

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Eleanor M. Militana, Interim City Manager

SUBJECT: Enclosures - Council Packet

DATE: May 8, 2015

Enclosed with this memorandum are the following items:

- 5-6 Notice regarding the Soul Ryeders 3rd Annual Youth Fundraiser, *Cover the Court with Coins*, to support children with cancer. The fundraiser will be held on Saturday, May 16, 2015 from 8:00 a.m. to 4:00 p.m. at the Rye Recreation tennis courts.
- 5-7 Legal Department Update from the Corporation Counsel dated May 8, 2015.
- 5-8 Notice from Westchester County that the City of Rye will receive an Earth Day Award for Municipal Excellence in Curbside Recycling.
- 5-9 Notice from the Town of Rye regarding a Memorial Day Ceremony to honor those buried at the African American Cemetery on Saturday, May 23, 2015 at 10:00 a.m.
- 5-10 Meeting notice for the week of May 11, 2015 is available on the City website www.ryeny.gov under Calendar.

FOR IMMEDIATE RELEASE

Contact: Lesley Findlay
lesley@findlay.com
917-837-9844
Soul Ryeders www.soulryeders.org

Soul Ryeders Host 3rd Annual Youth Fundraiser to Support Children with Cancer



Help Show Your Children How They Can Make a Difference in Another Child's Life

Rye, New York, April 22, 2015 - Soul Ryeders, along with the Rye High School Breast Cancer Awareness Club, is hosting our 3rd annual children's fundraiser, *Cover the Court with Coins*, on Saturday May 16th from 8am-4pm at the Rye Rec tennis courts. The event is a challenge to Rye and our surrounding communities to cover an entire tennis court with coins.

This year, the members of the Rye High School Breast Cancer Awareness Club are playing an integral part in planning, promoting and hosting this event. Based on their research of local pediatric cancer related organizations, all of the coins will be donated to Pediatric Cancer Foundation, whose mission is to find a cure for childhood cancer.

TD Bank, America's Most Convenient Bank, in Rye, is once again our Premier Sponsor for this event. They will be on-site at the event to help collect the coins and count them for free in their Penny Arcade. If you are unable to make the event on May 16th, you may drop off your coins at TD Bank, Rye, and they will count them for you.

Longford's Ice Cream truck will also be on-site! This new ice cream shop on wheels will be a sure hit with those that attend this event! Longford's is generously donating a percentage of their proceeds to Soul Ryeders' programs.

Stop by the Rye Recreation Tennis Courts, Midland Avenue, anytime between 8am-4pm and place your coins on the court – or your children can drop off their coins and a Soul Ryeder volunteer will place them on the court.

Volunteers are needed to:

- Assist younger children in placing their donated coins on the tennis court
- Help children create get well cards for children cancer treatments at local hospitals
- Work a shift at the on-site bake sale & raffle table,

This is a great opportunity to earn community service hours!

Every coin makes a difference...no coin collection is too small!

Soul Ryeders is encouraging individuals, families and local businesses to come out and support this event! The proceeds from the bake sale and raffle will help support Soul Ryeders. For more information about how Soul Ryeders helps community members affected by cancer, please visit www.soulryeders.org

Soul Ryeders (www.soulryeders.org), founded in 2007, is a volunteer-driven charitable organization, based in Westchester County, NY, committed to empowering those in our community affected by cancer. From diagnosis through treatment, recovery and survivorship, we offer practical resources and nurturing support services that provide dignity, confidence, hope, and compassion.

Pediatric Cancer Foundation (www.pcfweb.org) raises money for treatment, state of the art equipment/instruments and patient/parent care for world-renowned doctors at the hospitals PCF supports.

#

Every coin makes a difference...no coin collection is too small!

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: May 8, 2015

CLAIMS

A letter of demand has been served on the City by an attorney representing John Turi of Rensselaer County. Mr. Turi is seeking \$20,000 in compensation from the City and Police Department for violation of his civil rights in connection with an incident in 2014 where he was pulled over in Saratoga, NY by a City auxiliary police officer. The letter has been forwarded to our insurance carrier.

A notice of claim has been served on the City on behalf of the members of the CSEA claiming violations of all laws that afford protection to women against discrimination based on gender. The claim has been forwarded to our insurance carrier.

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 filed for bankruptcy and the trial was stayed.

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

A Stipulation of Settlement was filed with the Westchester County Supreme Court.

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,

Handwritten signature of Kristen K. Wilson in black ink.

Kristen K. Wilson
Corporation Counsel

2015 Earth Day Award Nominations

Municipal Excellence

Curbside Recycling Percentage: Rye City (31%), Bronxville (30%), New Castle (29%), North Castle (28%) and Hastings-on-Hudson (28%).

For being Westchester County's 2014 Top Five municipalities for diverting the most recyclable paper and comingled containers collected curbside.

Town of Yorktown

For initiating the first and so far the only [municipally curbside textile collection service](#) in Westchester County. Yorktown offers three convenient ways for their residents to recycle their textiles. First, residents may place their textiles curbside for pick-up as part of their bulk collection days, second they may drop off their textiles at one of the Town's Textile Recovery Days, and third they may also drop off textiles at five convenient location that host a USAGain clothing bin. Yorktown's program recovers these useful materials and keeps them out of the waste stream.

