

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: June 15, 2012

Enclosed with this memorandum are the following items:

- 6-7 Letter from the Government Finance Officers Association (GFOA) dated May 30, 2012 noticing that the City of Rye has received the *Distinguished Budget Presentation Award* for the current budget.
- 6-8 Notice regarding a Public Hearing on the Rye City School District Code of Conduct to be held by the Rye City School District on Monday, June 18, 2012 beginning at 9:00 a.m. in the Rye Middle School Multipurpose Room.
- 6-9 Notice regarding a Rye City School District Board of Education meeting to be held on Monday, June 18, 2012 beginning at 9:00 p.m. in the Rye Middle School Multipurpose Room.
- 6-10 Legal Department Update from the Corporation Counsel dated June 15, 2012.
- 6-11 Letter from Robert Hoch, Cablevision Director Of Government Affairs, dated June 7, 2012 regarding a Big Ten network pricing change for Entertainment customers.
- 6-12 Notice from Verizon regarding possible problems with the activation of Verizon CableCARD which could result in the inability to view certain channels on or after July 31, 2012.
- 6-13 Meeting notice for the week of June 18, 2012 is available on the City website www.ryeny.gov under Calendar.



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

May 30, 2012

Mr. Scott Pickup
City Manager
City of Rye
1051 Boston Post Road
Rye, NY 10580

Dear Mr. Pickup:

I am pleased to notify you that City of Rye, New York has received the Distinguished Budget Presentation Award for the current budget from the Government Finance Officers Association (GFOA). This award is the highest form of recognition in governmental budgeting and represents a significant achievement by your organization.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual or department designated as being primarily responsible for its having achieved the award. This has been presented to:

Finance Department

We hope you will arrange for a formal public presentation of the award, and that appropriate publicity will be given to this notable achievement. A press release is enclosed for your use.

We appreciate your participation in GFOA's Budget Awards Program. Through your example, we hope that other entities will be encouraged to achieve excellence in budgeting.

Sincerely,

A handwritten signature in black ink that reads "Stephen J. Gauthier". The signature is written in a cursive style with a large, stylized 'S' and 'G'.

Stephen J. Gauthier, Director
Technical Services Center

Enclosure



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

May 30, 2012

PRESS RELEASE

For Further Information Contact
Stephen J. Gauthier (312) 977-9700

Chicago--The Government Finance Officers Association of the United States and Canada (GFOA) is pleased to announce that **City of Rye, New York** has received the GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and the fourteen mandatory criteria within those categories, to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual or department designated as being primarily responsible for its having achieved the award. This has been presented to **Finance Department**.

For budgets including fiscal period 2010, over 1,289 entities received the Award. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

The Government Finance Officers Association is a nonprofit professional association serving nearly 17,400 government finance professionals throughout North America. The GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.



The District will hold a public hearing on Monday, June 18, at 9 a.m. in the Rye Middle School Multipurpose Room regarding proposed revisions to the Code of Conduct.

The Code of Conduct is being revised for the 2012-13 school year in order to comply with the "Dignity for All Students Act" (DASA). The purpose of DASA is "to afford all students in public school an environment free of discrimination and harassment." All New York school districts are required to have a Dignity Act/ Anti-Bullying Policy and to incorporate the new law into their Code of Conduct by July 1, 2012. A public hearing is required prior to adoption of the revised policy by the Board of Education.

The newly revised draft is available for review on the District website, www.ryeschools.org. The District's existing Code of Conduct was last updated for the 2010-2011 school year.



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

Elaine Cuglietto
District Clerk
cugliete@ryeschools.lhric.org

June 12, 2012

FOR IMMEDIATE RELEASE

June 18, 2012 Board of Education Meeting

The Rye City School District Board of Education will meet Monday June 18, 2012 beginning at 9:00 PM in the Rye Middle School Multipurpose Room. Prior to the meeting, the Board will meet at 8:00 PM 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 is the review and approval of bids for Summer, 2012 projects and for Presentation/Discussion, proposed new and revised Board of Education policies.

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 15, 2012

TAX CERTIORARI
CARROLL v. CITY OF RYE

Post-trial briefs have been submitted and the Judge's site visit has occurred.

**THE TOWN OF RYE AND THE RYE TOWN PARK COMMISSION v. THE ASSESSOR and
Board of Assessment Review of the CITY OF RYE**

A Notice of Motion with supporting Affidavit and Memorandum of Law has been served on the City. The action seeks Summary Judgment restoring Petitioners' tax exempt status pursuant to RPTL Section 406.

LITIGATION
BEAVER SWAMP BROOK – (DEC Administrative proceeding)

A Notice of Motion with supporting Affidavit and Memorandum of Law has been served on the City. The action seeks Summary Judgment restoring Petitioners' tax exempt status pursuant to RPTL Section 406.

