

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

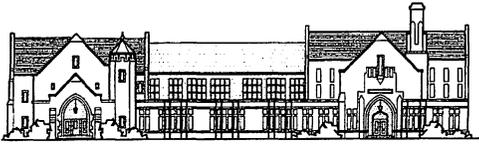
FROM: Marcus Serrano, City Manager

SUBJECT: Enclosures - Council Packet

DATE: July 31, 2015

Enclosed with this memorandum are the following items:

- 7-18 Notice from Rob Mergardt, Rye City School District Director of Health, Physical Education and Athletics, providing the 2015 fall night game schedule.
- 7-19 Legal Department Update from the Corporation Counsel dated July 31, 2015.
- 7-20 Notice from the Westchester County Department of Health regarding free immunizations to children who are uninsured or whose insurance doesn't cover vaccines.
- 7-21 Notice from the Westchester County Department of Health providing a Health Department Heat Advisory.
- 7-22 Meeting notice for the week of August 3, 2015 is available on the City website www.ryeny.gov under Calendar.



HOME OF THE
GARNETS
THE RYE HIGH SCHOOL
RYE, NEW YORK 10580

ROD MERGARDT
Director of Health,
Physical Education and Athletics
914-967-6100 Ext. 1242
Fax: 914-925-1076
E: mergardt.rod@ryeschools.org

July, 2015

Dear Rye High School Neighbor:

In accordance with the Board of Education policy on the Use of Permanent Field Lights at John Nugent Stadium, I am informing you of the 2015 fall night game schedule. Should there be any changes or additions to this schedule, you will be notified as soon as possible.

Friday, September 4	Varsity Girls Soccer	7:00 p.m.
Friday, September 11	Varsity Football	7:00 p.m.
Friday, September 18	Varsity Football	7:00 p.m.
Saturday, September 19	Varsity Girls Soccer	7:00 p.m.
Friday, October 2	Varsity Football	7:00 p.m.
Saturday, October 3	Varsity Boys Soccer	7:00 p.m.

If you have any questions and/or concerns, please do not hesitate to call me at (914) 967-6100, ext. 1541.

Sincerely,



Rod Mergardt

cc: Dr. Frank Alvarez, Superintendent
Ms. Patricia Taylor, Principal, RHS
Dr. Ann Edwards, Principal RMS
Mr. Robert Zegarelli, Asst. Principal, RHS
Mr. Rolf Koehler, Security, RHS
Mr. William Pease, Police Commissioner
Lieutenant Falk, Rye Police
Ms. Sally Rogol, Rye Recreation
Mr. Doug Scott, Rye Recreation

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: July 31, 2015

CLAIMS

A claim was filed by Melisa Anderson, on behalf of Heather Anderson, an infant, alleging that the City was negligent and seeking damages as a result of physical injuries sustained after falling off of some playground equipment at Rye Neck Middle School. The Notice of Claim was forwarded to the City's insurance carrier.

A claim was filed by Patricia A. Gian alleging damages associated with a break in a sewer pipe. Claimant alleges that the damage was caused by the destruction/excavation of an adjacent house. The damages alleged are approximately \$2,900. The Notice of Claim was forwarded to the City's insurance carrier.

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. We are still waiting for a decision.

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 trial has been calendared to commence in November 2015.

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

The City filed its answer and the Third Certified Record of Proceedings. Co-Respondents filed and served their answering papers.

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

Defendant was deposed on July 30, 2015. Additional non-party depositions and other outstanding discovery will take place over the next several weeks.

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

The City served its Complaint on Travelers. Travelers has answered the Complaint and discovery is taking place.

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

KKW/kkw



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: July 28, 2015

ASTORINO ANNOUNCES COUNTY HEALTH DEPARTMENT WILL OFFER FREE BACK TO SCHOOL SHOTS Make sure your child is up-to-date with required school vaccines

Westchester County Executive Robert P. Astorino announced that to help families prepare for a new school year, the health department will offer free immunizations to children who are uninsured or whose insurance doesn't cover vaccines.

The vaccines will be available by appointment on Fridays in August and September at health department clinics in White Plains and Yonkers.

“To help your children get the most out of school, they need to be in school,” Astorino said. “Vaccines help children stay healthy throughout the school year. Summer seems to fly by, so now is a good time to schedule those back-to-school checkups.”

During the county's back to school vaccine clinics, health Navigators will be on hand to help parents and guardians sign their children up for the health insurance they need. Families without a regular doctor also will receive information about where to go for ongoing pediatric primary care.

Appointments will be made on a first-come, first-serve basis for vaccine clinic sessions scheduled through September 25 at the Westchester County Department of Health clinics in Yonkers and White Plains.

To schedule an appointment for school vaccines at the health department clinic in Yonkers at 20 S. Broadway, call (914) 231-2500. The dates are as follows:

- Friday, Aug. 28, 9 a.m. - 3 p.m.
- Friday, Sept. 11, 9 a.m. - 3 p.m.
- Friday, Sept. 25, 9 a.m. - 3 p.m.

More

To schedule an appointment for school vaccines at the health department clinic in White Plains at 134 Court Street, call (914) 995-5800. The dates are as follows:

- Friday, Aug. 21, 9 a.m. - 3 p.m.
- Friday, Sept. 18, 9 a.m. - 3 p.m.

Westchester County Health Commissioner Sherlita Amler, MD, emphasized the importance of measles vaccination.

“Immunizing your children on time against vaccine-preventable diseases like measles is critical,” she said.

