

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: June 20, 2014

Enclosed with this memorandum are the following items:

- 6-7 Notice regarding a Rye City School District Board of Education meeting to be held on Tuesday, June 24, 2014 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 6-8 Legal Department Update from the Corporation Counsel dated June 20, 2014.
- 6-9 Notice from Verizon regarding upcoming changes to FiOS® TV programming and the FiOS® TV channel line-up.
- 6-10 Meeting notice for the week of June 23, 2014 is available on the City website [www.ryeny.gov](http://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*

*(W) Elaine Cuglietto  
District Clerk  
cugliete@ryeschool.org*

June 18, 2014

FOR IMMEDIATE RELEASE

### **June 24, 2014 Board of Education Meeting**

The Rye City School District Board of Education will meet Tuesday, June 24, 2014 beginning at 8:00 PM in the Rye Middle School Multipurpose Room. 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.

Following acknowledgements and the Report of the Superintendent, the Board will conduct a hearing of the public on non-agenda items.

**At the conclusion of this meeting, the Board will adjourn this Regular Meeting and conduct its July 1 Annual Reorganization Meeting which will begin with the election of the Board President and Vice President for the 2014-2015 school year.**

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: June 20, 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. We are waiting for an oral argument date.

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

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

**LITIGATION**

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

A further conference call was held on May 22, 2014 to discuss the status of the City's consultant's review of the pending wetland application.

**BASSETT v. CITY OF RYE**

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.

**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

Motions for summary judgment have been filed.

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 filed an amended complaint and have requested that the City of Rye consent to class certification.

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

A Notice of Petition and Memorandum of Law have been served on the City commencing an Article 78 proceeding against the Zoning Board of Appeal. The action seeks to rescind, annul and vacate a decision issued by the Zoning Board in connection with a variance application.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson  
Corporation Counsel

KKW/dfn



## **FiOS® TV Channel and Programming Changes**

On or after September 1, 2014, “RAI Italia” will move from channel 1772 to channel 1790 in the FiOS® TV Channel Lineup.

On or after September 1, 2014, “PBS WLIW TV 21 HD” will move from channel 470 to channel 521 in the FiOS® TV Channel Lineup.

On or after September 15, 2014, Channel 567, “Universal HD” will be removed from the Extreme HD package. Channel 567 will continue to be available in the FiOS® TV Ultimate HD package.

On or after October 1, 2014, “TVBe” will move from channel 1798 to channel 1794 in the FiOS® TV Channel Lineup.