

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: May 16, 2014

Enclosed with this memorandum are the following items:

- 5-9 Notice regarding a Rye City School District Board of Education meeting to be held on Tuesday, May 20, 2014 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 5-10 Notice regarding a Rye Town Park Commission meeting to be held on Tuesday, May 20, 2014 beginning at 6:00 p.m. at Rye Town Hall.
- 5-11 Notice from Westchester County regarding the 15th Annual Senior Law Day to be held on Wednesday, October 29, 2014 from 9:00 a.m. to 2:00 p.m. at the Westchester County Center in White Plains.
- 5-12 Legal Department Update from the Corporation Counsel dated May 16, 2014.
- 5-13 Notice of a Public Meeting to be held by the Westchester County Rent Guidelines Board on Tuesday, May 27, 2014 at 7:00 p.m. in White Plains.
- 5-14 Notice of Public Meetings to be held by the Westchester County Rent Guidelines Board in June, 2014 in various Westchester County locations.
- 5-15 Meeting notice for the week of May 19, 2014 is available on the City website www.ryeny.gov under Calendar.



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

May 9, 2014

FOR IMMEDIATE RELEASE

May 20, 2014 Board of Education Meeting

The Rye City School District Board of Education will meet Tuesday, May 20, 2014 beginning at 8:00 PM in the Rye Middle School Multipurpose Room. Prior to the meeting, the Board will meet at 7:00 PM 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.

On the agenda are fiscal, special education, personnel and business items that ordinarily come before the Board.

At approximately 9:00 p.m. with the closing of the polls, the Board will adjourn to hear the Board of Education Candidate Election and Budget Vote results.

Members of the public are welcome and encouraged to attend this meeting of the Board and to speak at designated times.



*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: Thursday, 5/20/2014 @ 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: 4/24/2014**
- 4. Comments from the Public**
- 5. Capital Committee Update – Development RFP**
- 6. Management Report**
- 7. Correspondence –
 Marie Brion Silva – Request for discounted permit rate for
 Handicapped/Disabled and/or Veterans
 Special Permit Request**
- 8. Old Business**
- 9. New Business**

SAVE THE DATE

Free Legal and
Financial Advice

Wednesday
October 29, 2014
9 a.m. – 2 p.m.

Westchester County Center
White Plains



15th Annual Senior Law Day in Westchester

For Seniors and Their Families and Caregivers

Featured Workshops:

- Should I Use a Will or a Trust?
Who's afraid of probate?
- The 10 Greatest Gaffes in Estate Planning:
Learn what to avoid
- Planning for At-Home Care:
With or without veteran's benefits
- Smart Seniors/Smart Investors:
Don't Get Scammed
- Should I Say "I Do"?
Planning for the second time around
- Navigating the Housing Maze
Affordable options for seniors
- How Do I Pay for Long-Term Care?
Preserving your assets
- Workshops in Spanish
- And more . . .



Bring a copy of your long-term care policy to Senior Law Day, and a long-term care insurance professional will answer your questions.

Registration: Registration is required. Sign-up information will be available right after Labor Day.

FREE CONSULTATIONS Free 15-minute, one-on-one consultations with an elder law attorney, certified financial planner or geriatric care manager. Sign up the day of the event.

Free Continental Breakfast • Free Parking • Free Health Care Proxies

Presented by: Westchester County and its Department of Senior Programs and Services, The Westchester Public/Private Partnership for Aging Services and the Ninth Judicial District of the New York State Office of Court Administration.

Sponsors: Amoruso & Amoruso, LLP; Bleakley Platt & Schmidt LLP; Anthony J. DeVito, PhD., CFP, NPFA; Cuddy & Feder, LLP; David Lerner Associates; Enea, Scanlan & Sirignano, LLP; Glassman & Brown, LLP; Hyman & Gilbert; Jeffrey Goldstein, Esq.; Keane & Beane, PC; Littman Krooks, LLP; Robert Leitner, CFP, Financial Advisory Network; Rosenthal & Markowitz, LLP; The Bristol at White Plains; The Collaborative for Palliative Care; The Harry and Jeanette Weinberg Center at Hebrew Home at Riverdale; Valorie Joy Promisel, Esq.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: May 16, 2014

TAX CERTIORARI
CARROLL v. CITY OF RYE

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

THE TOWN OF RYE AND THE RYE TOWN PARK COMMISSION v. THE ASSESSOR and Board of Assessment Review of the CITY OF RYE

The City's reply brief was served and filed. This matter is now fully submitted to the Appellate Division, Second Department. We are waiting for an oral argument date.

