CITY OF RYE
MEMORANDUM

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: March 12, 2010

Enclosed with this memorandum are the following items:

3-10 Letter from Ruth L. Pierpont, NYS Office of Parks, Recreation, and Historic Preservation, dated March 8, 2010 announcing that the Bird Homestead was listed on the National Register of Historic Places.

3-11 Minutes from the Joint Meeting of the Rye City Council and the Rye City School District Board of Education held on February 9, 2010.

3-12 Litigation Update from the Corporation Counsel dated March 12, 2010.

3-13 Letter from Adam E. Falk, Cablevision Government & Regulatory Affairs, dated March 8, 2010 regarding a notice of temporary network changes.

3-14 Letter from Robert Hoch, Cablevision Director Government Affairs, dated March 10, 2010 regarding HD Channel Line-up changes.

3-15 Meeting notice for the week of March 15, 2010.

FJC/emm
Encs.

OFFICE OF PARKS, RECREATION, HISTORIC PRESERVATION
NEW YORK STATE

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

Received
MAR 10 2010
City Manager's Office
Rye, New York

David A. Paterson
Governor

Carol Ash
Commissioner

March 8, 2010

Mayor, City of Rye
1051 Boston Post Road
Rye, NY 10580

Re: Bird Homestead
600 Milton Road, Rye, NY 10580
Westchester County

I am pleased to inform you that the above referenced property was listed February 22, 2010 on the National Register of Historic Places. As you may know, the National Register is the nation's official list of properties worthy of preservation. Listing on the National Register recognizes the importance of these properties to the history of our country and provides them with a measure of protection. In addition, owners of income producing properties may qualify for federal income tax benefits. Properties owned by municipalities and not-for-profit organizations are eligible to apply for state historic preservation matching grants.

If you would like more information about any of these programs, please contact your field representative, in this case, Peter Shaver, at the New York State Historic Preservation Field Services Bureau at(518) 237-8643 ext. 3264. Field Services Bureau staff maintains a continuing interest in all registered properties and will be happy to answer any questions you may have.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Director
Division for Historic Preservation

An Equal Opportunity/Affirmative Action Agency

printed on recycled paper

MINUTES
RYE CITY SCHOOL DISTRICT / CITY OF RYE
BOARD OF EDUCATION / RYE CITY COUNCIL MEETING
Rye Middle School Multipurpose Room
February 9, 2010

1. Pledge of Allegiance

Mr. Josh Nathan called the meeting to order and invited the Council and Board Members to join in the Pledge of Allegiance.

2. Roll Call

Mr. Josh Nathan acknowledged those present for both Boards.

Present, Board of Education
Mr. Joshua Nathan, President
Ms. Laura Slack, Vice President
Ms. Kendall Egan
Mr. Edward Fox
Ms. Young Kim
Mr. Raymond Schmitt
Mr. Robert Zahm

Present, Rye City Council
Mayor Douglas French
Mr. Richard Filippi
Ms. Paula Gamache
Mr. Peter Jovanovich
Ms. Suzanna Keith
Ms. Catherine Parker

And:
Dr. Edward Shine, Superintendent of Schools
Mr. Frank J. Culross, City Manager
Mr. Scott Pickup, Assistant City Manager
Mr. Brian Dempsey, Chair of Traffic and Safety Committee

Absent: Mr. Joseph Sack, Councilmember

Mr. Nathan began by describing the focus of the meeting and the spirit of collaboration between the respective entities and a commitment to working together in the community that we represent. The focus of this meeting is on pedestrian traffic and safety.

Mayor French addressed all present, acknowledging the hard work that has been put into place over the last few years. Mayor French thanked the City and School Management, the previous councils, previous school boards, the Traffic and Transportation Commission, Safe Routes to School Committee, our PTOs, temporary trailways committees and the central business district. There are four or five priorities that all agree on and public commitment is necessary. A change in our behavior including restricting cell phone use, texting, speeding, drop off habits, etc. need to be made. The mayor expressed his desire to work with the members of the Board of Education.

Mr. Nathan reiterated the importance of the partnership between the City, the School District and the public at large. Mr. Nathan explained that Scott Pickup, Assistant City Manager will present on four areas of concern surrounding school pedestrian and traffic concerns at Osborn School, Midland School, Milton School and at the Middle School/High School campus. After each area is presented by Scott Pickup, there will be a Board and Council question and answer period, an opportunity for the public to comment and then the next steps will be discussed. Each area is allotted one half hour of time. The goal of the meeting is to understand the issues, discuss them, to hear from the public and chart some direction. There will then be a joint task force that will come up with the next steps and come back to us.

