

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: April 10, 2015

Enclosed with this memorandum are the following items:

- 4-6 Notice regarding a meeting of the Rye Town Park Commission to be held on Tuesday, April 21, 2015 at 6:00 p.m. at Port Chester Village Court.
- 4-7 Legal Department Update from the Corporation Counsel dated April 10, 2015.
- 4-8 Notice regarding a Joint meeting of the City Council and the Rye City School District Board of Education to be held on Saturday, April 11, 2015 at 9:00 a.m. at Rye City Hall.
- 4-9 Notice regarding a meeting of the Rye City School District Board of Education to be held on Tuesday, April 14, 2015 at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 4-10 Notice regarding a special meeting of the Rye City School District Board of Education to be held on Thursday, April 16, 2015 at 7:30 p.m. in the Rye City School District Central Administration Building.
- 4-11 Letter from Dan Ahouse, Cablevision Government Affairs Director, regarding the relocation of the Laff TV channel effective April 15, 2014.
- 4-12 Letter from Dan Ahouse, Cablevision Government Affairs Director, regarding the launch of new video commercial packages effective May 1, 2015.
- 4-13 Letter from Dan Ahouse, Cablevision Government Affairs Director, regarding an increase in the restore service fee effective May 11, 2015.
- 4-14 Notice regarding FiOS® TV Channel and Programming Changes.
- 4-15 Meeting notice for the week of April 13, 2015 is available on the City website www.ryeny.gov under Calendar.



*Rye Town Park
95 Dearborn Ave.
Rye, NY 10580
914 967-0965*

RYE TOWN PARK COMMISSION **MEETING NOTICE**

Commission Members

Joseph Carvin-President
Joseph Sack, Mayor-City of Rye
Neil Pagano, Mayor-Village of Port Chester
Paul Rosenberg, Mayor-Village of Rye Brook
Benedict Salanitro, Commissioner
Laura Brett, Commissioner

DATE & TIME: **Tuesday, 04/21/2015 @ 6:00PM**

PLACE: **Port Chester Village Court**
350 North Main Street – 2nd Flr
Port Chester, NY 10573

Tentative Agenda:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of Minutes: 1/20/2015, 3/17/2015**
- 4. Comments from the Public**
- 5. Management Report**
- 6. 2015 Budget**
- 7. Correspondence**
- 8. Old Business**
- 9. New Business**

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: April 10, 2015

CLAIMS

A Notice of Claim has been filed by Mary Ann Howell of Weston, Connecticut. The notice states that a wheel and tires of Ms. Howell's automobile were damaged when she hit a pothole. The claim has been forwarded to our insurance carrier.

TAX CERTIORARI

CARROLL v. CITY OF RYE

The City has filed its opposition papers and the matter is now fully submitted.

THE TOWN OF RYE AND THE RYE TOWN PARK COMMISSION v. THE ASSESSOR and Board of Assessment Review of the CITY OF RYE

Oral argument took place today in front of the following judges: Mastro, J.P., Skelos, Dickerson and LaSalle.

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

A court conference is calendared for April 21, 2015.

LITIGATION

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

The expedited appeals of ALJ O'Connell's October and December decisions are fully submitted. A conference call was held and all parties agreed to hold the adjudicatory hearing in abeyance until the Commissioner renders a decision on the appeals from ALJ O'Connell's interim decisions.

BOARD OF MANAGERS OF THE IVES AT RYE v. CITY OF RYE

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

OMNI CONTRACTING V. CITY OF RYE

A new discovery schedule was discussed and agreed upon by the parties.

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

A new discovery schedule was discussed and agreed upon by the parties.

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

A motion to dismiss was filed and served by Respondents asking the court to dismiss the Amended Notice of Petition/Petition commenced against the respondents based on the Supplemental Findings and Decision rendered by the Zoning Board of Appeals.

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

Plaintiff requested a conference in front of Judge Roman to address his request to file a Motion In Limine.

CHITTENDEN v. COMPAGNONE

I appeared at the second preliminary conference and a discovery schedule was agreed upon by counsel.

DOUGLAS E. LIMAN v. NICK EVERETT, MARTHA MONSERRATE, LAURA BRETT, BARBARA CUMMINGS, HUGH GREECHAN, PETER OLSEN, ALFRED VITIELLO, constituting the PLANNING COMMISSION OF THE CITY OF RYE, PANKAJ GUPTA and EMILY GUPTA, PAM McGUIRE and EUGENE McGUIRE

Judge Neary rendered a decision dismissing the Petition and finding that the project in question was a Type II action not subject to SEQRA.

