

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: April 4, 2014

Enclosed with this memorandum are the following items:

- 4-1 Notice from the Rye Golf Club regarding the opening of the greens for play for the 2014 season.
- 4-2 Notice regarding the Joint Meeting of the Rye City Council and the Rye City School District Board of Education to be held on Saturday, April 5, 2014 beginning at 9:00 a.m. in Rye City Hall.
- 4-3 Notice regarding a Rye City School District Board of Education Meeting to be held on Tuesday, April 8, 2014 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 4-4 Legal Department Update from the Corporation Counsel dated April 4, 2014.
- 4-5 Letter from Dan Ahouse, Cablevision Area Director of Government Affairs, dated April 1, 2014, regarding upcoming changes to select video service rates.
- 4-6 Notice from Westchester County regarding the event, *Salute to Seniors*, to be held at the Westchester County Center on Thursday, May 8, 2014 from 9:00 a.m. to 2:00 p.m.
- 4-7 Meeting notice for the week of April 7, 2014 is available on the City website [www.ryeny.gov](http://www.ryeny.gov) under Calendar.



Hi RGC Golfer,

We are pleased to announce that we are opening the greens for play for the 2014 season.

On Thursday April 3rd, we will be opening the greens in the afternoon for walking players only (pull carts are allowed).

On Friday, April 4th, we will have riding golf cars available with 9:00am being the earliest time to play.

On Saturday, April 5th, we will begin play at 8:00am.

All play will be on a first come, first served basis and all of the rules and etiquette regarding cart and pull cart traffic and pace of play will be in force.

All players **MUST** check in with the starter or the golf shop as directed.

We will be sending out more e-blasts as we modify and expand the schedule going forward.

Call us in the golf shop with any questions. (914) 835-3200 ext 31.

Have a great golf season!  
The RGC Golf Staff



**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.lhric.org*

April 1, 2014

FOR IMMEDIATE RELEASE

**Joint Meeting of the City Council of the City of Rye and the Rye City School District  
Board of Education**

Members of the Rye City School District Board of Education and the Rye City Council will meet Saturday, April 5, 2014 beginning at 9:00 AM in the Rye City Hall Council Chambers to discuss items of mutual interest.

It is expected that the meeting will adjourn at 11:30 a.m. to the Little League Parade.



## 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.lhric.org](mailto:cugliete@ryeschools.lhric.org)

April 1, 2014

FOR IMMEDIATE RELEASE

### April 8, 2014 Board of Education Meeting

The Rye City School District Board of Education will meet **Tuesday, April 8, 2014** beginning at 8:00 PM in the Rye Middle School Multipurpose Room. Prior to the meeting, the Board will meet at 7:00 PM 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 is the continued discussion of the 2014-2015 Budget as well as 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 and to speak at designated times.

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Rye City Council  
FROM: Kristen K. Wilson, Corporation Counsel  
SUBJECT: Litigation Update  
DATE: April 4, 2014

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

This matter is fully submitted before the Appellate Division, Second Department. We are waiting for an oral argument date.

**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's reply brief was served and filed. This matter is now fully submitted to the Appellate Division, Second Department.

**WESTCHESTER JOINT WATER WORKS v. CITY OF RYE**

This matter is now fully submitted before the Appellate Division, Second Department.

**LITIGATION**

**GORDON and MARIA HARGRAVES v. CITY OF RYE ZONING BOARD OF APPEALS, WALTER & MARGARET NELSON, and Robert TALT**

**A Notice of Petition, Petition with supporting documentation and Memorandum of Law has been served on the Zoning Board of Appeals. The action seeks to rescind, annul and vacate a decision issued by the Zoning Board in connection with a variance application.**

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

The mediation scheduled for February 24, 2014 was adjourned pending further discussion between Harrison and the City regarding the exchange of CAD data.

**BASSETT v. CITY OF RYE**

**The Court denied the City's motion and reinstated the original jury verdict. A notice of appeal has been filed.**

**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)

A Settlement Agreement has been entered into whereby the vacant parcel of land that is the subject of this litigation will be merged with an adjacent parcel owned by the Petitioner, thereby creating a single taxable and buildable lot. The Settlement Agreement and a Stipulation and Order Discontinuing Action with Prejudice have been executed by attorneys for both parties and filed with the County Clerk.

BUTLER v. PLANNING COMMISSION

A unanimous Second Department bench found that the Defendants (the Mathisson's and the Planning Commission) established their prima facie entitlement to judgment as a matter of law and that the hand drawn front yard setbacks on the filed map were NOT deed restrictions. Essentially, the Planning Commission acted within its authority to modify these setbacks as part of an amended subdivision application.

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 co-defendant Calgi Construction has filed for bankruptcy. As a result, the trial has been adjourned.

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

**Depositions have been completed; additional paper discovery is on-going.**

RVIN REYES, et al v. CITY OF RYE, RYE GOLF CLUB, RM STAFFING & EVENTS, INC., MORRIS YACHT AND BEACH CLUB, INC. and SCOTT YANDRASEVICH, Jointly and Severally

Plaintiffs have agreed to extend the time for all defendants to answer or otherwise move to **April 25, 2014**.

RYE POLICE ASSOCIATION v. CITY OF RYE

By Order of Justice Alan D. Scheinkman this case has been transferred back from the Commercial Division to the Chief Clerk for reassignment.

