

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: August 16, 2013

Enclosed with this memorandum are the following items:

- 8-7 A Construction Update from the Rye City School District.
- 8-8 Legal Department Update from the Corporation Counsel dated August 16, 2013.
- 8-9 Notice from the New Rochelle Humane Society regarding *Black Cat Appreciation Day* to be held on Saturday, August 17, 2013 from 10:00 a.m. to 3:00 p.m.
- 8-10 Meeting notice for the week of August 19, 2013 is available on the City website www.ryeny.gov under Calendar.



CONSTRUCTION UPDATE

The Rye City School District's Middle School/High School construction project is well underway! The District celebrated the groundbreaking for its new High School science wing in early June, and a great deal of progress has been made since then. The timeline is moving according to schedule and under budget thanks to the collaboration, dedication, and expertise of the professionals involved. The District will be reporting progress on a regular basis and is pleased to provide its first update:

- Temporary faculty parking along Boston Post Road has been completed. This week, striping and signage are being added to ease navigation. Additional staff will be on-site in the parking areas during the first two weeks of school to direct and manage the traffic flow.
- The interior classrooms are under reconstruction and will be completed in time for the start of school.
- Locker rooms are also under reconstruction and the finished products will be ready by the end of September as scheduled. The wrestling room and storage room near the gym will be used as changing rooms during the completion of this area.
- Many steps have been taken with regard to the new science wing construction site as well. Earlier this summer, portables were removed and fencing was assembled. The site exterior preparation is complete and the actual construction of the new science wing will begin soon. This is the most extensive part of the project, and returning students and staff in September of 2014 will be the first to experience the new wing.



Before (left) and after (right) photos of the Boston Post Road temporary parking area. This week, striping and signage will be added.



Interior science classroom (left) and locker room (right) reconstruction has been underway. The classrooms will be ready for the start of school in September.



The exterior site of the new science wing has been prepared and construction is set to begin.

The District looks forward to sharing its next construction update before school begins to fully detail progress prior to the start of classes. For any questions, please contact Assistant Superintendent for Business Gabriella O'Connor at 914-967-6100 x6270.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: August 16, 2013

CLAIMS

In March I notified you that a notice of claim had been filed by Katherine Gilbert of Beverly Drive in connection with a slip and fall accident on a sidewalk on Boston Post Road near Parsons Street. Our insurance carrier has informed us that they have closed the file on this claim without payment to the claimant.

A notice of claim has been served on the City by American Leisure Activities of New York City Inc. The notice states that the claimant is owed money as a result of a breach of contract on the part of the City. 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 Notice of Appeal has been filed in connection with this matter.

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)

All parties have filed and served discovery demands/requests on the parties. Over the next several weeks, documents will be exchanged.

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

The Court has granted extensions for filing motions and responses. Motions for Summary Judgment must be filed and served on or before August 30, 2013. Opposition papers must be served and filed by October 16, 2013 and Reply papers by November 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 (declaratory judgment/42 U.S.C. 1983 claim)

I attended a settlement conference on July 18, 2013. A trial date has been calendared for February 4, 2014.

BUTLER v. PLANNING COMMISSION

The City's reply brief was filed and served on June 10, 2013. This matter is fully submitted.

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

The City has served its Answer with Affirmative Defenses.

SMALL CLAIMS

MADEO MULTI-MEDIA/NICK MADEO v. RYE GOLF CLUB

The arbitrator rendered a decision which was adopted by the Court. The Court found that the City owes Madeo Multi-Media \$1,315.10.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn

NEW ROCHELLE
HUMANE SOCIETY

70 PORTMAN ROAD
NEW ROCHELLE, NY

CHANGE YOUR LUCK!

Black Cat Appreciation Day!

Saturday, August 17th
10am to 3pm

FACE PAINTING!

50% off
the
adoption
fee! *



BAKED GOODS!

SPECIAL LOTTERY
RAFFLE BASKET!

ADOPT A BLACK CAT ADOPTION WEEK!

Saturday, August 17th to Saturday August 24th
10am to 4pm



* For more information: 914.632.2925
www.newrochellehumanesociety.org

ADOPTERS WILL BE ENTERED INTO THE SPECIAL LOTTERY TICKET RAFFLE!



* The Black Cat Adoption week includes reduced adoption fees which apply to Black (black & white) cats 4 months & older, that are already spayed or neutered, as well as black (black & white) cats that have been at the shelter for four months or longer.

🐾 Change your luck -- adopt a black cat! 🐾