The NYS Department of Environmental Conservation has determined that approximately 1.4 billion pounds of clothing and textiles are disposed of in the state annually, and the EPA estimates that textiles make up to 8.2% of our overall solid waste stream. Although other local municipalities collect textiles at local depots, Yorktown stands alone by increasing convenience with scheduled curbside collection.

Kim Angliss-Gage – Recycling Coordinator 914-245-4438

Notable Initiatives in Solid Waste and Recycling Info Dissemination

Yonkers Green Policy Task Force

For disseminating information and providing advice on issues that have an impact on the overall health of the environment in which Yonkers residents live and work.

[Green Policy Task Force](#) members compile research on and submit potential "green" legislative initiatives to the City Council; work on environmental quality-of-life improvements for the Yonkers community, apply for and administer environmental grants, define public health issues for the city, and foster educational outreach for Yonkers students and the community-at-large.

Task Force Chairperson: Terry Joshi
914-377-6547

Village of Larchmont Committee on the Environment

For its dedication to planning and hosting green events and outreach. The [Village of Larchmont Committee on the Environment](#) is made up entirely of volunteers. Some of their accomplishments include: conducting a major Sustainability Expo; working to get more recycling containers around the business districts and parks; assisting in the drafting of anti-idling legislation for the Village; and writing a pesticide reduction policy for all Village grounds and buildings to help protect the ecosystem along the Long Island Sound.

Larchmont Village Clerk's Office 914-834-6230; Call Brian Riley at the Village Clerk's office and he will pass the message along to the committee.

LarchEnviroCon@gmail.com

Community & School Based

Stefanie Simmons and Ariana Shafiee of Eastchester's Greenvale Elementary School

For thought provoking research into closed landfill management and investigating process improvements to benefit Westchester County. Stefanie Simmons is a 5th grader from Eastchester's Greenvale Elementary School. She visited the closed Croton Landfill to interview Westchester's Superintendent of Landfills and completed a comprehensive project on the topic of landfill management.

Greg Simmons – father: 914-661-2509
your_name@gregsimmons.com

Aileen del Prado – mother 917-578-9867
ADELPRADO@NYCSCA.ORG

Professor Michael Priano, Westchester Community College

For continued support and education in the environmental sciences. Professor Priano is a member of the biology department at WCC and is the recipient of the following prestigious awards: the SUNY Chancellor's Award for Excellence in Teaching, the National Institute for Staff and Organizational Development Excellence Award and the WCC Foundation Faculty Excellence Award for Teaching. Professor Priano also volunteers on several environmental committees and serves as the faculty advisor for WCC's ecology club. He has consistently arranged for his students to tour the county's Material Recovery Facility in Yonkers and encourages their exploration into waste management. Professor Priano also volunteered to provide an environmental education seminar to developmentally disabled individuals as part of a collaborative food waste composting program with the county and Arc of Westchester.

Professor Michael Priano 914-606-6588
michael.priano@sunywcc.edu

Professors Noelle Bucci and Sheldon Malev, Westchester Community College

Noelle Bucci and Sheldon Malev- Co-Chairs: Westchester Community College Faculty Committee on the Environment. For investigating methods Westchester Community College can implement to increase interest and participation in recycling.

Sheldon.Malev@sunywcc.edu

Noelle.Bucci@sunywcc.edu

Intel Science Talent Search 2015 Recognition

The Society for Science & the Public (SSP) partners with the Intel Corporation to run a yearly [Science Talent Search](#), in which High School students may submit independent research projects for consideration. The prizes range from \$1,000 to \$150,000. The following are the Westchester winners whose projects focused on the environmental field:

- John Jay High School: **Tess Woerner** “Determining the Superior Pheromone and Essential Oil for the Management of the Highly Invasive Brown Marmorated Stinkbug, *Halyomorpha halys*”
- Ossining High School: **Aaron Maxwell** “Sediment Size and River Bottom Composition Affects the Settlement of Juvenile *Anguilla Rostrata* in the Hudson River”
- Pelham Memorial High School: **Max Pine** “Effect of Climate on the Spatial Distribution and Synchrony of Either Irruptive Bird Species”
- Somers High School: **Dalia Laredo** “The Development of an Oil Filer that Uses Biowaste as the Sorptive Media”
- Yorktown High School: **Catherine Chung** “A Novel Approach to a Low-Cost Solar Water Purification Device: Supplying Clean Drinking Water for Developing Countries”
- Yorktown High School: **Benjamin Child** “Solar Water Pasteurization for Use in Disaster Areas and Developing Nations”

John Jay HS **Jessica Godin** – Principal 914-763-7201

Ossining HS **Joshua Mandel** - Principal 914-762-5760 ext. 2302

Pelham Memorial HS **Jeannine Clark** – Principal 914-738-8110 ext. 1123

Somers HS **Gary Cotzin** – Principal 860-749-2270 ext. 4105

Yorktown HS **Joseph DeGennaro** – Principal 914-243-8050

Olivia Berger of White Plains High School

Olivia is a senior attending White Plains High School and co-president of the school's Advocate for Earth club. She spearheaded a [campaign to get water bottle refill stations](#) installed at White Plains' parks and other public spaces. She met with the Mayor of White Plains, Tom Roach, and detailed to him the environmental costs of disposable water bottles and also the benefits of having water bottle refill stations.

