

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: September 13, 2013

Enclosed with this memorandum are the following items:

- 9-5 Notice regarding a Rye Town Park Commission Meeting to be held on Tuesday, September 17, 2013 beginning at 6:00 p.m. at Rye Town Hall.
- 9-6 Notice from Westchester County regarding the *14th Annual Senior Law Day in Westchester* to be held on Thursday, October 17, 2013 from 9:00 a.m. to 2:00 p.m. at the Westchester County Center in White Plains.
- 9-7 Legal Department Update from the Corporation Counsel dated September 13, 2013.
- 9-8 Letter from Robert Hoch, Cablevision Director of Government Affairs, dated September 9, 2013 regarding the elimination of Channel G4 effective October 10, 2013.
- 9-9 Letter from Robert Hoch, Cablevision Director of Government Affairs, dated September 10, 2013 regarding the rebranding and relocation of the Esquire Network.
- 9-10 Letter from Robert Hoch, Cablevision Director of Government Affairs, dated September 10, 2013 regarding the removal of ESPN 3D.
- 9-11 Meeting notice for the week of September 16, 2013 is available on the City website [www.ryeny.gov](http://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

Neil Pagano, Mayor-Village of Port Chester

Paul Rosenberg, Mayor-Village of Rye Brook

Benedict Salanitro, Commissioner

Laura Brett, Commissioner

**DATE & TIME:      Tuesday, 9/17/2013 @ 6:00PM**

**PLACE:                Rye Town Hall  
10 Pearl Street, 3<sup>rd</sup> Floor  
Port Chester, NY 10573**

### **Tentative Agenda:**

- 1.      Roll Call**
- 2.      Pledge of Allegiance**
- 3.      Approval of Minutes: 8/27/2013**
- 4.      Comments from the Public**
- 5.      Capital Committee Report**
- 6.      Financial & Operations Reports**
- 7.      FEMA Update**
- 8.      Correspondence**
- 9.      Old Business/New Business**

# SAVE THE DATE

Free Legal and  
Financial Advice

**Thursday**  
**October 17, 2013**

9 a.m. – 2 p.m.

Westchester County Center  
White Plains



## 14th Annual Senior Law Day in Westchester For Seniors and Their Families

**New Workshop:** The Affordable Care Act: How it impacts your health care

**New Workshop:** Smart Seniors/Smart Investors: Don't Get Scammed

### Plus: More workshops on topics such as:

- Should I Use a Will or a Trust?
- Avoid the 10 Biggest Mistakes in Estate and Tax Planning
- How to Plan With or Without Long-Term Care Insurance
- Should I Say "I Do?" Balance love and marriage against estate, tax and Medicare concerns
- Plan Ahead for Your Financial Security and Health Care
- Learn How to Navigate the Housing Maze: Find the best, most affordable options

**Pro Bono Workshops:** Free, 15-minute, one-on-one consultations with elder law attorneys, certified financial planners and geriatric care managers.

**Pre-Registration:** Early sign-ups are encouraged. Visit [www.westchestergov.com/seniors](http://www.westchestergov.com/seniors) or call (914) 813-6400. There is no registration for individual workshops. Register for the pro bono sessions the day of the event.

**Presented by:** the Westchester Public/Private Partnership for Aging Services, the Westchester County Department of Senior Programs and Services and the Ninth Judicial District of the New York State Office of Court Administration

**Sponsors:** Amoruso & Amoruso, LLP; The Bristol at White Plains; The Collaborative for Palliative Care; Cuddy & Feder, LLP; Anthony J. DeVito, PhD, CFP, NAPFA; Enea, Scanlan & Sirignano, LLP; Glassman & Brown, LLP; Jeffrey S. Goldstein, Esq.; The Harry and Jeanette Weinberg Center for Elder Abuse Prevention at the Hebrew Home at Riverdale; Hyman & Gilbert; Keane & Beane, PC; David Lerner Associates; Robert K. Leitner, CFP, Financial Advisory Network; Law Office of Valorie Joy Promisel, Esq.; Rosenthal & Markowitz, LLP; Walsh, Amicucci & Pantaleo, LLP



ROBERT P. ASTORINO, Westchester County Executive  
Department of Senior Programs and Services  
Mae Carpenter, Commissioner



**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Rye City Council  
FROM: Kristen K. Wilson, Corporation Counsel  
SUBJECT: Litigation Update  
DATE: September 13, 2013

**TAX CERTIORARI**  
**CARROLL v. CITY OF RYE**

A Notice of Appeal in this matter was filed in the Appellate Division, Second Department.

