

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: November 21, 2012

Enclosed with this memorandum are the following items:

- 11-12 Notice regarding special events being held in the City over Thanksgiving weekend including: the Turkey Run, Small Business Saturday, and Mistletoe Magic.
- 11-13 Letter from Adam Falk, Cablevision Vice President of Government Affairs, dated November 13, 2012 regarding Hurricane Sandy.
- 11-14 Legal Department Update from the Corporation Counsel dated November 21, 2012.
- 11-15 Notice regarding a Rye City School District Board of Education meeting to be held on Monday, November 26, 2012 beginning at 7:30 p.m. in the Central Administration Building.
- 11-16 Notice regarding a Rye City School District Board of Education meeting to be held on Tuesday, November 27, 2012 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 11-17 Meeting notice for the week of November 26, 2012 is available on the City website www.ryeny.gov under Calendar.

Special events in the City of Rye over Thanksgiving weekend

Rye Recreation's



Turkey Run 2012

Saturday, November 24, 2012

Events begin and end at Rye Recreation Park
on Midland Avenue

9:00 a.m. - Paws Walk
9:30 a.m. - 1 Mile Fun Run
10:00 a.m. - 3.1 & 5.2 Mile Races



Small Business Saturday

Saturday, November 24, 2012

The Rye Chamber of Commerce is pleased to announce that 11/24/12 will be Small Business Saturday in downtown Rye. Please show your appreciation to the business owners who have weathered these economic times and contributed to the vitality of our downtown. We encourage all to come and shop local – get a jump on your Holiday shopping!



Mistletoe Magic
A Family Festival

Mistletoe Magic

Sunday, November 25, 2012

Enjoy a day of holiday fun sponsored by the Rye Chamber of Commerce! Purchase Street will be closed from 10:00 a.m. to 3:00 p.m. from the Square House to Purdy Avenue. Bring the whole family for entertainment with costumed characters, Rye Art Center children's musical ensembles, strolling carolers, a horse and buggy ride, assorted refreshments, arcade games, and more! Come one, come all!



November 13, 2012

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

Dear Mayor French,

Hurricane Sandy and its aftermath, including the November snowstorm, presented great challenges for all of us. As part of your community and the larger Tri-State region that Cablevision calls home, we have all felt the impact and seen the devastation these events caused. I wanted to let you know that Cablevision personnel have been working around the clock and we have made tremendous progress in returning service to the residents and businesses in your community.

At the height of Sandy, more than half of our customers were without commercial power and unable to access our services. As of this morning, we have returned our services to more than 95% of our customers, and we will continue to work until Optimum service has been restored for all. Prior to the storm, the company activated its emergency preparedness response plan and has brought in additional resources and workers to help with restoration efforts. All necessary assets to complete our work have and continue to be available to meet the demand.

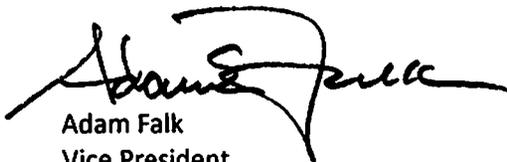
We have communicated frequently and very directly with our customers, using both traditional communication as well as web-based tools like our Optimum.net consumer portal and social media platforms, providing Optimum subscribers with real-time information about the status of service restoration to their home, business and community. Our Optimum WiFi hotspots have also served as an important lifeline for many customers without power in their homes or businesses for an extended period of time. At the height of the storm, more than 20,000 of our WiFi hotspots remained online and by Tuesday, November 6th, more than 47,000 were fully operational and providing wireless Internet access to Optimum customers. Today, more than 50,000 Optimum hotspots are available to our customers in the Tri-State area.

The company also led the industry in instituting a comprehensive credit policy, offering refunds to customers for each day they were without any Optimum service, including outages caused by the loss of commercial power, and replacing any storm-damaged Cablevision equipment (set-top boxes and Internet modems) without charge.

Our employees live and work in your community and have also suffered the devastating impact of Sandy. In addition to our direct response to the storm, we have joined forces on a number of relief efforts to help your community recover.

Thank you for your continued efforts in leading the restoration in your town. The company is committed to meeting the needs of our customers and we will continue to do whatever is necessary to ensure the return of all Optimum services, as quickly as possible. Please feel free to contact me at 516-803-2133 if you have any additional concerns or questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Falk". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Adam Falk
Vice President
Government Affairs

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: November 21, 2012

CLAIMS

A notice of claim has been filed by Lee Flanagan of 4 Barron Place. The notice states that a City of Rye DPW trash hauler backed into Ms. Flanagan's automobile while it was parked in her driveway. The claim has been forwarded to our insurance carrier.

Last week I reported to you that a notice of claim had been filed by Paul Chmiel of Harrison, regarding damages sustained by his automobile when it was backed into by a City vehicle. Our insurance company has settled the claim for the amount of \$4,173.15.

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 has served and filed its reply papers in further support of its cross-motion for summary judgment.

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 Appeal has been perfected and we are waiting for notice of oral argument.

CASPI v. CITY OF RYE

An expert has been retained on behalf of the defendants. A few remaining depositions have to be scheduled.

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

A notice of appeal has been filed on behalf of the Planning Commission. The City Council has voted 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

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn



The Rye City School District

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Rye, New York 10580
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*Elaine Cuglietto
District Clerk
cugliete@ryeschools.org*

November 19, 2012

FOR IMMEDIATE RELEASE

November 26, 2012 Special Board of Education Meeting

The Rye City School District Board of Education will meet Monday, November 26, 2012 beginning at 7:30 PM in the Central Administration Building, 411 Theodore Fremd Avenue, Suite 100S, Rye New York 10580

It is expected that the Board will adjourn immediately into Executive Session for the review of collective negotiation matters.



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November 19, 2012

FOR IMMEDIATE RELEASE

November 27, 2012 Board of Education Meeting

The Rye City School District Board of Education will meet Tuesday, November 27, 2012 beginning at 8:00 PM in the Rye Middle School Multipurpose Room, 3 Parsons Street, Rye, NY 10580. 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.