

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Marcus Serrano, City Manager

SUBJECT: Enclosures - Council Packet

DATE: July 2, 2015

Enclosed with this memorandum are the following items:

- 7-1 Police statistics for the second quarter of 2015 including: Traffic Enforcement, City Code Violations, Parking Violations, Arrests, Calls for Service and Investigations.
- 7-2 Legal Department Update from the Corporation Counsel dated July 2, 2015.
- 7-3 Notice from Westchester County providing food and outdoor safety tips for July 4th.
- 7-4 Meeting notice for the week of July 6, 2015 is available on the City website www.ryeny.gov under Calendar.

City of Rye Police Department Statistical Overview 2015

Updated eff. July 1, 2015

The principal mission of the Police Department is to preserve the rights of citizens and reduce fear in the community through the prevention of crime, protection of persons, property and the maintenance of order in public places; to preserve the quality of life pursuant to the Rye City Code; and to anticipate and respond to events that threaten public order and the protection of life and property.

Traffic Enforcement

Moving violations by category

	2014	2015 Q1	Q2	Q3	Q4	2015 YTD
Red Light	64	24	24			48
Stop Sign	66	21	30			51
Speeding	279	114	338			452
Disobey Sign/Device	186	49	182			231
Alcohol/Drug Related	47	6	14			20
Unlicensed Operation	213	78	113			191
Other Motor Veh. Infractions	344	161	229			390
Inspection	80	32	54			86
Registration	173	37	78			115
Equipment	175	95	142			237
Seat Belt	69	25	122			147
Cell Phone	100	35	109			144
Marine Navigation Law	44	0	9			9
TOTAL	1,840	677	1,444			2,121

City Code Violations

	2014	2015 Q1	Q2	Q3	Q4	2015 YTD
	137	16	59			75

Parking Violations

	2014	2015 Q1	Q2	Q3	Q4	2015 YTD
	9,061	2,438	1,979			4,417

Arrests

	2014	2015 Q1	Q2	Q3	Q4	2015 YTD
Persons arrested	95	42	57			99

Calls for Service –

	2014	2015 Q1	Q2	Q3	Q4	2015 YTD
	13,438	3,283	4,094			7,377

Calls for Service – SELECTED CATEGORIES

Does not include criminal complaints

Does not include all calls for service

	2014	2015 Q1	Q2	Q3	Q4	2015 YTD
Aided (Medical Emergencies)	1,113	249	281			530
Alarms – Burglary	810	219	192			411
Alarms – Other	347	99	33			132
Motor Vehicle accidents	418	94	108			202
Suspicious Persons	198	26	46			72
Suspicious Vehicles	230	39	52			91
Domestic Incidents	28	8	12			20
Missing Persons/Children	11	2	4			6
Assist Citizen	703	171	187			358
Assist Other Agency	132	47	61			108
Animal Complaints	161	17	27			44
City Code Violations	360	55	139			194
Prisoner Transport	52	10	10			20

Public Event	22	1	6			7
School Crossing (P.O.)	8	0	0			0
Utility Emergency	192	70	73			143
ABC Law Checks	1	0	0			0
Dark House Checks	25	3	3			6
Disabled Vehicle	127	37	27			64
Disorderly Conduct	63	7	14			21
E911 Hang up	128	34	28			62
Environmental Conservation	44	0	14			14
Extra Patrol Request	212	43	16			59
Fire	26	10	14			24
Fireworks	26	1	4			5
Road Condition/Hazard	118	41	24			65
Tree Down	31	0	10			10
Child Safety Seat Inspection	0	0	0			0
Gun Shots Fired	6	4	0			4
Noise/Neighborhood Compl.	174	14	28			42
Health/Safety Hazards	47	12	4			16
Recovered Property	26	4	2			6
Hazardous Material	1	0	0			0
Total	5,840	1,317	1,419			2,736

Investigations

	2014	2015 Q1	Q2	Q3	Q4	2015 YTD
Cases Opened -- General	343	73	79			152
Cases Opened -- Youth	123	12	15			27