BASSETT v. CITY OF RYE

The City and its consultants met with the Town/Village of Harrison and its consultants to discuss the discrepancies in the hydrologic analyses performed in 2010. The City is waiting to hear back from Harrison as to whether Harrison will provide certain data to the City for verification of the flood storage capacity at the Project Home Run site.

CASPI v. CITY OF RYE

The depositions of the City police officers were conducted through the first week of June.

DAPOLITE v. PICKUP

A settlement has been reached in this matter wherein Petitioner will send a letter to the City Council withdrawing the action; letters will be withdrawn from his personnel file and General Releases will be signed by both sides. There is no financial consideration involved.

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.

PANETTA v. PLANNING COMMISSION

The Petitioner/plaintiff perfected his appeal to the Appellate Division, Second Department against the Planning Commission.

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.

BUTLER v. PLANNING COMMISSION

On June 5, 2012, Judge Lorenzo issued an Amended Decision and Judgment finding that the Title Policy issued to the Mathissons did put the property owners on notice of the more restrictive setbacks. The Judge also found that the Mathissons never informed the Planning Commission of this knowledge. Based on the "new" evidence of Mathisson's Title Insurance Policy, the Judge determined that the Planning Commission's modification of the front yard setback was an abuse of discretion.

BOARD OF MANAGERS OF THE IVES AT RYE v. CITY OF RYE

The Board of Managers at the Ives at Rye commenced an action seeking a declaratory judgment that the judgment entered in a separate *in rem* foreclosure proceeding is void and of no effect because the City allegedly failed to follow the proper notice proceedings set forth in RPTL Section 1125(1)(a).

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn



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

June 7, 2012

Via Facsimile
914-967-4604

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

Re: **Big Ten Network Pricing Change for Entertainment Customers**

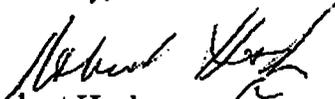
Dear Mayor French:

Please let this letter serve as notice that effective June 8, 2012, the **Big Ten Network (BTN) SD/HD** will be offered to Entertainment customers, such as bars and restaurants, as an a la cart service based on a per occupancy pricing scale. Currently it is offered at a flat rate of \$59.95. The Occupancy based pricing is as follows:

Occupancy	Rates
1-50	\$ 46.95
51-100	64.95
101-150	94.95
151-200	124.95
201-300	156.95
301-500	186.50
501 +	254.95

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

Sincerely,


Robert Hoch

IMPORTANT FiOS TV INFORMATION



June 25, 2012

Dear Valued Verizon Customer:

We are writing to let you know that if you are using a Verizon® CableCARD with your FiOS® TV service that was not properly activated during the activation process, your ability to view certain channels might be affected on or after July 31, 2012.

By using a Verizon CableCARD that was not properly activated, changes required by content providers may affect your ability to view those providers' channels. Your CableCARD may not be properly activated if it was moved to a different TV, digital tuner or digital recorder after it was activated or if an error occurred during the activation process.

What You Need to Do:

To determine if your CableCARD was properly activated, tune to Channel 131 on your device:

- If you see content on this channel, your CableCARD was properly activated and no further action is required.
- If you see the message to the right on your TV screen, your CableCARD was not properly activated and you'll need to follow the steps listed below.



Step 1. Write down the information shown on your TV screen. You will need this information for Step 2.

Screen Information	Format	Your Device Information
CableCARD ID	13 digits	____ - ____ - ____ - ____ - ____
Host ID	13 digits	____ - ____ - ____ - ____ - ____
Data ID	11 digits	____ - ____ - ____ - ____

Step 2. Select the method of activation you prefer, and then follow the prompts.

Option I: Call the Verizon FiOS TV Activation Service at 1.888.897.7499. Please listen to the message in its entirety and follow the prompts to activate your CableCARD. When you receive an activation code request, please respond with "I don't have one" and follow the remainder of the steps.

Option II: Use the In-Home Agent desktop solution tool, which can be downloaded at verizon.com/inhomeagent, to activate your CableCARD.

Please see the reverse side for an **IMPORTANT PROGRAMMING UPDATE**.

FiOS
A NETWORK AHEAD

IMPORTANT PROGRAMMING UPDATE

We also would like to inform you that on or after July 31, 2012, Verizon will begin to implement the requirements of certain premium channels (which requirements are authorized by the Federal Communications Commission), that prohibit the copying of recorded content to more than one recorder (such as a DVR or mobile device).

This may affect the functioning of some multi-room DVRs. Recent software updates from the manufacturers of these devices may provide options, such as streaming, that preserve multi-room functionality for affected channels.

We look forward to continuing to provide you with the very best in entertainment.

Sincerely,

Your Verizon Team