

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: April 3, 2015

Enclosed with this memorandum are the following items:

- 4-1 Notice from the Westchester County Recycling office regarding the Mobile Shredder Truck coming to Rye on Saturday, April 4, 2015. The Shredder Truck will be located at Rye City Hall from 10:00 a.m. to 1:00 p.m..
- 4-2 Press Release from the Rye Police Department regarding phone scams to gain both personal information and/or money wire transfers from potential victims.
- 4-3 Legal Department Update from the Corporation Counsel dated April 3, 2015.
- 4-4 Notice regarding the Westchester Pancreatic Cancer Research Walk, sponsored by the Lustgarten Foundation and Cablevision, to be held on Sunday, April 19, 2015 at Rye Playland Park. Registration opens at 8:00 a.m.; the Walk begins at 9:30 a.m.
- 4-5 Meeting notice for the week of April 6, 2015 is available on the City website www.ryeny.gov under Calendar.

Concerned about Identity Theft?

The
**MOBILE
Shredder**
is coming to

Rye City



**Now you can safely destroy unwanted
personal papers and documents!**

**When & Where: April 4th (Saturday) 10am - 1pm
City Hall-1051 Boston Post Rd.**

Why shred? Westchester County wants to help protect residents from identity theft. That's why the Mobile Shredder is available to help residents destroy unwanted personal papers and documents with personal identifying information.

Old documents and bills are a gold mine for identity thieves. One of the best ways to minimize the risk of identity theft is to shred all documents no longer in use that have personal identifying information such as name, address, phone number, credit card number or Social Security number. Such documents should be shredded before recycling.

What should you shred? Pre-approved credit card applications, old credit card bills, receipts, bank statements, old tax returns or any other documents containing your name, address and other identifying information.

■ The Mobile Shredder is for *residents only*.

■ Paper generated by businesses, schools, institutions, government or municipal offices is not accepted at these events. County staff will inspect all paper to be shredded and will reject any paper identified as commercial or institutional.

■ Each resident may bring a maximum of 4 file boxes, approximately 10" by 12" by 15" in size.

■ All paper must be free of clips, bindings, folders and files.

■ No bound or hardcover ledger books are allowed.

For more information about identity theft, call the Dept. of Consumer Protection (914) 995-2155 or visit westchestergov.com/consumer

For question's about recycling, call the Recycling HelpLine at 2-1-1 or visit westchestergov.com/recycling



William A. Pease Jr.
Police Commissioner

POLICE DEPARTMENT

City Of Rye, New York
21 McCullough Place
Rye, N. Y. 10580
Phone: (914) 967-1234
FAX: (914) 967-8341



Lt. Robert J. Falk
Detective Commander

PRESS RELEASE

Phone Scams

April 3, 2015

Over the course of the last few days the City of Rye Police Department has received a number of complaints regarding phone scams. Unidentified male and female callers use a variety of tactics to gain both personal information and or money wire transfers from the potential victims.

IRS Scam – Caller identifies themselves as an agent of the IRS. This fraudulent agent accuses the potential victim of failing to properly file their taxes which will result in legal action and or arrest. They attempt to manipulate the intended victim into sending a wire transfer to a specific account. This fraudulent agent has gone as far as to meet with the intended victim at some obscure address in the local area.

ARREST Scam – A report was filed from a resident who received a phone call from a male caller identifying himself as an officer from a local police department. This unidentified caller claims to have the respondents relative under arrest for DWI. The target victim is instructed to get \$2,500.00 cash and to bail their relative out of jail. This targeted victim was able to quickly confirm this call to be a hoax and no money was exchanged.

Microsoft Scam – Unidentified caller claims to be a representative from Microsoft and that the target victim's computer has a software virus and or problems. This fraudulent Microsoft representative request remote access to the victim's personal computer to provide this update and or bug correction and needs some personal information to complete the process. This caller requests you to give your date of birth and social security number to complete the process.

Residents are reminded to protect their personal information and be cautious of any caller phishing for your personal information. These scammers may have some of your information already and even go as far as having a relative's name. Please be cautious if you receive a call from an unknown party intimidating you into quickly giving personal information or sending money wire transfers. It is recommended you take names and phone numbers of all callers to verify their authenticity. Please contact the City of Rye Police Department at (914) 967-1234 if you have any questions or would like to report an incident.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: April 3, 2015

CLAIMS

A notice of claim has been served on the City by Kimberly Doros of Rye Brook. The notice states that Ms. Doros' automobile was damaged when she hit the remains of a parking meter that had been knocked down by a snowplow. 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

The City's reply brief was served and filed. This matter is now fully submitted to the Appellate Division, Second Department. **Oral argument has been calendared for April 10, 2015.**

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

This motion is fully submitted. **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 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.

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. **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.

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

The United States Supreme Court denied Petitioners' Petition for Writ of Certiorari.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn

THE LUSTGARTEN FOUNDATION'S WESTCHESTER PANCREATIC CANCER RESEARCH WALK

SUNDAY, APRIL 19

RYE PLAYLAND PARK

REGISTRATION OPENS AT **8:00 AM**

WALK BEGINS AT **9:30 AM**

With the support of
Cablevision, **100% of
every dollar** raised goes
directly to pancreatic
cancer research.



CABLEVISION

#WalkToCurePC

CURE PANCREATIC CANCER
• LUSTGARTEN FOUNDATION •

TAKE THE FIRST STEP.

Sign up at Lustgarten.org or call 1-866-789-1000

