

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: October 4, 2013

Enclosed with this memorandum are the following items:

- 10-1 Notice regarding a Rye City School District Board of Education Meeting to be held on Tuesday, October 8, 2013 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 10-2 Notice from Westchester County Board of Legislator Judy Myers regarding the re-opening of the beach at Playland to people and dogs as of October 1, 2013.
- 10-3 Legal Department Update from the Corporation Counsel dated October 4, 2013.
- 10-4 Notice from Westchester County regarding the *Annual Caregiver Conference* to be held on Saturday, November 2, 2013 from 10:00 a.m. to 2:00 p.m. in Valhalla.
- 10-5 Notice from Rich Hillstrom, Verizon Franchise Service Management, regarding an increase in rates for several FiOS TV packages effective December 1, 2013.
- 10-6 Meeting notice for the week of October 7, 2013 is available on the City website www.ryeny.gov under Calendar.



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.org

September 27, 2013

FOR IMMEDIATE RELEASE

October 8, 2013 Board of Education Meeting

The Rye City School District Board of Education will meet Tuesday October 8, 2013 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 at Rye Middle School Multipurpose Room 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.

Members of the public are welcome and encouraged to attend this meeting of the Board of Education.

Westchester County Board of Legislators

Voice of the People of Westchester County for over 300 years



E - NEWS



Dear Neighbor,

The beach at Playland is open again — to people and dogs — as of October 1st!

Because the work on the boardwalk and the Ice Casino is not going to start for a few weeks, we will once again be able to let dogs run on the beach... as long as the following rules are obeyed:

1. ALL canines MUST remain ON-leash until their paws hit the sand; no canines may be off-leash on the boardwalk or other Playland environs.
2. ALL humans MUST pick up after their canines and NO waste may be left on the beach.
3. ANY canine (or human) will be immediately removed from the beach for ANY anti-social behavior (including leaving poop un-scooped).

Let's all enjoy our beautiful natural resource ... and let's all remember to say thank you to our Playland Park employees. And let's be understanding when access needs to be limited due to the re-planking of the boardwalk and/or the staging for the reconstruction of the Ice Casino later on in the year.

ENJOY... and many thanks to Naomi Oppman for her advocacy!!

Sincerely,

A handwritten signature in black ink, reading "Judith A. Thayer".

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: October 4, 2013

CLAIMS

A notice of claim has been filed by Sandra Anderson of the Bronx claiming numerous violations of her Civil Rights in connection with an incident that occurred at Pizza Village in Playland Amusement Park on the 4th of July. The claim has been forwarded to our insurance carrier. It is expected that the claim will be denied by the insurance carrier because Playland is owned and operated by the County.

TAX CERTIORARI

CARROLL v. CITY OF RYE

The Record on Appeal and City's appellate brief were filed on Monday, September 23, 2013 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 filed responses and objections to the City's discovery requests. Harrison also responded to the discovery demands of the other interested parties. The City will be asking for the Administrative Law Judge to rule on some of Harrison's objections.

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

Motions for summary judgment were denied without prejudice and will be refiled at the completion of briefing as part of the bundling rule. As a result, once the motion is fully briefed, all papers will be submitted to the Court for review at one time.

