

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: May 3, 2013

Enclosed with this memorandum are the following items:

- 5-1 Notice from the Westchester County Department of Health regarding West Nile Virus prevention efforts which will begin on Monday, May 6, 2013 with a larvicide program throughout Westchester County.
- 5-2 Press Release from the Rye Police Department regarding the leashing of dogs as required by the Rye City Code when not on their owners' premises.
- 5-3 Notice regarding a *Community Outreach Concert* to be held on Monday, May 6, 2013 beginning at 1:00 p.m. at the Rye Arts Center featuring music from the 40's, 50's and 60's.
- 5-4 Notice regarding a Rye City School District Board of Education Meeting to be held on Tuesday, May 7, 2013 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 5-5 Legal Department Update from the Corporation Counsel dated May 3, 2013.
- 5-6 Letter from Mattias Wallander, USAgain CEO, presenting the City of Rye with a Certificate of Sustainability.
- 5-7 Meeting notice for the week of May 6, 2013 is available on the City website www.ryeny.gov under Calendar.



Robert P. Astorino, Westchester County Executive

NEWS RELEASE

Sherlita Amler, MD, Commissioner, Department of Health
Ned McCormack, Communications Director
Contact: Heather McGill (914) 864-7369 / after hours: 813-5000

FOR IMMEDIATE RELEASE: May 3, 2013

2013 WEST NILE VIRUS PREVENTION EFFORTS BEGIN MONDAY Residents urged to remove standing water to eliminate mosquito breeding sites

To eliminate breeding sites for mosquitoes that can carry West Nile Virus, the Westchester County Department of Health will start West Nile Virus prevention efforts on Monday, May 6, by checking catch basins throughout the county for standing water and applying larvicide as needed.

Health department larviciding teams will begin in the northern part of the county and work their way south, evaluating and treating as needed all catch basins on county and municipal roads throughout the county over the next few months.

To help prevent mosquitoes from breeding, residents should eliminate standing water from around their properties, especially after it rains. Large areas of standing water on public property that cannot easily be removed should be reported to the Health Department by calling (914) 813-5000.

“Through the combined efforts of residents and county government, we can successfully curb the mosquito population and keep cases of West Nile Virus to a minimum,” said Sherlita Amler, MD, commissioner of health. “We must all do our part to keep mosquitoes that carry West Nile Virus from breeding in Westchester. Please survey your property routinely and empty standing water from any discarded tires, unchlorinated swimming pools, outdoor pottery, pails, birdbaths or other containers throughout the spring and summer.”

At the request of the Board of Legislators’ pesticide management committee, the health department will sample the water from outfall points along the Hudson River and the Long Island Sound, checking for the presence of methoprene, the active ingredient in the briquettes that prevents mosquito larvae from developing. Health department staffers will resample the same outfall points throughout the larviciding season and will report the results to the committee.

More

Street catch basins, with their ability to contain stagnant water and organic debris, have been documented as ideal breeding environments for mosquitoes – particularly the types of mosquitoes that spread West Nile virus. That’s why, starting Monday, certified environmental health staff from the Westchester County Department of Health will begin evaluating and applying briquettes of a long term larvicide into county and local municipal catch basins to prevent mosquito larvae from developing into adult mosquitoes. Residents will know a catch basin has been treated by the bright orange dot spray-painted on the pavement near the catch basin. Two orange dots will indicate that the catch basin has been evaluated, but does not need treatment because it is not holding water. Westchester County has been safely applying the same larvicide since 2001 to suppress the mosquito population.

Mosquitoes capable of carrying West Nile Virus lay their eggs in stagnant water. To prevent mosquito breeding sites near your home, the Westchester County Department of Health recommends the following:

- Remove unneeded tires, cans, buckets, drums, wheelbarrows and bottles from outdoor property.
- Cover trash containers to keep rain out.
- Turn over plastic wading pools and wheelbarrows when not in use.
- Clean roof gutters and remove standing water from flat roofs.
- Remove standing water from basements.
- Place a couple of capfuls of household bleach in a basement sump-pump pit if it has standing water.
- Keep drains, culverts and streams clean of weeds and trash so that water can drain properly.
- Make sure stored boat covers are completely drained and store small boats upside down.
- Drain water in birdbaths, plant pots and drip trays twice a week.
- Trim shrubs to eliminate hiding places for adult mosquitoes.
- Clean and chlorinate swimming pools, outdoor spas and hot tubs. Be sure rainwater does not collect on their covers and disinfect them with bleach to kill mosquito larvae and eggs.
- Fill in hollow tree stumps and rot holes that hold water with sand or concrete.
- Drill holes in the bottoms of recycling containers that are kept outdoors.

For more information about larviciding and West Nile Virus, go to www.westchestergov.com/health, like us on Facebook at facebook.com/wchealthdept, follow us on Twitter @wchealthdept or call the Health Department at (914) 813-5000.



William R. Connors
Police Commissioner

POLICE DEPARTMENT

City of Rye, New York

21 McCullough Place

Rye, N. Y. 10580

Phone: (914) 967-1234

FAX: (914) 967-8341



PRESS RELEASE

May 3, 2013

FOR IMMEDIATE RELEASE

The Rye City Code requires that dogs must be leashed, when not on their owners' premises, by a leash not more than eight feet long. The law applies to all public spaces, including Rye Town Park.

Although many residents and non-residents view Rye Town Park as a "dog park," it is not, and the rights of non-dog owners to the use and enjoyment of the park must be respected. At this time of the year, warmer weather leads to greater use of the park by walkers, families, and children. Many are uncomfortable or fearful around dogs, and the potential for conflict between people and unrestrained pets increases. This past weekend, in fact, two small children were bitten by unleashed dogs.

