

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: January 25, 2013

Enclosed with this memorandum are the following items:

- 1-12 Notice from the Committee to Save the Bird Homestead regarding a program entitled *Coping with Deer in the Garden & Landscape* to be held on Saturday, January 26, 2013 beginning at 3:00 p.m. at the Rye Meeting House.
- 1-13 Notice from the Rye, Rye Brook & Port Chester League of Women Voters regarding an *Issue Forum on Money & Politics* to be held on Tuesday, February 5, 2013 beginning at 7:00 p.m. in the Rye Middle School Multi-Purpose room.
- 1-14 Legal Department Update from the Corporation Counsel dated January 25, 2013.
- 1-15 Information provided by the New York State of Emergency Management outlining a New York State program to assist with the costs of home repairs that are not covered by insurance or FEMA for Hurricane Sandy damage.
- 1-16 Meeting notice for the week of January 28, 2013 is available on the City website [www.ryeny.gov](http://www.ryeny.gov) under Calendar.

**The Committee to Save the Bird Homestead  
presents**

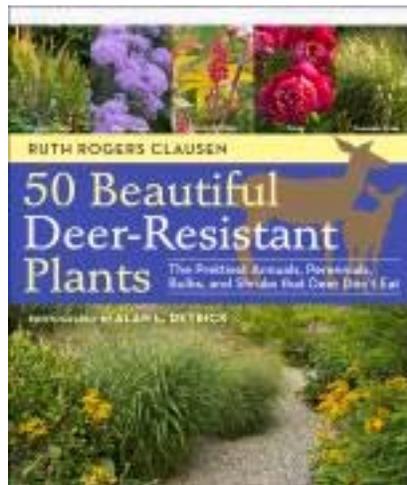
# **Coping with Deer in the Garden & Landscape**

**a presentation by**

**Ruth Rogers Clausen**

**Author of**

***50 Beautiful Deer Resistant Plants:  
The Prettiest Annuals, Perennials, Bulbs, and Shrubs that  
Deer Don't Eat***



**Saturday, Jan. 26  
3 pm**

**at the Meeting House  
624 Milton Road  
Rye, NY**

**Admission \$5 per person at the door**

**For further information contact 914-967-0099 or  
[birdhomestead.meetinghouse@gmail.com](mailto:birdhomestead.meetinghouse@gmail.com)**



RYE, RYE BROOK  
& PORT CHESTER  
LEAGUE OF  
WOMEN VOTERS®

## Issue Forum on Money & Politics

### **What is the Effect of Money on the Political Process and on Election Campaigns - - for Good or Ill?**

#### Our Featured Panelists

- **Jeffrey Binder** – An attorney, lobbyist and political consultant. Jeff is a political strategist and advisor to numerous elected officials, candidates and political organizations.
- **George Latimer** – Elected in November as New York State Senator, representing the 37<sup>th</sup> District. George previously served as State Assemblyman in the 91<sup>st</sup> Assembly District representing the Sound Shore communities.
- **Laurence Laufer** – An attorney and former general counsel to New York City’s Campaign Finance Board. Laurence advises political candidates, PACs and officials on political activities including guidance on campaign finance.
- **Bill O’Reilly** – Republican political campaign media and communications strategist. Bill was campaign spokesman for Bob Cohen’s State Senate campaign versus George Latimer.

**Tuesday, February 5<sup>th</sup> at 7:00 pm**  
**Rye Middle School – Multi-Purpose Room**  
**3 Parsons Street, Rye**

Contact: Rye, Rye Brook & Port Chester League of Women Voters  
(914) 481-3234    [LWV.Rye.RyeBrook.PortChester@gmail.com](mailto:LWV.Rye.RyeBrook.PortChester@gmail.com)

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Rye City Council  
FROM: Kristen K. Wilson, Corporation Counsel  
SUBJECT: Litigation Update  
DATE: January 25, 2013

**TAX CERTIORARI**  
**CARROLL v. CITY OF RYE**

Judge LaCava rendered a Decision and Order reducing the value of Petitioners property by approximately 45% for the years 2003 through 2011. A judgment has not been entered yet.

**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)

**Discovery is complete and the Note of Issue has been filed.**

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. The City Council has voted to perfect the appeal. The appeal must be perfected by March 11, 2013.

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

The City has served its Answer with Affirmative Defenses.

SILVESTER v. CITY OF RYE

**A conference with a court referee took place and all depositions and IMEs must be completed by the end of May.**

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson  
Corporation Counsel

KKW/dfn

# **ATTENTION NEW YORKERS**

## **WAS YOUR HOME DAMAGED BY HURRICANE SANDY?**

### **GOVERNOR CUOMO'S DISASTER HOMEOWNERSHIP REPAIR AND REBUILDING FUND CAN HELP YOU.**

New York Governor Andrew Cuomo is providing new funding for homeowners whose property was damaged or destroyed by Hurricane Sandy.

Homeowners who have already qualified for FEMA housing assistance grants can now also obtain up to an additional \$10,000 through the Governor's Disaster Homeownership Repair and Rebuilding Fund.

**This is a grant, not a loan, and it does not need to be repaid.**

#### **YOU MAY BE ELIGIBLE IF:**

- You live in the five boroughs of New York City - Brooklyn, Queens, the Bronx, Manhattan, Staten Island - or the counties of Westchester, Rockland, Nassau, Suffolk, Orange, Putnam, Sullivan and Ulster.
- You have to rebuild or substantially repair your primary residence because of damage from Hurricane Sandy.
- You have already qualified for a FEMA housing assistance grant capped at \$31,900.
- Your FEMA grant DID NOT cover the full cost of damage to your home according to FEMA's appraisal.
- New funding WOULD NOT duplicate assistance you are already receiving from other government agencies or your personal insurance.

#### **FOR MORE INFORMATION**

To find out if you qualify for the New York State Disaster Homeownership Repair and Rebuilding Fund call:

**(855) NYS-SANDY - [855 697-7263]**

## **TO APPLY**

1. Contact your private insurance company.
2. If your insurance doesn't cover or isn't paying the full cost of damage to your property, you can apply for FEMA Housing Assistance by calling **(800) 621-3362**, or for the hearing-impaired, TTY **(800) 462-7585**.
3. Once you have received the maximum grant from FEMA's Housing Assistance program, an application for the Governor's Disaster Homeownership Repair and Rebuilding Fund will be automatically transferred to the state.

**You will not need to apply separately or fill out any additional paper work to apply for this grant.**

## **WHAT THIS FUND DOES NOT COVER**

This is one of many programs that are helping New Yorkers recover from Hurricane Sandy – you can learn about how New York State can help you by calling:

**(855) NYS-SANDY [855 697-7263]**

Some areas of assistance that are **NOT** covered by the New York State Disaster Homeownership Repair and Rebuilding Fund include:

1. Repairs and rebuilding for pre-existing conditions or damages not caused directly by the effects of Hurricane Sandy;
2. Replacement of personal property;
3. Debris removal and sanitation services;
4. Clothing and household items;
5. Food, medical or dental needs;
6. Moving and storage;
7. Transportation;
8. Business or work-related losses; or
9. Cash replacement.



**GOVERNOR  
ANDREW M. CUOMO**