

**VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES  
Meeting, Monday, June 3, 2013  
PROPOSED EXECUTIVE SESSION 6:00-7:00PM  
Regular Meeting: 7:00 P.M.  
VILLAGE JUSTICE COURTROOM  
350 North Main Street  
Port Chester, New York  
**AGENDA****

**TIME: 6:00 P.M.**

	<b>PROPOSED MOTION FOR EXECUTIVE SESSION</b>	<b>ACTION</b>
1	Discussion regarding appointments and personnel matters.	

**TIME: 7:00 P.M.**

<b>I</b>	<b>AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:</b>	<b>ACTION</b>
1	Hearing to consider a Local Law amending Chapter 319 VEHICLE and TRAFFIC to suspend certain parking restrictions and add provisions for handicapped parking on a temporary basis to anticipate closure of the parking garage at 395 Westchester Avenue	
<b>II</b>	<b>PUBLIC COMMENTS</b>	<b>ACTION</b>
<b>III</b>	<b>RESOLUTIONS</b>	<b>ACTION</b>
	<b>Appointments</b>	
1	Appointment of a Member to the Board of Ethics.	
	<b>Administration</b>	
2	Authorize the Village Manager to send a letter of negative recommendations to State Liquor Authority for Keylee's on 11 Pearl Street, Port Chester NY	
3	Requesting the United States Department of Housing (HUD) and Urban Development Release Approved Community Development Block grant funding allocated to the Village of Port Chester	
	<b>Finance</b>	
4	Increase the Library Budget line by \$22,000	
5	Authorize the transfer of \$4,996.50 from the DEA Asset Forfeiture Account to Equipment Line to purchase two computers.	
6	Transferring unclaimed bail monies from the Village Justice Court to the General Fund.	

7	\$640,000 Bond Resolution for Street/Machinery & Apparatus.	
8	\$775,000 Bond Resolution for Various Purposes.	
9	\$300,000 Bond Resolution for Building Improvements.	
10	\$1,700,000 Bond Resolution for sewer improvements.	
	<b>Courts</b>	
11	Authorize the Village Manager to enter into an agreement with Court Interpreter Olga Hurtado for another two (2) years.	
12	Authorize the Village Manager to enter into an agreement with Court Reporter Gail Letizia for another two (2) years.	
13	Authorize the Village Manager to enter into an agreement with the Town/Village of Harrison for the use of outdoor pistol range	
<b>IV</b>	<b>REPORT OF THE VILLAGE MANAGER</b>	<b>ACTION</b>
1	Software upgrade	
2	Recruitment of two interns for Building Department	
<b>V</b>	<b>DISCUSSIONS</b>	<b>ACTION</b>
1	Location of additional Handicapped Parking spaces on Westchester Ave, North and South Main Street	
<b>VI</b>	<b>CORRESPONDENCE</b>	<b>ACTION</b>
1	From Sheila M. Rogan requesting to be considered for appointment to the Planning Commission	
2	From Andy Hamilton – Mid-Atlantic Coordinator on behalf of the East Coast Greenway Alliance(ECG)	
3	From Port Chester Council for the Arts National Arts in the School Day Celebration	
4	Explorer Post 700 of the Port Chester Fire Department	
5	From Thomas Edison School requesting the closure of Rectory Street.	
6	From Gary Gianfrancesco – Arconics regarding 110 Westchester Avenue.	
7	From the Port Chester-Rye Brook- Rye Town Independence Day Committee requesting permission to put up 2 banners, one on Westchester Ave. and the other on North Main St.	
<b>VII</b>	<b>MINUTES</b>	
1	Minutes from April 15, 2013	
2	Minutes from April 16, 2013	
3	Minutes from April 24, 2013	
4	Minutes from April 26, 2013	
<b>VIII</b>	<b>PUBLIC COMMENTS AND BOARD COMMENTS</b>	<b>ACTION</b>

TIME: \_\_\_\_\_ : \_\_\_\_\_ PM

**PROPOSED MOTION  
FOR  
EXECUTIVE SESSION**

AFFIDAVIT OF PUBLICATION  
AND  
NOTICE OF PUBLICATION RE

**From:** [Sgt. Charles Vaccaro](#)  
**To:** [Richards, Janusz R](#); [Cerreto, Tony](#); [Miley, Peter](#)  
**Cc:** [Steers, Christopher](#); [Krzeminski, Joeseph](#); [Telesca, John](#)  
**Subject:** FW: Chester Hill Apartment Corporation - withdrawing request for parking on public streets  
**Date:** Friday, May 24, 2013 12:47:59 PM

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Please see the below correspondence from Oscar Szomor regarding the withdrawal of the request for on street parking allowance for 395 Westchester Avenue.

Regards,

Sgt. Charles Vaccaro  
Traffic Bureau  
Port Chester Police Department  
350 North Main Street  
Port Chester, NY 10573

Office (914) 939-6608  
Fax (914)939-2303  
Email [Cvaccaro@vpcpd.com](mailto:Cvaccaro@vpcpd.com)

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**From:** Oscar Szomor [<mailto:Oscar@garthchesterrealty.com>]  
**Sent:** Friday, May 24, 2013 12:08 PM  
**To:** Sgt. Charles Vaccaro  
**Cc:** Michelle Asnaran  
**Subject:** Chester Hill Apartment Corporation - withdrawing request for parking on public streets

Dear Sgt. Vaccaro,

It was nice talking to you on Wednesday, May 22, 2013. After, the last Board of Trustees Meeting on May 20, 2013 the Board of Directors decided that we will withdraw our request for special parking accommodations to our resident on public streets where parking is normally not allowed. We appreciate the time and effort that you put in to help us, it is greatly appreciated by the cooperative.

We had to start the garage deck rehabilitation project in order to be able to complete it before it gets cold in the fall. We could not wait any longer whether the Port Chester Board of Trustees approves it or not. We were extremely fortunate in that the Carver Center was able to help us with some parking spaces on their lot. However, it costs the cooperative an extra \$12,500 to change a 2 phase project into a 3 phase project. It will also extend the time of completion of the project, but it allows us to deal with parking during this project without making additional accommodations to our residents, other than what the Carver Center is helping us with.

Again, thank you for your help in this matter, Oscar Szomor

Oscar Szomor  
Garthchester Realty Ltd.  
209 Garth Road  
Scarsdale, NY 10583  
Phone: 914-725-3600 ext. 117  
Fax: 914-725-6453  
e-mail:[oscar@garthchesterrealty.com](mailto:oscar@garthchesterrealty.com)

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# **PUBLIC COMMENTS**

# RESOLUTIONS

RESOLUTION  
APPOINTMENT OF MEMBER TO  
BOARD OF ETHICS

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution as adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that \_\_\_\_\_, residing, Port Chester, New York, be and she hereby is appointed as a member of the Port Chester BOARD OF ETHICS to fill the seat held by Gerald Washington, effective immediately and to serve at the pleasure of the Board of Trustees.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE

## RESOLUTION

### OPPOSING RENEWAL OF LIQUOR LICENSE TO KEYLEE'S RESTAURANT, 11 PEARL STREET, PORT CHESTER

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

**WHEREAS**, the Village Clerk received the requisite thirty-day notice from the operators of Keylee's Restaurant, located at 11 Pearl Street, Port Chester, of its intent to seek a renewal of a liquor license from the New York State Liquor Authority; and

**WHEREAS**, pursuant to the State Alcohol and Beverage Control Law, Section 110-b, the municipality in which the licensee is located may express an opinion with regard to same which shall be made part of the record of the State Liquor Authority in its determination; and

**WHEREAS**, on behalf of the Board of Trustees the Clerk referred the matter to the Building and Police Departments for their review and recommendations; and

**WHEREAS**, although the Police Department had no objection, the Building Inspector recommended against the renewal stating that the establishment had failed to request and submit to the annual inspection under the New York State Fire Safety and Property Maintenance Inspection Program so as to assure compliance with the New York State Fire Prevention and Building Code; and

**WHEREAS**, the Board considers code compliance as its first policy priority and desires that the State Liquor Authority consider the Building Inspector's recommendation in its deliberations. Now, therefore, be it

**RESOLVED**, that on behalf of the Board of Trustees, the Village Manager is hereby authorized to notify the New York State Liquor Authority that the Village of Port Chester is opposed to the granting of a renewal of a liquor license to Keylee's Restaurant, 11 Pearl Street, Port Chester, until such time as the annual inspection under the New York State Fire Safety and Property Maintenance Program has been completed and that the said establishment has been certified as in compliance

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

## RESOLUTION

### REQUESTING THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT RELEASE APPROVED COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING ALLOCATED TO THE VILLAGE OF PORT CHESTER

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

**WHEREAS**, as a member of the Westchester Urban County Consortium (Consortium), the Village of Port Chester participates in the Community Development Block Grant (CDBG) program administered by the Westchester County Department of Planning; and

**WHEREAS**, through the Consortium, the Village has been one of the largest recipients of CDBG monies in Westchester County (County); and

**WHEREAS**, the United States Department of Housing and Urban Development (HUD) and Westchester County are currently at an impasse arising out of the County's implementation of the affordable housing settlement in the matter of *United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc., v. Westchester County, New York*; and

**WHEREAS**, as a result of this impasse, communities in need, not-for-profits, and local social services agencies aiding low and moderate income residents have been denied previously allocated CDBG funding; and

**WHEREAS**, in 2011, the Urban County Council in Westchester County, which includes representatives from each of the municipalities in the Consortium, had requested that HUD resolve the impasse in an expeditious manner; and

**WHEREAS**, such impasse has continued with significant adverse impacts on the residents of the Village of Port Chester; and

**WHEREAS**, for 2011 through 2013, the Village of Port Chester, not-for-profits, and local social service agencies were awarded \$1,673,750.00 in CDBG funds for vital social service programs and municipal infrastructure projects, related to homeless prevention; sidewalk, sewer, and streetscape improvements; and youth development, but these funds have yet to be released. Now, therefore, be it

**RESOLVED**, that the Board of Trustees of the Village of Port Chester takes no position on the impasse between HUD and the County arising out of the matter of *United States of America ex rel Anti-Discrimination Center of New York, Inc. v. Westchester County, New York*, but expresses the hope that there be resolution to release awarded CDBG funds to the Village of Port Chester as soon as possible; and be it further

**RESOLVED**, that the Board hereby authorizes the Mayor to forward correspondence, with a copy of this resolution, to United States Senators Chuck Schumer and Kristen Gillibrand

and Congresswoman Nita Lowey asking that they urge HUD to release such funds; and be it further

**RESOLVED**, that a copy of this resolution be also forwarded to County Executive Robert Astorino, County Legislator David Gelfarb and HUD Secretary Shaun Donovan.

Approved as to Form:

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Village Attorney  
Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE: June 3, 2013

RESOLUTION  
BUDGET AMENDMENT  
APPROPRIATION OF CONTINGENCY FUNDS  
FOR THE PORT CHESTER – RYE BROOK PUBLIC LIBRARY

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, during the 2013-14 Budget process the Port Chester – Rye Brook Public Library requested additional funding for the Library with the amendment subject to specific program hours; and

WHEREAS, the Board of Trustees when adopting the 2013-14 Budget authorized \$231,883.00 to the Contingency Account #001-1990-0400; and

WHEREAS, the Library is requesting an additional \$22,000.00 for their budget line from the Village of Port Chester. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2013-14 General Fund Budget as follows:

**GENERAL FUND**

Transfer From:

**Contingency**

001-1990-0400	Contingency	\$22,000
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Transfer To:

**Library Department**

1.7410.400	Library Contractual	\$22,000
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ROLL CALL

An Analysis of the Creation of a  
Library District  
For the Port Chester-Rye Brook Public Library

Despite what its name implies, the Port Chester-Rye Brook Public Library has always been an “association” library, not a “public” library, nor a “library district” library, “school district” library, or “municipal” library. However, the current legal status of the Port Chester-Rye Brook Public Library is unclear at this time.

New York State provides several pathways for communities to create a library or transition to a library district. A community could create a library district, for example, and use this pathway to establish its library. Once a library is established however, a community would not change a library’s designation except for very egregious and unusual circumstances.

The following are examples of egregious and unusual circumstances that would necessitate changing a library’s designation to a district library:

- The library is controlled by an oligarchy of entrenched trustees.
- There is no transparency with regard to library decision making, policies and budget.

The Port Chester-Rye Brook Public Library Board of Trustees does not need to solve the above mentioned circumstances; hence, there is no clear need for a library district because it would...

- increase government
- increase costs
- cut services to patrons
- cut resources
- remove village oversight
- require civil service employees (Special Legislative District Public Library).

Attached are more detailed results of the study done by the Port Chester-Rye Brook Public Library Board of Trustees. After a complete study and analysis, the Port Chester-Rye Brook Public Library Board of Trustees concludes that changing the library status to a “library district” is not desirable or warranted.

## **Port Chester-Rye Brook Public Library Special Library District Research**

### **Positive**

No funding will be requested of either village

Hold harmless flat budget

Job security of civil service employees (Special Legislative District Library)

### **Negative**

It will be necessary to hold a public referendum. The public would need to approve the creation of a Library District. The creation of an additional layer of taxation – county, town, village, school district, water district, sewer district, library district would be very unpopular with the public.

A Home Rule request to the New York State Legislature is necessary to create a Special Legislative Public District Library followed by passage of legislation in both houses and signed by the Governor. Further steps are necessary to create the District and issue the Charter.

According to the Receiver of Taxes in the Town of Rye, setting up and running a separate election/budget vote each year is a very complicated process and would add a significant amount of money to the Library's operating budget.

### **Increased costs-election/budget vote if held in the Library:**

- Voting machines would need to be borrowed
- Transport and insure 5 machines: \$925
- Technician: \$5,000
- Election Chair: \$250
- 12 Poll Watchers @ \$225 each = \$2700
- 27 alpha books @ \$25/book = \$675
- 2 Master Books, 1 Late Master Book ~\$200
- Public Posting in Westmore News: ~25 lines @ \$1.05 per line 3 times = \$78.75 X 2 newspapers = \$157.50
- Advertising budget – (cost of printing materials, envelopes, labor for mailing etc) ???
- Postage to mail approx. 17,000 @ \$0.41 each = \$6,970
- Possible extra employee hours on voting day???

Combining the Library election/budget vote with the Town of Rye election or both Village elections is a very costly and complex process.

The issue of the warrant and collection of taxes would be done by the Town of Rye.

**Additional Increased Costs:**

- The Library would be ineligible for benefits presently received through the villages (health, PASNY, etc)
- The Library would need to contract out for special services now performed by the Village of Port Chester – mowing, leaves, etc.
- Funds to pay for election/budget vote takes funding away from Library services

All employees must be civil service workers (Special Legislative District Public Library). This would result in less flexibility within the staff and necessitate hiring a larger staff to perform at the current level of service. An increase in staff leads to an increase in salaries, retirement costs and benefit packages. An option to compensate for increased personnel costs, would be to reduce library services, programs and materials.

The above listed costs would increase taxes. Although the line item for the Library in the village budgets would be eliminated, would the funds on that line be applied elsewhere in the village budgets? If so, the village budgets do not decrease, and the Library Tax District is added to the tax burden of the public.

This is **NOT** a cost-savings measure.

