

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: May 31, 2013

Enclosed with this memorandum are the following items:

- 5-28 Notice regarding the Annual Vehicle Fair to benefit the Rye Library to be held on Sunday, June 2, 2013 from 11:30 a.m. to 3:00 p.m. at the Osborn School parking lot.
- 5-29 Notice regarding a Senior Citizen Pool Party and Barbeque on Tuesday, June 18, 2013 from 10:00 a.m. to 3:00 p.m. at the Saxon Woods pool in White Plains.
- 5-30 Legal Department Update from the Corporation Counsel dated May 31, 2013.
- 5-31 Notice regarding Pubic Hearings to be held by the Westchester County Rent Guidelines Board during the month of June, 2013 in White Plains and Yonkers.
- 5-32 Meeting notice for the week of June 3, 2013 is available on the City website www.ryeny.gov under Calendar.



Come to the annual Vehicle Fair to benefit the Rye Library

Sunday, June 2, 11:30 am - 3 pm
at the
Osborn School Parking Lot
Rain or Shine

Fun for the whole family! Lots of cars, trucks and other equipment to examine up close as well as fun rides, games and inflatables to enjoy. Among them will be a Bouncy House, Victory Lap Slide, All Aboard Train, Face Painting and - new this year - Story time. DJ Anthony Radice will offer musical entertainment throughout and there will be a raffle with great prizes for children and adults. Food is provided by Post Road Market and Longford's Ice Cream.

Vehicle Fair admission at the gate is \$35 per family to enjoy all the attractions, not including the price of food. Tickets can also be purchased online at www.ryelibrary.org through noon on Friday, May 31 for \$30 which includes two raffle tickets.

The popular yearly fundraiser is put on by the Auxiliary Board of the Rye Free Reading Room.



SENIOR CITIZEN Pool Party & Barbecue

Saxon Woods Pool, White Plains

**Tuesday
June 18, 2013**

(Rain date: Wednesday, June 19, 2013)

10 a.m. to 3 p.m.

Free Admission • Free Parking

FEATURED ENTERTAINMENT

Mack and Soul

**Water Aerobics • Free Mini Golf
Pool Open • Lifeguards on Duty**

LUNCH INFORMATION

Lunch Served 11 a.m. - noon

Barbecued chicken, tossed salad, potato salad, juice & dessert. Please bring additional non-alcoholic drinks, but outside meals are not permitted.

Lunches must be ordered by June 10. Call (914) 813-6380 or (914) 813-6449 to order.

Make checks payable to **WCDSPS** and mail to

Pool Party
Westchester County Dept. of Senior Programs & Services
9 S. First Ave., 10th Floor
Mount Vernon, NY 10550

Suggested lunch contribution for seniors is \$4. *Child lunch fee is \$4.

For event information and directions, call (914) 864-7275.



**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: May 31, 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.

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 Appellate Division, Second Department issued a decision reversing the lower court decision of Judge Berliner that set aside the jury verdict and remitted the matter back to him to consider whether a new trial should be granted.

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 a street which was suitably improved had a rational basis and was not arbitrary and capricious.

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

Discovery is complete and the Note of Issue has been filed. **A settlement conference is calendared for June 6, 2013.**

BUTLER v. PLANNING COMMISSION

The Planning Commission and co-respondents Mathissons filed the appellate briefs in the Appellate Division, Second Department. **Petitioners-Respondents filed their opposition brief. The City's reply brief is due June 10, 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, et al

Depositions of RA Cohen, First 131 Purchase Street Associates, LLC and 151 Purchase Street Associates, LLC were held this week. Depositions will continue for the next several weeks. IMEs of the Plaintiff will take place in June and July.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW

WESTCHESTER COUNTY RENT GUIDELINES BOARD

75 South Broadway
White Plains, New York 10601
Telephone 914-948-4434

Jane Morgenstern, *Chair*
Public Member

Members

Eddie Mae Barnes, R.N.	Public
Kenneth J. Finger, Esq.	Owner
Ian Joseph	Public
Carol Ann Kope	Owner
Genevieve H. Roche, Esq.	Tenant
Elsa Rubin	Public
Joseph G. Whelan, Jr., CPA	Public
Rev. Emma Jean Loftin-Woods	Tenant

FOR INFORMATION:
MICHAEL BERRIOS
(718) 262-4816

FOR IMMEDIATE RELEASE:

WESTCHESTER COUNTY RENT GUIDELINES BOARD TO
HOLD PUBLIC HEARINGS

The Westchester County Rent Guidelines Board will hold public hearings to take testimony and evidence pertaining to the Board's setting of guideline rates of rent adjustment for housing accommodations within its jurisdiction, subject to the Emergency Tenant Protection Act of 1974 (ETPA), for leases commencing between October 1, 2013 and September 30, 2014, as follows:

DATE: Monday, June 10, 2013; **TIME:** 7:00 PM
PLACE: City Hall, Memorial Room, 1 Roosevelt Square
Mount Vernon, New York.

DATE: Tuesday,, June 11, 2013; **TIME:** 7:00 PM
PLACE: 1 Larkin Center, Riverfront Library
Yonkers, New York

DATE: Monday, June 17th, 2013; **TIME:** 7:00 PM
PLACE: Ceremonial Court Room (First Floor)
111 Dr. Martin Luther King Jr. Boulevard
White Plains, New York.

**WESTCHESTER COUNTY RENT GUIDELINES BOARD TO HOLD
PUBLIC MEETINGS**

DATE: Thursday, June 20th, 2013; **TIME:** 7:00 PM
PLACE: Ceremonial Court Room, (First Floor)
111 Dr. Martin Luther King Jr. Boulevard
White Plains, New York --For the presentation of
the positions of the Tenant and Owner members
of the Board, and discussion therein.

DATE: Wednesday, June 26, 2013; **TIME:** 7:00 PM
PLACE: Ceremonial Court Room, (First Floor)
111 Dr. Martin Luther King Jr. Boulevard
White Plains, New York. – For the purpose of setting
rent guidelines for the one-year period commencing
on October, 1, 2013.

Certification

The Board anticipates scheduling a public meeting to be held during September, 2013 (specific date to be determined) to certify the rent adjustment guidelines for the October 1, 2013 - September 30, 2014 guidelines year to be voted upon by the Board on June 26, 2013.

Jane Morgenstern, Chair
WESTCHESTER COUNTY RENT GUIDELINES BOARD

May 30, 2013