

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: November 10, 2011

Enclosed with this memorandum are the following items:

- 11-6 Notice of a Rye Town Park Commission Meeting to be held on Tuesday, November 15, 2011 at 6:00 p.m. at Rye Town Hall in Port Chester.
- 11-7 Legal Department Update from the Corporation Counsel dated November 10, 2011.
- 11-8 Notice from the Rye City School Board President Laura Slack regarding a meeting to be held on Thursday, November 17, 2011 at 7:30 p.m. in the Rye High School Media Center for the selection process for the new Superintendent of Schools.
- 11-9 Notice regarding a League of Women Voters Issue Forum on Affordable Housing to be held on Tuesday, December 6, 2011 at 7:30 p.m. at the Rye Free Reading Room.
- 11-10 Letter from Robert Hoch, Cablevision Director of Government Affairs, dated November 3, 2011 regarding updates to Cablevision service.
- 11-11 Meeting notice for the week of November 14, 2011 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
Douglas French, Mayor-City of Rye
Dennis Pilla, Mayor-Village of Port Chester
Joan Feinstein, Mayor-Village of Rye Brook
Benedict Salanitro, Commissioner
Joseph Sack, Commissioner

DATE & TIME: Tuesday, 11/15/2011@ 6:00PM

**PLACE: Rye Town Hall
 10 Pearl Street-3rd Floor Courtroom
 Port Chester, New York 10573**

Tentative Agenda:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of Minutes: 10/24/2011**
- 4. Comments from the Public**
- 5. Financial & Manager's Report**
- 6. Old Business**
- 7. New Business**

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: November 10, 2011

CLAIMS

A notice of claim has been filed by Deirdre and Anthony Rinaldi of Cottage Street, Port Chester. The notice states that on August 12th Ms. Rinaldi was injured in a fall on a city sidewalk. Mr. Rinaldi claims loss of services and economic loss as a result of the accident. The claim has been forwarded to our insurance carrier.

A notice of claim has been filed by Michael Kinstel of 91 Florence Avenue. The notice states that a fence on Mr. Kinstel's property was damaged when a fallen tree limb that was being removed from a city street by city equipment was dropped on it. The claim has been forwarded to our insurance carrier.

In September I reported that a claim had been filed by Lily Retta of Katonah claiming that a parked vehicle owned by her had been damaged when a city-owned tree fell on it. The claim has been denied by our insurance carrier because the tree fell during a storm event.

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

DEC staff filed a Reply to the City's Appeal of ALJ O'Connell's 2009 Issues Ruling and July 2011 Supplemental Rulings. The Town of Harrison did not file reply papers by the October 14th deadline.

BASSETT v. CITY OF RYE

The plaintiff has filed a notice of appeal of the decision of Judge Berliner to the Appellate Division, Second Department. The Notice of Appeal was filed within the required time after Notice of Entry was served.

CASPI v. CITY OF RYE

A Conference was held before Magistrate Judge Yanthis on October 27th. The discovery deadline was extended to February 24, 2012 and dates for the depositions of the individual officers have been scheduled. Defendants were notified that Plaintiff has requested the depositions of non-party police officers.

DELLI PAOLI V. ZONING BOARD OF APPEALS

The Board of Appeals reaffirmed the Board of Architectural Review's decision to deny the application at their May meeting.

SHEW v. CITY OF RYE

A Notice of Appeal to the Appellate Division, Second Department has been filed on behalf of Paul Shew seeking to overturn the Decision and Order rendered by Hon. Gerald E. Loehr in this case.

MOLLOY v. PLANNING COMMISSION

The Appellate Division, Second Department, has returned Petitioner/Appellant's letter request for an enlargement of time and has required Petitioner/Appellant to file a motion for such request. The Motion was filed Friday with the Appellate Division. Petitioner/Appellant is seeking additional time until January 6, 2012 to perfect her appeal.

PANETTA v. PLANNING COMMISSION

Petitioner has filed a Notice of Appeal in connection with the Decision and Order issued by Judge Colangelo on September 12th. Petitioner/Appellant has six months to perfect the appeal. Petitioner has requested a preliminary conference with the Supreme Court Judge to discuss his original petition/complaint.

MUNDINGER v. PLANNING COMMISSION

A Notice of Entry of Judge Colangelo's Decision and Order has been filed. Petitioner has 30 days to file a notice of appeal.