PORT CHESTER - RYE BROOK PUBLIC LIBRARY.  
FINANCIAL STATEMENTS  
MAY 31, 2012

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Statement of Support, Revenue, and Expenses and Changes in Fund Balances	3
Schedule of Program Service and Management Expenses	4
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JAIME J. BARRIOS  
CERTIFIED PUBLIC ACCOUNTANT

JAIME J. BARRIOS  
CERTIFIED PUBLIC ACCOUNTANT  
219 HARRISON AVENUE  
HARRISON, NEW YORK 10528

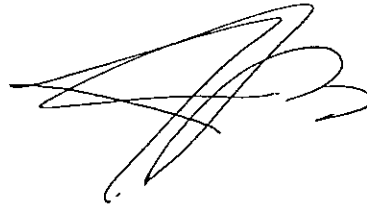
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(914) 835-6668

To the Trustees of  
Port Chester -Rye Brook Public Library

I have compiled the accompanying balance sheets of the Port Chester - Rye Brook Public Library as of May 31, 2012 and the related statements of support, revenue and expenses, and cash flows for the year then ended, and the accompanying supplementary information (schedule of program service and management expenses), which are presented only for supplementary analysis purposes, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. I have not audited or reviewed the accompanying financial statements or supplementary information and, accordingly, I do not express an opinion or any other form of assurance on them.

January 26, 2013



**PORT CHESTER - RYE BROOK PUBLIC LIBRARY.**  
**STATEMENT OF FINANCIAL CONDITION**  
**MAY 31, 2012**

		<u>LIBRARY GENERAL</u>	<u>LIBRARY INVESTED</u>	<u>WEIN FUND</u>	<u>LAND BUILDING EQUIPMENT</u>	<u>LEFFERTS ENDOWMENT</u>	<u>MARIE T. BYRNES MERRITT</u>	<u>DAVIDSON &amp;</u>
Assets:								
Cash and Cash Equivalents (Note 1 & 3)		\$ 288,739	\$ 3,716	\$ 2,218	\$ -0-	\$ 40,175	\$ 2,618	\$ 1,507
Trustee Fund		469						
Investments (Note 2)		-	105,308	126,408	-	368,030	82,258	11,949
Accrued interest		-	-	-	-0-	-	-	-
Total Current Assets		<u>289,208</u>	<u>109,024</u>	<u>128,626</u>	<u>-0-</u>	<u>408,205</u>	<u>84,876</u>	<u>13,456</u>
Property and Equipment:								
Land					20,067			
Building & Improvements					4,152,681			
Equipment					<u>45,979</u>			
Total Property and Equipment					4,218,727			
Less: Accumulated Depreciation					( 622,793)			
Net Property and Equipment					<u>3,595,934</u>			
Total Assets		<u>\$ 289,208</u>	<u>\$ 109,024</u>	<u>\$ 128,626</u>	<u>\$ 3,595,934</u>	<u>\$ 408,205</u>	<u>\$ 84,876</u>	<u>\$ 13,456</u>
Liabilities and Fund Balance:								
Fund Balance:								
Un designated available for general activities			109,024			408,205		13,456
Trustee fund				128,626			84,876	
Unexpended-restricted								
Expended					<u>3,595,934</u>			
Total Fund Balance		<u>\$ 289,208</u>	<u>\$ 109,024</u>	<u>\$ 128,626</u>	<u>\$ 3,595,934</u>	<u>\$ 408,205</u>	<u>\$ 84,876</u>	<u>\$ 13,456</u>

The accompanying notes and accountant's compilation report should be read in conjunction with this financial statement.

JAIME J. BARRIOS  
 CERTIFIED PUBLIC ACCOUNTANT

**PORT CHESTER - RYE BROOK PUBLIC LIBRARY.  
STATEMENT OF SUPPORT, REVENUE, AND EXPENSES  
AND CHANGES IN FUND BALANCE  
FOR THE YEAR ENDED MAY 31, 2012**

		Library	Land, Building Fund	Lefferts Endowment Fund	Marie T Byrnes Fund	Davidson & Merritt Funds	Total All Funds
		General	Invested	Wein			
Public Support and Revenue:							
Public Support: Village of Port Chester	\$	849,732	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ 849,732
Village of Rye Brook		457,513					457,513
Public contribution		<u>9,442</u>	<u>-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>9,442</u>
Total Public Support		<u>1,316,687</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>1,316,687</u>
Revenue:							
Investment Revenue		3,403	2,825	27,871	1,626	1,126	36,851
Transfer of Investment Revenue		52,560	( 6,960)	( 36,000)	(3,600)		10,044
Fines		10,044	-0-	-0-	-0-		48,184
Grants		48,184					15,911
Other revenues		<u>5,762</u>	<u>-0-</u>	<u>9,649</u>	<u>-0-</u>	<u>500</u>	<u>110,990</u>
Total Revenue		<u>116,550</u>	<u>( 3,557)</u>	<u>( 3,175)</u>	<u>(1,974)</u>	<u>1,626</u>	<u>1,427,677</u>
Total Support and Revenue		<u>1,433,237</u>	<u>( 3,557)</u>	<u>( 3,175)</u>	<u>(1,974)</u>	<u>1,626</u>	
Program and Supporting Services: (page 5)							
Community Services		1,052,639	-0-	96,223	-0-	-0-	1,148,862
Management and General		393,915	-0-	-0-	7,434	-0-	401,349
Total Program and Supporting Services		<u>1,446,554</u>	<u>-0-</u>	<u>96,223</u>	<u>7,434</u>	<u>-0-</u>	<u>1,550,211</u>
Excess (Deficit) of public support and revenue		( 13,317)	( 3,557)	( 3,175)	( 1,974)	1,626	\$ ( 122,534)
Building improvements			1,016,863	( 996,741)	( 20,122)	(20,122)	
Transfers (Net)				31,570	(33,092)	( 948)	
Increase (Decrease) in value			( 7,865)	( 6,280)	( 3,717)	( 948)	
Fund Balance:							
Beginning of Year (Note 4)		311,875	120,446	138,081	2,675,294	1,462,959	90,567
Adjustment to correct fund balance		*	( 9,819)				
End of Year		<u>\$ 288,739</u>	<u>\$ 109,024</u>	<u>\$ 128,626</u>	<u>\$ 3,595,934</u>	<u>\$ 408,205</u>	<u>\$ 84,876</u>

The accompanying notes and accountant's compilation report should be read in conjunction with this financial statement.  
**JAIIME J. BARRIOS**  
 CERTIFIED PUBLIC ACCOUNTANT

PORT CHESTER - RYE BROOK PUBLIC LIBRARY.  
SCHEDULE OF PROGRAM AND SUPPORTING SERVICES  
FOR THE YEAR ENDED MAY 31, 2012

	Community Services	Management & General	Lefferts Endowment Expenses
Program and Supporting Services:			
Building equipment	\$ 60,087	\$	\$
Building supplies	8,307		
Utilities	31,232		
Insurance	25,870		
Depreciation	96,223		
Heating	16,133		
Sewer Assessment	2,576		
Telephone	13,844		
Office Supplies	-	26,286	
Postage	180		
Library materials	65,891		
Westlynx Technologies	45,012		
Accounting	-	3,300	
Salaries	491,878	279,588	
Health Insurance	111,549	62,560	
Investment Management Fees			7,434
Payroll taxes	41,975	22,181	
Professional education	-	-	
Pension plan	90,039		
Security	46,167		
Miscellaneous	<u>1,899</u>	<u>-</u>	<u>-</u>
Total Program and Supporting Services	\$ <u>1,148,862</u>	\$ <u>393,915</u>	\$ <u>7,434</u>

The accompanying notes and accountant's compilation report should be read in conjunction with this financial statement.

JAIME J. BARRIOS  
CERTIFIED PUBLIC ACCOUNTANT

PORT CHESTER - RYE BROOK PUBLIC LIBRARY.  
STATEMENT OF CASH FLOWS (DIRECT METHOD)  
CURRENT FUNDS UNRESTRICTED  
FOR THE YEAR ENDED MAY 31, 2012

Cash flows from Operating Activities:

Cash received from public support	\$ 1,316,687
Cash paid to employees and suppliers	(1,446,554)
Fines	10,044
Grants	48,184
Other revenue	5,762
Interest received	<u>52,560</u>
Net Cash Provided (Used) in Operating Activities	( 13,317)

Cash and Equivalents at beginning of year 311,875

Adjustment to correct fund balance (Note 4) (9,819)

Cash and Equivalents at end of year \$ 288,739

The accompanying notes and accountant's compilation report should be read in conjunction with this financial statement.

JAIME J. BARRIOS  
CERTIFIED PUBLIC ACCOUNTANT

PORT CHESTER - RYE BROOK PUBLIC LIBRARY.  
NOTES TO UNAUDITED FINANCIAL STATEMENTS  
MAY 31, 2012

**SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:**

Accounting Basis for recording Income

The financial statements of Port Chester Public Library have been prepared on the accrual basis. The significant accounting policies followed are described below to enhance the usefulness of the financial statements to the reader.

Fund Accounting

The accounts of the Library are maintained in accordance with the principles of fund accounting. The principles of fund accounting require that resources be classified for accounting and reporting purposes into funds established according to their nature and purpose. Accordingly, all financial transactions have been recorded and reported by fund group.

The assets, liabilities and fund balances of the library are reported in the following fund groups:

\* Operating funds composed of unrestricted and restricted resources, representing the expendable funds available for support of the Library operations.

\* Land, Building and Equipment Fund representing funds restricted for building and equipment acquisitions.

\* Endowment Funds which represent funds that are subject to restrictions of the gift instruments requiring in perpetuity that the principal be invested and the income only be used.

Expendable Restricted Resources

Operating and building funds restricted by the donor, grantor, are deemed to be earned and reported as revenues of operating funds or as additions to building funds, respectively, when the library has incurred expenditures in compliance with the specific restrictions. Such amounts received but not yet earned are reported as restricted deferred amounts.

Cash and Cash Equivalents

The Library considers cash on hand, cash in banks, certificates of deposit, time deposits, and U.S. government and other short-term securities with maturities of three months or less when purchased as cash and cash equivalents.

Building, Equipment and Depreciation

Uses of operating funds for building acquisitions and principal debt service payments are accounted for as transfers to plant funds. Proceeds from the sale of building assets, if unrestricted, are transferred to operating fund balances, or, if restricted, to deferred amounts restricted for building acquisitions. Depreciation of buildings and equipment is provided over the estimated useful lives of the respective assets on a straight line basis.

JAIME J. BARRIOS  
CERTIFIED PUBLIC ACCOUNTANT

PORT CHESTER - RYE BROOK PUBLIC LIBRARY.  
NOTES TO UNAUDITED FINANCIAL STATEMENTS  
MAY 31, 2012

1. (Continued)

Inexhaustible collections and Books

Because the values of the existing inexhaustible collections, including research books, are not readily determinable, the library has not capitalized them. Collections that are exhaustible are capitalized and included with equipment in the financial statements and are amortized over their estimated useful lives. Accessions and deaccessions during 2009/2012 were not significant. Books used in the circulating library have not been capitalized because estimated useful lives are less than one year.

2. INVESTMENTS:

Investments are presented in the financial statements in the aggregate at the lower of cost (amortized, in the case of bonds) or fair market value. Gains and losses arising from the sale, or other disposition of investments are accounted for in the fund that owned the assets. Ordinary income from investments, receivables and the like is accounted for in the fund owning the assets, except for income derived from investments of endowment funds, which is accounted for if unrestricted, as revenue of the expendable operating fund or, if restricted, as deferred amounts until the terms of the restriction have been met.

Composition of Investments:

	Library	Restricted Wein Fund	Endowment Fund	Marie T Byrnes Fund	John Davidson Fund
Government Bonds	\$ -0-	-0-	\$ 0	\$ -	\$ -
Corporate bond funds	-		0		11,712
Preferred stocks	-0-	-0-	21,349		
Common stocks	-0-		206,961		
Mutual funds	100,308	121,578	124,681	77,428	-
Unit Investment Trusts	-		0		
Other	<u>5,000</u>	<u>4,830</u>	<u>15,039</u>	<u>4,831</u>	<u>237</u>
Total Investments	\$ <u>105,308</u>	<u>126,408</u>	\$ <u>368,030</u>	\$ <u>82,259</u>	\$ <u>11,949</u>

3. CONCENTRATIONS OF CREDIT RISK

Financial instruments that potentially subject the Library to concentrations of credit risk consist principally of temporary cash investments and marketable securities. The firm maintains its cash balances in two financial institutions. The majority of the cash balances are maintained in brokerage accounts which are insured by the Securities Investor Protection Corporation (SIPC) up to \$ 500,000 (including a \$ 100,000 limit for cash). At May 31, 2012 the Library had \$ 232,692 of uninsured cash and marketable securities.

JAIME J. BARRIOS  
CERTIFIED PUBLIC ACCOUNTANT

PORT CHESTER - RYE BROOK PUBLIC LIBRARY.  
NOTES TO UNAUDITED FINANCIAL STATEMENTS  
MAY 31, 2012

I. ADJUSTMENTS TO CASH AND CASH EQUIVALENTS AND FUND BALANCE:

Cash and cash accounts were restated based on bank reconciliations of the accounts as of May 31, 2012 and 2011. The General Library fund balance was adjusted as a result of the adjustments to the cash balances.