Mr. Nathan introduced Gregg Howells and Helen Gates as representatives of The Safe Routes to School Committee. Mr. Howells stated that this is a community wide approach that requires everyone to get involved, echoing what both Mayor French and Mr. Nathan stated. There are five key areas that people have to work on together; they are Engineering, Enforcement, Education, Encouragement and Evaluation. Helen Gates discussed some of the new initiatives that the Safe Routes to School Committee will be looking into.

Ms. Gates invited everyone to the next Safe Routes to School Committee meeting on February 23, at 9:00 a.m. at the library and encouraged everyone to be part of the solution.

Assistant City Manager Scott Pickup gave an overview of the issues and projects that are being considered, beginning with Osborn School. There are three main issues at Osborn School.

1. The difficulty of traversing Osborn during afternoon pickup due to the extensive parking and queuing at Osborn School. The parking lot area in the drop off zone in front of Osborn School is an ongoing issue, as we have run out of parking spaces. The road is not wide enough for two lanes of traffic as well as a parking lane. United Water is planning on replacing some water lines on Osborn Road at a future date and time. At that time the City may move the road and sidewalk. United Water is tied up with other capital issues. The City will reach out to them again. When a sense of when that might be happening occurs, they will keep both the City Council and the Rye City School Board apprised due to the disruption that this may create.

2. Individuals are parking on Osborn Road throughout the school year.

3. Boston Post Road at Sonn Drive has a series of issues due to pedestrians crossing where no crosswalk is indicated and the queuing of cars during afternoon pickup on the southbound lane of Boston Post Road. The Boston Post Road Diet was not implemented here. Two recommendations exist related to former Boston Post Road Diet presentations based on sliming this section of Boston Post Road to three lanes, one northbound and two southbound. Left turns into parking lot (from the north bound side of Boston Post Road) will be a concern while still supporting the Boston Post Road Diet. The City Council will meet on the 24th of February to review the recommendations. No funds are programmed for this project.

Mr. Fox, Mr. Zahm, Ms. Kim and Ms. Egan asked clarifying questions.

Mr. Nathan opened the Osborn safety issues to public comment.

Ms. Maureen Gomez PTO Co-President at Osborn – stated that at the November '09 Open Topics Forum, an issue was brought up regarding asphalt paving on campus play and walk areas. She is wondering what progress is being made on asphalt paving a walk way along the north side of the back parking lot to ease issues associated with cars blocking the sidewalk on Boston Post Road.

Dr. Shine expressed there is an estimated cost of $25,000, plus removal of a tree. However, without installation of a fence, there would be nothing to prevent children from cutting across the drive way and going to the playground in the midst of traffic. The preliminary conclusion is it was *not* a safe approach to resolving the problem of cars blocking the sidewalk across the back parking lot.

Ms. Gomez asked: "How do we keep the children safe?"

Dr. Shine expressed there may be a better solution.

Ms. Laura Christopher, a Rye Gardens resident, shared her concerns and Mr. Bertrand deFrondeville asked a question about the role of media in the enforcement of public safety.

Mr. Nathan and the Board of Education summed up the Osborn concerns by stating that:

- City Council will review two proposals related to the Sonn Drive/Boston Post Road intersection on Feb. 24. The joint City Council / School Board committee will also have an opportunity to look at the proposals. The engineering plans will be shared with the school district. Proceeding will require resolution of financing issues and coordination of construction and timing issues with the school district.

- Con Edison pole removal/moving needs to be further discussed.

- District should look at marking the crosswalk over the rear entrance more clearly.

  From the district's perspective, a fair amount of work and several issues need to be included in future discussions. Any activities should be fully coordinated. Suzanna Keith and Bob Zahm to set up a joint committee meeting after the 24th. Follow up should take place in the next joint meeting, April 10, 2010.

  A goal is that improvements are made by the beginning of the next school year.

Midland Elementary School

Mr. Pickup discussed the topics surrounding the Midland corridor, from Palisade to Playland access.

1. At Midland School, dismissal takes place in three locations of the campus; the north and south end of the building and directly across from the main entrance to the school leading to pedestrians crossing Midland Avenue at multiple spots in addition to the central location which has a crossing guard.

