

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: January 24, 2014

Enclosed with this memorandum are the following items:

- 1-16 Notice regarding a Rye Town Park Commission meeting to be held on Tuesday, January 28, 2014 beginning at 5:00 p.m. at Rye Town Hall.
- 1-17 Notice regarding a Rye City School District Board of Education Meeting to be held on Tuesday, January 28, 2014 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 1-18 Letter from Dr. Joanne Nardone, Principal of the Milton School, expressing her thanks to the Rye Police Department for their assistance.
- 1-19 Legal Department Update from the Corporation Counsel dated January 24, 2014.
- 1-20 Notice from Catholic Charities regarding New York State's Disaster Management Program providing support to survivors of Hurricane Sandy. .
- 1-21 Meeting notice for the week of January 27, 2014 is available on the City website www.ryeny.gov under Calendar.



*Rye Town Park
95 Dearborn Ave.
Rye, NY 10580
914 967-0965*

RYE TOWN PARK COMMISSION **MEETING NOTICE**

Commission Members

Joseph Carvin-President

Joseph Sack, Mayor-City of Rye

Neil Pagano, Mayor-Village of Port Chester

Paul Rosenberg, Mayor-Village of Rye Brook

Benedict Salanitro, Commissioner

Laura Brett, Commissioner

DATE & TIME: Tuesday, 1/28/2014 @ 5:00PM

**PLACE: Rye Town Hall
 10 Pearl Street, 3rd Floor
 Port Chester, NY 10573**

Tentative Agenda:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Appointments to the Rye Town Park Commission**
- 4. Approval of Minutes: 11/19/2013, 12/17/2013**
- 5. Comments from the Public**
- 6. Capital Committee Update – Frank Fish**
- 7. Northeast Divers - Presentation**
- 8. Financial & Operations Reports**
- 9. Correspondence**
- 10. Old Business**
 - Trash Dumpsters vs Trash Compactor**
 - Lease extension request for restaurant**
 - Pending Rye City Appeal of CERT case**
 - Capital Fund allocation process**
- 11. New Business**

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*



January 23, 2014

FOR IMMEDIATE RELEASE

January 28, 2014 Board of Education Meeting

The Rye City School District Board of Education will meet Tuesday, January 28, 2014 beginning at 8:00 PM in the Rye Middle School Multipurpose Room, 3 Parsons Street, Rye, NY 10580.

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.

On the agenda are fiscal, special education, personnel and business items that ordinarily come before the Board as well as curriculum presentations, construction update and student awards.

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

MILTON SCHOOL

RYE CITY SCHOOL DISTRICT
HEWLETT AVENUE, RYE, NY 10580

*A Century of Learning
1898 - 1998*

DR. JOANNE G. NARDONE
PRINCIPAL

(914) 967-6100 x3908
FAX: (914) 921-2796
nardonej@ryeschools.org

January 21, 2014

Lt. Robert Falk
Rye Police Department
21 McCullough Place
Rye, NY 10580

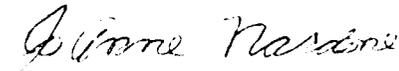
Dear Lt. Falk,

As we conclude the first term, I would like to take this opportunity to thank you and your officers for the exemplary support you have provided to Milton School. As you know, we had several challenging cases and events that warranted collaboration between the Rye Police Department and Milton School.

We appreciate the meticulous attention and rapid response provided by the Rye Police Department during each of these events. In addition, the Rye Police Department continues to collaborate with our building emergency management team to ensure that we are prepared for a variety of situations.

We look forward to continued collaboration with you and your staff and wish all of you continued success in the New Year.

Sincerely,



JoAnne Nardone

c: Dr. Frank Alvarez



and
2003 - 2004

A National School of Excellence

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: January 24, 2014

CLAIMS

A notice of claim has been filed by Seth Rosenfield of 335 Park Avenue. The notice states that Mr. Rosenfield's vehicle was damaged by a City vehicle. The claim has been forwarded to our insurance carrier.

TAX CERTIORARI

CARROLL v. CITY OF RYE

This matter is fully submitted before the 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

The Assessor and the Board of Assessment Review filed their Appellate Brief and record on appeal with the Appellate Division, Second Department on January 23rd.

WESTCHESTER JOINT WATER WORKS v. CITY OF RYE

The City of Rye has filed its brief with the Appellate Division, Second Department.

LITIGATION

RVIN REYES, et al v. CITY OF RYE, RYE GOLF CLUB, RM STAFFING & EVENTS, INC., MORRIS YACHT AND BEACH CLUB, INC. and SCOTT YANDRASEVICH, Jointly and Severally

A summons and complaint has been filed on behalf of current and former staff at Whitby Castle pursuant to the Fair Labor Standards Act and the New York Labor Law. The papers have been forwarded to our insurance carrier.