**2011-2012 BUDGET  
FISCAL YEAR TO DATE OPERATING ANALYSIS & MONTHLY RESULTS  
AS OF MAY 31, 2012**

	<u>BUDGET</u> <u>FY11-12</u>	<u>ACTUAL</u> <u>FYTD11-12</u>	<u>OVER/UNDER</u> <u>EXPENSES</u>	<u>BUDGET</u> <u>May-12</u>	<u>ACTUAL</u> <u>May-12</u>
Open Cash Balance June 1, 2011		\$ 13.09			\$ 13.09
<b>REVENUES</b>					
RYE BROOK	\$ 457,512.00	\$ 457,513.00	\$ 1.00	\$ 457,512.00	\$ 457,513.00
PORT CHESTER	\$ 849,732.00	\$ 849,732.00	\$ -	\$ 849,732.00	\$ 849,732.00
CONTRIBUTIONS	\$ 73,898.00	\$ 9,441.57	\$ (64,456.43)	\$ 73,898.00	\$ 19,441.57
GRANT		\$ 38,300.00	\$ -	\$ -	\$ 38,300.00
LLSA GRANT		\$ 9,884.80	\$ -	\$ -	\$ 9,884.80
E-RATES		\$ 3,777.26	\$ -	\$ -	\$ 3,777.26
FINES	\$ 19,500.00	\$ 10,043.51	\$ (9,456.49)	\$ 19,500.00	\$ 10,043.51
REIMBURSEMENTS		\$ 975.37	\$ 975.37	\$ -	\$ 975.37
NATHAN L. WEIN FUND	\$ 6,250.00	\$ 6,000.00	\$ (250.00)	\$ 6,250.00	\$ 6,000.00
LIBRARY FUND	\$ 6,250.00	\$ 8,980.00	\$ 710.00	\$ 6,250.00	\$ 8,960.00
LEFERT'S FUND	\$ 36,000.00	\$ 36,000.00	\$ -	\$ 36,000.00	\$ 36,000.00
MARIE T. BYRNES FUND	\$ 3,600.00	\$ 3,600.00	\$ -	\$ 3,600.00	\$ 3,600.00
TRUSTEE FUND	\$ -	\$ 976.29	\$ -	\$ -	\$ 976.29
	\$ 1,452,742.00	\$ 1,433,216.89	\$ (72,476.55)	\$ 1,452,742.00	\$ 1,443,216.89
<b>EXPENSES</b>					
BUILDING EQUIPMENT & REPAIRS	\$ 41,000.00	\$ 60,086.99	\$ 19,086.99	\$ 41,000.00	\$ 60,086.99
BUILDING SUPPLIES	\$ 5,500.00	\$ 8,307.17	\$ 2,807.17	\$ 5,500.00	\$ 8,307.17
UTILITIES	\$ 42,400.00	\$ 31,231.78	\$ (11,168.22)	\$ 42,400.00	\$ 31,231.78
INSURANCE	\$ 27,000.00	\$ 25,870.04	\$ (1,129.96)	\$ 27,000.00	\$ 25,870.04
HEAT	\$ 30,000.00	\$ 16,132.94	\$ (13,867.06)	\$ 30,000.00	\$ 16,132.94
SEWER ASSESSMENT	\$ 2,000.00	\$ 2,576.07	\$ 576.07	\$ 2,000.00	\$ 2,576.07
TELEPHONE	\$ 13,000.00	\$ 13,844.47	\$ 844.47	\$ 13,000.00	\$ 13,844.47
OFFICE SUPPLIES	\$ 25,000.00	\$ 22,478.03	\$ (2,521.97)	\$ 25,000.00	\$ 22,478.03
POSTAGE		\$ 179.50	\$ -	\$ -	\$ 179.50
LIBRARY MATERIALS & PROGRAMS	\$ 57,292.00	\$ 65,891.13	\$ 8,599.13	\$ 57,292.00	\$ 65,891.13
WESTLYNX TECH	\$ 62,500.00	\$ 45,012.42	\$ (17,487.58)	\$ 62,500.00	\$ 45,012.42
ACCOUNTING	\$ 13,000.00	\$ 3,300.00	\$ (9,700.00)	\$ 13,000.00	\$ 3,300.00
SALARIES	\$ 780,300.00	\$ 771,466.11	\$ (8,833.89)	\$ 780,300.00	\$ 771,466.11
HEALTH INSURANCE	\$ 169,000.00	\$ 174,109.45	\$ 5,109.45	\$ 169,000.00	\$ 174,109.45
PAYROLL TAXES	\$ 69,750.00	\$ 64,156.33	\$ (5,593.67)	\$ 69,750.00	\$ 64,156.33
PROFESSIONAL FD.	\$ 500.00	\$ 659.00	\$ 159.00	\$ 500.00	\$ 659.00
RETIREMENT	\$ 62,500.00	\$ 90,039.00	\$ 27,539.00	\$ 62,500.00	\$ 90,039.00
SECURITY	\$ 50,000.00	\$ 46,167.27	\$ (3,832.73)	\$ 50,000.00	\$ 46,167.27
OUTSIDE SERVICES	\$ 2,000.00	\$ -	\$ (2,000.00)	\$ 2,000.00	\$ -
MISCELLANEOUS		\$ 685.58	\$ -	\$ -	\$ 685.58
TRUSTEE	\$ -	\$ 554.13	\$ -	\$ -	\$ 554.13
	\$ 1,452,742.00	\$ 1,442,747.41	\$ (11,413.80)	\$ 1,452,742.00	\$ 1,442,747.41

Note: Capital Reserve Fund Port Chester \$34,999.92

Note: Capital Reserve Fund Rye Brook \$35,000.04

\$ 469.48  
\$422.16  
\$ 47.32



# Port Chester - Rye Brook Public Library

1 Haseco Avenue  
Port Chester, New York 10573  
914-939-6710

ROBIN LETTIERI, Director  
ROGER HERMAN, President

## Fax

To: Leonie Douglas	From: Robin Lettieri
Firm:	Date: 2/25/13
Fax # 305-2570	Total number of pages including cover: 2

**Comments:**

Leonie-

This is the end of fiscal year

May 2012.

The year to date was sent last week with the minutes.

Hope this helps.

Let me know if you need more information-

Robin

# Port Chester - Rye Brook Public Library

1 Haseco Avenue  
Port Chester, New York 10573  
914-939-6710

ROBIN LETTIERI, Director  
ROGER HERMAN, President

VILLAGE OF PORT CHESTER

FEB 15 2013

RECEIVED *vm*

Hon. Dennis Pilla  
Mayor of Port Chester  
Village Rooms  
222 Grace Church Street  
Port Chester, New York 10573

January 28, 2013

Dear Mayor Pilla:

I am writing to you on behalf of the Library Board of Trustees.

At the Library Trustees meeting, the Board approved the proposed budget for the 2013/2014 fiscal year. The budget is being sent to you for your perusal.

Please notify me if you require additional information. My telephone number is 939-6710, extension 114. Thank you for your time and consideration.

Sincerely,

*Robin Lettieri*

Robin Lettieri, Director  
Cc: Christopher Steers and Village Trustees

<b>PORT CHESTER-RYE BROOK PUBLIC LIBRARY</b>			
<b>REVENUE</b>	<b>BUDGET-2011-12</b>	<b>BUDGET 2012-2013</b>	<b>PROPOSED 13-14</b>
Rye Brook	\$ 457,512.00	\$ 470,000.00	\$ 482,690.00
Port Chester	\$ 849,732.00	\$ 872,732.00	\$ 896,300.00
Contributions	\$ 73,898.00	\$ 24,061.00	\$ 25,010.00
Fines	\$ 19,500.00	\$ 19,500.00	\$ 19,500.00
Nathan L. Wein Act.	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00
Leffert's Fund	\$ 36,000.00	\$ 60,000.00	\$ 60,000.00
Byrne's Fund	\$ 3,600.00	\$ 6,000.00	\$ 6,000.00
Library Act.	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
<b>TOTAL</b>	<b>\$1,452,742.00</b>	<b>\$ 1,464,793.00</b>	<b>\$ 1,502,000.00</b>
<b>EXPENSES</b>			
Bldg. Equip.&Repr.	\$ 41,000.00	\$ 41,000.00	\$ 55,000.00
Bldg. Supplies	\$ 5,500.00	\$ 5,500.00	\$ 6,000.00
Utilities	\$ 42,400.00	\$ 40,000.00	\$ 32,000.00
Insurance-Building	\$ 27,000.00	\$ 30,000.00	\$ 30,000.00
Heat	\$ 30,000.00	\$ 30,000.00	\$ 20,000.00
Sewer Tax	\$ 2,000.00	\$ 3,000.00	\$ 3,000.00
Telephone	\$ 13,000.00	\$ 13,000.00	\$ 13,000.00
Supplies & Postage	\$ 25,000.00	\$ 23,000.00	\$ 25,000.00
Lib. Materials&Progrm	\$ 57,292.00	\$ 55,384.00	\$ 71,604.00
Technology Services	\$ 62,500.00	\$ 61,000.00	\$ 62,830.00
Acctg.&Payroll Svcs	\$ 13,000.00	\$ 12,500.00	\$ 12,500.00
Salaries	\$ 780,300.00	\$ 780,125.00	\$ 797,716.00
Health Insurance	\$ 169,000.00	\$ 180,000.00	\$ 180,000.00
Payroll Tax	\$ 69,750.00	\$ 63,000.00	\$ 64,900.00
Prof. Education	\$ 500.00	\$ 750.00	\$ 750.00
Retirement	\$ 62,500.00	\$ 75,000.00	\$ 76,000.00
Security	\$ 50,000.00	\$ 49,534.00	\$ 49,700.00
Outside Services	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
<b>TOTAL</b>	<b>\$ 1,452,742.00</b>	<b>\$ 1,464,793.00</b>	<b>\$ 1,502,000.00</b>

RB 2.7% PG 2.7%  
given for 2012-13

2.7% increase request

Turner & Turner  
Attorneys-at-Law  
35 Truesdale Drive  
Croton, New York 10520  
914.271.0713  
Fax: 914.271.3250  
e-mail: Turner@nysbar.com

RECEIVED  
AUG 25 2008  
VILLAGE OF PORT CHESTER

Frederick W. Turner  
Betsy H. Turner

August 23, 2008

Edward Beane  
Kean & Beane, PC  
445 Hamilton Avenue  
White Plains, New York 10601

Anthony M. Cerreto  
Village Attorney  
Village of Port Chester  
222 Grace Church Street  
Port Chester, New York 10573

RE: Inter-Municipal Agreement for Library Services

Counselors:

I am pleased to forward a fully executed, original copy of the Inter-Municipal Agreement among the villages and the Port Chester-Rye Brook Library, enclosed. It was a pleasure working with each of you; thank you for your time, effort and commitment to Port Chester - Rye Brook Public Library.

If you have any questions regarding any aspect of this project, please feel free to contact me at the address above.

Very truly yours,



Frederick W. Turner  
Turner & Turner

cc: Melissa DeVincenzo (via e-mail)

AN INTER-MUNICIPAL AGREEMENT  
PURSUANT TO GENERAL MUNICIPAL  
LAW, ARTICLE 5-G AND VILLAGE LAW §4-412  
- BY AND BETWEEN -  
THE VILLAGE OF PORT CHESTER  
- AND -  
THE VILLAGE OF RYE BROOK  
- TOGETHER WITH THE -  
PORT CHESTER PUBLIC LIBRARY,  
PURSUANT TO EDUCATION LAW §256,  
TO PROVIDE AND  
SHARE LIBRARY SERVICES

THIS AGREEMENT is made by and among the Port Chester Public Library, a library corporation established and organized by act of the New York State Legislature, located at 1 Haseco Avenue, Port Chester, New York, the Village of Port Chester, a municipal corporation, located at 222 Grace Church Street, Port Chester, New York, and the Village of Rye Brook, a municipal corporation, located at 938 King Street, Rye Brook, New York,

WITNESSETH

WHEREAS, the Port Chester Public Library (herein after referred to as "the Library") was established by act of the New York Legislature in 1877 for the benefit of the residents of the Village of Port Chester and subsequently expanded the service area to include residents of the "unincorporated area of the Town of Rye, residing outside the boundaries of the incorporated area of the said Village of Port Chester;" and

WHEREAS, in 1924 the Library Charter was amended by the NYS Legislature to provide the Library, inter alia, with the power "to contract with the Village of Port Chester or the

AN INTER-MUNICIPAL AGREEMENT  
PURSUANT TO GENERAL MUNICIPAL  
LAW, ARTICLE 5-G AND VILLAGE LAW §4-412  
- BY AND BETWEEN -  
THE VILLAGE OF PORT CHESTER  
- AND -  
THE VILLAGE OF RYE BROOK  
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WITNESSETH

WHEREAS, the Port Chester Public Library (herein after referred to as "the Library") was established by act of the New York Legislature in 1877 for the benefit of the residents of the Village of Port Chester and subsequently expanded the service area to include residents of the "unincorporated area of the Town of Rye, residing outside the boundaries of the incorporated area of the said Village of Port Chester," and

WHEREAS, in 1924 the Library Charter was amended by the NYS Legislature to provide the Library, inter alia, with the power "to contract with the Village of Port Chester or the

trustees thereof for grants of moneys from time to time by said Village, to be received and applied by said corporation for or toward its support and cost of maintenance;" and

WHEREAS, in 1961 the service area of the Library was expanded to include the Town of Rye, outside the Village of Port Chester, and the Town of Rye was granted authority by special legislation, 1961 Laws of New York 598, to contract with the Library for library services; and

WHEREAS, since its incorporation, the Library has faithfully served residents of its designated service area by providing comprehensive library services, including lending services through its permanent collection and from other cooperating libraries in the Westchester Library System, meeting space for community organizations and organized activities for various groups and has generally provided free access to educational materials of all description, enriched the Port Chester and Rye Brook communities and thereby has become a valuable community asset; and

WHEREAS, the Library has been registered with the New York State Board of Regents as a public library, certified by the New York State Department of Education as compliant with all applicable rules, regulations, guidelines and standards set by the State and approved to provide library services to the public; and

WHEREAS, since the Library was established in 1877 a portion of the Town of Rye has incorporated as a separate Village, now known as the Village of Rye Brook, successor to a portion of the unincorporated Town of Rye that has been served by the Library since 1961; and

WHEREAS, the Library is not a taxing authority and has, historically, relied on annual appropriations from the Village of Port Chester, the Town of Rye and more recently the Village of Rye Brook for the funding necessary to provide this valued community service; and

WHEREAS, the parties hereto, individually and collectively, seek to ensure that residents of the Village of Port Chester and Village of Rye Brook have ready and reliable access to high quality library services and programs; and

WHEREAS, the parties therefore seek to formalize the budget process, establish a long term plan and ensure quality services are continued while simultaneously providing a structure that will promote good governance, long-term planning and inter-party communication on matters of common interest; and

WHEREAS, on May 27, 2008 the Village Board of Trustees of the Village of Rye Brook adopted a Resolution, a copy of which is attached hereto, authorizing the Village to execute this Inter-Municipal Agreement ("IMA") with the Village of Port Chester whereby both Villages contract with the Library to provide library services to library members residing within the Village of Rye Brook; and to support and endorse the special legislation to be requested by the Library pursuant to Section 1.2 of this IMA; and

WHEREAS, on June 2, 2008 the Village Board of Trustees of the Village of Port Chester adopted a Resolution, a copy of which is attached hereto, authorizing the Village to execute this Inter-Municipal Agreement ("IMA") with the Village of Rye Brook whereby both Villages contract with the Library to provide library services to library members residing within

the Village of Port Chester; and to support and endorse the special legislation to be requested by the Library pursuant to Section 1.2 of this IMA.

**NOW, THEREFORE, BE IT AGREED** by and among the Library, its successors and assigns, the Village of Port Chester, its successors and assigns, and the Village of Rye Brook, its successors and assigns, in exchange for the mutual covenants, promises and consideration named and exchanged herein, as follows:

**1. SCOPE**

1.1. The Library hereby agrees to provide residents of the Village of Port Chester and the Village of Rye Brook library services, consistent with service standards set by the New York State Department of Education and the Westchester Library System, according to the terms and conditions set forth herein, and in accordance with library regulations, in exchange for an annual budget appropriation by and from each Village consistent with the New York State charter creating the Library and as set forth herein.

1.2. Upon full execution of this Agreement by each party, the Library agrees to request special legislation changing its corporate name to the "Port Chester - Rye Brook Public Library" and adopting a new system of governance based on the ratio of funding provided by each Village. Each Village agrees to adopt a Resolution supporting and endorsing the same special legislation.

1.3. Upon approval of special legislation by the New York State Legislature changing the name of the Library and instituting a new system of governance, the Library will conduct its business affairs under this same new name and in accord with the terms of the special legislation as long as this Agreement, or successor Agreement, is in effect.

1.4. Upon full execution of this Agreement by each party, the Library agrees to adopt new by-laws in the name of the Port Chester - Rye Brook Public Library establishing the

governance structure set forth herein. The Library Board of Trustees shall adopt by-laws consistent with this Agreement, its state charter and all applicable federal, state and local laws, rules and regulations.