2. There were historically two paths to the back of Midland from Forest Avenue, one from each of Eve and Anne Lanes. Re-establishment of these paths is being considered to ease access to the school and reduce traffic on Midland Avenue.

3. Right of way improvements from Forest Avenue are being funded through the City Council through the capital budget process. Estimates are expensive because of rock, fences and drainage.

4. Preliminary engineering work is being done to determine if a crosswalk can be introduced near the Rye School of Leadership.

5. Regarding the crossing guard at the "Five Corners", an updated analysis will be done, looking for re-deployment of staff.

Mayor French said a law was passed to restrict parking on the East side of Midland Avenue to improve sight lines.

Mayor French also stated the City needs to defer on the stop sign decision while going forward with stimulus funded projects.

Ms. Slack asked about regulations on a flashing yellow light and required distance from a school. Additional signage or a yellow flashing light to inform traffic coming from Port Chester or I-95 was discussed. Four speed readers will be added, flashing the driver's speed, in March, thus reminding drivers they are in a school zone.

Ms. Egan asked about the time frame for implementation of the North South crosswalks. More discussion with Dr. Grille will be held regarding pickup and drop off of students, perhaps later in the spring.

Ms. Egan asked about the potential for facilities work on school grounds. Mr. Dempsey answered that the work at this time is on City property. There could be some impact on Rye Schools in the future. For now, no expenses will be incurred by Rye City Schools.

Mr. Fox posed that 560 students, realistically, will not or are not able to cross at the designated crosswalk with a single crossing guard. Realistically, additional staff may be necessary to handle the huge volume of students crossing.

Mr. Zahm posed the following points and questions:
The north end of Midland School's driveway is dangerous when staff leave the building, particularly before 3:15, because they must drive over the crosswalk at the north end of the campus. This is an issue for the school district to look into.

In addition to the speed readers, cameras should be installed, letting people and the City know who is speeding through a school zone. According to Mr. Pickup and Mr. Dempsey, in two speed studies, the average speed is about 34 miles per hour. South of Palisade to the school can become a raceway.

What is the timeline for creating an Ann Lane entrance to the school? According to Mr. Pickup, the goal is to tie multiple projects together. Mr. Zahm stated we should look at both of the access routes to the back side of Midland School, their issues, and possible timelines to realize them.

Ms. Keith encouraged further dialogue about crossing guard locations, thinking strategically as to where they should be placed.

Mr. Fox maintained that school enrollment has increased by approximately 30% and that the children must be kept safe and educate them on safety, regardless of budgetary concerns.

Mr. Pickup stated that on the 24th of February that meeting would be limited to the Osborn School issues.

The concept of a staggered dismissal was raised by Ms. Gamache. Mr. Nathan deferred to Dr. Shine, who considered it a viable option and it would be revisited. Parents with multiple children would have to wait at school. Questions related to contractual time was raised. Dr. Shine stated that the union would need to be consulted. Mr. Zahm stated that it would need to be at least 30 minutes difference, but the issue should be explored.

Mr. Amico, a resident of Midland Avenue asked why the 20 mph zone began 20 feet from the start of the school zone. Mr. Amico stated that all of the other school areas have zones beginning much further than 20 feet. He also shared his concerns with the 30 mph legal speed limit through the school zone. Education as addressed by Ms. Gates is right on target. Students need to learn how to cross the road. Crosswalks, crossing guard and volunteerism by parents were raised.

Mr. Amico asked why every level of official is represented at this meeting, but Commissioner Connors was not present at this meeting. He is a big part of the solution and should be here in Mr. Amico's opinion. Mr. Amico asked that the commissioner be present in the future at these meetings.

Mayor French indicated that he did not invite Commissioner Connors to this meeting. This meeting was more to do with the education and engineering. In the future, a separate meeting would be held to discuss enforcement.

Mr. Nathan opened the Midland safety issues to public comment.

Ms. Stacey Koenig, Co-President of Midland Elementary School PTO and Head of the Traffic Committee at Midland as well as being a member of the Traffic and Safety Committee for the City addressed the Joint Council. She thanked the City for its work. Crosswalks should be manned. The crosswalk in the center is obsolete. We have created a situation where there are no crosswalks anywhere else. People are forced to cross in other areas.

