

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: July 18, 2014

Enclosed with this memorandum are the following items:

- 7-13 Notice regarding a special Rye City School District Board of Education meeting to be held on Tuesday, July 22, 2014 beginning at 7:00 p.m. in the Rye City School District Central Administration Building.
- 7-14 Legal Department Update from the Corporation Counsel dated July 18, 2014.
- 7-15 Letter from Dan Ahouse, Cablevision Area Director Government Affairs, regarding the relocation and standardization of the premium channels beginning August 18 through August 22, 2014.
- 7-16 Notice from Westchester County regarding reminding Westchester residents to take precautions against mosquitoes.
- 7-17 Meeting notice for the week of July 21, 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*

*Elaine Cuglietto  
District Clerk  
cugliete@ryeschools.org*

July 15, 2014

FOR IMMEDIATE RELEASE

**July 15, 2014 Special Board of Education Meeting**

The Rye City School District Board of Education will meet on Tuesday, July 22, 2014 beginning at 7:00 P.M. in the Rye City School District Central Administration Building, 411 Theodore Fremd Avenue, Suite 100S, Rye New York 10580.

Prior to the meeting, the Board will adjourn immediately into 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 are fiscal, special education, personnel and business items that ordinarily come before the Board.

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Rye City Council  
FROM: Kristen K. Wilson, Corporation Counsel  
SUBJECT: Litigation Update  
DATE: July 18, 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.

**181 NEW ENGLAND SEAFOOD CORP. v. NOREEN WHITTY, et al**

The petitioner has moved for summary judgment. The return date for the motion has been adjourned to August 4, 2014.

**LITIGATION**

**P. STEPHEN LAMONT v. KRISTEN K. WILSON, et al**

The City's opposition papers were filed this week. Oral argument on the Order to Show Cause is calendared for Wednesday, July 23<sup>rd</sup> at 12:30 p.m.

**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. The next call with the mediator is scheduled for mid-July and a tentative adjudicatory hearing has been scheduled for the third week of September.

**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 a motion for class certification.

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

The City of Rye Zoning Board of Appeals has filed the Certified Record, Verified Answer and Memo of Law in opposition to the Verified Petition.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson  
Corporation Counsel

KKW/dfn



DAN AHOUSE  
AREA DIRECTOR, GOVERNMENT AFFAIRS  
[dahouse@cablevision.com](mailto:dahouse@cablevision.com)  
914-378-4533

July 11, 2014

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

RE: Premium Channel Realignment

Dear Mayor Sack:

Please let this letter serve to provide notice that effective beginning August 18 and through August 22, 2014, Cablevision will relocate and standardize in the 300 channel range, all premium channels including: TMC, Starz, Encore, HBO, Showtime and Cinemax. The attached chart details the move dates and new channel positions for the premium channels. There is no change in pricing and packaging.

The new channel line-up will be more intuitive and will allow customers to view all premium networks in one convenient channel neighborhood. This change will also make it easier for customers to see what is on all the different premium networks via the Program Guide.

Customers will be notified through on-air banners and bill messages of the line-up changes. In addition, customers can always find the most current pricing channel line-up information on Cablevision's consumer website [www.optimum.com](http://www.optimum.com)

Should you have any questions, please do not hesitate 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

Encl.

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

## Cablevision New York State Systems Premium Channel Relocation

Move Date	Channel ID	Service	Area	Current Channel	New Channel
08/18	TMC	The Movie Channel	All NY Systems	86	391
	TMCW	TMC West		381	392
	TMCX	TMC Xtra		380	393
	TMXW	TMC Xtra West		382	394
08/19	STZOD	Starz On Demand	All NY Systems	339	340
	ENCOD	Encore on Demand		349	350
	TMCOD	TMC on Demand		379	390
	STARZ	Starz		340	341
	STZCI	Starz Cinema		341	347
	ENC	Encore		350	351
	ENCA	Encore Action		351	358
08/20	HBO	Home Box Office	All NY Systems	82	301
	HBO2	HBO2	All NY Systems	310	302
	HBOS	HBO Signature		301	310
	HBOF	HBO Family		302	311
08/21	SHO	Showtime	All NY Systems	84	321
	SHO2	Showtime Too	All NY Systems except Bronx, Brooklyn and Yonkers	90	322
			Bronx	330	
			Brooklyn	330	
			Yonkers	79	
		Showtime Showcase	All NY Systems	321	330
	Showtime Extreme	All NY Systems	322	331	
08/22	CMAX	Cinemax	All NY Systems	85	371
	AMAX	Action Max	All NY Systems	371	390