1.5. As part of this Agreement, the Library in conjunction and cooperation with the Inter-Municipal Committee established under Section 11.3 of this Agreement, agrees to study, review, analyze and consider creation of a special library district or an Association with the power to levy real property taxes. At the conclusion of the 4<sup>th</sup> year of this Agreement, the Library will report to each Village on the results of this study. Each Village may, in its sole discretion, participate in formulating the scope and parameters of such study and each Village reserves the right to approve, disapprove, adopt or reject the findings and conclusions of this same study. The Villages will share the cost of the study equally.

1.6. Unless all parties consent, no new facilities for the provision of library services may be created or established during the term of this Agreement.

## 2. RECITALS

The above recitals are hereby incorporated by reference into the body of this Agreement.

## 3. CAPTIONS

Captions are inserted as a matter of convenience and for reference; captions do not define, limit or describe the scope of this Agreement, the meaning, scope or intent of any provision or the intent of any party.

#### 4. TERM, RENEWAL AND TERMINATION

4.1. Commencement. This Agreement may be executed in counter-parts, each of which shall be deemed an original, and which together shall constitute one agreement. This Agreement will not be effective unless executed by all parties and will commence upon the date on which the last party executes the Agreement. Such date shall be defined as the "Effective Date" of the Agreement. Each party to the Agreement shall be provided with a copy of the Agreement including the signature pages containing the signature of each party within five (5) business days after the IMA is executed.

4.2. Initial Term. This Agreement shall commence upon the Effective Date and continue for a term of five (5) years from the date on which the special legislation described in Paragraph 1.2 of this IMA is adopted. If, however, the New York State Legislature does not approve the special legislation referred to in ¶1.2 by June 30, 2009, this Agreement shall automatically terminate without notice or further act by either party.

4.3. Termination. Any party may terminate and cancel this Agreement by giving all other parties written notice of its intent to terminate at least ninety (90) days prior to the first day of the final year of any term as set forth in Paragraph 4.2 or 4.4 of this IMA.

4.4. Renewal. Unless terminated by any party as provided herein, this Agreement shall automatically renew at the end of the first five year term without any act by any party for one additional five year term. Following expiration of the second term, this Agreement may be renewed by mutual agreement of all parties.

## 5. CONSIDERATION

5.1. In exchange for the library services referred to in ¶1, above, each Village agrees to consider making an annual financial appropriation according to the following terms and conditions:

5.1.1 The Library agrees to submit a proposed annual budget to each Village by no later than January 31<sup>st</sup> of each year. The proposed annual budget will specify each category, item, program and/ or service to be funded in sufficient detail and with sufficient specificity to reasonably indicate the category, item, program and/ or service to be provided. The proposed annual budget submitted by the Library shall be prepared according to, and conform with, generally accepted accounting principles and include both an operating budget and a capital budget.

5.1.2 Each Village acknowledges and agrees to consider the annual budget request proposed by the Library in good faith as part of its annual municipal budget process. Each party hereto acknowledges and agrees, however, that the municipal budget process is uncertain and subject to competing demands, many of which are beyond the control of elected officials. Accordingly, each Village agrees to consider the budget requested by the Library in good faith and provide the Library "suitable" funding, as mandated by the Library Charter, sufficient to maintain essential library services. In addition, each party acknowledges and agrees that each Village has the right to question any budget item proposed by the Library and may, in its discretion, approve or deny the budget proposed by the Library, or suggest modifications and/ or amendments for consideration by the Library.

5.1.3 Effective the first month following approval of special legislation referred to in ¶1.2, each Village will consider funding the following proportional share of the net

proposed annual budget. The term "net proposed annual budget" shall mean the municipal share, not including other revenue received.

5.1.3.1 The Village of Port Chester shall consider appropriating sixty-five (65%) percent of the net annual budget proposed by the Library; and

5.1.3.2 The Village of Rye Brook shall consider appropriating thirty-five (35%) percent of the net annual budget proposed by the Library.

5.1.4 If for any reason either Village approves an appropriation of less than the ratio set forth above, the other Village may reduce its proportional share by a similar amount.

5.1.5 In exchange for including the name "Rye Brook" in the name of the Library as provided above, any new or additional library facilities constructed or acquired in either Village during the term of this Agreement shall be pursuant to the provisions of the state charter and consistent with this Agreement and applicable federal, state and local laws and regulations, including any amendments thereto.

## 5.2. Budget Process

5.2.1 The Library shall formulate a preliminary budget. Prior to submitting its proposed budget to each Village for consideration, however, the Library shall submit a proposed annual operating and capital budget to the Inter-Municipal Committee (IMC) established under ¶11.3 of this Agreement for review and comment. The Library may submit its proposed budget to the IMC at any time in the budget cycle, but must provide each member of the IMC a copy of the proposed budget not less than 10 days before the budget is sent to each Village for consideration.

5.2.2 As part of the annual budget process, the Library and the IMC shall review the proposed operating and capital budgets. The IMC shall have the right to review and question

any budget item proposed by the Library and the Library shall use its best efforts to respond to any questions raised by members of the IMC. All parties acknowledge and agree that the Library is under no obligation to accept or adopt budget recommendations of the IMC and the Library may elect to submit a proposed annual budget to each Village at variance with the recommendations of the IMC.

5.2.3 Each Village shall review the budget proposed by the Library. Each Village may raise any issues or concerns by specifying same, verbally or in writing, and communicating such issues or concerns to the President of the Library Board of Trustees. The President, in consultation with the Library Board of Trustees and Library Director, shall use his/her best efforts to respond to every issue raised by any party.

5.2.4 All parties acknowledge and agree that each Village may approve or reject funding its proportional share of the proposed Library budget, but neither Village shall have the option to fund programs or services not proposed by the Library or deny funds after appropriation for specific items, programs or services proposed by the Library, except capital improvements as provided by ¶5.6. Neither Village shall have the authority to make its appropriation contingent upon the Library performing, or refraining from performing, any particular act, service or program.

5.3. Payment of the annual appropriation approved by each Village shall be made not less than monthly.

5.4. The Library agrees that the total appropriation requested from each Village and the funds provided by each Village pursuant to this Agreement shall be used exclusively for library purposes. The Library further agrees to ensure that the funds requested will be sufficient to maintain compliance with New York State standards for public libraries.

5.5. Capital Contribution

5.5.1 In addition to making an annual appropriation for operations as outlined above, each Village agrees to make a contribution of THREE HUNDRED SIXTY THOUSAND DOLLARS (\$360,000.00) to the Library's existing and separately maintained capital fund according to the following schedule, which contributions shall be expressly conditioned upon the adoption of the special legislation referred to in Paragraph 1.2 of this IMA.

5.5.1.1 Within thirty (30) days of the date on which the special legislation is adopted, each Village agrees to make a contribution of FIFTEEN THOUSAND DOLLARS (\$15,000.00) to the Library's capital fund. This contribution shall be deemed the Villages' year one contribution.

5.5.1.2 In years two and three of this Agreement, each Village agrees to make a contribution of TWENTY THOUSAND DOLLARS (\$20,000.00) to the Library's capital fund in monthly installments;

5.5.1.3 In years four and five of this Agreement, each Village agrees to make a contribution of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) to the Library's capital fund in monthly installments;

5.5.2 If this Agreement is renewed after expiration of the initial term for an additional five year term, each Village agrees to consider making the following contributions to the Library's capital fund:

5.5.2.1 In year six of this Agreement, each Village agrees to make a contribution of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) to the Library's capital fund in monthly installments.

5.5.2.2 In years seven and eight of this Agreement, each Village agrees to make a contribution of FORTY-FIVE THOUSAND DOLLARS (\$45,000.00) to the Library's capital fund in monthly installments.

5.5.2.3 In years nine and ten of this Agreement, each Village agrees to make a contribution FIFTY-FIVE THOUSAND DOLLARS (\$55,000.00) to the Library's capital fund in monthly installments.

5.5.3 The Library agrees to make a contribution of ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000.00) from its endowment to its existing capital fund according to the following schedule:

5.5.3.1 Within thirty (30) days of the date on which the special legislation referred to in Paragraph 1.2 of this IMA is adopted, the Library agrees to make a contribution of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) to the Library's capital fund.

5.5.3.2 In years two and three of this Agreement, the Library agrees to make a contribution of TEN THOUSAND DOLLARS (\$10,000.00) to the Library's capital fund in monthly installments.

5.5.3.3 In years four and five of this Agreement, the Library agrees to make a contribution of SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500.00) to the Library's capital fund in monthly installments.

5.5.4 If this Agreement is renewed after expiration of the initial term for an additional five year term, the Library agrees to consider making the following contributions to the Library's capital fund:

5.5.5 In year six of this Agreement, the Library agrees to make a contribution of SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500.00) to the Library's capital fund in monthly installments.

5.5.6 In years seven and eight of this Agreement, the Library agrees to make a contribution of TWENTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$22,500.00) to the Library's capital fund in monthly installments.

5.5.7 In years nine and ten of this Agreement, the Library agrees to make a contribution of TWENTY-SEVEN THOUSAND FIVE HUNDRED AND 00/100 (\$27,500.00) to the Library's capital fund in monthly installments.

5.6. All parties acknowledge and agree that the capital fund created by this section shall be administered by the Library Board of Trustees and used exclusively for capital improvements to the library building, or library grounds. All parties acknowledge and agree that no capital funds collected pursuant to this Agreement may be used to expand the physical "footprint" of the existing library building unless all parties agree in writing.

5.7. Bonding. All parties acknowledge that future capital improvements to the Library may require either Village or both Villages to use its power to bond debt. In the event either or both Villages make a capital contribution funded by bonds, the two Villages shall confer and agree on a mechanism and equitable formula for re-payment of the debt.

5.8. The Library agrees to provide the chief financial officer of each Village with access to its financial records, including all records of income and expenses, in whatever form same may be kept by the Library, upon not less than 10 business days notice.

5.9. In the event of an emergency, or when deemed necessary to protect the public health, safety or welfare, the parties acknowledge and agree that the Library may make emergency expenditures for items other than those authorized by annual appropriation and the parties further agree that the Library may, if necessary, request additional funding for such purchases or expenditures from either Village, or both Villages, at any time. In the event the Library makes an emergency expenditure and thereafter seeks financial assistance from either Village, or both Villages, each municipal party agrees to place such request for emergency funding on its next available public meeting agenda and consider such request in good faith as soon as reasonably possible provided such request contains a description of the emergency and the estimated cost to remediate it.

## 6. REPRESENTATIONS BY THE LIBRARY

The Library represents and warrants as follows:

6.1. The Library was established by Act of the New York State Legislature and is a bona fide public library corporation in good standing under the laws of the State of New York.

6.2. The Library is registered with the New York State Board of Regents and has been authorized by the Board of Regents to provide library services.

6.3. The Library shall conduct its operations in accordance with the Open Meetings Law (NYS Public Officers Law, Article 7) and the Freedom of Information Law (NYS Public Officers Law, Article 6).

6.4. All funds received by the Library pursuant to this Agreement will be managed in accordance with New York State General Municipal Law §10.

6.5. The execution, delivery and performance of this Agreement is within the Library's corporate powers and has been duly authorized by a resolution of its Board of Trustees. Moreover, no part of this Agreement is in contravention of the Library's Charter, by-laws or any other contractual agreement by which the Library is bound.

6.6. The person signing this Agreement on behalf of the Library has full authority to bind the Library to all of the terms and conditions of this Agreement pursuant to the authority granted by the Library Board of Trustees, as noted above.

6.7. The Library is qualified and fully capable of performing all its obligations as set forth herein and as required by the New York State Department of Education.

6.8. The Library is familiar with and will comply with all general and special federal, state, and local laws, ordinances and regulations, if any, that may in any way affect the programs and/ or services the Library is obligated to provide hereunder.

## 7. PERMITS, APPROVALS AND CONSENTS

7.1 The Library shall obtain all permits, approvals and consents necessary for the provision of library services in connection with this Agreement.

## 8. COMPLIANCE WITH APPLICABLE LAWS AND STATEMENT OF NON-DISCRIMINATION

8.1. The Library agrees to comply with all applicable, federal, states, and local laws, rules, regulations, ordinances and any amendments thereto, and program standards, including but not limited to: (i) the Older Americans Act of 1965, 42 USC §§3001 et seq., as amended; (ii) the Civil Rights Act of 1964, 42 USC §§1971 et seq., and the Civil Rights Act of 1991, 42 USC §1981; (iii) the Americans with Disabilities Act of 1990, 42 USC §§1211 et seq.; (iv) the rules and regulations of the New York State Office for the Aging, 9 NYCRR 6650 et seq.; (v) New  
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York State Executive Law, Article 15; (vi) the Governor's 1960 Code of Fair Practice, 9 NYCRR 1.4; (vii) Administration on Aging Rules and Regulations for Title III, 42 USC §§3011 et seq. and 41 CFR Parts 29 -70; (viii) 45 CFR Part 74 (Grant Administration); (ix) the Single Audit Act of 1984, 31 USC §§7501 et seq.; (x) the Equal Pay Act of 1963, 29 USC §206; (xi) the Age Discrimination Act of 1975, 42 USC §§6101 et seq.; (xii) 45 CFR Part 84.11(a) (nondiscrimination based on disability); (xiii) the Equal Employment Opportunity Act of 1972 (amending title VII of the Civil Rights Act of 1964), 42 USC §§2000e et seq.; (xiv) Executive Order No. 11375, 32 Fed. Reg. 14303 (1967), amending Executive Order No. 11246, 30 Fed. Reg. 12319 (1965); (xv) NYS Executive Order No. 6, 9 NYCRR §4.6 (1983); (xvi) NYS Executive Order No. 19, 9 NYCRR §4.19 (1983); (xvii) NYS Executive Order No. 21, 9 NYCRR §4.21; (xviii) the Drug-free Workplace Act of 1988, 41 USC §§701 et seq. and (xix) NYS Civil Rights Law §40.

8.2. The Library agrees to prominently post on its premises a statement regarding non-discrimination, which statement shall be in a form substantially similar to the following:

In compliance with Section 504 of the Rehabilitation Act of 1975, title VI of the 1964 Civil Rights Act and Executive Orders issued by the Governor of the State of New York, no persons will be denied service or access to service based upon race, marital status, sexual orientation or physical condition.

8.3. No service rendered pursuant to or in connection with this Agreement may be refused to any person because of such person's race, color, creed, marital status, country of origin, disability, sex, sexual orientation or religion. Accordingly, the Library agrees to (i) ensure equal access to participation, services, activities, and informational sessions without regard to race, color, religion, sex, national origin or partisan affiliation; (ii) ensure that any service provided under this Agreement shall be secular in nature and in no event shall there be any sectarian,

partisan, or religious services, counseling, proselytizing, instruction or other sectarian, partisan, or religious influence undertaken in connection with the provision of any services rendered or delivered and, refrain from using funds to advance any sectarian effort; and (iii) refrain from using funds to advance any partisan candidate or effort. The Library shall, however, ensure that all candidates for elective office have equal access to information and activities regardless of policy views or party affiliation, prevent any influence or coercion designed to interfere with or affect elections or nominations for political office, and ensure that no employees of the Library or members of the Library Board are, directly or indirectly, coerced, advised or solicited to contribute anything of value to any political party, committee, organization, agency or person for any political purpose, or engage in any other partisan activities.