Ms. Karen Belanger, Co-President of Midland Elementary School PTO addressed the Boards regarding her appreciation of all that has been done to date. She is concerned about the access from Forest Avenue. Speaking for families from Forest Avenue from Apawamis to Playland, she would like the issue of an actual sidewalk installation on Forest Avenue and Apawamis to be discussed.

Ms. Julie Kelly, a parent and a resident of Forest Avenue, addressed the Boards questioning when will the City remove the rocks and boulders placed in the street. These present a real danger for students walking to school, pedestrians walking, biking and running. Secondly for access to the back side of Midland School, she asked not to wait on the Eve Lane and Ann Lane access paths. The issue is not all about walking.

Mr. Pickup explained that often it is the residents who place the rocks in the right of way. Ultimately, it gets down to who will remove the rocks. How far does the City want to go with physically removing these rocks? Ms. Kelly reminded all that students and adults need to be educated on the correct side of the street to walk and run, you should run against the traffic, and when riding you go with traffic. With more hybrids on the road, as quiet as they are, it will become an even more important issue.

Ms. Charmian Neary, a parent and resident of the Midland area, addressed the Boards. Currently the teacher aides stop children from hitting cars, but in reality cars should be stopped from hitting children. The main issue is for children to leave the school safely. Enforcement is required of individuals being ticketed for cell phone use while driving, and for removal of rocks and boulders. Ms. Neary stated that 30 mph is too fast on Midland Avenue. Something needs to be done about the speed.

Ms. Elizabeth Zahm, a parent and resident of Rye, addressed the Boards about the issue of using parents as volunteer crossing guards and the lack of responsibility. She stated that everyone would need to be concerned for the safety of these volunteers given that current crossing guards are at risk of being blown away by traffic. It is necessary that we begin to teach people to walk on the correct side of the street with or without traffic flow.

Mr. Ralph Vellone, a resident of Midland Avenue addressed the Boards. His concern starts with the trucks coming off of I-95. The trucks come to the corner and make a left turn and drive down 40 -50 miles an hour on Midland Avenue.

Ms. Slack stated concern about the school zone signs on Midland Avenue. Mr. Dempsey stated

that the school zone signs were installed when the law was put in place five years ago. They may be able to move them out a little further. Legally they will not be able to be installed where Mr. Vellone has suggested.

Ms. Beth Seidell of Midland Avenue addressed the Boards complaining of police response to the speeding traffic along Midland Avenue especially regarding Midland Avenue and Apawamis. She has called the police on numerous occasions to voice concern over speeding down Midland Avenue and asks what else residents could possibly do.

Mr. David Sternlicht addressed the Boards and discussed the serious issue of laws regarding crosswalks in the State of New York. Under the law in the State of New York there is a crosswalk at every intersection. A publication was put out last year from the Safe Routes to School Committee that indicates a car has the right of way in a crosswalk that does not have a signal. In fact, he stated the pedestrian has the right of way at the crosswalk. He is asking that the police commissioner attend future meetings to address issues such as this one.

Bertrand deFrondeville suggested that seniors should be called upon to assist in crossing students. In regard to parking at Midland, Rye Recreation has a parking area that can be used. He inquired if the traffic engineer researched if that area can be used as a drop off or pick up area. Civility is an issue to be addressed. People need to be reminded.

Mr. Nathan summed up the Midland concerns by stating that:

- Stimulus projects and the stop sign issue will be revisited in coordination with the stimulus projects.
- Speed indicators – four will be coming in March of this year, all on Midland Avenue.
- North/South crosswalk issue will be revisited at the April joint meeting.
- Access from the back of Forest Avenue to Midland should be revisited at the April joint meeting.
- The Apawamis to Playland yellow light and crosswalk issue.
- Removal of rocks and boulders along Forest Avenue to be dealt with - The City is to revisit the policy.
- Trucks turning down Midland Avenue, the City to explore controls.
- Expanding the school zone to see what can be done to improve the designated school zone.
- The City will conduct a public meeting on enforcement.

Milton Elementary School

Mr. Pickup described Milton School as the building having the least amount of through street traffic concerns – it being a true neighborhood school. There are no train stations, stores or major commuting routes such as I-95.

1. Hewlett and Forest Avenues seem to be the primary interest at the moment. There is a replacement project of an existing sanitary pump station in the design stage, and it is scheduled to begin when school ends in June 2010. According to Mr. Pickup, the work needs to be completed and updated when school is not in session. The City does not want to make any commitments until changes and the restoration of the pump station are completed.

