

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: February 28, 2014

Enclosed with this memorandum are the following items:

- 2-11 Notice regarding a Rye Town Park Commission Meeting to be held on Tuesday, March 4, 2014 beginning at 6:00 p.m. at Rye Town Hall.
- 2-12 Notice regarding a Rye City School District Board of Education Meeting to be held on Tuesday, March 4, 2014 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 2-13 Legal Department Update from the Corporation Counsel dated February 28, 2014.
- 2-14 Notice from Westchester County regarding a program entitled *Living with Alzheimer's: for Middle Stage Caregivers* to be held on Thursday, March 13, 2014 from 2:00-3:30 p.m. at United Hebrew in Pelham.
- 2-15 Meeting notice for the week of February 24, 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: Monday, 3/3/2014 @ 6:00PM

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

Tentative Agenda:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of Minutes: 11/19/2013, 1/21/2014**
- 4. Comments from the Public**
- 5. Draft 2014 Budget & Fee Schedule**
- 6. Correspondence –**
 - Letter from Former Mayor Doug French**
 - Friends of Rye Town Park re: Middle Beach Ramp**
- 7. Old Business**
 - Pending Rye City Appeal of CERT case**
 - Capital Fund allocation process**
- 8. 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

February 26, 2014

FOR IMMEDIATE RELEASE

March 4, 2014 Board of Education Meeting

The Rye City School District Board of Education will meet Tuesday, March 4, 2014 beginning at 8:00 PM in the Rye Middle School Multipurpose Room. Prior to the meeting, the Board will meet in Executive Session 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.

At 8:00 p.m. The Rye City School District Board of Education will conduct its regularly scheduled Board of Education Meeting.

On the agenda are fiscal, special education, personnel and business items that ordinarily come before the Board as well as the discussion of the Superintendent's Recommended Budget for the 2014- 2015 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.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: February 28, 2014

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**

An opposition brief has been filed on behalf of the Town of Rye and Rye Town Park Commission. The City's reply brief is due on March 7th.

WESTCHESTER JOINT WATER WORKS v. CITY OF RYE

This matter is now fully submitted before the Appellate Division, Second Department and we are waiting for an oral argument date.

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

The mediation scheduled for February 24, 2014 was adjourned pending further discussion between Harrison and the City regarding the exchange of CAD data.

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)

This trial has commenced in front of Honorable Mary Smith, J.S.C. The parties are currently discussing possible settlement options. If a settlement is not reached by March 17, 2014, the trial will recommence.

BUTLER v. PLANNING COMMISSION

A unanimous Second Department bench found that the Defendants (the Mathisson's and the Planning Commission) established their prima facie entitlement to judgment as a matter of law and that the hand drawn front yard setbacks on the filed map were NOT deed restrictions. Essentially, the Planning Commission acted within its authority to modify these setbacks as part of an amended subdivision application.

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

A motion filed by co-defendant's Calgi's attorney to be relieved as counsel has been granted. The trial is still scheduled to commence on March 3rd.

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

Depositions are scheduled for the beginning of March.

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

The City has received an extension until March 5th to respond to the Summons and Complaint.

RYE POLICE ASSOCIATION v. CITY OF RYE

By Order of Justice Alan D. Scheinkman this case has been transferred back from the Commercial Division to the Chief Clerk for reassignment.

CITY COURT

People v. Chittenden

Defendant has filed a Notice of Appeal of the Decision After Trial issued by Hon. Brian Hansbury on January 29, 2014.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn

living with alzheimer's for middle-stage caregivers



a 3-part education program by the alzheimer's association

In the middle stage of Alzheimer's disease, those who were care partners now become hands-on caregivers. Join us for this 3-part series and learn about helpful strategies to provide safe, effective and comfortable care in the middle stage of Alzheimer's.

Location: **United Hebrew of New Rochelle**
Lazarus Board Room
391 Pelham Road, New Rochelle, NY

Date: March 13, 20, 27

Time: 2:00 – 3:30 p.m.



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alzheimer's  association®

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