## 9. INSURANCE AND INDEMNIFICATION

9.1. Insurance. The Library shall maintain in full force and effect the following insurance coverages throughout the term of this Agreement: (i) workers compensation and disability benefit coverage for all employees assigned to work or perform services hereunder; (ii) general liability and property damage insurance coverage written on an occurrence form, sufficient to protect the Library from claims for personal injury, bodily injury, sickness, damage, disease or death, including accidental death, and claims for damage for the destruction of property with limits of not less than (i) ONE MILLION DOLLARS (\$1,000,000.00) per occurrence and (ii) TWO MILLION DOLLARS (\$2,000,000.00) in the general aggregate; (iii) FIVE THOUSAND DOLLARS (\$5,000.00) medical payments; (iv) automobile liability coverage with a combined single limit of not less than ONE MILLION DOLLARS (\$1,000,000.00); (v) property insurance with limits not less than ONE MILLION DOLLARS (\$1,000,000.00) and TWO MILLION DOLLARS (\$2,000,000.00) in the aggregate; and

(vi) excess/umbrella liability coverage with a limit of not less than SEVEN MILLION DOLLARS (\$7,000,000.00) each occurrence and SEVEN MILLION DOLLARS (\$7,000,000.00) in the aggregate. All insurance policies (except workers compensation and disability benefit coverage) of the Library shall name each Village as an additional insured on a primary basis. Any insurance maintained by either Village shall be deemed excess to all levels of the Library's insurance. Said policies shall include provisions for contractual liability for the obligations assumed by the Library and the indemnification and hold harmless provisions of this Agreement.

9.2. Indemnification. The Library agrees, to the fullest extent permitted by law, to be solely responsible and liable for and shall fully defend, indemnify and hold harmless each Village, its elected or appointed officials, employees and agents (collectively "the two Villages"), from and against any and all claims, losses, liabilities, demands, damages, costs, judgments, fees and expenses, including but not limited to attorneys' fees or other legal fees and expenses of any nature whatsoever arising out of or resulting from the performance of this Agreement, or the programs and/or services the Library performs or is obligated to perform thereunder or by law, commenced by the Library, its board members, members, trustees, employees, contractors or agents, or any third party bringing such a claim provided that such claim, damage, loss, expense etc. is attributable to bodily injury, sickness, damage, disease or death or damage or destruction to property, including loss of use resulting therefrom, as a result of or incidental to the services performed or obligated to be performed by the Library pursuant to this Agreement, its state charter, or the violation of federal state, county or local laws, ordinances or regulations.

9.3. The Library's duty to indemnify and hold harmless shall include the obligation to assume on behalf of each of the two Villages, the defense of any action or proceeding at law or in equity brought against the Villages, arising from or relating to such claim, and to pay all costs

and expenses of said litigation or proceeding of whatever nature, including attorneys' fees and expenses and damages, resulting therefrom, and shall pay same arising from any action or proceeding to the full extent permitted by law. The term "claims" shall include those arising out of or resulting from the performance of this Agreement or the performance of the programs and/or services the Library is obligated to provide under its state charter or this Agreement and/or in fact provides, including but not limited to claims which (i) may arise out of, in connection with or as a consequence of the services, programs or operations the Library is obligated to provide and/or provides and/or (ii) may arise out of the Library's acts or omissions or the acts or omissions of the Library's directors, trustees, employees, agents, contractors or subcontractors, except for those that are caused by the negligence, gross negligence or willful conduct of either Village, their elected and appointed officials, employees, contractors or agents.

9.4. The Library agrees to furnish proof of compliance with the above insurance requirements upon request of any party.

9.5. In the event of any action commenced against either Village, or its officers, agents, volunteers performing authorized tasks, or employees, which is within the scope of this indemnification, the Village will promptly give notice thereof to the Library, and the Library will have the right to select and furnish counsel for the defense of any such action, provided such counsel is acceptable to said Village, which acceptance shall not be unreasonably withheld, at no cost or expense to said Village. Said Village agrees to cooperate with the Library as reasonably required for the defense of any such action.

9.6. The parties acknowledge and agree that the provisions of this section are intended to survive expiration or termination of this Agreement.

## 10. LIENS

10.1 The Library agrees not enter into any mortgage or other financing that encumbers or otherwise creates a lien on any Library property financed by bonds without first notifying each Village in writing.

## 11. GOVERNANCE

11.1. The Library shall be governed by an independent Board of Trustees, as established in the New York State Charter, who shall conduct all Library affairs in the best interests of the Library, in accordance with the New York State Education Law and the Not-for-profit Corporation Law. The Library Board of Trustees shall adopt by-laws governing how its business is conducted consistent with its state charter. As set forth above, the Library agrees not to adopt any by-law, rule or regulation inconsistent with the obligations or terms of this Agreement.

11.2. Upon full execution of this Agreement by each party, the Library agrees to take all steps necessary to request that the state charter creating the Library (1877 Laws of New York Chapter 137) be amended as set forth in ¶1.2, revise its by-laws consistent with the terms and obligations of this Agreement and conduct its business affairs as follows:

11.2.1 Upon approval of special legislation amending 1877 Laws of New York Chapter 137 by the NYS Legislature, there shall be not less than seven nor more than eleven trustees and each trustee shall be a resident of the Village of Port Chester or the Village of Rye Brook. Board representation shall reflect the funding ratio provided by the Villages, i.e., approximately sixty-five (65%) percent of the Board shall be residents of the Village of Port Chester and thirty-five (35%) percent of the Board shall be residents of the Village of Rye Brook, or in such proportion as best approximates the funding ratio. In addition to the 7 - 11 voting

members, the Mayor of each Village shall serve as a non-voting, ex-officio member of the Library Board. The Village Board of the Village of Port Chester shall appoint two (2) trustees to the Library Board and the Village Board of the Village of Rye Brook shall appoint one (1) trustee to the Library Board.

11.3. The parties acknowledge and agree that although the Library is an independent corporate entity, because public monies are used to fund Library operations, the public must have confidence that tax moneys appropriated to the Library are used for public purposes, as represented herein, and allocated prudently and efficiently. Accordingly, the parties agree to create an "Inter-Municipal Committee" (IMC) to serve as a continuing liaison between the Library and each Village thereby providing all parties a vehicle for regular, reliable communication as follows:

11.3.1 The IMC shall be composed of nine members as follows: two elected officials, or their designees, and the Village manager or administrator of each Village, the Library Director, the President of the Library Board and one Library Board trustee appointed by the Library Board President. Appointment of municipal representatives to the IMC by each Village shall be done at the annual re-organization meeting of each Village. All parties acknowledge and agree that the IMC is advisory only, has no decision-making power and its members are not exercising powers vested in the Library Board of Trustees.

11.3.2 The IMC shall meet at least once a quarter and as otherwise agreed by its members. A special meeting of the IMC may be scheduled at the request of any party. In preparation for the annual Library budget proposal, the IMC shall meet as frequently as circumstances require.

11.3.3 The Library Director shall provide members the IMC with all financial statements and other financial information provided to the Library Board of Trustees routinely and without the necessity of request.

11.3.4 In cooperation with the Library Board of Trustees, the IMC shall develop a multi-year capital plan.

11.4. Each party to this Agreement agrees to bring financial issues of common concern to the attention of the IMC at the earliest possible opportunity.

11.5. Any dispute by any party regarding any aspect of this Agreement shall be brought to the IMC for discussion. Each party agrees to cooperate with the IMC in resolving any dispute.

## 12. ENTIRE AGREEMENT; AMENDMENT

12.1 This Agreement constitute the entire Agreement between the parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. This Agreement shall not be changed, modified or amended, except by an instrument in writing signed by a duly authorized representative of each party.

## 13. AUDIT AND FINANCIAL REPORTS

13.1 The Library agrees to perform an audit annually by an independent certified public accountant and provide each Village with a copy of its annual audit, together with a certified financial statement, within 10 days of receipt by the Library. The cost of this audit shall be included in the Library's operating budget. If the audit raises any issues regarding questionable management practices or failure to comply with any governing law, rule, guideline, or standard, the Library shall take prompt action to correct such practice or failure. Each Village shall have the right to approve the selection of the auditor. Each Village agrees to pay one-half (1/2) the

cost of the annual audit within thirty (30) days of receiving the documentation indicating the total expense. In addition, the Library shall provide each Village with a monthly financial statement and current balance sheet information and an annual multi-year capital plan.

#### 14. MAINTENANCE AND REPAIRS

14.1 All improvements to the real property and all tangible items of personal property purchased with the funds provided pursuant to this Agreement shall be kept in good order and repair by the Library.

#### 15. NOTICE

15.1 Any notices, requests, approvals and other communications which may affect the performance or compliance with any essential term of this Agreement by any party, shall be given in writing and sent by U.S. Mail, or overnight delivery service or delivered by hand to the respective addresses set forth below, or to such other addresses as the respective parties hereto may designate in writing. A notice provided by first class U.S. Mail shall be deemed received three (3) days after the date on which it is post-marked. Notice provided by overnight delivery service shall be deemed received the following business day after it is delivered to the overnight carrier. Notice provided by hand delivery shall be deemed received on the day of delivery. Written notices shall be sent to the following addresses:

To the Village of Rye Brook:

Mayor  
Village of Rye Brook  
938 King Street  
Rye Brook, New York 10573  
FAX: 914.939.0242;

With a copy to:

Village Administrator/ Clerk  
Village of Rye Brook  
938 King Street  
Rye Brook, New York 10573  
FAX: 914.939.0242

To the Village of Port Chester:

Mayor  
Village of Port Chester  
222 Grace Church Street  
Port Chester, New York 10573  
FAX: 914.937.3169;

With copy to:

Village Manager  
Village of Port Chester  
222 Grace Church Street  
Port Chester, New York 10573  
FAX: 914.937.3169;

To the Library:

Director  
Port Chester - Rye Brook Library  
1 Haseco Avenue  
Port Chester, New York 10573  
FAX: 914.937.2580;

With copy to:

President of the Board of Trustees  
Port Chester - Rye Brook Library  
1 Haseco Avenue  
Port Chester, New York 10573  
FAX: 914.937.2580.

## 16. NO ASSIGNMENT

16.1 In accordance with the provisions of Section 109 of the General Municipal Law, and as otherwise provided by law, no party may assign, transfer, convey, sublet or otherwise dispose of this Agreement, or of any right, title or interest in this Agreement, or the power to execute this Agreement, to any other person or corporation without the prior written consent of all parties. The parties acknowledge and agree that this absolute prohibition against assignment shall survive any bankruptcy proceeding and that no creditor, receiver or trustee shall have any right to any interest granted by this Agreement.

## 17. SEVERABILITY AND VALIDITY

17.1 If any term or provision of this Agreement is held by a court of competent jurisdiction to be invalid or void or unenforceable, the remainder of the terms and provisions of this Agreement will in no way be affected, impaired, or invalidated, and to the extent permitted by applicable law, any such term, or provision will be restricted in applicability or reformed to the minimum extent required for such to be enforceable. This provision will be interpreted and enforced to give effect to the original written intent of the parties prior to determination of such invalidity or unenforceability. This Agreement shall be binding upon and inure to the benefit of all parties, their successors and assigns.

## 18. EXECUTION

18.1 This Agreement may be executed simultaneously in several identical copies, each of which shall be an original and all of which shall constitute but one and the same Agreement.


This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

19. NO WAIVER

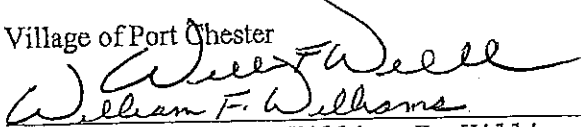
19.1 The failure of any party to insist in any one, or more, instances upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment for the future of such term or condition, but the same shall remain in full force and effect.

IN WITNESS WHEREOF, the Library, the Village of Port Chester and the Village of Rye Brook, by their respective representatives, have each caused this Agreement to be executed.

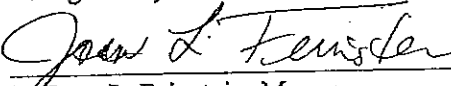
Port Chester Public Library

  
by Melissa DeVincenzo, President of the Board of Trustees of the Port Chester Public Library

Village of Port Chester

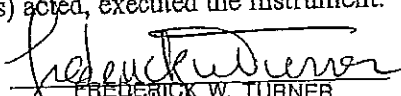
  
by ~~Dennis Pilla, Mayor~~ William F. Williams  
Village MANAGER

Village of Rye Brook

  
by Joan L. Feinstein, Mayor

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF WESTCHESTER )

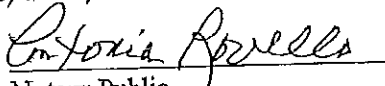
On the 20 day of August in the year 2008, before me personally appeared MELISSA DEVINCENZO personally known to me, or proved to me on the basis of satisfactory evidence, to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
FREDERICK W. TURNER  
Notary Public, State of New York  
No. 02TU5079647  
Qualified in Westchester County  
Commission Expires June 9, 20 08

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF WESTCHESTER )

On the 8th day of August in the year 2008, before me the undersigned personally appeared ~~DENNIS BILLA~~ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument..

Notarized as to  
William F. Williams

  
Notary Public

ANTONIA ROVELLO  
Notary Public, State of New York  
No. 01RO5087105  
Qualified in Westchester County  
Commission Expires October 27, 2009



STATE OF NEW YORK )

ss.:

COUNTY OF WESTCHESTER)

On the 7 day of July in the year 2008, before me the undersigned personally appeared Joan L. Feinstein personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Shari Melillo  
Notary Public

**SHARI MELILLO**  
Notary Public, State of New York  
No. 01ME6160063  
Qualified in Westchester County  
Commission Expires January 29, 2011

CERTIFICATE OF AUTHORITY

I, Christopher J. Bradbury  
(Officer other than officer signing contract)  
certify that I am the Administrator / Clerk of

the Village of Rye Brook  
(the "municipality")

a municipal corporation duly organized and in good standing under the General Municipal  
(Law under which organized, e.g., the New York Business Corporate Law)  
named in the foregoing agreement; that Joan L. Feinstein

(Person executing agreement)  
who signed said agreement on behalf of the municipality was, at the time of execution  
Mayor  
(Title of such person)

of the municipality and that said agreement was duly signed for and on behalf of said  
municipality by authority of its Board of Trustees thereunto duly authorized and that such  
authority is in full force and effect at the date hereof.

[Signature]  
(Signature)

STATE OF NEW YORK )  
ss.:  
COUNTY OF WESTCHESTER)

On this 7 day of July, 2008, before me personally came  
Christopher J. Bradbury, whose signature appears above, to me  
known, and known to me to be the Administrator / Clerk of  
The Village of Rye Brook (Title)

the municipality described in and  
which executed the above certificate, who being by me duly sworn did depose and say that  
he/she, the said Christopher J. Bradbury of said municipality resides at  
938 King Street - Rye Brook NY, and that he/she signed his/her  
name hereto by order of the Board of Trustees of said municipality.

[Signature]  
Notary Public

FADATAT&T&PC Library\inter Municipal Contract18.wpd

**SHARI MELILLO**  
Notary Public, State of New York  
No. 01ME6160083  
Qualified In Westchester County  
Commission Expires January 29, 2011

On a motion made by Trustee Rosenberg and seconded by Trustee Sanders Romano, the following resolution was adopted.

