

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: October 12, 2012

Enclosed with this memorandum are the following items:

- 10-3 Notice regarding a Rye Town Park Commission Meeting to be held on Tuesday, October 16, 2012 beginning at 6:00 p.m. at Rye Town Hall.
- 10-4 Notice regarding a Special Rye City School District Board of Education Meeting to be held on Tuesday, October 16, 2012 beginning at 7:30 p.m. in the Central Administration Building.
- 10-5 Legal Department Update from the Corporation Counsel dated October 12, 2012.
- 10-6 Notice regarding a FREE Rabies Vaccination and Low cost Microchipping Clinic being held at the New Rochelle Humane Society on Sunday, October 21, 2012 from 10:00 a.m. to 2:00 p.m.
- 10-7 Meeting notice for the week of October 15, 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, October 16, 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: September 18th 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

Elaine Cuglietto
District Clerk
cugliete@ryeschools.org

October 5, 2012

FOR IMMEDIATE RELEASE

October 16, 2012 Special Board of Education Meeting

The Rye City School District Board of Education will meet Tuesday, October 16, 2012 beginning at 7:30 PM in the Central Administration Building, 411 Theodore Fremd Avenue, Suite 100S, Rye New York 10580

It is expected that the Board will adjourn immediately into Executive Session for the review of current litigation.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: October 12, 2012

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 City has served and filed its reply papers in further support of its cross-motion for summary judgment.

WESTCHESTER JOINT WATER WORKS v. CITY OF RYE

Counsel for Westchester Joint Water Works and the City of Rye have both filed a notice of appeal.

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 Appeal has been perfected and we are waiting for notice of oral argument.

CASPI v. CITY OF RYE

An expert has been retained on behalf of the defendants. A few remaining depositions have to be scheduled.

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 Brief in Opposition has been filed. The matter is fully submitted before the Appellate Division, Second Department. We are waiting a date for oral argument.

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

A notice of appeal has been filed on behalf of the Planning Commission.

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



70 Portman Road
New Rochelle, NY 10801

The Rabies Clinic
is for
**WESTCHESTER
RESIDENTS
only**

Attendees must provide
Westchester County ID at registration

**FREE Rabies Vaccination
&
LOW COST Microchipping
Clinic**

sponsored by the Westchester Department of Health

**Sunday, Oct. 21st
10am to 2pm**

**FOR:
DOGS - CATS - FERRETS**

**All Pets Must Be Supervised by an Adult:
All Dogs on Leashes*
All Cats & Ferrets in Carriers**

***Dogs that are aggressive towards people
or other dogs are NOT ALLOWED.**

914.632.2925

www.newrochellehumanesociety.org