

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: June 7, 2013

Enclosed with this memorandum are the following items:

- 6-1 Notice regarding a Rye City School District Board of Education meeting to be held on Tuesday, June 11, 2013 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 6-2 Notice regarding a *Port Chester Fest* to be held on Saturday, June 8, 2013 from noon to 6:00 p.m. on the waterfront in Port Chester.
- 6-3 Legal Department Update from the Corporation Counsel dated June 7, 2013.
- 6-4 Notice regarding a New Rochelle Humane Society fundraising Auction Benefit, *Paws for a Heart*, to be held on Thursday, June 13, 2013 beginning at 6:30 p.m. at the Glen Island Harbour Club in New Rochelle.
- 6-5 Meeting notice for the week of June 10, 2013 is available on the City website www.ryeny.gov under Calendar.



The Rye City School District

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Rye, New York 10580

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*W Elaine Cuglietto
District Clerk
cugliete@ryeschools.org*

June 5, 2013

FOR IMMEDIATE RELEASE

June 11, 2013 Board of Education Meeting

The Rye City School District Board of Education will meet **Tuesday, June 11, 2013** beginning at 8:00 PM in the Rye Middle School Multipurpose Room.

Prior to the meeting, the Board will meet 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 host a Tenure Reception at 7:30 p.m. recognizing those individuals that have earned tenure this school year.

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.

SATURDAY

JUNE 8, 2013

12AM - 6PM

**FREE
ADMISSION**



**6TH
Annual**

LOCATION: We're Back in our original location. Port Chester Marina Lot, Corner of Adeo St. and Abendroth Ave.

ENTERTAINMENT

- African Community Drummers and Dancers - This exciting performance will open your eyes and light up the stage
- Curtis Winchester's Twisted Soul Band with special guest, 5-time Grammy Nominee Pianist Jon Cobert. Blues, Soul, R&B, Motown & Originals
- Camille Ortiz Lafont – Traditional Italian and Latin sensation
- Traditional Polish dance and music
- Multi-cultural fashion show starring local children and families
- Charlie Scopoletti - Port Chester's own rising music star
- Quesqento y Paccaricha: Danza de Tijeres – Amazing Peruvian competitive dance
- Alfa America – traditional and original Andes music from Ecuador, Chile, Argentina, and Bolivia

Port Chester Fest is a Free Multicultural Family Festival Celebrating local arts, music and culture.

INTERNATIONAL FOODS

Italian, Indian, Latin, Japanese, Chinese, Fresh Fruits, American Grill, BBQ, Ice Cream, and more

FAMILY ACTIVITIES

Art, Clay, Face Painting, Crafts, Fun Exercise, Nature, Music, and more...



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**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: June 7, 2013

SETTLEMENT

On May 17th I notified you that a notice of claim had been submitted by Allen Lustig of 1516 Barbara Lane, Mamaroneck in connection with damages caused to his parked automobile by a City vehicle. Our insurance carrier has notified us that the claim has been settled for the amount of \$2,337.53.

**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

A schedule for summary judgment motions has been calendared by the Court. Defendants must submit motions for summary judgment on or before July 31, 2013. Plaintiff must serve opposition papers by September 16, 2013 and the Reply must be served

by October 14, 2013. This is a bundle motion so the Court will receive all documents on October 14, 2013.

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)

I attended a settlement conference on June 6, 2013. The next conference is on July 18, 2013.

BUTLER v. PLANNING COMMISSION

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.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn



Hello friends! Please join us Thursday, June 13th, when the New Rochelle Humane Society hosts Paws for a Heart Fundraising Auction Benefit! We have a great evening planned starting at 6:30 p.m. at the [Glen Island Harbour Club](#) and you are invited!!

Proceeds from this fundraiser benefit the Help Heal Fund which gives a second chance at life and a loving home to severely injured or ill animals like [Carly Brown](#).

Please join us for this important event.

During a delicious cocktail hour and silent auction you will hear the music of Jiyang Chen, a world-class pianist. Then you will be treated to a wonderful sit-down dinner and live auction. You will see beautiful photos of adopted animals and hear music provided by our DJ. Jill Rappaport of the "Today Show" will be honored for her advocacy efforts on behalf of rescue animals.

The live auction features some "priceless" items:

- Lunch for two with Meredith Vieira, journalist and host of "Who Wants to Be A Millionaire."
- Dinner for 10: Four course dinner cooked in your home by Chef Kenny
- You Are Having A Party: Hors d' oeuvres for 20 from Standing Room Only, Custom Floral Décor by The Flower Bar, case of wine from Zachy's and vodka tasting from Sidney Frank Importing Co.
- A Six Day Photo Safari in South Africa for two at Zulu Nyala
- Four tickets to August 10th Yankees vs. Tigers with seats in the Delta Sky Box and parking
- Bakers' Dozen Dine Around: 13 Restaurants in Westchester and Manhattan
- One week stay for Four in Manciano in Tuscany
- Two VIP Tickets to Good Morning America with Studio Tour and more!

The silent auction has something for everyone: Yankee and Mets tickets, wine, baskets of beauty, autographed sports equipment, shows, activities, and great stuff for your beloved pets!

We look forward to sharing this very special occasion with you. Please purchase a ticket today online at our website www.newrochellehumanesociety.org or by calling 914-632-2925. Tickets are only \$150 each or a table of 10 for \$1,350.

Thank you for your support.

Woofs, meows and hugs.
From your four-footed and two-footed friends at
New Rochelle Humane Society