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

Kristen K. Wilson
Corporation Counsel

KKW/dfn

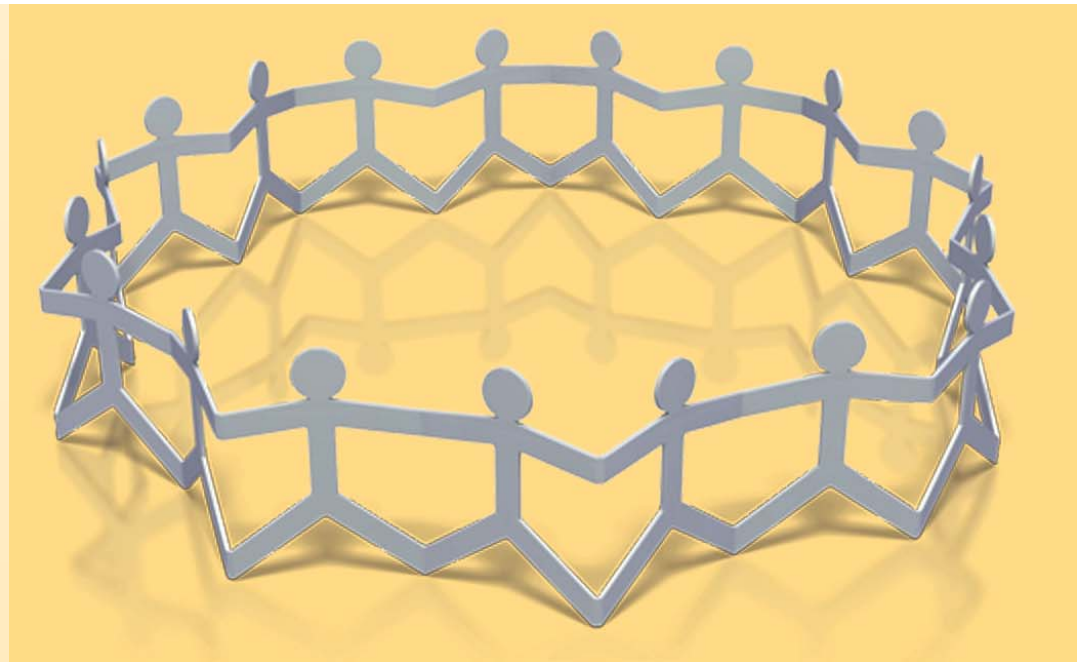
Annual Caregiver Conference

Saturday, Nov. 2, 2013
10 a.m. - 2 p.m.

Mount Pleasant
Community Center
125 Lozza Drive
Valhalla

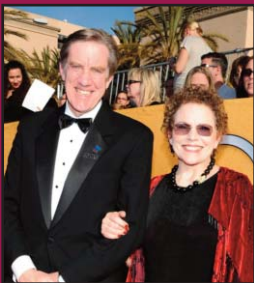
**Free admission &
on-site parking**

Refreshments



CAREGIVING ACROSS THE LIFESPAN

A conference for caregivers to address the emotional and physical challenges they face in caring for people of all ages.



Keynote Speakers: : Actors Beth and Nick Wyman.

Nick is also president of the Actors' Equity Association. Hear about their journey of caring for a mentally and physically disabled child at their home and an ill parent who lived a distance away.

Also, learn about the:

- Livable Communities Initiative
- Livable Communities Caregiver Coaching Program
- Livable Communities Care Circles of Westchester: Step Forward & Give Back program
- Livable Communities Caregiver Collaborative

VENDORS WANTED: Vendors with products and services for caregivers and seniors are especially welcome. Contact carol@changingplaces.info or (914) 980-2105.

FREE CONSULTATIONS: Caregivers will be able to have free, one-on-one consultations with elder law attorneys, geriatric care managers and social workers.

SPONSORS: the Westchester County Department of Senior Programs and Services, the Livable Communities Caregiver Collaborative and the Westchester Public/Private Partnership for Aging Services.

Reservations Preferred: Contact vqc9@westchestergov.com or (914) 813-6427.

Dear Municipal Official:

This is to inform you that, due to the rising cost of providing quality programming, the rate for several FiOS TV packages will be increasing. Additionally, the Regional Sports Network fee will increase from \$2.42 to \$3.48; this fee will also be introduced for customers previously excluded. Further, the monthly rate for FiOS TV High Definition and Standard Definition Set Top Boxes will increase \$1 per box, including Set Top Boxes that are part of an equipment package. These changes will become effective on or after December 1, 2013. Customers subscribed to a term contract or promotional price guarantee offering will not experience an increase on their TV plan until the end of the contract or promotional price guarantee. Affected customers will receive the attached sample Bill Messages beginning October 1, 2013.