2. Fairway Avenue – We have a continuing request from people to limit Fairway Avenue to a one way. The issue was brought to the traffic commission. A formal recommendation is not being brought to the Council. They will report on the status probably in April.

3. The Milton School driveway drop-off area is not being used. Mr. Pickup recommended that a discussion be held to determine why the area is not being used for cars.

4. Signage improvement is necessary. Some of the signs are unintelligible. Current signage such as time of day, etc. is what we are looking to be more legible, one way patterns, when it is acceptable or not for cars to utilize the street.

Ms. Egan shared the following potential solutions:

If some striping could be placed at the first crosswalk to prevent a car from parking there, it would help with line of sight issues in the morning worsened by sun glare.

A suggestion was brought to her to eliminate right hand turns onto Fairway.

A suggestion was brought to her that the driveway not be used, legitimately so, as the front of the school is a drop off zone. The children would have to cross a street and cross an active driveway as well.

The report on sidewalk repairs will be available in April per Mr. Pickup. It is a comprehensive review that may require more money than is budgeted. The recommendations will be considered.

Ms. Kim, Ms. Slack, Mr. Jovanovich, Mr. Zahm and Mr. Schmitt shared questions and concerns.

Mr. Nathan opened the Milton safety issues to public comment.

Ms. Katie Keohane-Glassberg thanked everyone for considering all of these issues. Our main goal is getting our students safely to and from school. The Milton parents have very real issues specifically with walking students.

Congestion along the street is not the biggest issue. We are able to park cars for drop off and pickup. The intersection of Milton Road and Hewlett Avenue and the intersection at Fairway and Hewlett and the intersection of Forest and Hewlett are the areas where we are most concerned. Additional signage is necessary indicating the presence of the school and the traffic patterns. This would not necessarily be for speed enforcement. Ms. Keohane-Glassberg also repeated a suggestion that Hewlett Avenue could be one way from 8 a.m. to 5 p.m. Ms. Keohane-Glassberg stated that a year wait is far too long of a window to address the safety concern.

Ms. Catherine Parker and Ms. Suzanna Keith shared questions and clarifications.

Mr. Ted Carroll addressed the Boards on the issues surrounding Milton School.

Mr. Nathan summed up the issues at Milton School:

- The Hewlett crosswalk/Milton crosswalk is an issue that is complicated by the pump station work - This is with the city.
- On Fairway, there seems to be a fair amount of discussion as to which way the traffic should go - The City and PTO to work on this.
- Signage improvement is needed.
- Stripping of the crosswalks is needed.
- A walking tour of the area for the joint committee should be conducted to best visualize all of these issues.

Rye Middle School and Rye High School

Mr. Pickup noted that the most recent improvements on Boston Post Road have been successful in providing an outlet for people to cross.

1. The Milton and Apawamis crossing grew out of concerns to parents back in 2007 as a temporary measure. It is still a temporary measure in 2010. We do have a guard that crosses at that intersection. That crossing is different than Parsons Street as we have more students who are parking cars and crossing, as well as getting parents and students out of the parking lot.

2. The biggest problem is queuing inside of the school and the difficulty parents have getting out of the school parking lot. Some parents are very helpful and will stop and let students cross, while some parents are not as helpful. We have tried to ban the left turn at Milton Road for cars exiting the high school lot. Mr. Pickup stated that they have measured and see that we have more people making left turns.

Mr. Zahm stated that while increased enforcement may temporarily slow traffic, it may also create peer pressure between drivers to obey the law. Mr. Pickup stated that is something they would pursue with the Commissioner.

Ms. Slack stated that it would be great if you could enforce the no left hand turn rule. Better communication with the high school and middle school parents would be beneficial to get the rules and information out to them.

Improvements that were made and implemented by both the City Council and the Rye City School District about 1 ½ years ago have been successful, in changing internal patterns within the school property and adding patterns on Parsons Street. It has succeeded in separating students and cars. The Parsons crossing has functioned very well. People respect that crossing and allow pedestrians without intervention yet they cannot do the same thing at Milton and Apawamis.

Ms. Kim commented on the presence of Ms. Julia Chung, Rye High School Assistant Principal present in the mornings helping crossing. Mr. Pickup stated her presence has been very helpful.