LITTLE v. CIT OF RYE

**The Judge denied the City's motion for summary judgment. There is a conference schedule for May.**

SMALL CLAIMS

**Megan Dempsey of 38 Leslie Place, New Rochelle has commenced a Small Claims action in Rye City Court seeking \$591.00, plus interests and costs in connection with**

damages caused to her automobile. Ms. Dempsey previously submitted a notice of claim against the City for the same damages. That claim was denied by our insurance carrier. A copy of the Small Claims Action notice has been forwarded to our insurance carrier.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,

*Kristen K. Wilson*

Kristen K. Wilson  
Corporation Counsel

KKW/dfn

Dan Ahouse  
Area Director, Government Affairs  
[dahouse@cablevision.com](mailto:dahouse@cablevision.com)  
914-378-4532



April 1, 2014

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

Dear Mayor Sack:

This is to inform you that as of May 1, 2014 there will be some changes to select video service rates affecting Cablevision's new and existing video customers.

The rates that programmers charge for all programming, but in particular sports programming, have increased dramatically over the past several years and is responsible for the higher costs. We are now making a few targeted adjustments to address programming cost increases. The cost of Cablevision's lowest tier options, the Economy and Broadcast Basic packages, will not change. There will also be no change to equipment rates or one-time charges.

The new rates for select video packages/services are as follows: Grandfathered Optimum \$67.00; Grandfathered iO en español (with Economy and above) \$10.95; Grandfathered iO en español (with Broadcast Basic) \$18.95; Grandfathered iO en español – Commercial \$18.95; Optimum en español (with Economy and above) \$12.95; Optimum en español (with Broadcast Basic) \$20.95; Optimum en español – Commercial \$20.95; Optimum Business \$64.95; Total Business \$90.95; Optimum Entertainment \$100.95; Total Entertainment \$130.95; Grandfathered Sports & Entertainment Pak \$8.95; Playboy Package \$14.95; Sports Programming Surcharge \$4.98 and; DVR Service \$11.95.

Optimum continues to provide significant value to customers by offering content and programming that meet the needs and interests of the diverse communities we service. For example, in recent years we have launched 10 new networks into the Sports & Entertainment package as follows: *beIN Sports*, *beIN Sports en español*, *NFL Network*, *NFL Red Zone*, *ESPNU*, *Fox Soccer Plus*, *The Sportsman Channel*, *Fight Now*, *World Fishing Network* and *Goal Line/Buzzer Beater*. Over the past two years we also have continued to launch new highly requested networks into the a la carte Spanish language packages, including *Nat Geo Mundo*, *Cuba Play*, *Puerto Rico Network* and *Univision Deportes*.

Customers are being notified 30 days in advance of these changes through bill messages or inserts. In addition, rate information will be available on our website at [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 black ink that reads "Dan Ahouse". The signature is written in a cursive, flowing style.

Dan Ahouse

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

COUNTY EXECUTIVE  
ROBERT P. ASTORINO  
WESTCHESTER COUNTY'S  
46TH ANNUAL

# SALUTE TO SENIORS

Thursday, May 8  
9am-2pm

County Center in White Plains • Free Admission • Free Parking

**BOX LUNCH AVAILABLE** Includes turkey sandwich, apple, cookie & juice.

Suggested contribution: \$4. Must reserve by April 23. Call: (914) 813-6416 or (914) 813-6449

## Health and Wellness Fair

Visit 17 booths designed to help you feel, look and live better. Stop by for a free nutrition assessment, skin care and dental information, learn tai chi exercises, and much more.

*New!*

### Be Proactive with TIPS

Be among the first to experience the new **Telehealth Intervention Program for Seniors (TIPS)**, an innovative initiative that uses technology to remotely monitor your vital signs. Also receive information about health and wellness programs. TIPS will help you to take control of your health, reduce medical bills and avoid unplanned hospital visits.

**LIMITED SPACE AVAILABLE**  
Advance registration preferred.  
Call (914) 813-6408 or email  
[mqv8@westchestergov.com](mailto:mqv8@westchestergov.com)  
to sign up.

TIPS has an additional component that will generate full needs assessments, benefits information and counseling.

## Business Expo

Explore offerings from 90+ vendors who specialize in products and services for seniors and caregivers. Meet and speak with representatives from County and State agencies, who will be available to provide information and answer questions.

### UNCLAIMED FUNDS

A representative from the office of NYS Comptroller Thomas P. DiNapoli will once again be at the Salute – be sure to stop by the booth to see if the state is holding any unclaimed funds in your name.

Sign up for the Reduced-Fare MetroCard at the Department of Public Works & Transportation Exhibit.

## Don't miss THIS EXCITING ANNUAL EVENT

Plan a fun and educational outing for your group, or come with a friend, family member or caregiver. Spend the day and enjoy all of the attractions. For more information about the Salute, or senior programs, call (914) 813-6300 or visit [www.westchestergov.com/seniors](http://www.westchestergov.com/seniors).

## Exciting Entertainment

Enjoy the greatest hits of musical legends Elvis Presley and Diana Ross, performed by talented impersonators! Be amazed at the graceful talents of Polynesian and Irish step dancers!



Join us to celebrate  
**NATIONAL OLDER  
AMERICANS MONTH.**

Westchester  
gov.com

Robert P. Astorino, Westchester County Executive  
Department of Senior Programs and Services  
Mae Carpenter, Commissioner

NATIONALLY ACCREDITED  
**PRKS**  
WESTCHESTER COUNTY

Kathleen O'Connor  
Commissioner

Westchester  
gov.com  
the bee-line system

WP  
Public  
Private  
Partnership  
FOR AGING SERVICES