**CONSIDERING APPROVAL OF VARIOUS AGREEMENTS REGARDING THE PORT CHESTER PUBLIC LIBRARY**

WHEREAS, representatives of the Village of Rye Brook, the Village of Port Chester, and the Port Chester Public Library have been working cooperatively to establish a long-term agreement for library services; and

WHEREAS, a subcommittee has worked with each party's respective counsel to draft an Inter-municipal agreement ("IMA") to be considered by all three parties, as well as New York State charter amendments ("Charter Amendments") and revised By-Laws ("By-laws") for the Port Chester Public Library; and

WHEREAS, this IMA includes items such as the establishment of an inter-municipal council, a name change from the Port Chester Public Library to the Port Chester-Rye Brook Public Library, an increase in Rye Brook's municipal share of operating payments from 30% to 35%, a schedule for capital improvement payments, and certain other terms and conditions; and

WHEREAS, the name change and many of the financial items in this five (5) year IMA are contingent upon approval by New York State of certain amendments in the charter for the Port Chester Public Library.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Rye Brook Board of Trustees hereby approves the IMA with the Village of Port Chester and the Port Chester Public Library for library services; and be it further

RESOLVED, that the Village of Rye Brook Board of Trustees hereby approves the Charter Amendments for the Port Chester Public Library and directs them to be presented to NYS Assemblyman George Latimer and NYS Senator Suzi Oppenheimer for introduction to the New York State Legislature, and hereby endorses any corresponding home rule legislation that may be necessary; and be it further

RESOLVED, that the Village of Rye Brook Board of Trustees hereby agrees to the associated modifications to the By-laws of the Port Chester Public Library; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the IMA, subject to any non-substantive language changes that may arise; and be it further

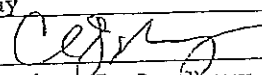
RESOLVED, that the Mayor is hereby authorized to endorse the Charter Amendments and By-Laws, subject to any non-substantive language changes that may arise.

TRUSTEE BROWN	AYE
TRUSTEE SANDERS ROMANO	AYE
TRUSTEE ROSENBERG	AYE
TRUSTEE SANTON	AYE
MAYOR FEINSTEIN	AYE

State of New York	}	ss.:
County of Westchester		
Village of Rye Brook		

I hereby certify that this is the Resolution adopted by the Board of Trustees of the Village of Rye Brook which was duly passed by said Board on May 27, 20 08.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Village of Rye Brook, this 28 day of May, 20 08

  
Christopher J. Brasbury, Village Clerk

## RESOLUTION

On motion of TRUSTEE SORENSEN, seconded by TRUSTEE CICATELLI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, representatives of the Village of Rye Brook, the Village of Port Chester, and the Port Chester Public Library have been working cooperatively to establish a long-term agreement for library services; and

WHEREAS, a subcommittee has worked with each party's respective counsel to draft an Inter-municipal agreement ("IMA") to be considered by all three parties, as well as New York State charter amendments ("Charter Amendments") and revised By-Laws ("By-laws") for the Port Chester Library; and

WHEREAS, this IMA includes items such as the establishment of an inter-municipal council, a name change to the Port Chester-Rye Brook Public Library, an increase in Rye Brook's municipal share of operating payments from 30% to 35%, a schedule for capital improvement payments, and certain other terms and conditions; and

WHEREAS, the name change and many of the financial items in this five (5) year IMA are contingent upon approval by New York State of certain amendments in the charter for the Port Chester Public Library.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Port Chester Board of Trustees hereby approves the IMA with the Village of Port Chester and the Port Chester Public Library for library services; and be it further

RESOLVED, that the Village of Port Chester Board of Trustees hereby approves the Charter Amendments for the Port Chester Public Library and directs them to be presented to NYS Assemblyman George Latimer and NYS Senator Suzi Oppenheimer for introduction to the New York State Legislature, and hereby endorses any corresponding home rule legislation that may be necessary; and be it further

RESOLVED, that the Village of Port Chester Board of Trustees hereby agrees to the associated modifications to the By-laws of the Port Chester Public Library; and be it further

RESOLVED, that the Village Manager is hereby authorized to execute the IMA, subject to any non-substantive language changes that may arise; and be it further

RESOLVED, that the Board of Trustees is hereby authorized to endorse the Charter Amendments and By-Laws, subject to any non-substantive language changes that may arise.

### ROLL CALL

AYES: Trustees Sorensen, Kenner, Crane, Adams, Cicatelli and Mayor Pilla  
NOES: Trustee Brakewood  
DATE: June 2, 2008

CERTIFICATION OF RECORDS

STATE OF NEW YORK)

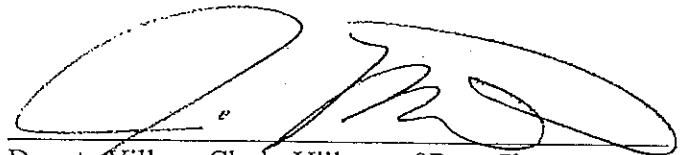
SS:

COUNTY OF WESTCHESTER)

I, Joan Mancuso, the undersigned Deputy Village Clerk of the Village of Port Chester, New York, DO HEREBY CERTIFY.

That I have compared the annexed copy of resolution adopted by the Village of Port Chester Board of Trustees at a meeting held on June 2, 2008, and that the same is a true and correct copy therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Port Chester, New York this 4<sup>th</sup> day of June, 2008.



Deputy Village Clerk, Village of Port Chester, New York

(Seal)

**RESOLUTION**

**AUTHORIZING THE SUBMISSION OF A NYS HOME RULE REQUEST TO  
AMEND CHAPTER 137 OF THE LAWS OF 1877 RELATING TO  
INCORPORATION THE LIBRARY AND READING ROOM OF THE VILLAGE  
OF PORT CHESTER IN WESTCHESTER COUNTY**

On motion of TRUSTEE SORENSEN, seconded by TRUSTEE KENNER, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

**WHEREAS**, the representative boards of the Villages of Port Chester and Rye Brook and the Port Chester Public Library have approved a new inter-municipal agreement (IMA) and revised By-laws for the Port Chester Public Library; and

**WHEREAS**, the Villages of Port Chester and Rye Brook and the Port Chester Public Library have also endorsed the submission of state legislation revising the charter for the Port Chester Public Library; and

**WHEREAS**, NYS Assemblyman George Latimer has introduced NYS legislation regarding the revised library charter to the Assembly with bill number A.11467 and NYS Senator Suzi Oppenheimer has introduced NYS legislation to the Senate with bill number S.8432, and

**WHEREAS**, this legislation requires the passage of a Home Rule Request to the NYS Senate and NYS Assembly by the Village of Port Chester.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Village of Port Chester hereby approves the submission of a Home Rule Request to the NYS Senate and Assembly for bill numbers S.8432 and A.11467 that would amend Chapter 137 of the of the laws of 1877 relating to the incorporation of the library and reading room of the Village of Port Chester relating to renaming the corporation, reducing the number of trustees and providing for trustee representation; and

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to submit the Home Rule Request and execute and deliver all necessary documents to NYS.

**ROLL CALL**

**AYES:** Trustees Sorensen, Kenner, Adams, Cikatelli and Mayor Pilla

**NOES:** None

**ABSENT** Trustees Brakewood and Crane.

**DATE:** June 7, 2008

## RESOLUTION

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE SORENSEN, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, in 1877 the State Legislature adopted a special law establishing a corporation that created a library and reading room, the Port Chester Public Library ("Library"), to be used by the inhabitants of the Village of Port Chester and those residing outside the boundaries of the incorporated area of the Village; and

WHEREAS, pursuant to the terms of the Library's charter, the affairs of said corporation are managed and controlled by a board of trustees, together with the mayor ex officio, of the Village of Port Chester and two residents of the Village designated by the Village Board of Trustees and the supervisor, ex officio, and one resident of the unincorporated area of the Town of Rye; and

WHEREAS, the corporation has the power to contract with the Village of Port Chester and the Town of Rye for grants of money from time to time to be received and applied for and towards its support and cost of maintenance; and

WHEREAS, upon the Village of Rye Brook's incorporation in 1982, Rye Brook succeeded to the interests of the Town of Rye in this regard and since that time the Mayor of the Village of Rye Brook, ex officio, and one resident of the Village of Rye Brook designated by the Village of Rye Brook Board of Trustees serve as members of the Library's Board of Trustees; and

WHEREAS, in 2006 the Library presented to the Villages of Port Chester and Rye Brook \$1.8 million in proposed renovations to the existing facility that have since been completed; and

WHEREAS, Free Association Libraries are recognized as bona fide public purposes for which municipalities can contract to provide funding for operating and capital purposes; and

WHEREAS, through mutual agreement, revisions to the Library Charter can better assure continued funding by both Villages to sustain the Library to minimum standards on an ongoing basis; and

WHEREAS, the Board of Trustees finds that the Library is a long-standing institution in the community that warrants paramount consideration, and, befitting such consideration, the Board entered into extended discussions with the Village of Rye Brook and the Library; and

WHEREAS, as a result of these discussions, representatives of both Villages and the Library have agreed to a Conceptual Plan that would be the most equitable means to sustain the stated needs of the Library and yet take into account the no less compelling needs of the Villages as fiduciaries to their taxpayers to assure accountability, fiscal prudence and a restructuring of the formal relationship of the parties with respect to the Library, and in recognition thereof, such representatives have agreed to change the name of the Library to be the "Port Chester-Rye Brook Public Library"; and

WHEREAS,

- The percentage of annual Library operating budget support is presently apportioned with 70% from Port Chester and 30% from Rye Brook. As a condition of the name change, and upon the effectiveness of the name change of the Library to the Port Chester-Rye Brook Public Library, Rye Brook has proposed increasing the level of its support to 35%, thereby decreasing Port Chester's funding portion to 65% based on an equitable participation-based formula.
- The Library has completed substantial capital improvements, and has established a \$900,000 ten-year capital improvement plan that includes a capital reserve amount, which will be funded annually through a gradually increasing installment schedule, based on a cost-sharing formula of 40% from each village, and 20% from the Library over a ten-year period.
- The Library will be governed by a Library Board of Trustees that will consist of at least 7, and no more than 11 Trustees; of which two Trustees will be appointed by the Village of Port Chester Board, and one of which will be appointed by the Village of Rye Brook Board. Remaining Trustees will be appointed by the Library Board, based on a residency requirement, so that the total number of Trustees, mirrors Village funding participation (65% Port Chester, 35% Rye Brook). In addition, the Mayors of each village will continue to serve as non-voting, ex officio members of the Library Board.
- Annually, the Library will engage a well-recognized, qualified certified accounting firm to prepare audited financial statements and attestations.

- There will be established an Inter-municipal Committee (IMC), with members to be composed of (2) Port Chester and (2) Rye Brook Village Trustee representatives in addition to the Library Director and a subset of the Library Board, as well as the village manager or administrator of each village, or their designee(s).
- The Library Board of Trustees will not consider any expansion project without the approval of both villages.
- The Villages of Port Chester and Rye Brook will enter into an inter-municipal agreement (the "IMA") and contract with the Library to formalize a long-term relationship, with an initial term of 5 years that is renewable and the IMA will incorporate the above terms.
- The IMA will also provide that the Library will study the creation of a Library District which study will commence in the third year of the IMA and be completed by the end of the fourth year of the IMA.
- The parties will request special legislation that may be required to facilitate the foregoing and as well as to formally recognize the obligations of both Villages in the Charter, and to formally recognize the name change of the Library to include that of Rye Brook.

Now, therefore, be it

RESOLVED, that the Board of Trustees finds and declares that the above Conceptual Plan is in the best interests of the residents of the Village of Port Chester and urges the Village of Rye Brook and Port Chester Public Library to accept same; and be it further

RESOLVED, that this resolution is predicated upon a similar resolution to be adopted by the Board of Trustees of the Village of Rye Brook, or upon their agreement to a similar final-version Inter-municipal Agreement, By-Laws and Charter revision that are being prepared by Special Library Counsel.

ROLL CALL

AYES: Trustees Sorensen, Brakewood, Crane, Adams, Cicatelli and Mayor Pilla  
 NOES: None  
 ABSENT: Trustee Kenner  
 DATE: April 23, 2008

*4/28/08  
215-3*

## RESOLUTION

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE SORENSEN, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, in 1877 the State Legislature adopted a special law establishing a corporation that created a library and reading room, the Port Chester Public Library ("Library"), to be used by the inhabitants of the Village of Port Chester and those residing outside the boundaries of the incorporated area of the Village; and

WHEREAS, pursuant to the terms of the Library's charter, the affairs of said corporation are managed and controlled by a board of trustees, together with the mayor ex officio, of the Village of Port Chester and two residents of the Village designated by the Village Board of Trustees and the supervisor, ex officio, and one resident of the unincorporated area of the Town of Rye; and

WHEREAS, the corporation has the power to contract with the Village of Port Chester and the Town of Rye for grants of money from time to time to be received and applied for and towards its support and cost of maintenance; and

WHEREAS, upon the Village of Rye Brook's incorporation in 1982, Rye Brook succeeded to the interests of the Town of Rye in this regard and since that time the Mayor of the Village of Rye Brook, ex officio, and one resident of the Village of Rye Brook designated by the Village of Rye Brook Board of Trustees serve as members of the Library's Board of Trustees; and

WHEREAS, in 2006 the Library presented to the Villages of Port Chester and Rye Brook \$1.8 million in proposed renovations to the existing facility that have since been completed; and

WHEREAS, Free Association Libraries are recognized as bona fide public purposes for which municipalities can contract to provide funding for operating and capital purposes; and

WHEREAS, through mutual agreement, revisions to the Library Charter can better assure continued funding by both Villages to sustain the Library to minimum standards on an ongoing basis; and

WHEREAS, the Board of Trustees finds that the Library is a long-standing institution in the community that warrants paramount consideration, and, befitting such consideration, the Board entered into extended discussions with the Village of Rye Brook and the Library; and

WHEREAS, as a result of these discussions, representatives of both Villages and the Library have agreed to a Conceptual Plan that would be the most equitable means to sustain the stated needs of the Library and yet take into account the no less compelling needs of the Villages as fiduciaries to their taxpayers to assure accountability, fiscal prudence and a restructuring of the formal relationship of the parties with respect to the Library, and in recognition thereof, such representatives have agreed to change the name of the Library to be the "Port Chester-Rye Brook Public Library"; and

WHEREAS,

- The percentage of annual Library operating budget support is presently apportioned with 70% from Port Chester and 30% from Rye Brook. As a condition of the name change, and upon the effectiveness of the name change of the Library to the Port Chester-Rye Brook Public Library, Rye Brook has proposed increasing the level of its support to 35%, thereby decreasing Port Chester's funding portion to 65% based on an equitable participation-based formula.
- The Library has completed substantial capital improvements, and has established a \$900,000 ten-year capital improvement plan that includes a capital reserve amount, which will be funded annually through a gradually increasing installment schedule, based on a cost-sharing formula of 40% from each village, and 20% from the Library over a ten-year period.
- The Library will be governed by a Library Board of Trustees that will consist of at least 7, and no more than 11 Trustees; of which two Trustees will be appointed by the Village of Port Chester Board, and one of which will be appointed by the Village of Rye Brook Board. Remaining Trustees will be appointed by the Library Board, based on a residency requirement, so that the total number of Trustees, mirrors Village funding participation (65% Port Chester, 35% Rye Brook). In addition, the Mayors of each village will continue to serve as non-voting, ex officio members of the Library Board.
- Annually, the Library will engage a well-recognized, qualified certified accounting firm to prepare audited financial statements and attestations.

