

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: March 13, 2015

Enclosed with this memorandum are the following items:

- 3-4 Notice regarding a Rye Town Park Commission meeting to be held on Tuesday, March 17, 2015 beginning at 6:00 p.m. at the Port Chester Village Court.
- 3-5 Notice regarding a Special Rye City School District Board of Education meeting to be held on Thursday, March 19, 2015 beginning at 7:00 p.m. in the Rye City School District Central Administration Building.
- 3-6 Notice regarding a Rye City School District Board of Education meeting to be held on Tuesday, March 24, 2015 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 3-7 Legal Department Update from the Corporation Counsel dated March 13, 2015.
- 3-8 Notice from Verizon FiOS<sup>®</sup> regarding the removal of the Weather Channel and Weather Scan and the launch of the new AccuWeather Network.
- 3-9 Meeting notice for the week of March 16, 2015 is available on the City website [www.ryeny.gov](http://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, 03/17/2015 @ 6:00PM**

**PLACE:**              Port Chester Village Court  
350 North Main Street – 2<sup>nd</sup> Floor  
Port Chester, NY 10573

### **Tentative Agenda:**

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of Minutes: 1/20/2014**
- 4. Comments from the Public**
- 5. Management Report**
- 6. 2015 Budget**
- 7. Correspondence**
- 8. Old Business**
- 9. 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*

March 11, 2015

FOR IMMEDIATE RELEASE

**March 19, 2015 Special Board of Education Meeting**

The Rye City School District Board of Education will meet on Thursday, March 19, 2015 beginning at 7:00 PM. in the Rye City School District Central Administration Building, 411 Theodore Fremd Avenue, Suite 100S, Rye New York 10580.

It is expected the Board will adjourn immediately into 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.



## **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*

March 11, 2015

FOR IMMEDIATE RELEASE

### **March 24, 2015 Board of Education Meeting**

The Rye City School District Board of Education will meet Tuesday, March 24, 2015 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. The Board will conduct a Public Hearing in the form of an Open Topics Forum, during which Board members will meet with small groups. Board members will take notes and report the comments and concerns of the small groups to the re-assembled larger group.

On the agenda are fiscal, special education, personnel and business items that ordinarily come before the Board as well as further discussion of the 2015-2016 budget.

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: March 13, 2015

**TAX CERTIORARI**

**CARROLL v. CITY OF RYE**

The City has filed its opposition papers and the matter is now fully submitted.

**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**

Opposition papers were served on November 14, 2014.

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

This motion is fully submitted.

**LITIGATION**

**BEAVER SWAMP BROOK – (DEC Administrative proceeding)**

The expedited appeals of ALJ O'Connell's October and December decisions are fully submitted. A conference call was held and all parties agreed to hold the adjudicatory hearing in abeyance until the Commissioner renders a decision on the appeals from ALJ O'Connell's interim decisions.

**CASPI v. CITY OF RYE**

**Plaintiff discontinued the action against Police Officer Anfuso. Subsequently, the City of Rye entered into a Stipulation of Settlement and the case was settled. The settlement included the payment of \$475,000 (\$300,000 in attorneys' fees, \$50,000 in costs, and \$125,000 for Plaintiff).**

**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

A date for a hearing on damages was calendared for March 13, 2015. A Notice of Appeal has been filed appealing the decision on Summary Judgment.

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 new discovery schedule was discussed and agreed upon by the parties.

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

A motion to dismiss was filed and served by Respondents asking the court to dismiss the Amended Notice of Petition/Petition commenced against the respondents based on the Supplemental Findings and Decision rendered by the Zoning Board of Appeals.

P. STEPHEN LAMONT v. KRISTEN K. WILSON, et al

The Defendants' Motion to Dismiss is fully submitted.

CHITTENDEN v. COMPAGNONE

I appeared at the second preliminary conference and a discovery schedule was agreed upon by counsel.

DOUGLAS E. LIMAN v. NICK EVERETT, MARTHA MONSERRATE, LAURA BRETT, BARBARA CUMMINGS, HUGH GREECHAN, PETER OLSEN, ALFRED VITIELLO, constituting the PLANNING COMMISSION OF THE CITY OF RYE, PANKAJ GUPTA and EMILY GUPTA, PAM McGUIRE and EUGENE McGUIRE

The City was served with an Article 78 proceeding seeking to vacate and nullify actions taken by the Planning Commission in approving a development project proposed by Applicants Pankaj and Emily Gupta. The petition seeks an Order annulling the Planning Commission's Resolution granting a Wetland and Watercourse Permit to the applicants.

JOHN CASTELHANO as President of the RYE PROFESSIONAL FIRE FIGHTERS ASSOCIATION, LOCAL 2029, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO v. CITY OF RYE BOARD OF FIRE WARDENS, PETER COTTER, MICHAEL BILLINGTON, RICHARD BARBER, JOSEPH CARLUCCI, JOHN FALLON, ARCADIO OCASIO, RICHARD CADIGAN, PETER ANFUSO, JAMES BURKE, JOHN ALFANO and BRIAN GILMARTIN in their individual capacities as members of the City of Rye Board of Fire Wardens

The Preliminary Conference calendared for February 19, 2015 has been adjourned based on recent settlement discussions.

ROBERT BUTLER AND PAULA BUTLER v. CITY OF RYE PLANNING COMMISSION, DANIEL MATHISSON AND HELENE MATHISSON

The City filed its opposition brief.

**CITY COURT**

Routine calendar with no unusual dispositions.

Respectfully submitted,

Handwritten signature of Kristen K. Wilson in black ink.

Kristen K. Wilson  
Corporation Counsel

KKW/dfn



MY VERIZON

SUPPORT

PASSWORD HELP

### Important FiOS® TV Content Information

Dear Valued Verizon Customer,

Verizon's agreements to carry The Weather Channel and Weather Scan have expired, and have not been renewed. In today's environment, customers are increasingly accessing weather information not only from their TV but from a variety of online sources and apps. Verizon is therefore pleased to launch the new AccuWeather Network, which will be available on FiOS® TV on channel 119/619 (HD) and on our free FiOS® Mobile App starting March 10, 2015. Verizon will also provide the FiOS® TV WeatherBug "widget" application, which features hyper-local weather, on FiOS® TV channel 49. WeatherBug can also be launched by pressing the "widget" button on the FiOS® TV remote.

Sincerely,

Your Verizon Team



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