

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Eleanor M. Militana, Interim City Manager

SUBJECT: Enclosures - Council Packet

DATE: May 1, 2015

Enclosed with this memorandum are the following items:

- 5-1 Notice regarding a *Celebration of Science*: a science themed family fun day sponsored by the Rye Free Reading Room to be held on the Village Green on Sunday, May 3, 2015 from 11:00 a.m. to 2:00 p.m.
- 5-2 Notice regarding a meeting of the Rye City School District Board of Education to be held on Tuesday, May 5, 2015 beginning at 8:00 p.m. in the Rye Middle School Multipurpose room.
- 5-3 Legal Department Update from the Corporation Counsel dated May 1, 2015.
- 5-4 Notice from the Westchester County Health Department regarding the application of larvicide to County catch basins starting on Friday, May 1, 2015 and the distribution of free fathead minnows to residents with ornamental ponds from Thursday, May 7 through Saturday, May 9, 2015 at the Westchester County airport.
- 5-5 Meeting notice for the week of May 4, 2015 is available on the City website [www.ryeny.gov](http://www.ryeny.gov) under Calendar.

May 3, 2015: 11:00 am - 2:00 pm



Spectacular science themed family fun day –

Sunday May 3rd from 11 to 2.

Spectacular science-themed shows throughout the day,  
hands on science activities for elementary school aged kids, bounce houses, raffle, food and more.  
Tickets are available at the gate for \$40 per family.

**Event Location:** Village Green

**Sponsored by** Auxiliary Board of the Rye Free Reading Room



## 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 29, 2015

FOR IMMEDIATE RELEASE

### May 5, 2015 Board of Education Meeting

The Rye City School District Board of Education will meet **Tuesday, May 5, 2015** beginning at 8:00 PM in the Rye Middle School Multipurpose Room.

Prior to the meeting, the Board will meet at 7:00 in Executive Session at Rye Middle School Multipurpose Room 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 Board will hold a Public Hearing on the 2015-2016 Superintendent's Recommended School Budget. Also on the agenda are fiscal, special education, personnel and business items that ordinarily come before the Board.

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: May 1, 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**

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

KKW/dfn



Robert P. Astorino, Westchester County Executive

---

## NEWS RELEASE

Sherlita Amler, MD, Commissioner, Department of Health  
Ned McCormack, Communications Director  
Contact: Caren Halbfinger (914) 813-5013 / after hours: 813-5000

FOR IMMEDIATE RELEASE: April 28, 2015

### **COUNTY HEALTH DEPARTMENT OFFERS FREE MINNOWS TO RESIDENTS Fish are part of the county's West Nile Prevention Strategy; Larviciding Begins Friday**

To eliminate mosquito breeding sites and prevent the spread of West Nile Virus, the Westchester County Health Department will begin to apply larvicide to county catch basins starting on Friday, May 1, and on the following Thursday, May 7, through Saturday, May 9, will give out free fathead minnows to residents with ornamental ponds.

Health department larviciding teams will start in the northern part of the county and work their way south, evaluating and treating as needed all catch basins on county and municipal roads throughout the county over the next few months.

To help prevent mosquitoes from breeding, all residents should eliminate standing water from around their properties, especially after it rains. Large areas of standing water on public property that cannot easily be removed should be reported to the Health Department by calling (914) 813-5000.

“With the help of residents, together we can reduce the mosquito population and keep cases of West Nile Virus to a minimum,” said Sherlita Amler, MD, Commissioner of Health. “Please survey your property routinely and empty standing water from any discarded tires, unchlorinated swimming pools, outdoor pottery, pails, birdbaths or other containers throughout the spring and summer.”

To keep ornamental ponds from becoming mosquito breeding sites, the county has **200 pounds of fathead minnows to distribute Thursday, May 7 and Friday, May 8, from 11 a.m. to 7 p.m. and Saturday, May 9, from 10 a.m. to 3 p.m.** Residents who want the minnows should bring a bucket or a pail to Loop Road, Building two at the Westchester County Airport. The building is the first right from the airport access road.

“We have distributed thousands of these little larval eating machines over the past two years and I am excited that we are once again sharing with our residents this natural strategy to control the mosquito population,” said Peter DeLucia, Assistant Commissioner for Public Health Protection.

**More**

## Free Minnows, P.2

The minnows reduce the mosquito population because they feed on mosquito larvae and pupae before they emerge into adult mosquitoes. They are well suited to ornamental ponds and can help reduce the spread of West Nile Virus because culex pipiens, the mosquito that can be a carrier of West Nile Virus, breeds in standing water, such as ponds and containers. They should be released in ponds that have a minimum of eight to twelve inches of water.

For more health information, like us at [www.facebook.com/wchealthdept](http://www.facebook.com/wchealthdept) , follow us at [www.twitter.com/wchealthdept](http://www.twitter.com/wchealthdept) call us at (914) 813-5000 or go to [www.westchestergov.com/health](http://www.westchestergov.com/health).