- There will be established an Inter-municipal Committee (IMC), with members to be composed of (2) Port Chester and (2) Rye Brook Village Trustee representatives in addition to the Library Director and a subset of the Library Board, as well as the village manager or administrator of each village, or their designee(s).
- The Library Board of Trustees will not consider any expansion project without the approval of both villages.
- The Villages of Port Chester and Rye Brook will enter into an inter-municipal agreement (the "IMA") and contract with the Library to formalize a long-term relationship, with an initial term of 5 years that is renewable and the IMA will incorporate the above terms.
- The IMA will also provide that the Library will study the creation of a Library District which study will commence in the third year of the IMA and be completed by the end of the fourth year of the IMA.
- The parties will request special legislation that may be required to facilitate the foregoing and as well as to formally recognize the obligations of both Villages in the Charter, and to formally recognize the name change of the Library to include that of Rye Brook.

Now, therefore, be it

RESOLVED, that the Board of Trustees finds and declares that the above Conceptual Plan is in the best interests of the residents of the Village of Port Chester and urges the Village of Rye Brook and Port Chester Public Library to accept same; and be it further

RESOLVED, that this resolution is predicated upon a similar resolution to be adopted by the Board of Trustees of the Village of Rye Brook, or upon their agreement to a similar final-version Inter-municipal Agreement, By-Laws and Charter revision that are being prepared by Special Library Counsel.

ROLL CALL

AYES: Trustees Sorensen, Brakewood, Crane, Adams, Cicatelli and Mayor Pilla  
 NOES: None  
 ABSENT: Trustee Kenner  
 DATE: April 23, 2008

## RESOLUTION

On motion of TRUSTEE SORENSEN, seconded by TRUSTEE CICATELLI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, in 1877 the State Legislature adopted a special law established that a corporation creating a library and reading room, the Port Chester Public Library ("Library"), to be used by the inhabitants of the Village of Port Chester and those residing outside the boundaries of the incorporated area of the Village; and

WHEREAS, the affairs of said corporation are managed and controlled by a board of 19 trustees, together with the mayor ex officio, of the Village of Port Chester and two residents of the Village to be designated by the Village Board of Trustees and the supervisor, ex officio, and one resident of the unincorporated area of the Town of Rye to be designated by the town board; and

WHEREAS, the corporation has the power to contract with the village of Port Chester and the Town of Rye for grants of money from time to time to be received and applied for and towards its support and cost of maintenance; and

WHEREAS, upon the Village of Rye Brook's incorporation in 1982, Rye Brook succeeded to the interests of the Town of Rye in this regard; and

WHEREAS, last year the Library presented to the villages of Port Chester and Rye Brook \$1.8 million in proposed renovations to the existing facility; and

WHEREAS, the Board of Trustees finds that the Library is a long-standing institution in the community that warrants paramount consideration, and, befitting such consideration, the Board entered into extended discussions with the Village of Rye Brook and the Library; and

WHEREAS, as a result of these discussions, representatives of both villages have agreed to a Conceptual Plan that would be the most equitable means to facilitate the stated needs of the Library and yet take into account the no less compelling needs of the villages as fiduciaries to their taxpayers to assure accountability, fiscal prudence and a restructuring of the relationship of the parties with respect to the Library; and

- The percentage of support by the operating budget of the villages is presently 70% Port Chester and 30% Rye Brook. Rye Brook has proposed increasing the level of their support to 35%. Port Chester has proposed that Rye Brook consider a gradual increase in its contribution to 40% in the fifth year.
- The cost for the renovations is to be allocated 1/3 Port Chester, 1/3 Rye Brook and 1/3 Library. The Library's share shall come from a bequest or funding sources other than the two villages.
- Rye Brook will have two seats on the Library Board of Trustees.
- There will be established an independent three person audit committee, with a majority of its members to be composed of Port Chester and Rye Brook representatives.
- The Library Board of Trustees should not consider any expansion project without the approval of both villages. All safety issues that would encompass the renovation must be addressed first.
- The villages of Port Chester will enter into an inter-municipal agreement to formalize a long-term relationship, with further terms and conditions to be negotiated but with an initial term of 10 years and a sunset provision to consider a Library District at the end of the tenth year.
- The parties will request special legislation that may be required to facilitate the foregoing and as well as formally recognize the Village of Rye Brook's partnership in the name of the corporation.

Now, therefore, be it

RESOLVED, that the Board of Trustees finds and declares that the above Conceptual Plan is in the best interests of the residents of the Village of Port Chester and urges the Port Chester Public Library to accept same; and be it further

RESOLVED, that this resolution is predicated upon a similar resolution to be adopted by the Board of Trustees of the Village of Rye Brook.

ROLL CALL

AYES: Trustees Sorensen, Cicatelli and Mayor Logan  
 NOES: Trustees Brakewood and Pilla  
 ABSENT: Trustees Crane and Manning  
 DATE: July 5, 2006

## RESOLUTION

On motion of TRUSTEE CICATELLI, seconded by TRUSTEE BRAKEWOOD, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Board of Trustees established a subcommittee consisting of Trustees John Crane, Robert Sorensen and Trustee Daniel Brakewood to enter into discussions with representatives of the Village of Rye Brook and the Port Chester Public Library to chart the future course of the Library; and

WHEREAS, the parties have met several times and have developed a strategic vision for the Port Chester Library for approval of their respective boards on the following subjects:

- Include the Village of Rye Brook and pledge of long-term commitment
- Ensure a stable and secure level of financial assistance to the Library
- Provide for an equitable formula of operating budget funding by both villages and equitable allocation of representation on Library governing board
- Creation of capital improvement plan
- Completion of annual audit; and

WHEREAS, Port Chester, Rye Brook and the Library have agreed to fund the expense of a specialist attorney to prepare the necessary documents for review and necessary approval by the parties. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby affirms the approach being taken by the sub-committee to reach an amicable agreement with Rye Brook and the Port Chester Public Library that is in the best interests of the Village of Port Chester; and be it further

RESOLVED, that the subcommittee continue their hard work and dedication to bring to closure to any outstanding issues for ultimate approval of all parties.

### ROLL CALL

AYES: Trustees Sorensen, Kenner, Brakewood, Adams, Cicatelli and Mayor Pilla

NOES: None

ABSENT: Trustee Crane

DATE: December 17, 2007

## RESOLUTION

On motion of TRUSTEE CICATELLI, seconded by TRUSTEE PILLA, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Port Chester Public Library was created by Special Act of the State Legislature in 1877; and

WHEREAS, the Library was authorized to contract with the Village of Port Chester and the Town of Rye for grants of money from time to time to be received and applied for and towards its support and cost of maintenance; and

WHEREAS, upon the Village of Rye Brook's incorporation in 1982, Rye Brook succeeded to the interests of the Town of Rye in this regard; and

WHEREAS, last year the Library presented to the villages of Port Chester and Rye Brook a request for \$1.8 million in proposed necessary renovations to the existing facility; and

WHEREAS, the Village of Rye Brook indicated that it would insist that any long-term financial commitment to the Library be predicated upon a name change; and

WHEREAS, after a joint meeting with the Library, it is apparent that there are many issues that should be part of a comprehensive discussion; and

WHEREAS, that the Library is a long-standing institution, valuable to the communities it serves, whose successful future warrants objective and thorough discussion with the thoughtful cooperation of all parties. Now, therefore be it

RESOLVED, that the Board of Trustees proposes a structured workshop among the Port Chester Public Library, Village of Port Chester and Village of Rye Brook to be moderated by a professional facilitator to discuss all issues; and be it further

RESOLVED, that the Clerk be directed to provide a copy of this resolution to the Port Chester Public Library and the Village of Rye Brook for their hopeful positive response.

### ROLL CALL

AYES: Trustees Brakewood, Crane, Manning, Pilla, Sorensen, Cicatelli  
and Mayor Logan  
NOES: None  
ABSENT: None  
DATE: December 4, 2006

## RESOLUTION

On motion of TRUSTEE SORENSEN, seconded by TRUSTEE CICATELLI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Mayor is authorized to submit a letter of support to the Port Chester Public Library for their grant application for library materials.

### ROLL CALL

AYES: Trustees Brakewood, Crane, Pilla, Sorensen, Cicatelli and Mayor Logan

NOES: None

ABSENT: Trustee Manning

DATE: February 5, 2007

By-laws  
of the  
Port Chester - Rye Brook Public Library

Established by an act of the  
New York State Legislature, April 14, 1877  
1877 Laws of New York, chapter 137

Adopted February 2, 2004  
at a regular meeting of  
the board of trustees of the  
Port Chester Public Library

revised: May 23, 2006;  
July 10, 2006;  
September 23, 2008

BY-LAWS  
of the  
Port Chester - Rye Brook Public Library  
serving residents of Port Chester and  
Rye Brook since 1877

Article I  
Name

This public library, a non-profit corporation originally established by an act of the New York State Legislature, 1877 Laws of New York Chapter 137, shall be known for all purposes as the "Port Chester - Rye Brook Public Library."

Article II  
Mission

The mission and purposes of this library shall be:

Section 1.

To provide members of the Library and residents of the village of Port Chester, the village of Rye Brook and Westchester County bearing a Westchester Library System identification card, services, materials, and information, wherever possible, in all fields of knowledge without regard to the religious, racial, social, economic, educational or political affiliation or status, subject to the rules and regulations of the Library.

Section 2.

To select and make available to a variety of age groups and learning levels, as many printed and audio visual materials as financial appropriations and circumstances allow. Selection of materials, programs and services offered shall not be influenced by political or social controversy, but rather shall be guided by the public interest and a search for excellence in quality, content, expression and format.

Section 3.

To broaden the learning and interests of the community served; to cooperate with community organizations on projects for the common good; to use its best efforts to reach those persons in our community in need of library services and not currently enrolled as a member of the library.

Section 4.

To assist library users obtaining the materials and information they seek, drawing upon all the resources of the Library, the Westchester Library System, the New York State Library system and every other available source as circumstances may require.

Section 5.

To fulfill this mission and accomplish these purposes the Library shall periodically evaluate its effectiveness and not less than once a year survey library patrons to assess whether the Library is fulfilling the needs of its member cardholders.

Article III  
Management and Governance  
of the Corporation

Section 1.

The affairs of this library corporation shall be managed and administered by a board of trustees as set forth in Section 3 of the Act<sup>1</sup> establishing this Library. Members of the Library board of trustees shall serve without benefits or compensation, except out-of-pocket expenses incurred by any board member in the course of his or her duties may be reimbursed.

Section 2. Number and Representation.

There shall be not less than 7 nor more than 11 trustees. Each trustee shall be either a resident of the village of Port Chester or the village of Rye Brook and trustee representation shall be based on residency reflecting, as best as can be approximated, the funding ratio provided by the villages; *i.e.*, approximately 65% of the board shall be residents of the village of Port Chester and 35% of the board shall be residents of the village of Rye Brook, or in such other proportion as best reflects the prevailing proportion of annual funding allocated by the municipalities at the

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<sup>1</sup> 1877 Laws of New York 137, amended 1894 Laws of New York 323, 1924 Laws of New York 335, 1961 Laws of New York 598, 599, 2008 Laws of New York 424.

time a vacancy is filled. No elected official of any school district or municipality shall be eligible to serve as a trustee of the Library, except the mayor of each village shall serve as a non-voting, ex-officio member of the board in addition to the voting members. Of the total number of trustees, the Port Chester village board shall appoint two trustees and the Rye Brook village board shall appoint one trustee to the board. A quorum shall be computed based on the total number of trustees eligible to vote.

### Section 3. Duties and Qualifications of Trustees.

The duties and responsibilities of the Trustees shall be those designated in the Library Charter. The Trustees shall foster the mission of the Library and be charged with the care and management of the corporation and its assets. The Trustees shall formulate, together and in cooperation with the Library Director, rules, regulations and policies governing services and programs as well as standards and policies governing the rights and privileges of cardholders. The Trustees shall ensure that the Library complies with the requirements and standards of the New York State Department of Education, including hours of operations for the service area.

### Section 4. Executive Committee.

There shall be an Executive Committee as herein after set forth. The Executive Committee shall have the authority to act on any matter between regular meetings of the entire board. Any action taken by the Executive Committee in the absence of the entire board shall be reported to the entire board at the next regularly scheduled meeting.

### Section 5. Vacancies.

The board of trustees may fill a vacancy on the board, or in any office, consistent with the qualifications for trustees, by majority vote. Unless otherwise provided by law, a vacancy on the board shall be filled by majority vote of the remaining board members.

### Section 6. Terms of Service.

Trustees shall serve a term of five years. No Trustee may serve more than two consecutive terms.

Article IV  
Officers, Elections and Duties

Section 1. Officers.

The officers of the board of trustees of the Port Chester- Rye Brook Public Library shall be a President, Vice-President, Secretary and Treasurer. Officers shall be elected at the annual meeting by majority vote of the entire board of trustees.

Section 2. Terms of Office.

Officers shall serve a one year term; any officer may stand for re-election. Each Officer shall serve until his or her successor has been elected.

Section 3. Duties.

A. President. The President shall preside at all meetings of the board at which he/ she is present. He/ she shall be an ex-officio member of each committee, except the Nominating Committee, and shall perform all duties generally incident to the office of president.

B. Vice-President. The Vice-President shall perform the duties of the President in the absence or inability of the President to serve. In the event that the office of the President becomes vacant, he/ she shall assume the office for the unexpired term and perform all duties incident to the office of president.

C. Secretary. The Secretary, or such person as the President may designate, shall keep an accurate record of each meeting of the board of trustees, noting all actions taken. In addition, the Secretary shall conduct such correspondence on behalf of the corporation as the Board may direct; send out all notices of meetings and perform such other duties, incident to the office of Secretary as the Board of Trustees may, from time to time, prescribe.

D. Treasurer. The Treasurer shall receive all funds and securities due or belonging to the corporation and shall invest and administer same as the board of trustees may, from time to time, direct in accordance with Section 10 of the General Municipal Law. In addition, the Treasurer shall keep an accurate account of all finances; preserve all financial receipts and accounts; make such disbursements as the board may direct; and give a report summarizing the status of finances at each meeting of the board. The Treasurer shall forward one copy of each financial report to the IMC [Inter-Municipal Committee]<sup>2</sup>. The Treasurer, assistant treasurer, if any, President, and/ or Vice-President may each, or in combination with any other, be authorized to sign checks by majority vote at the annual meeting. The Treasurer shall make all financial books and records

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<sup>2</sup> A standing committee comprised of representatives of the library and both villages was established pursuant to an inter-municipal agreement executed among the same parties outlining library services and funding.

available for inspection by the board, or its agent, upon request. The Treasurer shall ensure that the financial records of the Library are audited each year and shall present a copy a certified audit preformed in accordance with generally accepted accounting principles to the board at the annual meeting each year together with his/ her annual report.

## Article V Meetings

### Section 1. Regular Meetings.

The board of trustees shall meet regularly at a time set by agreement of the board at the annual meeting. All meetings will be noticed and conducted in accordance with the NYS Open Meetings Law. Meetings during the months of July and August may be held at the discretion of the President, but in no event shall the Library meet less than six times a year. In the event of conflict or other necessity, meetings may be re-scheduled at the discretion of the President in concert with the Executive Committee.