Mr. Pickup stated parking is a problem due to too many cars. We have long term parking issues and need to come up with some off street parking collaboratively outside of our current off street parking to make it safer for the students and not impact some of the neighbors.

He also indicated that the Presbyterian Church has been very tolerant of the parking issues around the middle and high school. If they decide it is no longer a situation that they will tolerate, there will be 200 more traffic movements on Parsons Street and that would be an interesting issue to address. From an education standpoint, we need to educate everyone as to the respect of the church property.

Mr. Pickup described some options currently under investigation:
Possible use of the snow field as an alternate parking sight – that has operational concerns for the City and for safety. By encouraging people to park there, they will be crossing Boston Post Road to get to the campus.

Another option is the large area of pavement at the Parsons intersection - A re-design will have to be looked at so that the width is not sufficient to make U-turns.

Ms. Egan stated that ultimately we need to get the cars off the street.

Mr. Zahm asked what the City's assessment was of the impact of the Boston Post Road crosswalk. Mr. Dempsey stated that the crosswalk on Boston Post Road had been very successful. It is used a great deal by students. The students are cutting across the field.

Mr. Zahm questioned if it is possible to paint the crosswalk along Boston Post Road at the end of Parsons. Mr. Pickup stated that there needs to be some additional, more permanent work to be done there. There are some drainage issues. Mr. Zahm asked if there is something that we can do short term vs. medium to long term.

Mr. Nathan summed up the issues at the Middle and High Schools:

- Issue of the left hand turn onto Milton Road – This is something the City is looking into.
- Partner with the MS/HS Parents' Organization to communicate the driving rules around the MS/HS.
- The enrollment and parking problem – It is incumbent upon the district to see what we can do to discourage people from driving to the school, parking nearby and then walking back to the school.
- We all need to continue to be very sensitive to the Presbyterian Church and their tolerance of parking. They have been a very good neighbor.
- Look at the long term issue of Boston Post Road and Parsons Street intersection, in particular U-turns from Parsons to Southbound on Boston Post Road.

Ms. Egan stated that there is another education issue. Students are walking distracted with head phones and iPods. It is evident that students step into the crosswalks without even looking.

Suzanna Keith stated that perhaps the same educational communication that the PTOs share with the parents, that the City may also share with the community such as how to navigate the crosswalks.

Closing Remarks:

Mayor French thanked everyone for attending, noting the hard work of Scott Pickup and Brian Dempsey. Everyone has learned a great deal from this meeting.

Mayor French wants interim meetings with a few to see where everyone is at and he is very pleased to have had this meeting this evening.

Mr. Nathan thanked everyone for attending and spending the time with the Board.
We have to develop an educational plan throughout the school system. As we roll them out, they will be shared with the City Council and the Safe Routes to School Committee.

On a motion by Mr. Nathan, seconded by Ms. Slack and carried unanimously (7-0) it was voted at 11:45 p.m. to adjourn this portion of the meeting and to reconvene the public portion of the earlier Board of Education meeting.

Elaine M. Cuglietto
Rye City School District
District Clerk

Video of this meeting can be found on the District's website (www.ryeschools.org). Click on District and on Board of Education.

CITY OF RYE
MEMORANDUM

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Interim Corporation Counsel
SUBJECT: Litigation Update
DATE: March 12, 2010

CLAIMS

A Notice of Claim has been filed by CM Manley of 29 Old Post Road. The notice states that a canine fence on the Manley property was damaged by a City snowplow. The claim has been forwarded to our insurance carrier.

A Notice of Claim has been filed by Philomena Massio of 100 Theodore Fremd Avenue. The notice states that Ms. Massio's tire was damaged when it hit a pothole. The claim has been forwarded to our insurance carrier.

LITIGATION

JOANN MOLLOY and KUDER ISLAND COLONY, INC. v. CITY OF RYE PLANNING COMMISSION

A Notice of Petition under Article 78 of the CPLR has been served against the Planning Commission. The Petition seeks an order reversing, annulling and setting aside a Decision of the Rye Planning Commission that denied Petitioners' application for a Wetland and Watercourses Permit; directing the Planning Commission to grant the permit; and, for costs, disbursements and attorneys' fees.

OSBORN v. CITY OF RYE

No new developments

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

No new developments

151 PURCHASE STREET ASSOCIATES V. CITY OF RYE, ET AL.

No new developments

SCHUBERT V. CITY OF RYE, ET AL.