Resources

	2014	2015 Q1	Q2	Q3	Q4	2015 YTD
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Authorized Sworn Headcount	36	38	38			
Long Term Sick/Injured	2	2	2			
Restricted Duty*	0	1	0			
Not Available for Patrol**	0	1	1			
Unfilled Positions	0	0	0			
Patrol Strength	27	26	27			

* Indicates sworn officer not able to perform patrol duty due to medical or other condition

** Indicates sworn officer not available for patrol for other reason, i.e., Police Academy, Field Training, etc.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: July 2, 2015

CLAIMS

A notice of claim has been submitted by Richard Gallos for damage to his vehicle from a City tree while parked on Bradford Avenue. The claim has been forwarded to our insurance carrier for review.

A notice of claim has been submitted by Lois and Alan Palestine. The notice states that Ms. Palestine suffered injuries as a result of a fall on a sidewalk located in front of 51 Purchase Street. The claim has been forwarded to our insurance carrier for review.

I previously reported a claim filed by Jolanta Fidun for damage to her vehicle back in March 2014. This claim has been closed without any payment from Travelers or the City of Rye.

TAX CERTIORARI

MICHAEL ROTH v. CITY OF RYE

Petitioner has served a Notice of Verified Petition and Petition against the City of Rye challenging the Decision of J.H.O. Maher's dated February 20, 2015 which upheld the City Assessor's original assessment. Petitioner alleges that J.H.O. Maher's decision is irrational. The return date is August 7, 2015.

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)

The DEC Commissioner rendered a decision in which he partially upheld and partially reversed the ALJ's interim decision. The DEC Commissioner upheld the ALJ's decision finding that the negative declaration was rational and based on the record before it. In addition, the Commissioner reversed the ALJ's decision and found that Harrison's application did meet the standards under the Freshwater Wetland Act.

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

Discovery is on-going and the deadline has been extended to July 30, 2015.

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

The City served its complaint on Travelers and we are waiting for Travelers to file and serve its answer.

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

Kristen K. Wilson
Corporation Counsel

KKW/kkw

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 30, 2015

BARBECUE SAFETY TIPS

Health Department offers food and outdoor safety tips for July 4

As you fire up the grill and get ready for a long weekend of outdoor fun to commemorate America's birthday, the Westchester County Department of Health has a dozen tips to help you celebrate safely and to prevent West Nile Virus, salmonella or a food borne illness from spoiling your fun:

- Spray insect repellent containing DEET on your clothes and exposed skin to avoid mosquito bites.
- Empty out standing water from all outdoor containers to keep mosquitoes from breeding.
- Avoid attracting animals – collect and dispose of food and litter.
- Thaw meat and poultry slowly in the refrigerator or under cold running water before cooking.
- Harmful bacteria usually grow in the "danger zone" between 40° and 140° F, so marinate and hold meat and poultry in the refrigerator until you are ready to grill it.
- Transport food inside a cooler filled with ice to keep it at 40°F or below. Keep the cooler out of the direct sun and avoid opening the lid too often. Keep beverages in a separate cooler.
- Cook your food to the right temperature -- that's 160 degrees for ground beef and pork and 165 degrees for chicken and hot dogs. Always use a food thermometer to be sure the food has reached a safe internal temperature.
- Keep cold foods cold and hot foods hot. Discard any food left out for more than two hours after cooking, or one hour if it is more than 90°F outside.
- Don't cross-contaminate: don't reuse marinades on cooked food unless you boil them first and don't use the same plate, cutting board and utensils for cooked food that you used for raw meat.
- Wash hands, surfaces and utensils frequently with soap and water or antiseptic wipes.
- Drink lots of water to avoid sunstroke, avoid the midday sun and reapply sunscreen with SPF 15 or greater every two hours to avoid sunburn.
- Never swim alone, and always keep your eyes on your children when in or around water and be sure they swim only when and where lifeguards are on duty.

For more information, like the Westchester County Health Department at [Facebook.com/wchealthdept](https://www.facebook.com/wchealthdept), follow us on Twitter @wchealthdept, call us at (914) 813-5000 or visit www.westchestergov.com/health.