**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 Appeal has been filed in connection with this matter.

**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. **The appeals will be fully submitted by early October.**

**LITIGATION**

**BEAVER SWAMP BROOK – (DEC Administrative proceeding)**

The Town/Village of Harrison has decided to retain outside counsel on this matter – Thomas Fucillo, Esq. from Syracuse. Discovery is still on-going and the adjudicatory hearing will be during the weeks of November 4, 11 or 18<sup>th</sup>.

**BASSETT v. CITY OF RYE**

The Appellate Division, Second Department issued a decision reversing the lower court decision of Judge Berliner that set aside the jury verdict and remitted the matter back to him to consider whether a new trial should be granted.

**CASPI v. CITY OF RYE**

The Court has granted extensions for filing motions and responses. Motions for Summary Judgment must be filed and served on or before August 30, 2013. Opposition papers must be served and filed by October 16, 2013 and Reply papers by November 14, 2013.

**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 (declaratory judgment/42 U.S.C. 1983 claim)

I attended a settlement conference on July 18, 2013. A trial date has been calendared for February 4, 2014.

BUTLER v. PLANNING COMMISSION

The City's reply brief was filed and served on June 10, 2013. This matter is fully submitted.

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



ROBERT HOCH  
GOVERNMENT AFFAIRS  
(914) 378-4515 PHONE  
(914) 909 0207 FAX  
[rhoch@cablevision.com](mailto:rhoch@cablevision.com)

September 9, 2013

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

Re: Elimination of Chanel: **G4**

Dear Mayor French:

Please let this letter serve to notice that Cablevision has been informed by NBC Universal that effective, October 10, 2013 it will cease to transmit **G4** programming. **G4**, which airs on iO TV175 and 786 will no longer be available on Cablevision systems.

Customers will be notified on air and through bill messaging of the elimination of **G4**. In addition, customers can always find the most current pricing and packaging information on Cablevision's consumer website [www.optimum.com](http://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 written in a cursive, flowing style.

Robert Hoch



**ROBERT HOCH**  
GOVERNMENT AFFAIRS  
(914) 378-4515 PHONE  
(914) 909 0207 FAX  
[rhoch@cablevision.com](mailto:rhoch@cablevision.com)

September 10, 2013

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

Re: Rebranding and Relocation of **Esquire Network**

Dear Mayor French:

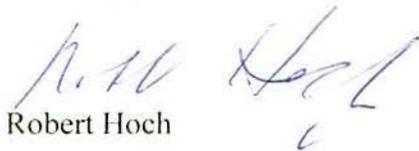
Please let this letter serve to provide notice that Cablevision has been informed by the "Style." channel that effective, September 23, 2013 it will be re-branded and re-launched as "Esquire Network". In addition, the Esquire Network will be relocated from channel 176 to channel 64 from October 22<sup>nd</sup> through October 24<sup>th</sup>, 2013.

The "Style." channel featured fashion, design, interior decoration, and urban lifestyle related programming. "Esquire Network" will cater to a metro-sexual audience with a lifestyle programming related to travel, cooking, and fashion.

Customers will be notified on air and through bill messaging of the rebranding and the relocation of "Esquire Network". In addition, customers can always find the most current pricing and packaging information on Cablevision's consumer website [www.optimum.com](http://www.optimum.com).

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

Sincerely,

  
Robert Hoch

**CABLEVISION OF WESTCHESTER**  
Six Executive Plaza, Yonkers, NY 10701  
914-378-8960



ROBERT HOCH  
GOVERNMENT AFFAIRS  
(914) 378-4515 PHONE  
(914) 909 0207 FAX  
[rhoch@cablevision.com](mailto:rhoch@cablevision.com)

September 10, 2013

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

Re: Removal of **ESPN 3D**

Dear Mayor French:

Please let this letter serve to provide notice that Cablevision has been informed by ESPN that effective, September 30, 2013 it will cease to transmit **ESPN 3D** programming. **ESPN 3D**, which airs on iO TV155 will no longer be available on Cablevision systems.

Customers will be notified on air and through bill messaging of the elimination of **ESPN 3D**. In addition, customers can always find the most current pricing and packaging information on Cablevision's consumer website [www.optimum.com](http://www.optimum.com).

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

Sincerely,

A handwritten signature in blue ink that reads "Robert Hoch". The signature is written in a cursive style with a large initial "R" and "H".

Robert Hoch