The Town of Rye, the Rye Town Park Commission, and the Friends of Rye Town Park have asked that we assist in informing the public of their policy: dogs must be leashed in Rye Town Park. Warnings will be given to violators by park staff, and if necessary, summonses will be issued by the City of Rye Police Department.

We hope, however, that cooperation, voluntary compliance with the law, and mutual respect for the rights of both dog owners and non-owners to the safe use of their public spaces will allow all parties to enjoy this beautiful park during the season.

Questions may be referred to Police Commissioner William R. Connors at (914) 967-1234.

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SPRING
20
20
WINTER

music school

Great
Live Music !

MUSIC OF THE 40s, 50s AND 60s

A COMMUNITY OUTREACH CONCERT
MONDAY, MAY 6 1:00 PM

at The Rye Arts Center
in the
Bertin Rowser Performing Arts Room

Level 1
Music of:
Nat King Cole, Glenn Miller, The Platters, Johnny Cash.....
Come sit back, tap your toes and enjoy some great **LIVE** music!
Reminisce and bring along your dancing shoes!

FREE !

featuring
Matt Garrison - saxophones
Joe Sabia - trumpet
JP Schlegelmilch - piano
Peter Hand - guitar
Gerry Fitzgerald - drums



Made possible through the generosity of
Suzanne A. Brainard and the Judson Fund.

These events and programs are made possible in part by ArtsWestchester with funds from Westchester County Government and support from the New York State Council on the Arts.

State of the Arts NYSCA Westchester.gov.com ARTSW WESTCHESTER

THE RYE ARTS CENTER
The Rye Arts Center
51 Milton Rd.
Rye NY 10580
914 967-0700



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

April 26, 2013

FOR IMMEDIATE RELEASE

May 7, 2013 Board of Education Meeting

The Rye City School District Board of Education will meet **Tuesday, May 7, 2013** beginning at 8:00 PM in the Rye Middle School Multipurpose Room.

Prior to the meeting, the Board will have a Facilities Tour of Osborn School at 6:45 PM and then continue at 7:30 in Executive Session at Rye Middle School Multipurpose Room for the review of the employment history of current and prospective employees, negotiations pursuant to the Taylor Law, review of current litigation and litigation strategy.

The Board will hold a public hearing on the 2013-2014 budget. Also on the agenda are fiscal, special education, personnel and business items that ordinarily come before the Board.

Members of the public are welcome and encouraged to attend this meeting of the Board and to speak during the public hearing on the budget.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: May 3, 2013

CLAIMS

A notice of claim has been filed by Denver Boston and Renate Boston of 7 Indian Hill Road. The notice claims personal injuries on the part of Denver Boston sustained when he tripped and fell on a metal road plate at the intersection of Purchase and Smith Streets and loss of services on the part of Renate Boston. The claim has been forwarded to our insurance carrier.

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.

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)

In a unanimous decision, the Appellate Division, Second Department, upheld the Planning Commission's decision and found that its determination that Howard Place did not provide reasonable access to

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

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

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



A Clothes Collection System



April 8, 2013

Dear Mayor:

We are pleased to present RYE with a Certificate of Sustainability from USAgain. This certificate documents our shared success in greening your community. We commend you for hosting USAgain collection bins in your community, and the attached certificate is a great way to increase recycling awareness and document RYE's efforts toward sustainability.

In 2012, USAgain diverted 30,390 pounds of textile waste from landfills (equal to 7 garbage truckload(s)), saved 174 cubic yards of landfill space, prevented 212,730 pounds of CO₂ emissions, and saved 42,546,000 gallons of water. None of this would have been possible without the help of site sponsors and the cooperation of municipalities.

With your help, we are one step closer to reducing the amount of clothes, shoes and other textiles that are thrown away everyday in the United States. According to the EPA, 85% of all textiles in the U.S. are trashed. That's 11.1 million tons of textiles sent to our nation's landfills each year – a waste of resources and a major source of pollution. One t-shirt requires over 700 gallons of water and nearly 7 pounds of CO₂ to manufacture. By diverting the clothing from landfills and putting it back in the reuse cycle, we help reduce greenhouse gas emissions, preserve natural resources, reduce usage of harmful chemicals, and provide affordable clothing options for millions of people.

Our success is rooted in our strict adherence to strong business practices, which ensure the public is aware of who we are and what we do. Our collection bins are well maintained and serviced regularly by our driver service representatives who follow routine schedules with pre-determined routes. In addition, we offer 24-hour toll-free access to a live phone operator.

USAgain's environmental commitment stretches beyond clothing and textile recycling. In 2013, USAgain is expanding its green initiative by launching a tree-planting campaign in which 200,000 trees being planted around the world. Trees will be planted in partnership with Trees for the Future, an agroforestry organization based in Maryland, and will help revitalize environmentally-ravaged areas. We also hope to plant trees in your local community - get in touch with us to make it happen!

Should you have any questions regarding USAgain its programs and initiatives, please contact me. For more information on USAgain and textile recycling please visit:
www.usagain.com/municipality

Regards,

Mattias Wallander
CEO, USAgain



CERTIFICATE OF SUSTAINABILITY

2012

RYE, NY

Textiles



30,390
pounds collected

Water



42,546,000
gallons saved

Landfill Space



174
cubic yards saved

CO₂ Emissions



212,730
pounds prevented

Garbage Truckloads



7
truckloads diverted

Mattias Wallander, CEO