No new developments

R.B. CONWAY V. CITY OF RYE

No new developments

DELLI PAOLI V. ZONING BOARD OF APPEALS

No new developments

SHEW v. CITY OF RYE

The City received an extension to answer the complaint or otherwise move until March 31, 2010.

TOWNSEND v. CITY OF RYE, et al

No new developments

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,

Kristen K. Wilson

Kristen K. Wilson
Interim Corporation Counsel

KKW/dfn

CABLEVISION

March 8, 2010

VIA ELECTRONIC MAIL AND FEDERAL EXPRESS

Hon. Jaclyn Brilling
Secretary
State of New York Public Service Commission
Three Empire State Plaza, 14th Floor
Albany, NY 12223-1350

Re: Notice of Temporary Network Changes

Dear Secretary Brilling:

In accordance with Public Service Law § 224-a and 16 NYCRR § 890.80, Cablevision hereby notifies the Commission of the temporary elimination of WABC-TV, WABC-TV HD, Eyewitness News Now and LiveWell HD from Cablevision's channel lineup on March 7, 2010. These channels are part of Cablevision's basic tier, were not repeatedly promoted by Cablevision in the last six months and, because of Disney's decision to withdraw the programming, were not reasonably available to Cablevision.

Cablevision previously filed notice with the Commission on March 2, 2010 of Disney's announcement that it intended to withdraw WABC-TV from Cablevision customers in the event a new contract was not reached by March 7. Cablevision repeatedly asked Disney to continue to provide the programming in the event negotiations were not completed by the contract's expiration date, as is common practice in the industry. However, at 12:01 A.M. March 7, Disney Corporation withdrew WABC-TV, WABC-TV HD, Eyewitness News Now and LiveWell HD from Cablevision's subscribers. Accordingly, this notice is timely filed under 16 NYCRR §890.80(c)(3). The programming was restored at approximately 8:45 P.M. on March 7.

Starting several days prior to Disney's withdrawal of the programming, Cablevision took numerous measures to inform its customers of the change in programming triggered by Disney's action. Cablevision notified customers through on-air messages, through its website, in the media and made its customer service representatives available to handle customer inquiries. In addition to our March 2 letter, Cablevision contacted NYPSC personnel on multiple occasions to advise them about the status of the negotiations, including in the early morning of March 7 to advise of Disney's withdrawal of the programming and in the evening of March 7 to inform of the programming's restoration.

If you need any further information, please contact me at (516) 803-2133.

Sincerely,

Adam E. Falk

Adam E. Falk, Vice President
Government & Regulatory Affairs

cc: Municipalities

Received
MAR 11 2010
City Manager's Office
Rye, New York

CABLEVISION

Robert Hoch, Director
GOVERNMENT AFFAIRS
(914) 378-4515 PHONE
(914) 909-2123 FAX
RHOCH@CABLEVISION.COM

Received
MAR 12 2010
City Manager's Office
Rye, New York

March 10, 2010

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

Re: HD Channel Line-Up Changes

Dear Mayor French:

Effective April 13, 2010, Cablevision will relocate three High Definition channels as follows:

Service	Current Channel	New Channel
Universal HD	**744**	**745**
Bravo HD	**745**	**744**
CNBC HD	**771**	**724**

Customers will be notified of the programming change through bill and on air messaging. In addition, customers can always find the most current channel line-up for their community on our website www.cablevision.com.

If you have any questions, as always please feel free to call me.

Sincerely,

Robert Hoch

CITY OF RYE
MEMORANDUM

TO: Department Heads
FROM: City Clerk's Office
SUBJECT: **Weekly Meeting Notice**
DATE: March 12, 2010

Meetings scheduled to be held during the week of **March 15, 2010.**

MONDAY, MARCH 15, 2010

Special City Council Meeting
7:00 P.M.
Council Chambers
Mayor's Conference Room

TUESDAY, MARCH 16, 2010

Conservation Commission/Advisory Council
7:30 P.M.
Mayor's Conference Room

THURSDAY, MARCH 18, 2010

Rye Senior Advocacy Commission
8:30 A.M.
Mayor's Conference Room

Zoning Board of Appeals
7:30 P.M.
City Council Chambers
Mayors Conference Room

Boat Basin Commission
7:30 P.M.
Employee Lounge

cc: News Media
Kerry Donahue