White Plains HS **Ellen Doherty** – Principal 914-422-2182

Groundworks' Green Team member, Elijah Washington

Elijah is a freshman at Yonkers' Riverside High. He helped organize events to get community input for the planned [Rail Trail for walking and cycling](#) that will revitalize distressed Yonkers neighborhoods. He has also started an inter-school club to address bullying and collect food for needy families.

For more than a decade [Groundwork Hudson Valley](#) has been a dynamic force for change in distressed communities in the lower Hudson Valley. Groundwork works to make neighborhoods more livable and sustainable through an array of on-the-ground environmental projects that directly involve local residents, especially youth.

Riverside HS **Don Solimene** 914-376-8563

Yorktown High School student, Swarnav Pujari

For his [award-winning project](#), "Solving the Energy Crisis One Step at a Time," converting foot traffic to electricity. Swarnav visited with County Executive Astorino and was accompanied by his teacher, Erica Curran, and his father Sushant. Swarnav's project won the [2014 Wise Quality of Life Innovations Award](#).

Yorktown HS Joseph DeGennaro – Principal 914-243-8050

Children's Environmental Literacy Foundation (CELF)

[The CELF is a 501\(c\)3 not-for-profit corporation](#), and was founded in 2003 to promote awareness of the importance of sustainability education and to help schools and school districts make sustainability an ongoing part of education. Since its founding in 2002, more than 50,000 students have participated in CELF programs, each designed to inspire and prepare students to take leadership roles in their communities, while actively creating a more sustainable future. Thanks to CELF's efforts, hundreds of schools across the nation now embrace the lens of sustainability to transform curriculum, school operations and activities, and foster the development of creative and responsible citizens.

Katie Ginsberg, Executive Director
Katie@celfeducation.org 914-238-4743

Business

The first companies to achieve Westchester Green Business Certification

The Westchester Green Business Challenge is a non-profit which aims to guide Westchester County businesses down a path towards environmental stability. In January 2014, they launched [Westchester Green Business-Certified \(WGB-Certified\)](#), a new membership program for Westchester County organizations that are ready to integrate sustainable practices into all areas of operation. The following companies are the first to achieve WGB-certified status:

- **Diamond Properties** (Mt. Kisco): 914-773-6249
- **Reckson**, a division of SL Green Realty Corp (White Plains): 914-750-7200
- **The Blue Pig** (Croton-on-Hudson) 914-271-3850
- **The Hendrick Hudson Free Library**: Director, M. Jill Davis (914) 739-5654
- **Metro Pool** (White Plains): 914-437-8870
- **New York Presbyterian Westchester Division** (White Plains): Rebecca Wellman rew9017@nyp.org 914-682-9100 (Main number)
- **CW Brown Inc.** (Armonk): Renee Brown (CEO) 914-741-1212
rbrown@cwbrown.com

Green Eileen

For promoting the reuse of unwanted clothing. [Eileen Fisher runs this initiative as a program to recycle unwanted clothing.](#) This extends the life of the garments and keeps them out of the waste stream. The income from the sale of this clothing is used to fund support programs that improve the lives of women and girls.

914-721-4093

Habitat for Humanity Restore

[Habitat for Humanity ReStores](#) are nonprofit home improvement stores and donation centers that sell new and gently used furniture, home accessories, building materials, and appliances to the public at a fraction of the retail price. Habitat for Humanity ReStores are proudly owned and operated by local Habitat for Humanity affiliates, and proceeds are used to build homes, community, and hope locally and around the world.

914-636-8335



Joseph Carvin
Supervisor
Town of Rye, NY



Joan Grangenois-
Thomas
President
NAACP



David Thomas
President
Building Community Bridges



American Legion Post
#93

INVITATION

Dear Friends of the Town of Rye:

The Town of Rye's African American Cemetery Committee invites you to participate in a Memorial Day ceremony to remember and honor those buried at the Cemetery:

10:00 AM, Saturday, May 23, 2015
(adjacent to the Greenwood Union Cemetery)
215 North Street, Rye

As brief background, the land for the cemetery was donated to the Town of Rye in 1860 by Underhill and Elizabeth Halstead with the condition that it "shall forever hereafter kept, held and used for the purpose of a cemetery or burial place for the colored inhabitants of the said Town of Rye, and its vicinity free and clear of any charge therefor..."

We have been making steady progress with each passing year of this project. This year we are proud to announce the formation of the "Friends of the African American Cemetery Inc." - an organization formed to support and develop the African American Cemetery as an educational and historical resource for the community

If you have any questions or need additional information please call David Thomas at (914) 886-5710 or email me at dthomas1981@outlook.com

Thank you.