	Current Price		New Price
Regional Sports Network*	\$2.42		\$3.48
FiOS TV La Conexion	\$27.00		\$35.00
FiOS TV La Conexion	\$39.99		\$47.99
FiOS TV La Conexion	\$54.99		\$62.99
FiOS TV Extreme HD	\$63.99		\$71.99
FiOS TV Extreme HD	\$73.99		\$81.99
FiOS TV Extreme HD	\$74.99		\$82.99
FiOS TV Prime HD	\$64.99		\$72.99
FiOS TV Ultimate HD	\$89.99		\$97.99
FiOS TV Essentials	\$63.99		\$71.99
FiOS TV Essentials	\$53.99		\$61.99
FiOS TV Select HD	\$49.99		\$57.99
Equipment			
Standard and High Definition Set Top Boxes	\$6.99		\$7.99
Equipment Package - 2 TVs	\$13.98		\$15.98
Equipment Package - 3 TVs	\$20.97		\$23.97
Equipment Package - 4 TVs	\$27.96		\$31.96
Equipment Package - 5 TVs	\$33.99		\$38.99
Equipment Package - 6 TVs	\$39.99		\$45.99
Equipment Package - 7 TVs	\$45.99		\$52.99
Equipment Package - 8 TVs	\$51.99		\$59.99
Equipment Package - 9 TVs	\$57.99		\$66.99
Equipment Package - 10 TVs	\$63.99		\$73.99

*Where applicable

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact either Lincoln Janus on 312-260-3506 or me on 312-260-3220.

Sincerely,

Rich Hillstrom,

Franchise Service Management



Bill Messages

Regional Sports Network Fee

At Verizon, we strive to bring you the best entertainment experience. In an effort to manage our rising programming costs, on or after 30 days from the date of your bill, we are increasing the Regional Sports Network Fee from \$2.42 to \$3.48 per month. This monthly fee helps to cover the high costs Verizon pays to Regional Sports Networks to deliver professional and collegiate sports programming in each local team's territory. Verizon offers alternative packages that do not include Regional Sports Networks and are not subject to this fee.

Regional Sports Network Fee

At Verizon, we strive to bring you the best entertainment experience. In an effort to manage our rising programming costs, we are introducing a Regional Sports Network Fee. This monthly fee helps to cover the high costs Verizon pays to Regional Sports Networks to deliver professional and collegiate sports programming in each local team's territory. On or after 30 days from the date of this bill, a fee of \$3.48 will be applied to your monthly bill. Verizon offers alternative packages that do not include Regional Sports Networks and are not subject to this fee.

FiOS Rate Increase

In order to continue to bring you quality service, at times we need to raise our rates. On or after 30 days from the date of this bill, the base monthly rate for your FiOS Bundle, FiOS TV, or FiOS Internet plan will increase by \$8. If you would like to keep your current service as is, no action is required and any credits or discounts remain in effect until their original expiration date. If you have recently signed up for a new 2-year bundle agreement you may disregard this notice. We offer many other bundle options that can help you get the most for your money. Just call and a FiOS rep will help find the best value for you. You may even be eligible for a special offer when you switch to a new FiOS bundle with a two-year agreement and two-year price guarantee. Call 1-888-678-8087 (Mon.–Fri., 8am–9pm; Sat., 9am–5pm) or go to verizon.com/fios/1ik for more information. Be sure to have your Verizon bill handy for reference.

Set Top Box Rate Increase

To continue providing you with quality service and product innovation, beginning December 1, 2013, the monthly rate for FiOS High Definition and Standard Definition Set Top Boxes will increase \$1 per box, including Set Top Boxes that are part of an equipment package. This rate increase will not apply to Set Top Boxes that are subject to an equipment promotional offer. If you would like to review your current services and equipment options, please visit verizon.com/all.