Since January, 178 people of all ages have been diagnosed with measles nationwide, and a woman in Washington State died of this disease on July 2, the first measles-related death in 12 years.

Measles is highly contagious even before the rash starts and is easily spread when an infected person breathes, coughs, or sneezes. If you're not protected, you can get measles just by walking into a room where someone with the disease has been in the past couple of hours.

Children should be vaccinated with two doses of MMR vaccine, with the first dose between 12 and 15 months and the second at four-to-six years. Adults born after 1956 should have at least one measles vaccination; some people need two.

Regulations for school admissions require schools to more closely scrutinize children's immunization records and could result in a child not being allowed to start or continue in school if immunizations are not current. These updated regulations provide increased protection against illnesses like whooping cough that have been reported in school aged children in Westchester, as well as measles and mumps, which have had recent outbreaks.

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*Additional news available at health.westchestergov.com/health
Connect with us on Facebook: <https://www.facebook.com/wchealthdept>
Follow us on Twitter: [@wchealthdept](https://twitter.com/wchealthdept)*



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: July 29, 2015

HEALTH DEPARTMENT ISSUES HEAT ADVISORY

With hot and humid weather forecast and temperatures expected to reach or exceed 90 degrees in parts of the county throughout the week, the Westchester County Health Department is issuing a heat advisory. As temperatures rise, residents are advised to avoid strenuous activity, drink plenty of non-alcoholic, uncaffeinated beverages and take precautions to prevent heat-related illness.

Heat stroke is a serious and life-threatening condition that claims many lives nationwide each year. Symptoms include hot red, dry skin, shallow breathing, a rapid, weak pulse, and confusion. Anyone suffering from heat stroke needs to receive emergency medical treatment immediately. Call 911 if you suspect heat stroke and immediately cool the overheated person while waiting for emergency help to arrive.

“Heat stroke and dehydration can take you by surprise,” said Sherlita Amler, MD, Westchester County commissioner of health. “The elderly, young children and those with high blood pressure, heart disease or lung conditions need to be especially careful to avoid heat-related illnesses. High humidity and some medications can also increase a person’s risk for heat stroke.”

While less dangerous than heat stroke, heat exhaustion also poses concerns. Seniors, children up to age four, people who are overweight or who have high blood pressure and those who work in hot environments are most at risk. Signs include headache, nausea or vomiting, dizziness and exhaustion, as well as cool, moist, pale or flushed skin. People suffering from heat exhaustion should be moved out of the sun and have cool, wet cloths applied to their skin.

Health Department recommendations to prevent heat-related illnesses:

- Drink two to four glasses of water per hour during extreme heat, even if you aren’t thirsty.
- Limit any strenuous activity and exercise, especially during the sun's peak hours from 11 a.m. to 4 p.m.
- Take frequent breaks and drink lots of water if you work outside.
- Exercise when it is cooler, during early morning hours or in the evening.
- Avoid caffeine, alcohol and sugary drinks. These cause you to lose more body fluid.

Stay indoors, ideally in an air-conditioned place. If your house or apartment isn't air-conditioned, try spending a few hours at a shopping mall, public library, movie theater or supermarket. A few hours spent in air conditioning

MORE

- can help your body stay cooler when you go back into the heat. For addresses and phone numbers of libraries and senior centers, go to <http://health.westchestergov.com/stay-safe-in-the-sun>.

For additional relief from the heat, local senior centers, community centers and libraries are often designated as cooling centers when needed. Residents should check with their municipality for the latest availability, hours and locations. Yonkers has seven cooling centers open today; New Rochelle has two.

- For Mount Vernon, go to www.cmvny.com
- For New Rochelle, go to www.newrochelleny.com
- For Port Chester, go to www.portchesterny.com
- For Peekskill, go to www.cityofpeekskill.com
- For Rye Town, go to www.townofrye.com
- For Yonkers, go to www.yonkersny.gov/keepcool
- For Ossining Village, go to www.villageofossining.org

Some other ideas:

- **Take a cool shower or bath and reduce or eliminate strenuous activities during the** hottest time of day.
- Wear lightweight, light-colored, loose-fitting clothing to reflect heat and sunlight.
- Protect yourself from the sun by wearing a wide-brimmed hat and sunglasses, and by using a broad spectrum sunscreen of SPF 15 or higher.
- NEVER leave anyone - a person or animal - in a closed, parked vehicle. Temperatures inside a closed vehicle can quickly exceed 140° F, which is life-threatening.
- Neighbors should check on elderly neighbors to make sure they are safe.
- Bring pets inside and be sure to provide them with plenty of water.

Elevated heat and humidity can also lead to unhealthy ozone levels. The New York State Department of Environmental Conservation forecasts daily ozone conditions on its website, <http://www.dec.ny.gov>, for the New York Metropolitan area, which includes Westchester County. Air quality updates are also provided daily on the New York State Air Quality Hotline at 1-800-535-1345. Ozone is a gas produced by the action of sunlight on organic air contaminants from automobile exhausts and other sources. Significant exposure to ozone in the air has been linked with adverse health effects. These may include nose and throat irritation, respiratory symptoms and decreases in lung function.

People who experience these symptoms should speak with a healthcare provider. Those who may be especially sensitive to the effects of ozone exposure include the very young, those who exercise outdoors or are involved in strenuous outdoor work and those with pre-existing respiratory problems such as asthma. When ozone levels are elevated, the Westchester County Department of Health recommends limiting strenuous physical activity outdoors to reduce the risk of adverse effects.

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