

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: February 27, 2015

Enclosed with this memorandum are the following items:

- 2-10 Notice regarding a Special Rye City School District Board of Education meeting to be held on Tuesday, March 3, 2015 beginning at 7:00 p.m. in the Rye City School District Central Administration Building.
- 2-11 Legal Department Update from the Corporation Counsel dated February 27, 2015.
- 2-12 Notice from United Water regarding the transition of residential and commercial customers from a quarterly billing cycle to a monthly billing cycle beginning in April, 2015.
- 2-13 Meeting notice for the week of March 2, 2015 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*

February 25, 2015

FOR IMMEDIATE RELEASE

**March 3, 2015 Special Board of Education Meeting**

The Rye City School District Board of Education will meet on Tuesday, March 3, 2015 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.

It is expected that 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.

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Rye City Council  
FROM: Kristen K. Wilson, Corporation Counsel  
SUBJECT: Litigation Update  
DATE: February 27, 2015

**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**

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**

Opposition papers were served on November 14, 2014.

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

This motion is fully submitted.

**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.

**CASPI v. CITY OF RYE**

Defendants served and filed its opposition papers on February 17, 2015.

**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**

A date for a hearing on damages was calendared for March 13, 2015. A Notice of Appeal has been filed appealing the decision on Summary Judgment.

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

The Defendants' Motion to Dismiss is fully submitted.

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

The City was served with an Article 78 proceeding seeking to vacate and nullify actions taken by the Planning Commission in approving a development project proposed by Applicants Pankaj and Emily Gupta. The petition seeks an Order annulling the Planning Commission's Resolution granting a Wetland and Watercourse Permit to the applicants.

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 February 19, 2015 has been adjourned based on recent settlement discussions.

ROBERT BUTLER AND PAULA BUTLER v. CITY OF RYE PLANNING COMMISSION, DANIEL MATHISSON AND HELENE MATHISSON

The City filed its opposition brief.

**CITY COURT**

Routine calendar with no unusual dispositions.

Respectfully submitted,

*Kristen K. Wilson*

Kristen K. Wilson  
Corporation Counsel

KKW/dfn

# United Water Westchester Monthly Billing



## FREQUENTLY ASKED QUESTIONS

### **Why is United Water switching to monthly billing?**

Monthly billing allows customers to budget more efficiently, reduce water usage and detect leaks in their household plumbing sooner. Detecting leaks and reducing usage saves water and money.

### **What are the benefits of monthly billing?**

- Easier for customers, especially those on a fixed income, to manage their monthly household finances.
- Provides customers with more timely information about their water usage.
- Enables customers to track and reduce usage, especially in the summer.
- Allows for the early detection and prompt repair of plumbing leaks, reducing the possibility of a high water bill.

### **Will monthly billing cost more?**

No. You will continue to be billed at the current rate for the water you use. You will receive 12 bills a year instead of four.

### **When will I begin receiving my monthly bill?**

United Water will transition customers to monthly billing between April and July. You will receive a postcard before you receive your last quarterly bill. You will receive an automated phone call with additional information. You can also check your bill for important messages.

### **Why did I receive a prorated bill?**

Due to the transition, we obtained the last quarterly meter reading on a different schedule. Your last quarterly bill may be based on less than 90 days of usage due to a change in the meter reading schedule. Future bills will reflect water usage for a 30 day period.

### **How often will my meter be read?**

Your meter will be read monthly. Your bill will reflect your usage for about 30 days. If you don't have a remote meter reading device, contact us to have one installed at no cost to you. With a remote device, you won't have to be home for us to read your meter every month.

### **How will other current quarterly charges be handled?**

All other charges, currently billed quarterly, will now be spread out over 12 monthly payments. The quarterly service fee will be prorated into a smaller monthly charge.

(over)

### **I'm currently enrolled in automatic bill paying. How will this affect me?**

If you are enrolled in automatic bank draft payment/direct debit, your account will be drafted **MONTHLY** on the due date rather than every three months. **Please review your account information and update the payment frequency to ensure timely payment processing.**

### **I currently pay by check or credit card through Western Union. How will this affect me?**

Western Union, which processes your credit card/check payment, charges \$3.99 for each transaction. With the change to monthly billing, you will receive 12 bills per year. Western Union will charge \$3.99 every time you pay a monthly bill using their service. **You can eliminate these fees by changing to eBilling and direct debit.** Learn more at [unitedwater.com/eBilling](http://unitedwater.com/eBilling).

### **How can I pay my monthly bill?**

By Mail:

- Please use the envelope enclosed with your water bill and mail to:

United Water  
P.O. Box 371804  
Pittsburgh, PA 15250-7804

In Person:

- You can pay at our office at 2525 Palmer Avenue, New Rochelle, NY.

Online:

- Through Western Union using your credit card or checking account. Visit [www.unitedwater.com/westchester](http://www.unitedwater.com/westchester) and select the "Customer Service" tab. Western Union charges a \$3.99 convenience fee for this service. **You can eliminate the Western Union convenience fees by changing to eBilling or direct debit.**
- Through your own bank account/direct debit.

By Phone:

- Make payments 24 hours a day through our Interactive Voice Response (IVR) system at 877-266-9101. Western Union processes IVR payments and charges a \$3.99 convenience fee for this service. **You can eliminate Western Union convenience fees by changing to eBilling or direct debit.**

### **How can I eliminate convenience fees?**

eBilling and direct debit allow you to pay your bill on line through your bank account **at no charge.**

### **How can I sign up for eBilling?**

Simply provide a valid email address to United Water by:

- Visiting our website at [www.unitedwater.com/ebilling](http://www.unitedwater.com/ebilling).
- Emailing us at [uwccustomerservice@unitedwater.com](mailto:uwccustomerservice@unitedwater.com).
- Calling our customer service center at 877-266-9101.