

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: April 5, 2013

Enclosed with this memorandum are the following items:

- 4-1 Notice regarding a Holocaust Commemoration to be held on Sunday, April 7, 2013 from 4:00 to 5:30 p.m. at Scarsdale Synagogue Temples Tremont and Emanu-El, 2 Ogden Road, Scarsdale, New York.
- 4-2 Notice regarding a Rye Town Park Community Forum to be held on Saturday, April 27, 2013 at 10:30 a.m. at the Damiano Recreation Center.
- 4-3 Legal Department Update from the Corporation Counsel dated April 5, 2013.
- 4-4 Information from the New Rochelle Humane Society regarding upcoming events to be held in April, 2013.
- 4-5 Meeting notice for the week of April 8, 2013 is available on the City website [www.ryeny.gov](http://www.ryeny.gov) under Calendar.

Annual Westchester  
Countywide  
**Holocaust Commemoration**

Keeping the Memory Alive:  
**Generation to Generation**

Keynote Speakers

**Ina & Jack Polak**

~ Sunday, April 7, 2013 ~

4:00 pm - 5:30 pm

*held at*

**Scarsdale Synagogue Temples Tremont and  
Emanu-El  
2 Ogden Road, Scarsdale, New York**

**Free and Open to the Public**

**For More Information Contact 914.696.0738,  
[info@wjcouncil.org](mailto:info@wjcouncil.org)**



# *Rye Town Park Community Forum*

*Sat., April 27, 2013 - 10:30 a.m.*

*Damiano Recreation Center/Recreation Park,  
281 Midland Avenue, Rye, NY 10580.*

*Here's your chance to voice your thoughts  
on the 2012 operations of the park and  
what changes, if any, you would like to see  
implemented, going forward in 2013.*

*Co-sponsored by the Friends of Rye Town Park  
and Rye City's Rye Town Park Advisory Committee*

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Rye City Council  
FROM: Kristen K. Wilson, Corporation Counsel  
SUBJECT: Litigation Update  
DATE: April 5, 2013

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

A Notice of Appeal in this matter was filed in the Appellate Division, Second Department.

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

A settlement conference was held with Judge Tolbert's clerk and legal secretary this week.

**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 appeal is fully submitted and the oral argument occurred in February.

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

The Planning Commission and co-respondents Mathissons filed the appellate briefs in the Appellate Division, Second Department.

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



# New Rochelle Humane Society

From our home to yours

**Pepe Infiniti Fur-Ever Home Dog Adoption Day – Sunday, April 7 (11am to 3pm)**



**Find that special someone who will just enjoy the ride**

Join us for a family fun event

Pepe Infiniti is hosting a dog adoption day at their dealership! New Rochelle Humane Society volunteers will be attending with our doggie ambassador! Pepe Infiniti is located at 300 Central Avenue, White Plains, NY. You can reach them at (914) 428-0900.

**DOGGIE DAY Pelham Dog Licensing Event – Saturday, April 27 (10am to 2pm)**



The Town of Pelham, NY is hosting a Dog Licensing Event for Pelham residents & their dogs! New Rochelle Humane Society volunteers will be attending with our doggie ambassadors!

Join us at Daronco Townhouse, 20 Fifth Avenue, Pelham, NY. We hope to see you there!

The City of White Plains is hosting its annual Earth Day celebration. The New Rochelle Humane Society volunteers is setting up an information table & our doggie ambassadors will be there to Meet & Greet the public!