

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: April 17, 2015

Enclosed with this memorandum are the following items:

- 4-16 Notice regarding the Westchester Pancreatic Cancer Research Walk, sponsored by the Lustgarten Foundation and Cablevision, to be held on Sunday, April 19, 2015 at Rye Playland Park. Registration opens at 8:00 a.m.; the walk begins at 9:30 a.m.
- 4-17 Notice regarding a meeting of the Rye City School District Board of Education to be held on Tuesday, April 21, 2015 at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 4-18 Legal Department Update from the Corporation Counsel dated April 17, 2015.
- 4-19 Meeting notice for the week of April 20, 2015 is available on the City website www.ryeny.gov under Calendar.

THE LUSTGARTEN FOUNDATION'S WESTCHESTER PANCREATIC CANCER RESEARCH WALK

SUNDAY, APRIL 19

RYE PLAYLAND PARK

REGISTRATION OPENS AT **8:00 AM**

WALK BEGINS AT **9:30 AM**

With the support of
Cablevision, **100% of
every dollar** raised goes
directly to pancreatic
cancer research.



CABLEVISION

#WalkToCurePC

CURE PANCREATIC CANCER
• LUSTGARTEN FOUNDATION •

TAKE THE FIRST STEP.

Sign up at Lustgarten.org or call 1-866-789-1000





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

April 15, 2015

FOR IMMEDIATE RELEASE

April 21, 2015 Board of Education Meeting

The Rye City School District Board of Education will meet Tuesday, April 21, 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.

On the agenda is the adoption of the 2015-2016 Budget as well as fiscal, special education, personnel and business items that ordinarily come before the Board.

In addition, the Board will consider the 2015-2016 BOCES Administrative Budget and Vote for two BOCES Trustees.

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

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: April 17, 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

Oral argument took place today in front of the following judges: Mastro, J.P., Skelos, Dickerson and LaSalle.

WESTCHESTER JOINT WATER WORKS v. CITY OF RYE

Petitioner has filed a motion for leave to the Court of Appeals.

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

A court conference is calendared for April 21, 2015.

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

A conference call with the Administrative Law Judge and the parties took place on April 15, 2015 to discuss the status of the appeals and to see if the parties wanted to continue to hold the trial in abeyance pending the Commissioner's Interim Decision. We still are waiting for a decision from the Commissioner and the parties all agreed to continue to hold the trial in abeyance for at least the next 45 days.

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.

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

Plaintiff requested a conference in front of Judge Roman to address his request to file a Motion In Limine.

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

Judge Neary rendered a decision dismissing the Petition and finding that the project in question was a Type II action not subject to SEQRA.

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 April 10, 2015 has been adjourned based on recent settlement discussions.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn