

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: November 22, 2013

Enclosed with this memorandum are the following items:

- 11-14 Letter from Robert Hoch, Cablevision Director of Government Affairs, dated November 17, 2013 regarding the expansion of *Music Choice* to 50 channels effective December 18, 2013.
- 11-15 Legal Department Update from the Corporation Counsel dated November 22, 2013.
- 11-16 Letter from Robert Hoch, Cablevision Director of Government Affairs, dated November 17, 2013 regarding the retiering of the NBC Sports Network effective December 18, 2013.
- 11-17 Meeting notice for the week of November 25, 2013 is available on the City website www.ryeny.gov under Calendar.



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

November 17, 2013

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

Re: **Music Choice Programming Channel Expansion**

Dear Mayor French:

Please let this letter serve to provide notice that effective December 18, 2013 *Music Choice* will expand their lineup to 50 channels: adding five new channels, removing one channel, rebranding three channels and repositioning thirty-seven channels. Please see the enclosed chart for channel change details. There is no change to packaging and pricing.

Customers will be notified on air and through bill messaging of the *Music Choice* channel changes 30 days in advance. In addition, customers can always find the most current pricing and packaging information on Cablevision's consumer website www.optimum.com.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Hoch". The signature is fluid and cursive.

Robert Hoch

Music Choice Channel Line-up as of December 10th, 2013

Channel Position	Channel ID	Channel Name	ACTION	NOTES
849	MC-OD	MC On Demand	MOVE	Move from Ch. 850
850	HITS	Hit List	MOVE	Move from Ch. 851
851	RYTHM	Pop Rhythmic	LAUNCH	New
852	Dance/EDM	Dance/EDM	REBRAND/MOVE	Rebrand from Dance/Electronica was Ch. 854
854	HH&R	Hip-Hop and R&B	MOVE	Move from Ch. 852
862	ROCK	Rock	MOVE	Move from Ch. 864
863	METAL	Metal	MOVE	Move from Ch. 865
864	ALTR	Alternative	MOVE	Move from Ch. 866
865	AALT	Adult Alternative	MOVE	Move from Ch. 868
866	RHITS	Rock Hits	REBRAND/MOVE	Rebrand from Retro Rock was Ch. 863
867	CRCK	Classic Rock	MOVE	Move from Ch. 862
868	SROCK	Soft Rock	MOVE	Move from Ch. 869
869	LOVE	Love Songs	LAUNCH	New
871	PFAV	Party Favorites	MOVE	Move from Ch. 875
872	TEEN	Teen MC	LAUNCH	New
873	KIDZ	Kidz Only	MOVE	Move from Ch. 877
874	TODLR	Toddler Tunes	MOVE	Move from Ch. 878
875	Y2K	Y2K	LAUNCH	New
876	90s	90's	MOVE	Move from Ch. 871
877	80s	80's	MOVE	Move from Ch. 872
878	70s	70's	MOVE	Move from Ch. 873
879	GOLD	Solid Gold Oldies	MOVE	Move from Ch. 874
880	PCTRY	Pop Country	LAUNCH	New
881	TCTY	Today's Country	MOVE	Move from Ch. 879
882	CTRYH	Country Hits	REBRAND/MOVE	Rebrand from True Country was Ch. 880
883	CTRY	Classic Country	MOVE	Move from Ch. 881
884	CHST	Contemporary Christian	MOVE	Move from Ch. 882
885	LATI	Pop Latino	MOVE	Move from Ch. 893
886	MURB	Musica Urbana	MOVE	Move from Ch. 892
887	MEXI	Mexicana	MOVE	Move from Ch. 895
888	TROPI	Tropicales	MOVE	Move from Ch. 894
889	RMNCE	Romances	MOVE	Move from Ch. 896
890	SEAS	Sounds of The Seasons	MOVE	Move from Ch. 883
891	STAGE	Stage & Screen	MOVE	Move from Ch. 876
892	SCAP	Soundscapes	MOVE	Move from Ch. 884
893	SJAZZ	Smooth Jazz	MOVE	Move from Ch. 885
894	JAZZ	Jazz	MOVE	Move from Ch. 886
895	BLUES	Blues	MOVE	Move from Ch. 887
896	SWING	Singers & Swing	MOVE	Move from Ch. 888
897	EASY	Easy Listening	MOVE	Move from Ch. 889
898	CLAS	Classical Masterpieces	MOVE	Move from Ch. 890
899	LCLS	Light Classical	MOVE	Move from Ch. 891
N/A	CLALT	Classic Alternative	REMOVE	Was on Ch. 867

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: November 22, 2013

CLAIMS

A notice of claim has been filed by Maria DiDonato of Hix Avenue. The notice states that Ms. DiDonato's vehicle was damaged when it was hit by a car that was hit by a City vehicle. The claim has been forwarded to our insurance carrier.

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

The City of Rye has filed its brief with the Appellate Division, Second Department

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

A conference call was held with the Administrative Law Judge (ALJ), who asked if the parties were amenable to trying mediation on the discovery disputes. An initial meeting will be held in mid-December with another ALJ who would act as a mediator over these disputes. If and when the disputes are resolved, the matter would proceed to the Adjudicatory Hearing in January or February.

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.

OMNI CONTRACTING V. CITY OF RYE

The trial date has been calendared for March 3, 2014.

AMERICAN LEISURE ACTIVITIES OF NEW YORK CITY INC. v. CITY OF RYE

In August I reported to you that a notice of claim had been served on the City claiming breach of contract on the part of the City. This week a summons and complaint was served by plaintiff seeking judgment in the amount of \$42,239.96.

CITY COURT

PEOPLE V. CHITTENDEN

Judge Hansbury provided Mr. Chittenden with a written signed Parker's warning. The trial date is calendared for November 27, 2013.

PEOPLE v. 16 RIDGEWOOD STREET

The property received two violations – one under the New York State Property Maintenance Code and one under the Rye City Code for illegal dumping and property maintenance issues. The matter was resolved with the property being cleaned up and a \$4,000 fine.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn



ROBERT HOCH, COUNSEL
GOVERNMENT AFFAIRS
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November 17, 2013

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

Re: **NBC Sports Network Retiering**

Dear Mayor French:

In our previous letter dated October 9, 2013, Cablevision notified you that the **NBC Sports Network** will be re-tiered to the Optimum Value and Family packages from the Preferred and iO Packages respectively. In addition to this re-tiering, please let this letter serve to provide notice that effective, December 18, 2013, customers who subscribe to Broadcast Basic with the iO Package will no longer receive NBC Sports Network when the service is re-tiered.

Customers will be notified 30 days in advance of the retiering on air and through bill messaging. In addition, customers can always find the most current packaging and rate information on Cablevision's consumer website www.optimum.com.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Hoch". The signature is fluid and cursive.

Robert Hoch

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