

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: November 23, 2011

Enclosed with this memorandum are the following items:

- 11-16 Letter from Robert Hoch, Cablevision Director of Government Affairs, dated November 18, 2011 regarding updates to Cablevision service.
- 11-17 Legal Department Update from the Corporation Counsel dated November 23, 2011.
- 11-18 Notice from the Rye City School District regarding a Board of Education Meeting to be held on Tuesday, November 29, 2011 at 8:00 p.m. in the Rye Middle School Multipurpose room.
- 11-19 Meeting notice for the week of November 28, 2011 is available on the City website www.ryeny.gov under Calendar.



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

November 18, 2011

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

Re: Universal Sports Channel Deletion

Dear Mayor French:

Please let this letter serve to provide notice that effective December 31, 2011 Universal Sports on iO TV channel 110 will no longer be available on Cablevision's Broadcast Basic tier.

Customers will be notified through bill and on air messaging of the channel deletion. In addition, customers can always find the most current channel lineup information on Cablevision's consumer website www.optimum.com.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Hoch". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robert Hoch

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: November 23, 2011

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. Lochr 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 December 2nd. The City is still waiting for a coverage determination from our insurance carrier.

CITY COURT

There is no City Court calendar this week.

Respectfully submitted,

Kristen K. Wilson

Kristen K. Wilson
Corporation Counsel

KKW/dfn



The Rye City School District

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*Elaine Cuglietto
District Clerk
cugliete@ryeschools.org*

November 18, 2011

FOR IMMEDIATE RELEASE

November 29, 2011 Board of Education Meeting

The Rye City School District Board of Education will meet Tuesday, November 29, 2011 beginning at 8:00 PM in the Rye Middle School Multipurpose Room. Prior to the meeting, the Board will meet in Executive Session 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 fiscal, special education, personnel and business items that ordinarily come before the Board.

In addition, Accume Partners, the District's Internal Auditor, will present the 2011 Program Audit and the 2011 Risk Assessment. The 2012-2013 Fiscal Challenges and Constraints will be presented by Ms. Kathleen Ryan, Assistant Superintendent for Business.

Members of the public are welcome and encouraged to attend this meeting of the Board and to speak during the public hearing on the budget.