JOHN CASTELHANO as President of the RYE PROFESSIONAL FIRE FIGHTERS ASSOCIATION, LOCAL 2029, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, AFL-CIO v. CITY OF RYE BOARD OF FIRE WARDENS, PETER COTTER, MICHAEL BILLINGTON, RICHARD BARBER, JOSEPH CARLUCCI, JOHN FALLON, ARCADIO OCASIO, RICHARD CADIGAN, PETER ANFUSO, JAMES BURKE, JOHN ALFANO and BRIAN GILMARTIN in their individual capacities as members of the City of Rye Board of Fire Wardens

The Preliminary Conference calendared for April 10, 2015 has been adjourned based on recent settlement discussions.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn



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 7, 2015

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 11, 2015 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.org*

April 7, 2015

FOR IMMEDIATE RELEASE

April 14, 2015 Board of Education Meeting

The Rye City School District Board of Education will meet Tuesday, April 14, 2015 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.

On the agenda are fiscal, special education, personnel and business items that ordinarily come before the Board as well as:

Continued discussion of the Superintendent's Recommended Budget for the 2015- 2016 school year.

Members of the public are welcome and encouraged to attend this meeting of the Board and to speak at designated times.



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Elaine Cuglietto

District Clerk

cugliete@ryeschools.org

April 7, 2015

FOR IMMEDIATE RELEASE

April 16, 2015 Special Board of Education Meeting

The Rye City School District Board of Education will meet on Thursday, April 16, 2015 beginning at 7:30 PM. in the Rye City School District Central Administration Building, 411 Theodore Fremd Avenue, Suite 100S, Rye New York 10580.

It is expected 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.

DAN AHOUSE
AREA DIRECTOR, GOVERNMENT AFFAIRS
dahouse@cablevision.com
914-378-4533



March 31, 2015

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

Re: Laff TV Channel Relocation

Dear Mayor Sack:

Please let this letter serve to provide notice that effective April 15, 2015, WABC-NY will cease to air multicast Live Well (SD) on channel 108 and it will be replaced on channel 108 with multicast Laff TV (SD). Laff TV is a 24/7 comedy network that will feature a mix of contemporary sitcoms, recent off-network sitcoms and feature comedy films.

Customers with HD TVs and equipment will still be able to tune to channel 729 to view Live Well (HD), it is no longer in syndication so it will be comprised of only previously aired content at this time.

Customers will be notified on air and by bill messages. In addition, customers can always find the most current programming line-ups and packaging information on Cablevision's consumer website www.optimum.com.

As always if you have any questions, please feel free to contact me at 914-378-4533.

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

DAN AHOUSE
AREA DIRECTOR, GOVERNMENT AFFAIRS
dahouse@cablevision.com
914-378-4533



March 31, 2015

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

Re: Commercial Package Launch

Dear Mayor Sack:

Please let this letter serve to provide notice that effective May 1, 2015, Optimum Business will launch new video commercial packages. Customers on the current Optimum Business, Optimum Total Business, Optimum Entertainment and Optimum Total Entertainment commercial packages will be grandfathered. The Broadcast Basic and all existing add-on commercial video packages will remain unchanged.

The proposed new video commercial packages are as follows:

Private Office & Business Customers

- Business Value: \$64.95
- Business Preferred: \$74.95

Restaurant & Bar Customers

- Entertainment Value: \$104.95
- Entertainment Preferred: \$114.95

Customers will be notified on air and by bill message. In addition, customers can always find the most current programming line-ups and packaging information on Cablevision's consumer website www.optimum.com

As always if you have any questions, feel free to contact me at 914-378-4533.

Sincerely,

A handwritten signature in black ink that reads "Dan Ahouse". The signature is written in a cursive, flowing style.

Dan Ahouse



DAN AHOUSE
AREA DIRECTOR, GOVERNMENT AFFAIRS
dahouse@cablevision.com
914-378-4533

April 9, 2015

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

RE: Restore Service Fee 30 Days In Advance Notification

Dear Mayor Sack:

Please let this letter serve to notice that effective May 11, 2015, the restore service fee for Optimum TV, Optimum Voice, and Optimum Online customers will increase from \$1.99 to \$4.99 in all non-regulated areas. In regulated areas, the restore service fee remains unchanged, at \$1.99.

Customers will be notified by bill message and on air. In addition, customers can always find the most current programming line-ups and packaging information on Cablevision's consumer website www.optimum.com.

As always if you have any questions, please feel free to call me at 914-378-4533.

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



FiOS® TV Channel and Programming Changes

On March 22, 2015, the content provider changed the programming on channel 172 from “Blue Ocean Network” (BON) to “Rocks TV,” a 24 hour jewelry shopping channel.

On or after July 20, 2015, the following FiOS TV channel positions are changing:

- UP will move from channel 224 to channel 228
- Sony Movie Channel HD will move from channel 735 to channel 737
- Sundance HD will move from channel 733 to channel 735