RUNES v. BOARD OF ASSESSMENT REVIEW and CITY ASSESSOR

An Article 78 Petition has been filed by Richard Runes of 3 Kirby Lane North seeking to overturn the April 12, 2011 decision of the small claims hearing officer, JHO Luke M. Charde, Jr. who determined that the assessment on Mr. Runes' property was supported by the evidence put forth by the City.

HIGHLAND TENANTS' ASSOCIATION v. R.A. COHEN, et al

R.A. Cohen has filed and served a Motion to Dismiss. The County and the State have requested a briefing schedule to allow them time to file a Motion to Dismiss. Judge Zambelli has agreed to allow motions to be filed on or before November 18th. The City is still waiting for a coverage determination from our insurance carrier.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn



Dear Rye Resident,

The members of the Rye City School District Board of Education cordially invite you to attend a meeting on **November 17, 2011 in the Rye High School Media Center at 7:30 p.m.** to assist the Board in establishing direction for the selection process for the new Superintendent of Schools. The Board is facing the most important task any school board ever faces: replacing its chief school officer. We are confident that you will want to be a part of this process.

The first, and probably the most important, part of the process is to identify the personal and professional qualities and experiences that the Rye community would like the new Superintendent of Schools to possess. At this meeting, you will have an opportunity to meet one or more of the search consultants from School Leadership, LLC which has been engaged by the Board to assist it in the search. The consultants will describe the process and estimated timetable for conducting the search. The remainder of the meeting will be devoted to hearing participant responses to three prompts: (1) From your perspective, what would attract a highly-qualified educator to seek the position of Superintendent in our school district? (2) What do you see as some of the major leadership challenges that the new Superintendent will face over the next three to five years? (3) What types of prior experiences and personal and professional qualities would you hope the new Superintendent will have?

Information from this meeting, and from other meetings with members of the Rye school community, will be synthesized into a set of search specifications that the Board anticipates approving in December. These specifications will then guide the Board of Education as it undertakes the search for the new Superintendent.

If you are unable to attend this meeting, you may still share your input by completing a [New Superintendent Questionnaire](#), also available on the District's website, www.ryeschools.org. You can submit the form by mail, fax, or email to any of the addresses listed on top of the questionnaire no later than November 18. The survey can also be completed electronically through the Survey Monkey website, www.surveymonkey.com/s/ryesupt.

Thank you in advance for providing critical input to this process.

Sincerely,
Laura Slack
Board President



**RYE, RYE BROOK
& PORT CHESTER
LEAGUE OF
WOMEN VOTERS®**

Issue Forum

"A Primer on Fair and Affordable Housing in Rye, Rye Brook & Port Chester"

What are the key policy issues we need to understand?

Where can it be built?

How is it being paid for?

Who can live there?

Where & Why Westchester and HUD differ?

What will be the impact on our communities?

Our Featured Panelists

- Jim Johnson, Federal Housing Monitor
- Mayors of Rye City, Rye Brook and Port Chester
- Lou Larizza, Local Affordable Housing Builder
- Westchester County, Spokesperson TBA
- HUD, Spokesperson TBA

**Tuesday, December 6th at 7:30 pm
Rye Free Reading Room Community Room
1061 Boston Post Road, Rye**

Contact: Rye, Rye Brook & Port Chester League of Women Voters
(914) 481-3234 LWV.Rye.RyeBrook.PortChester@gmail.com

ROBERT HOCH
DIRECTOR, GOVERNMENT AFFAIRS
(914) 378-4515 PHONE
(914) 909 0207 FAX
rhoch@cablevision.com



November 3, 2011

The Honorable Douglas French, Mayor
City of Rye
1051 Boston Post Road
Rye, New York 10580-2996

Re: Elimination of Duplicate Channel Positions

Dear Mayor French:

Please let this letter serve to provide notice that effective, December 7, 2011, Cablevision will eliminate various duplicate channel positions in the 1000 channel range as detailed in the following chart:

Programming Service	Package	Elimination of Duplicate Channel	Continuation of Service on Channel
ESPN 2	Family	1035	35
ESPN	Family	1036	36
SNY	Family	1060	60
YES	Family	1070	70
MSG	Family	1071	71
MSG Plus	Family	1072	72

This dual programming elimination will be transparent to our customers since they will continue to enjoy the programming on existing lower channel positions in HD and SD. The attached chart lists the programming services affected, the eliminated duplicate channel number and the current channel location.

Customers will be notified of the elimination of the dual channel through on air messaging. In addition, customers can always find the most current channel line-up information on Cablevision's consumer website www.optimum.com.

As always, if you have any questions, please feel free to call me.

Sincerely,

Robert Hoch