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

A site walk with Administrative Law Judge Wissler (serving as mediator), DEC permit and wetland staff, DEC counsel, and intervening parties took part in a site walk on January 9, 2014. After the site walk, a confidential mediation session took place at Harrison Town Hall. Another mediation session is tentatively scheduled for mid February.

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

Motions for summary judgment were denied without prejudice and will be refiled at the completion of briefing as part of the bundling rule. As a result, once the motion is fully briefed, all papers will be submitted to the Court for review at one time.

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)

A trial date has been calendared for February 4, 2014.

BUTLER v. PLANNING COMMISSION

Oral arguments were held in the Appellate Division, Second Department. The bench was very interested in the timing of the decisions from lower court Justices Lorenzo and Lefkowitz. It appeared that all four judges understood the City's arguments. Judge Cohen, who has a municipal background, took the lead.

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

The City has served its Answer with Affirmative Defenses.

OMNI CONTRACTING V. CITY OF RYE

Omni's counsel filed an Order to Show Cause asking to be relieved as counsel due to nonpayment of legal bills totaling close to \$50,000. Currently, the trial is still calendared for March 3, 2014.

AMERICAN LEISURE ACTIVITIES OF NEW YORK CITY INC. v. CITY OF RYE

In August I reported to you that a notice of claim had been served on the City claiming breach of contract on the part of the City. A summons and complaint was served by plaintiff seeking judgment in the amount of \$42,239.96.

CITY COURT

People v. Chittenden

The People filed their post-trial Brief in Rye City Court on January 24th.

City of Rye v. Rye Builders, LLC

The Building Department issued several violations under Rye City Code and the New York State Property Maintenance Code for failure to properly maintain property. The defendant pled guilty and paid a \$2,000 fine.

Respectfully submitted,

Kristen K. Wilson

Kristen K. Wilson
Corporation Counsel

Hurt by Hurricane Sandy?



Call the Sandy Referral Line: 855-258-0483

Whether you have applied for FEMA or not — even if you were not eligible or were denied assistance — there may be local resources available for you.

A trained, compassionate case manager can work one-on-one with you to:

- Answer your questions about recovery
- Develop a plan to address your needs
- Connect you with appropriate community resources
- Determine what financial assistance may be available to you
- Advocate on your behalf with service and benefit providers



Call Today – *Help is Here.*

855-258-0483

Monday - Friday: 9am to 5pm



The New York State Disaster Case Management Program is operated by Catholic Charities of the Archdiocese of New York under the auspices of the New York State Division of Homeland Security and Emergency Services, Office of Emergency Management and funded by the Federal Emergency Management Agency (FEMA).

www.catholiccharitiesny.org

Find Local Agencies for Help:

Agency	Telephone #
Bronx	
BronxWorks	718-508-3194
Brooklyn	
Arab-American Family Support Center	718-643-8000
Brooklyn Center for Independence of the Disabled	718-998-3000
Brooklyn Community Services	718-310-5620
Catholic Charities Brooklyn and Queens	718-722-6223
Council of Peoples Organization (COPO)	718-434-3266
Good Shepherd Services	646-734-6344
Greater Chinatown Community Association	212-374-1311
Lutheran Social Services of New York	718-942-4196
Metropolitan Council on Jewish Poverty	917-281-6721
Shorefront YM-YWHA of Brighton - Manhattan Beach	347-689-1880/1817
Manhattan	
Catholic Charities Community Services, Archdiocese of New York	855-258-0483
Center for Independence of the Disabled, New York (CIDNY)	646-442-4186
Greater Chinatown Community Association	212-374-1311
Queens	
Arab-American Family Support Center	718-643-8000
Catholic Charities Brooklyn and Queens	718-722-6223
Center for Independence of the Disabled, New York (CIDNY)	646-442-1520
Greater Chinatown Community Association	212-374-1311
Metropolitan Council on Jewish Poverty	917-281-6721
SCO Family of Services	516-493-6457/5284
Staten Island	
Catholic Charities Community Services, Archdiocese of New York	718-447-6330, ext. 121
Center for Independence of the Disabled, New York (CIDNY)	646-442-4186
El Centro del Inmigrante	718-420-6466
Lutheran Social Services of New York	718-942-4196
JCC of Staten Island	718-475-5213
Long Island	
Catholic Charities Diocese of Rockville Centre	631-608-8883/8882
Family Service League	631-369-0104
FEGS Health and Human Services	516-496-7550, press 6
Lutheran Social Services of New York	516-483-3240 ext. 3030
Hudson Valley	
Catholic Charities Community Services, Archdiocese of New York	845-344-4868