

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: April 24, 2015

Enclosed with this memorandum are the following items:

- 4-20 Notice regarding a Deer Symposium hosted by Westchester County to be held on Thursday, April 30, 2015 from 8:30 a.m. to 4:30 p.m. at the Westchester County Center in White Plains. Admission is free but Registration is required and can be done at the following link: <http://www.eventbrite.com/e/deer-management-in-suburban-communities-understanding-opportunities-and-challenges-for-your-tickets-16023464614?aff=es2>
- 4-21 Legal Department Update from the Corporation Counsel dated April 24, 2015.
- 4-22 Notice regarding a FiOS® TV Programming Change.
- 4-23 Meeting notice for the week of April 27, 2015 is available on the City website [www.ryeny.gov](http://www.ryeny.gov) under Calendar.

# Strategies for Deer Management in Westchester Suburban Communities

Understanding opportunities and challenges for your municipality

## MORNING SESSIONS

- 8:30 – 9 **Registration and Continental Breakfast**
- 9 - 9:15 **Opening Remarks**  
County Executive Robert P. Astorino
- 9:20 - 9:50 **History of Deer Populations in New York State**  
Rod Christie, Executive Director, Mianus River Gorge Preserve
- 9:55 - 10:40 **Defining and Measuring Success of Suburban Deer Management Efforts**  
Dr. Bernd Blossey, Associate Professor, Cornell University
- 10:45 - 11 **Break**
- 11 - 11:30 **Managing Deer in Suburban Areas: Goals for Region 3-S Westchester County**  
Kevin Clarke, Senior Wildlife Biologist, NYSDEC Wildlife Division
- 11:35 – 12 **Panel Discussion Q&A with all morning presenters**
- 12 - 12:30 **Lunch**

## AFTERNOON SESSIONS

- 12:35 - 12:50 **Afternoon Opening Remarks/ Regional Approaches to Deer Management**  
William C. Harding, Executive Director, Watershed Council, New York State Department of State
- 12:50 - 2:30 **Exploring Deer Management Methodologies**
- **Non-Lethal Measures**  
Laura Simon, Field Director, Urban Wildlife Program, The Humane Society of the United States

## AFTERNOON SESSIONS (CONTINUED)

- **Contraception**  
Dr. Allan Rutberg, Center for Animals and Public Policy, Cummings School of Medicine at Tufts University
  - **Hunting**  
Kevin Clarke, Senior Wildlife Biologist, NYSDEC Wildlife Division
  - **Culling**  
Ken Preusser, Eastern District Supervisor For New York Wildlife Services, USDA, APHIS
- 2:30 - 2:45 **Break**
- 2:45 - 3:45 **Municipal Examples of Deer Management**
- **Managed Hunting**  
Dave Ryan, Chief of Police, Town of Pound Ridge  
Dan Aitchison, Senior Curator, Westchester County Parks
  - **Culls**  
Speaker TBA
  - **Contraception**  
Representative from Hastings-on-Hudson, Dr. Allan Rutberg, Center for Animals and Public Policy, Cummings School of Medicine at Tufts University
  - **The Hybrid Approach**  
Kevin Carter, Executive Director and Dr. Michael J. Rubbo, Dir. of Science and Stewardship, Teatown Lake Reservation
- 3:45 - 4:15 **Panel Discussion Q&A with all afternoon presenters**
- 4:15 - 4:30 **Closing Remarks**

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Rye City Council  
FROM: Kristen K. Wilson, Corporation Counsel  
SUBJECT: Litigation Update  
DATE: April 24, 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 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. **City of Rye's opposition brief will be filed and served on Monday April 27, 2015.**

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

**I appeared at a court conference with Judge Tolbert and his law clerk on April 21, 2015. Motions for summary judgment are still pending.**

**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 OF RYE v. TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**

**The City of Rye served a Notice with Summons on Travelers regarding the City's pending employee theft claim.**

**CITY COURT**

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson  
Corporation Counsel



### **FiOS® TV Programming Change**

On or after April 17, 2015, DoD NEWS on channel 124 was removed from the FiOS® TV Channel line-up. DoD NEWS ceased distributing this channel to cable and satellite providers but will continue to carry military news and information programming online at [Defense.gov](http://Defense.gov).