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)

A brief conference call was held on May 2, 2014 at 3:00 P.M. A follow up call is currently calendared for May 22, 2014.

BASSETT v. CITY OF RYE

A notice of appeal has been filed.

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.

BUTLER v. PLANNING COMMISSION

Parties have submitted letters to the Court of Appeals responding to the Petitioner/Appellee's Motion for Leave to Appeal.

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

The co-defendant Calgi Construction has filed for bankruptcy. As a result, the trial has been adjourned.

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

Depositions have been completed; additional paper discovery is on-going. **Plaintiff filed a motion for summary judgment on May 16, 2014.**

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

Plaintiffs filed an amended complaint and have requested that the City of Rye consent to class certification.

RYE POLICE ASSOCIATION v. CITY OF RYE

The City has filed a Verified Answer and Counterclaim and Memorandum of Law in opposition to the Petition filed by the Rye Police Association.

GORDON and MARIA HARGRAVES v. CITY OF RYE ZONING BOARD OF APPEALS, WALTER & MARGARET NELSON, and Robert TALT

A Notice of Petition and Memorandum of Law have been served on the City commencing an Article 78 proceeding against the Zoning Board of Appeal. The action seeks to rescind, annul and vacate a decision issued by the Zoning Board in connection with a variance application.

COMPAGNONE V. CHITTENDEN

A Verified Complaint was filed and served this week alleging assault and intentional infliction of emotional distress.

SMALL CLAIMS

Megan Dempsey v. City of Rye

This matter has been adjourned to July 7, 2014 for an inquest.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn

WESTCHESTER COUNTY RENT GUIDELINES BOARD

c/o NYS Homes and Community Renewal

75 South Broadway, 3rd Floor

White Plains, New York 10601

Telephone 914-948-4434

Jane Morgenstern, Chair

Members

Eddie Mae Barnes

Kenneth J. Finger, Esq.

Ian Joseph

Carol Ann Kope

Genevieve H. Roche, Esq.

Elsa Rubin

Joseph G. Whelan, Jr., CPA

Rev. Emma Jean Loftin-Woods

NOTICE OF PUBLIC MEETING

DATE: Tuesday, May 27, 2014

TIME: 7:00 P.M.

PLACE: New York State Division of Housing & Community Renewal
75 South Broadway, 3rd Floor
White Plains, New York 10601

AGENDA

1. Call to order.
2. Review of the minutes of the March 17, 2014 meeting.
3. Review and discussion of DHCR schedules and data.
4. New business.
5. Adjournment.

For additional information please contact: Robert Rodriguez
rrodriguez@nyshcr.org
(914) 948-4434

Date: May 7, 2014

WESTCHESTER COUNTY RENT GUIDELINES BOARD
c/o NYS Homes and Community Renewal
75 South Broadway, 3rd Floor
White Plains, New York 10601
Telephone 914-948-4434

Jane Morgenstern, Chair

Members

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Carol Ann Kope
Genevieve H. Roche, Esq.
Elsa Rubin
Joseph G. Whelan, Jr., CPA
Rev. Emma Jean Loftin-Woods

NOTICE OF 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, 2014 and September 30, 2015, as follows:

DATE: Monday, June 2, 2014
TIME: 7:00 PM
PLACE: City Hall, Memorial Room
1 Roosevelt Square
Mount Vernon, New York

DATE: Tuesday, June 3, 2014
TIME: 7:00 PM
PLACE: Riverfront Library
1 Larkin Center,
Yonkers, New York

DATE: Monday, June 9, 2014
TIME: 7:00 PM
PLACE: Ceremonial Court Room, 1st Floor
111 Dr. Martin Luther King Jr. Boulevard
White Plains, New York

NOTICE OF PUBLIC MEETINGS

DATE: Monday, June 16, 2014
TIME: 7:00 PM
PLACE: Ceremonial Court Room, 1st Floor
111 Dr. Martin Luther King Jr. Boulevard
White Plains, New York
PURPOSE: For the presentation of the positions of the Tenant and Owner members of the Board, and discussion therein.

DATE: Monday, June 23, 2014
TIME: 7:00 PM
PLACE: Ceremonial Court Room, 1st Floor
111 Dr. Martin Luther King Jr. Boulevard
White Plains, New York
PURPOSE: For setting rent guidelines for the one-year period commencing on October 1, 2014.

For additional information please contact: Robert Rodriguez
rrodriguez@nyshcr.org
(914) 948-4434

Date: May 12, 2014