CITY OF RYE
MEMORANDUM

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: September 14, 2012

Enclosed with this memorandum are the following items:

9-6 Notice regarding a Rye Town Park Commission Meeting to be held on Tuesday, September 18, 2012 beginning at 6:00 p.m. at Rye Town Hall.

9-7 Notice regarding a Candidate's Forum sponsored by the Rye, Rye Brook, Port Chester & Harrison Chapters of the League of Women Voters to be held on Monday, October 15, 2012 beginning at 7:00 p.m. at the Rye Middle School Multipurpose Room.

9-8 Legal Department Update from the Corporation Counsel dated September 14, 2012.

9-9 Letter from Robert Hoch, Cablevision Director of Government Affairs, dated September 7, 2012 regarding the launch of a new package to customers effective October 8, 2012.

9-10 Meeting notice for the week of September 17, 2012 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, September 18, 2012 @ 6:00PM**

PLACE: **Town of Rye, 3rd flr Courtroom**
10 Pearl Street,
Port Chester, New York 10573

Tentative Agenda:

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Minutes: August 21st Meeting**
4. **Comments from the Public**
5. **Management Reports**
6. **Financial Report**
7. **Discuss Rye City Representation on the Commission**
8. **Correspondence/Requests**

Adjourn

LEAGUE OF
WOMEN VOTERS®

The Rye, Rye Brook& Port Chester and Harrison Chapters of

The League of Women Voters

To Sponsor a

CANDIDATE'S FORUM

Featuring Candidates for New York's State Senate & State Assembly

Candidates for New York State Senator in the 37th District: at 8:30-10:00 PM

- **Bob Cohen**
- **George Latimer**

Candidates for New York State Assemblyman - 91st District:

- **Steve Otis**
- **Bill Villanova**

Monday, October 15, at 7:00 pm
@ Rye Middle School
Rye Middle School Multipurpose Room
3 Parsons Street, Rye

Come and Hear the Candidates
Listen, Discuss & Answer Questions

Candidates' Forum Night will be rebroadcast on the public access TV. Check with your local station for broadcast dates & times.
Also available on demand at the League Facebook site: www.facebook.com/lwvrrbpc
For Information: (914) 481-3234 or LWV.Rye.RyeBrook.PortChester@gmail.com

CITY OF RYE
MEMORANDUM

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: September 14, 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

The City filed its opposition papers and also cross-moved for summary judgment. The Petitioner has asked for an additional two weeks to reply and oppose our cross motion.

WESTCHESTER JOINT WATER WORKS v. CITY OF RYE

Counsel for Westchester Joint Water Works and the City of Rye have both filed a notice of appeal.

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

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.

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

The deposition of Lt. Verille and the expert witnesses are still to be conducted. The next court conference is September 6, 2012.

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 (appeal)

The City's Brief in Opposition has been filed. The matter is fully submitted before the Appellate Division, Second Department. We are waiting a date for oral argument.

PANETTA v. PLANNING COMMISSION (declaratory judgment/42 U.S.C. 1983 claim)

A discovery schedule has been agreed upon by both parties.

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

The City has filed an appeal with the Appellate Division, Second Department in this case in order to protect the City's interests. The City has six months to perfect the appeal.

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

The City has served its Answer with Affirmative Defenses.

CITY COURT

People v. Colin Moses

Defendant made numerous motions to dismiss a traffic summons he was issued for speeding on Playland Parkway. Several of his motions were based on a theory that he was a "sovereign" and therefore, not subject to the laws of New York. All of defendant's motions were denied and the matter proceeded to trial. At trial, the defendant was found guilty. Defendant has ordered the transcript of the proceeding and will likely appeal this conviction.

Respectfully submitted,

Kristen K. Wilson

Kristen K. Wilson
Corporation Counsel

KKW/dfn

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

CABLEVISION

September 7, 2012

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

Dear Mayor French:

Please let this letter serve to notice that effective October 8, 2012, Cablevision will launch a new package to our customers as follows:

Package	Rate	Services	On Demand
iO Economy	**$39.95**	**All Broadcast Basic services plus:** Animal Planet, Bloomberg, Boomerang, CNN, CNN Headline News, C-SPAN3, Cartoon Network, Daystar, Discovery Channel, EuroNews, EWTN, Food Network, fuse, HGTV, History Channel, MSG Varsity, MSNBC, News 12 T&W, Reelz, TCM, Telecare, The Hub, TV One, Universal HD, WE tv, MSGVi, FOODi, HGTVi	**All Broadcast Basic Free on Demand plus:** Boomerang, Bloomberg, Cartoon, Hub, fuse,Adult Swim, Discovery, History, WE, TCM, Food, HGTV, Animal Planet, CNN

Customers on existing rates and packages will not be affected, but can change to this new package if they choose to.

Customers will be notified of this change through bill messaging. In addition, customers can find the new rates and packaging on Cablevision's consumer website www.optimum.com.

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

Sincerely,

Robert Hoch