

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: July 3, 2014

Enclosed with this memorandum are the following items:

- 7-1 Notice regarding the Annual Fourth of July program sponsored by the Leaders of Tomorrow and the Rye Free Reading Room to be held on Friday, July 4, 2014 beginning at 10:30 a.m. on the porch of the Rye Free Reading Room and the Village Green.
- 7-2 Legal Department Update from the Corporation Counsel dated July 3, 2014.
- 7-3 Notice from United Water regarding a water main project which will start the week of July 7, 2014 in the City of Rye.
- 7-4 Meeting notice for the week of July 7, 2014 is available on the City website www.ryeny.gov under Calendar.

Leaders of Tomorrow

and the

Rye Free Reading Room

Present

A Celebration of Our Nation's 238th Birthday



Friday July 4, 2014

10:30 AM

**Selected Speeches and the
Reading of the Declaration of Independence**

On the Porch of the Rye Free Reading Room

**Followed by Patriotic Singing and the Unfurling of the
American Legion's Historic American Flag
On the Village Green**

Special Thanks to the Rye Recreation Department
For more information Call Doug Carey 914-967-0320
Or send an email message to Rye1904@yahoo.com

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: July 3, 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.

181 NEW ENGLAND SEAFOOD CORP. v. NOREEN WHITTY, et al.

The petitioner has moved for summary judgment. The return date for the motion has been adjourned to August 4, 2014.

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

A further conference call was held on May 22, 2014 to discuss the status of the City's consultant's review of the pending wetland application.

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.

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

Motions for summary judgment have been filed.

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 a motion for class certification.

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

The City of Rye Zoning Board of Appeals has filed the Certified Record, Verified Answer and Memo of Law in opposition to the Verified Petition.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn



United Water Westchester
2525 Palmer Avenue
New Rochelle, New York 10801
914-632-6900
facsimile 914-637-5333
www.unitedwater.com

NOTICE

Dear Customer:

Starting the week of July 7, United Water Westchester (UWW) will be cleaning and lining approximately 2,650 feet of existing 8" cast iron water mains located on Boston Post Road between Old Post Rd and Roger Sherman Place, on Cross St between Milton Rd and Boston Post Rd, and on Parsons St. between Milton Rd and Boston Post Road in the City of Rye. UWW has hired J. Fletcher Creamer & Son of Hackensack, New Jersey to perform this work. The project is expected to take approximately two months to complete. There will be an on-site inspector monitoring the work.

Improving Your Water System:

As part of our ongoing maintenance program, we must periodically recondition sections of our water system to maintain dependable water service. The purpose of this project is to clean the old water mains of accumulated iron and manganese deposits (tuberculation) and restore the mains to their original hydraulic capacity. Through the years tuberculation particles have accumulated on the inside of the old unlined cast iron pipe. These particles restrict the flow of water in the pipes for emergency needs and also cause many of our customers in the area to experience discolored or rusty water at times of high demand. By cleaning the interior of the mains, the accumulated particles will be removed, enabling the application of a thin coat of cement mortar lining to protect the main from further corrosion.

How will this work affect you?

While the work is in progress, residents and businesses along the work area will be provided with a temporary water supply since the water main must be taken out of service for cleaning. The project will involve the installation of 4" temporary water mains above ground alongside the curbs on each side of the street, with temporary water feeds into the homes/businesses. The contractor will need to gain access to your home/business to disconnect the meter and hook up the temporary service line.

Please ...Watch your step:

If you live, travel or shop in the areas, you will notice a number of openings in the street/sidewalk area to allow access to the water main and to accommodate the bypass water main running across the intersection and driveways. All openings will be covered during the work and will be resurfaced after the project is finished. Every possible safety precaution will be taken and all work areas will be barricaded and carefully marked to prevent injury. You can help by cautioning your family and friends to watch their step and avoid the work area as much as possible.

Inconvenience Temporary...Improvement Permanent

We realize this project may cause some inconveniences for those who live and work in the area. We are working closely with your local officials, fire department and police department to minimize disruptions and we will do our best to see that the construction goes smoothly.

Questions:

If you have a question or require further information on this project please contact our engineering department at (914)637-5309 during business hours. In case of an emergency after business hours you can call UWW's emergency telephone number (914) 632-6900 for assistance.