York 10580

Tel: (914) 967-6100 Ext .6278 Fax: (914) 967-6957

W Elaine Cuglietto
District Clerk
cugliete@ryeschools.org

August 10, 2012

FOR IMMEDIATE RELEASE

August 22, 2012 Board of Education Meeting

The Rye City School District Board of Education will hold a special meeting on Wednesday August 22, 2012, at 6:00 p.m. The meeting will be held at 411 Theodore Fremd Avenue, Suite 100S, Rye New York.

On the agenda are fiscal, special education, personnel and business items that ordinarily come before the Board.

The next regular meeting of the Board is scheduled for Tuesday, September 11, 2012, beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: August 17, 2012

CLAIMS

A Notice of Claim has been filed by GEICO as subrogee of Ryan Dewitt of 66 Milton Road. The Notice states that Mr. Dewitt's parked automobile was damaged when it was hit by a fallen tree branch. 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.

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 22nd.

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 Lt. Verille is still to be conducted.

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 reply brief has been filed and served. This appeal is now fully submitted to the Appellate Division, Second Department. We are waiting for an oral argument date.

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.

SYLVESTER v. CITY OF RYE

Plaintiff is requesting permission to file a second amended complaint to include additional defendants.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn