

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Eleanor M. Militana, Interim City Manager

SUBJECT: Enclosures - Council Packet

DATE: June 12, 2015

Enclosed with this memorandum are the following items:

- 6-4 Notice regarding a Rye Town Park Commission Meeting to be held on Tuesday, June 16, 2015 beginning at 6:00 p.m. at the Port Chester Village Court.
- 6-5 Notice regarding a meeting of the Rye City School District Board of Education to be held on Tuesday, June 16, 2015 beginning at 8:30 p.m. in the Rye Middle School Multipurpose Room.
- 6-6 Legal Department Update from the Corporation Counsel dated June 12, 2015.
- 6-7 Notice from the Westchester County Department of Health providing rabies prevention tips.
- 6-8 Notice from FiOS® TV regarding an increase in programming fees.
- 6-9 Meeting notice for the week of June 8, 2015 is available on the City website 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
Dennis Pilla, Mayor-Village of Port Chester
Paul Rosenberg, Mayor-Village of Rye Brook
Benedict Salanitro, Commissioner
Laura Brett, Commissioner

DATE & TIME: **Tuesday, 6/16/2015 @ 6:00PM**

PLACE: Village of Port Chester Courtroom
350 North Main Street – 2nd Floor
Port Chester, NY 10573

Tentative Agenda:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of Minutes: 5/19/2015**
- 4. Comments from the Public**
- 5. Park Management Report**
- 6. Old Business**
- 7. 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

u Elaine Cuglietto
District Clerk
cugliete@ryeschools.org

June 4, 2015

FOR IMMEDIATE RELEASE

June 16, 2015 Board of Education Meeting

The Rye City School District Board of Education will meet **Tuesday, June 16, 2015** beginning at 8:30 PM in the Rye Middle School Multipurpose Room.

Prior to the meeting, beginning at 6:30 p.m. the Board will meet 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.

On the agenda, are business and personnel items that normally come before the Board.

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: June 12, 2015

CLAIMS

I previously reported to you about a letter of demand that was served upon the City in connection with an incident in 2014 where the claimant was pulled over in Saratoga, NY by a City auxiliary police officer. A second demand letter has been received in connection with this incident on behalf of Anthony Rogers, who was a passenger in the vehicle at the time it was pulled over.

A notice of claim has been submitted by Maurio Sax of 39 Sonn Drive. The notice states that repairs made by the Department of Public Works to a wall on claimant's property that was damaged during snow removal, were not made properly. The claim has been forwarded to our insurance carrier.

TAX CERTIORARI

CARROLL v. CITY OF RYE

The Second Department denied appellant Carroll's motion for leave to reargue or, in the alternative, for leave to appeal to the Court of Appeals.

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 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 until July 13, 2015. On July 13, 2015, all parties are to notify ALJ O'Connell regarding the trial date.

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 Notice of Verified Amended Article 78 Petition and Memorandum of Law were served. This is the third time that Petitioners have served papers regarding this matter. The return date is June 19, 2015. Petitioners are asking for the Supplemental Finding of the Zoning Board of Appeals filed on April 16, 2015 to be rescinded. The Zoning Board of Appeals granted the necessary three area variances to construct a single family home.

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

Plaintiff has requested a conference to address his request to file a Second Amended Complaint.

CHITTENDEN v. COMPAGNONE

I appeared at a compliance conference and depositions were scheduled.

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

Travelers filed a notice of removal of the matter to federal court.

NOTICE OF DANGEROUS CONDITION

The City received a copy of a "Notice of Dangerous Condition" regarding any future bow and arrow or other permitted deer hunting.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel



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: June 12, 2015

HEALTH DEPARTMENT OFFERS RABIES PREVENTION TIPS Advice for Indoors and Out As Weather Warms Up

As summer approaches, Westchester County Health Commissioner Sherlita Amler, MD, advises residents to take a few simple precautions to prevent themselves, their families and their pets from being exposed to rabies.