Dear Municipal Official:

On or after January 19, 2013, the rates increased for new and existing subscribers to the below packages. Effective on or after December 1, 2013, customers previously excluded from the rate increase will experience the below increases. Customers subscribed to a promotional offering will not experience an increase until the end of the promotional term. Affected customers will receive the attached sample Bill Messages beginning October 1, 2013.

PREMIUM CHANNEL	CURRENT PRICE	NEW PRICE
Showtime Starz Entertainment Pack	\$ 15.99	\$ 17.99
Showtime	\$ 10.00	\$ 12.00
Movie Package Ultimate HD	\$ 9.99	\$ 11.99
Movie Package Extreme HD	\$ 9.99	\$ 11.99
Starz!	\$ 11.99	\$ 13.99
Showtime	\$ 11.99	\$ 13.99
Showtime Starz Entertainment Pack	\$ 16.99	\$ 18.99
HBO	\$ 16.99	\$ 18.99
Cinemax	\$ 11.99	\$ 13.99
HBO/Cinemax	\$ 24.99	\$ 26.99
HBO Cinemax Showtime Starz Ent Pk	\$ 35.00	\$ 37.00
EPIX	\$ 9.99	\$ 11.99
HBO Cinemax Showtime Starz Ent Pk	\$ 32.00	\$ 34.00
HBO Cinemax Showtime Starz Ent Pk	\$ 37.00	\$ 39.00
Showtime Starz Ent Pack with EPIX	\$ 24.99	\$ 26.99
Fully Loaded Entertainment Pack	\$ 45.99	\$ 47.99
Fully Loaded Entertainment Pack	\$ 39.99	\$ 41.99
HBO Cinemax Showtime Starz Ent Pk	\$ 36.00	\$ 38.00
HBO Showtime Starz Ent Pack	\$ 27.00	\$ 29.00
Showtime Starz Ent Pk and Sports	\$ 18.99	\$ 20.99
HBO Cinemax Showtime Starz Ent Pk	\$ 31.99	\$ 33.99
HBO Cinemax Showtime Starz Ent Pk	\$ 30.99	\$ 32.99
HBO Cinemax Showtime Starz Ent Pk	\$ 30.00	\$ 32.00
Showtime Starz Ent Pk and Sports	\$ 16.99	\$ 18.99
TVP Polonia (Polish)	\$ 17.99	\$ 20.99
Spanish Language	\$ 12.99	\$ 14.99
Sports	\$ 9.99	\$ 11.99
Sports	\$ 7.99	\$ 9.99

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact either Lincoln Janus on 312-260-3506 or me on 312-260-3220.

Sincerely,

Rich Hillstrom
Franchise Service Management



Bill Messages

FiOS Premium Content Rate Increase

To continue to bring you the best programming TV has to offer, at times we need to raise our rates. On or after 30 days from the date of this bill, the rate for FiOS premium content will increase \$2 per month for each of the following products: HBO, Cinemax, EPIX, Showtime, Starz!, Fully Loaded Entertainment Pack, HBO Cinemax Showtime Starz Ent Pk, HBO Showtime Starz Ent Pack, HBO/Cinemax, Movie Package Extreme HD, Movie Package Ultimate HD, Showtime Starz Ent Pack with EPIX, Showtime Starz Ent Pk and Sports, Showtime Starz Entertainment Pack, Spanish Language Package, and Sports Package.

This rate increase does not apply to you if (1) your premium channels are part of your FiOS bundle, or (2) you have a current promotion on your premium channel. If you are not sure which premium content is part of your FiOS TV bundle, or if you would like to review all of your current services, visit myverizon.com/ and select "Account" and then "View Bill" or call 1-877-896-2155

FiOS TVP Polonia (Polish) Rate Increase

To continue to bring you the best programming TV has to offer, at times we need to raise our rates. On or after 30 days from the date of this bill, the rate for your international channel, TVP Polonia (Polish), will increase \$3 per month. If you would like to review all of your current services, visit myverizon.com and select "Account" and then "View Bill" or call 1-877-896-2155.