Robert P. Astorino, Westchester County Executive

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## NEWS RELEASE

Sherlita Amler, MD, Commissioner, Department of Health

Ned McCormack, Communications Director

Contact: Caren Halbfinger (914) 813-5013 / after hours: 813-5000

**FOR IMMEDIATE RELEASE: July 17, 2014**

### **WEST NILE VIRUS IS CLOSE BY – POSITIVE MOSQUITOES FOUND IN NYC Westchester residents reminded to take precautions against mosquitoes**

The Westchester County Department of Health advises residents to take precautions against mosquito bites after New York City reported that its first batches of mosquitoes have tested positive for West Nile Virus. So far this season, no mosquitoes in Westchester have been identified as carriers of West Nile Virus, but this is the time of year when the health department expects to find them.

“Given our proximity to New York City, it is safe to assume that mosquitoes carrying West Nile virus will soon be identified here in Westchester County,” said Sherlita Amler, MD, commissioner of health. “Our recent rainy weather also makes conditions ripe for mosquitoes capable of carrying the virus to breed. I urge all residents to remove standing water from their property and to take personal protective measures against mosquito bites when spending time outdoors.”

Last year, there were seven positive mosquito batches found in Westchester County and two human cases of West Nile virus reported. Westchester County’s first positive mosquito batch last year was reported in early August. So far this year, no positive mosquito batches have been found and there have been no reported human cases of West Nile Virus in Westchester County.

The Health Department prepared for the summer mosquito season by applying larvicide briquettes to street catch basins that held standing water and by giving away free minnows to residents that have ponds on their property. The minnows reduce the mosquito population because they feed on mosquito larvae and pupae before they emerge into adult mosquitoes. Residents should continue to do their part by removing standing water around their homes where mosquitoes can breed and by taking personal protection measures against mosquito bites.

#### **To help eliminate mosquito breeding grounds where you live:**

- Survey your property for tin cans, plastic containers, ceramic pots or similar water-holding containers that should be discarded or turned over to prevent collecting water.

**MORE**

- Cover outdoor trash containers to keep rainwater from accumulating inside.
- Turn over plastic wading pools, buckets and wheelbarrows when not in use.
- Drill holes in the bottoms of recycling containers that are left outdoors.
- Clean roof gutters and remove standing water from flat roofs.
- Drain water in birdbaths, plant pots and drip trays twice a week.
- Sweep driveways after it rains so that they are free of puddles.
- Clean and chlorinate swimming pools, outdoor saunas and hot tubs. Keep them empty and covered if not in use; drain water that collects in pool covers.

**To reduce your risk of mosquito bites:**

- Avoid being outdoors in places and during times where and when mosquitoes are active and feeding.
- Use insect repellents with no more than 10% DEET on children, sparingly and with care. Repellents should be effective for about two hours and should only be applied once a day. Read and follow package directions and wash treated skin after mosquito exposure has ended.
- Select the lowest concentration effective for the amount of time spent outdoors. A concentration of 24% has been shown to provide an average of five hours of protection.
- Products containing DEET are not recommended for infants under two months of age.
- Wear protective clothing such as long pants, long-sleeved shirts and socks when outdoors in areas and at times where and when mosquitoes are active.
- Make sure doors and windows have tight-fitting screens and repair or replace screens that have tears or holes.

Residents who notice large areas of standing water on public property that could serve as potential mosquito breeding grounds should report this information to the Westchester County Department of Health by calling (914) 813-5000 or emailing the Health Department through its website, [www.westchestergov.com/health](http://www.westchestergov.com/health).

For more health information, like us on Facebook at [www.Facebook.com/wchealthdept](http://www.Facebook.com/wchealthdept), follow us on Twitter [www.twitter.com/wchealthdept](http://www.twitter.com/wchealthdept) or visit our website, [www.westchestergov.com/health](http://www.westchestergov.com/health).