“With warmer weather, residents spend more time outdoors in closer proximity to wildlife,” said Sherlita Amler, MD, commissioner of health for Westchester County. “It’s great to enjoy the outdoors, but remember to keep away from wild and stray animals, teach your children to avoid them, too and keep your pets’ rabies vaccines up to date.”

It’s equally important to keep creatures out of your home to avoid rabies exposure. So far this year, 17 residents were treated after an exposure to a bat. In 2014, 120 residents were treated. Of the 147 animals that were submitted for rabies testing through the end of May, 12 were confirmed rabid, including 8 raccoons, two bats, one fox and one skunk.

“To keep bats out of your home, check to see whether your soffits and attic vents are tightly screened,” Amler said. “If a bat gets inside, capture and contain it safely and call the Health Department immediately. That way, if you, a pet or a family member was exposed, the bat can be tested for rabies, which can help you and your family avoid a series of rabies shots.”

Watch this video to learn how to safely capture a bat in your home : <http://health.westchestergov.com/rabies>

What can you do to keep animals away from and out of your home?

- Always make sure doors and windows are secure and that any small openings that will allow an animal entrance into your home are closed off. This includes screening, chimneys, attic vents, and air conditioners.
- If a bat finds its way into your house, confine or capture it (without further exposing yourself) for possible rabies testing. Never release a bat due to the possibility of pet or human exposure. Instead, call the health department at 914-813-5000 to arrange for testing.
- Cover garbage cans securely to avoid attracting animals.
- Bring pet food and water dishes inside and don’t scatter birdseed or crumbs on the ground.
- Do not leave food outside unattended.

More

How can you tell if an animal is rabid?

- Unusual behavior may be the first sign of rabies in an animal.
- A rabid animal may become either abnormally aggressive or unusually tame.
- Staggering and frothing at the mouth are sometimes noted.

What should you do if bitten or scratched by a wild or stray animal?

- Wash the bite or scratch with warm, soapy water.
- Call your doctor or hospital to find out if additional treatment is needed.
- Report the incident to the health department, 24 hours a day, at (914) 813-5000. If calling after business hours, follow the recorded instructions for reporting public health emergencies.

What should you do if your pet fights with another animal?

- Wear gloves when handling your pet during and after an encounter with another animal.
- Call your veterinarian and the animal control officer in your community to report the incident.
- If your pet is exposed to a suspect rabid animal, try to keep the animal in sight until the police or a wildlife trapper arrive.
- If your pet bites or scratches someone, confine your animal and call the Westchester County Health Department immediately at 813-5000. There are a few simple procedures to follow so that the injured person does not need rabies post-exposure treatment. You should also contact the veterinarian for your pet's rabies vaccine records.

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Additional news available at health.westchestergov.com

Connect with us on Facebook: <https://www.facebook.com/wchealthdept>

Follow us on Twitter: @wchealthdept



FiOS® TV Changes

At Verizon, we strive to bring you the best entertainment experience. In an effort to manage our rising programming costs, on or after 30 days from the date of your bill, we are increasing the Regional Sports Network Fee to \$4.99 per month. This monthly fee helps to cover the high costs Verizon pays to Regional Sports Networks to deliver professional and collegiate sports programming in each local team's territory. Verizon offers alternative packages that do not include Regional Sports Networks and are not subject to this fee.

To continue to bring you the best programming TV has to offer, at times we need to raise our rates. On or after 30 days from the date of this bill, the monthly rate for Sports Pass will increase by \$2.

To continue providing you with quality service and product innovation, on or after 30 days from the date of your bill, the monthly rate for your FiOS Digital Adapter TV equipment will increase \$2 per adapter. This rate increase will not apply to digital adapters that are subject to a current equipment promotional offer. If you would like to review your current services and equipment options, please visit myverizon.com

On or after September 18, 2015, Rocks TV will move from channel 172 to channel 155.