### Section 2. Annual Meeting.

The board shall hold an annual meeting in June of each year for the purpose of receiving annual reports from each standing committee, electing officers, as well as conducting any other business that may arise and the board in its discretion may entertain.

### Section 3. Special Meetings.

A special meeting may be called at any time at the request of any officer or any three board members. Notice of a Special meeting must be given as provided herein and no business other than that noticed may be conducted at a special meeting.

### Section 4. Quorum.

A majority of the voting members of the board shall constitute a quorum for the transaction of business, provided at least one officer is present. A lesser number may adjourn a regular or special meeting.

### Section 5. Notices.

The Secretary shall provide notice of every regular meeting of the board, stating the time and place, at least five (5), and not more than ten (10), days prior to such regular meeting. Notice of a regular meeting may, in the discretion of the Secretary, be delivered by telephone or sent by U.S. Mail or electronic mail, to the address, or addresses, provided by each board member. Notice of a special meeting must be in writing and state the time and place of such meeting as

well as the items to be considered or nature of business to be transacted at such a meeting. Notice of a special meeting may be given by facsimile, "e-mail," U.S. Postal Service or otherwise, in writing, not less than 24 hours prior to the time and date of such special meeting. No business other than that set forth in the notice of a special meeting may be conducted at such a meeting. Public notice of all meetings shall be provided the media in accordance with the requirements of the NYS Open Meetings Law.

#### Section 6. Absenteeism.

Any trustee failing to attend three (3) consecutive meetings, without an excuse acceptable to the Executive Committee, may be deemed to have resigned. A decision to declare a board seat vacant due to absenteeism shall be made by  $\frac{2}{3}$  vote of the entire board following not less than 10 days notice to the member whose continued tenure is at risk stating the time and place a vote will be taken.

### Article VI Committees

#### Section 1.

All committees shall be appointed by the President, except the Nominating Committee, which shall be elected by the full board at the annual meeting.

#### Section 2. Standing Committees.

The board shall establish and maintain the following standing committees: (i) Finance; (ii) Building and Grounds; (iii) Nominating; (iv) Executive; and (v) Personnel. The board may, in its discretion, establish such other, additional committees as circumstances may, from time to time, require.

#### Section 3. Duties.

A. Finance Committee. The Finance Committee, together with the Library Director, shall prepare the annual budget and multi-year capital plan, for consideration and approval by the board. In addition, the Finance Committee shall also work with the Treasurer to ensure that bills are paid and any funds due the Library are collected timely. The Finance Committee shall monitor all the insurance needs of the Library and ensure coverage is adequate and current. The Finance Committee shall review all charges and fees levied by the Library and recommend to the entire board any change to the charges and fees.

B. Building and Grounds. The Building and Grounds Committee in conjunction with the Library Director shall be responsible for the maintenance, security and repair of the library building(s) and generally oversee the care of all Library property. In consultation with the

Library Director, the Building and Grounds Committee shall ensure adequate custodial and cleaning services are maintained.

C. Nominating Committee. The Nominating Committee shall consist of any three current board members. The Nominating Committee shall be elected at the annual meeting to serve for the ensuing year. In consultation and cooperation with the President, the committee shall endeavor to identify persons qualified and motivated to serve and make recommendation to the full board.

D. Executive Committee. The Executive Committee shall consist of the officers. The Executive Committee shall have the power to transact any emergency business within the lawful authority of the boards and shall report any business transacted or decisions made in the absence of the full board to the full board at the next regularly scheduled meeting, or as soon as possible if circumstances warrant. Upon the vote of two-thirds ( $\frac{2}{3}$ ) of the board, any other member of the board may be designated as a member of the Executive Committee in addition to those specified herein.

E. Personnel. The Personnel Committee shall assist the Library Director, as necessary and as the need may arise, with personnel administration and related employment issues.

#### Section 4. Special Committees.

A. The board President may establish such other, additional special committees as circumstances may require. A special committee shall be assigned a specific task or mission and its duration shall not exceed one year.

### Article VII Library Administration

#### Section 1. Administration.

The Library shall be managed and administered by a Director, duly qualified as required by the New York State Department of Education. The Director may appoint an Administrative Assistant, and such other various and additional professional and non-professional personnel as the budget may allow, to serve the public and fulfill the mission of the Library.

#### Section 2. Director.

The Director shall be directly responsible to the board of trustees and shall give a report at each regular meeting and an annual report at the annual meeting. The Director shall carry out the policies prescribed by the board and shall administer the book collection, equipment and other media, endeavoring at all times to meet the comply with standards of the American Library Association and the New York State Department of Education.

Section 3. Assistant Director.

The Director may appoint an Assistant Director who shall perform such tasks and duties as the Director may prescribe. The Assistant Director shall serve at the pleasure of the Director.

Article VIII  
Registration of Borrowers

Section 1. Adult Registration.

Any individual age 18 or older may register as a "member" of the Library and receive a membership card upon presenting evidence of residency within the service area in one documentary form.

All adult members must agree to abide by the rules and regulations of the library, pay all fines promptly and give notice of any change of address.

Section 2. Child Registration.

Any individual under age 18 may register as a "junior member" of the Library and receive a membership card upon proof of residency within the service area or enrollment in a school within the service area. A parent or guardian must assume responsibility for any material borrowed by a junior member.

Section 3. Suspension/ Revocation.

Each Member must agree to abide by the rules and regulations of the Library, including paying all fines promptly and notifying the Library of any change of address within 10 days. Privileges as a Member may be suspended by the Director for failure to comply with Library Rules and Regulations. The Library Director may revoke and terminate the privileges of any Member for failure to comply with Library Rules and Regulations. A decision to terminate library privileges of a Member shall only be made after notice to the person whose membership is at risk providing such person the opportunity to be heard.

Section 3. Appeal.

A decision by the Library Director to deny any person membership or borrowing privileges may be appealed to the entire board for a hearing, on notice, and final decision.

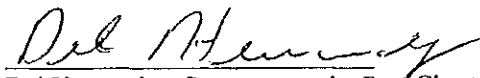
Article IX  
Amendment

These bylaws may be amended at any regular meeting of the board of trustees by a two-thirds ( $\frac{2}{3}$ ) vote of the members present, provided notice of an intent to consider an amendment and a summary of the proposed amendment was given to all board members not less than 30 days prior.

Article X  
Parliamentary Authority

The most recent edition of Robert's Rules of Order, shall be the parliamentary authority in all questions of procedure, provided such rules are not inconsistent with these bylaws, the Charter or any rules and regulations adopted by the board.

Adopted by vote of the Board of  
Trustees, September 23, 2008.

  
Del Hernandez, Secretary to the Port Chester -  
Rye Brook Public Library Board of Trustees

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## S T A T E O F N E W Y O R K

11467

## I N A S S E M B L Y

June 6, 2008

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Latimer) --  
read once and referred to the Committee on Corporations, Authorities  
and Commissions

AN ACT to amend chapter 137 of the laws of 1877 relating to incorporat-  
ing the library and reading room of the village of Port Chester in  
Westchester county, in relation to renaming the corporation, reducing  
the number of trustees and providing for trustee representation

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Sections 1, 2, 3, 4, 5 and 7 of chapter 137 of the laws of  
2 1877 relating to incorporating the library and reading room of the  
3 village of Port Chester in Westchester county, sections 2 and 4 as  
4 amended and section 3 as added by chapter 599 of the laws of 1961, are  
5 amended to read as follows:

6 Section 1. Robert H. Thomas, Ephraim Sours, John W. Lounsbury, Brock-  
7 holst Morgan, Ezra F. Mundy, S.M. Hammond, John D. Barnes, Herman L.  
8 Marshall, Norton J. Sands, Edward S. Fisher, William P. Sherwood, Josiah  
9 N. Wilcox, Amherst Wight, Jr., and Frank M. Osborn, and their successors  
10 are hereby created and declared to be a body corporate TO BE KNOWN by  
11 the name [and style of "The Library and Reading Room of the Village of  
12 Port Chester,"] PORT CHESTER-RYE BROOK PUBLIC LIBRARY and by that name  
13 they and their successors shall be capable in law of suing and being  
14 sued, receiving and holding property, and shall be known by such name in  
15 all courts and places. They shall have a common seal and may change and  
16 alter the same at pleasure.

17 S 2. The corporation hereby created shall [establish and maintain]  
18 EXIST FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING A LIBRARY AND  
19 READING ROOM in the village of Port Chester in Westchester county, [a  
20 library and reading room, which shall be for the use of] AND PROVIDING  
21 the inhabitants of [said village, and for the inhabitants of the unin-  
22 corporated area of the town of Rye residing outside the boundaries of  
23 the incorporated area of the said village of Port Chester] BOTH THE  
24 VILLAGE OF PORT CHESTER AND THE VILLAGE OF RYE BROOK ALL LIBRARY  
25 SERVICES FOR SO LONG AS EACH VILLAGE SHALL PROVIDE SUITABLE AND EQUIT-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD17025-01-8

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2

1 ABLY APPORTIONED FUNDING, AS AGREED BY ALL PARTIES, SUFFICIENT TO MAIN-  
2 TAIN MINIMUM SERVICE STANDARDS, subject to such by-laws, restrictions  
3 and regulations regarding admissions to the benefits of said corporation  
4 as shall be made by the trustees thereof, provided, however, that there  
5 shall be no charge whatever for admission to the library or reading room  
6 and no payment of money shall be required to entitle any inhabitant of  
7 said [village or such unincorporated area of the said town of Rye,]

8 VILLAGES to the use, benefit and enjoyment thereof.

9 S 3. The affairs of said corporation shall be managed and controlled  
 10 by a board of [nineteen] trustees NUMBERING NOT LESS THAN SEVEN NOR MORE  
 11 THAN ELEVEN VOTING MEMBERS TOGETHER WITH THE MAYOR OF EACH VILLAGE, EX  
 12 OFFICIO, AS SET FORTH IN THIS SECTION. IN ADDITION TO THE SEVEN TO ELEV-  
 13 EN VOTING MEMBERS, THE MAYOR OF EACH VILLAGE SHALL SERVE AS A NON-VOT-  
 14 ING, EX OFFICIO MEMBER OF THE BOARD. THE VILLAGE BOARD OF TRUSTEES OF  
 15 THE VILLAGE OF PORT CHESTER SHALL APPOINT TWO TRUSTEES AND THE VILLAGE  
 16 BOARD OF TRUSTEES OF RYE BROOK SHALL APPOINT ONE TRUSTEE TO THE LIBRARY  
 17 BOARD. THE NUMBER OF TRUSTEES FROM EACH MUNICIPALITY SHALL APPROXIMATE  
 18 THE RATIO OF FUNDING PROVIDED BY EACH VILLAGE ANNUALLY AND EACH TRUSTEE  
 19 SHALL BE A RESIDENT OF EITHER THE VILLAGE OF PORT CHESTER OR THE VILLAGE  
 20 OF RYE BROOK. NO ELECTED OFFICIAL OF ANY SCHOOL DISTRICT OR MUNICIPALITY  
 21 SHALL BE ELIGIBLE TO SERVE AS A LIBRARY TRUSTEE, EXCEPT AS PROVIDED  
 22 HEREIN. A QUORUM SHALL BE COMPUTED BASED ON THE TOTAL NUMBER OF VOTING  
 23 TRUSTEES. [The persons named in the first section hereof and their  
 24 successors, together with the mayor, ex officio, of the village of Port  
 25 Chester in Westchester county and two residents of said village to be  
 26 designated by the board of trustees of said village, together with the  
 27 supervisor, ex officio, of the town of Rye in Westchester county and one  
 28 resident of the unincorporated area of the town of Rye to be designated  
 29 by the town board of the said town of Rye, shall be such trustees of the  
 30 Port Chester public library.] As to those members of said library board  
 31 of trustees who are successors to those named in [the first] section ONE  
 32 of this act, any vacancies occurring by reason of their death, resigna-  
 33 tion or neglect to attend the meetings of the board for such length of  
 34 time as shall be designated in the by-laws of said library board, shall  
 35 be filled by persons appointed by a majority of the remaining trustees  
 36 of said library ACCORDING TO THE BY-LAWS. [The members of said library  
 37 board designated by the board of trustees of the village of Port Chester  
 38 and the member of said library board designated by the town board of the  
 39 town of Rye, shall serve at the pleasure of the board of trustees of  
 40 said village of Port Chester and the town board of the town of Rye,  
 41 respectively. In the event of the death, resignation, expiration of term  
 42 of office of such designees, their successors shall be designated by the  
 43 trustees of the village of Port Chester or the town board of the town of  
 44 Rye, as the case may be.]

45 S 4. The trustees shall have power to receive in the name of the  
 46 corporation from Jared V. Peck of the town of Rye, a deed of conveyance  
 47 of real estate and a transfer of personal property in said village which  
 48 he has offered as a gift to said corporation for the purposes of a free  
 49 library and reading room. The said corporation shall hold such real  
 50 estate in fee simple, and shall be capable of purchasing, taking,  
 51 receiving and holding such other real and personal estate, as may be  
 52 granted, sold, conveyed, devised or bequeathed to said corporation, and  
 53 may appropriate the income thereof for the purposes of such corporation  
 54 as expressed in [the second section hereof] SECTION TWO OF THIS ACT and  
 55 for no other purpose. The corporation may let or lease, or sell, by  
 56 approval of a majority of its trustees[, without application to any  
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1 court,] such of its real estate, including real estate now owned by it,  
 2 as may not be actually required for the use of the library and reading  
 3 room, but the proceeds of the sale of any of its real estate shall be  
 4 used and applied for or toward the acquisition or purchase of other real  
 5 estate and the erection of a building or buildings thereon to be used  
 6 and occupied by said corporation, and the maintenance, enlargement or  
 7 extension of its facilities, or for any of such purposes, and the trus-  
 8 tees shall have no right to contract debts or incur liabilities on  
 9 behalf of the corporation except such as can be paid out of the income

10 of the real or personal estate thereof, or to expend any sum beyond such  
11 income for the purposes of such corporation unless by the terms of any  
12 GRANT, donation or gift of money or property they shall be directed or  
13 permitted to do so. The corporation shall have THE power to contract  
14 with the village of Port Chester and the [town of Rye] VILLAGE OF RYE  
15 BROOK in Westchester county for grants of moneys [from time to time] by  
16 said [village of Port Chester and town of Rye] VILLAGES ANNUALLY, to be  
17 received and applied by said corporation for or toward its support and  
18 [cost of] maintenance.

19 S 5. The said trustees or a majority of them shall elect from their  
20 number a president, vice-president, secretary and treasurer of said  
21 corporation, and may elect or appoint a librarian, WHO MAY APPOINT AN  
22 assistant librarian and such other employees as [they] THE LIBRARY BOARD  
23 may deem necessary[, and establish a compensation for their services].  
24 They may ordain and establish by-laws for the election of officers, the  
25 duration of their term of service, the control and management of the  
26 property, affairs and funds of the corporation, the meetings of the  
27 board of trustees, the regulation and conduct of the business thereof,  
28 the duties of officers and trustees, and for the admission of persons to  
29 the benefits of the corporation, provided such by-laws shall not be  
30 inconsistent with the constitution or laws of this state or of the  
31 United States.

32 S 7. The [said] corporation shall possess the general powers conferred  
33 by and be subject to the provisions and restrictions of the [third title  
34 of the eighteenth chapter of the first part of the revised statutes]  
35 NOT-FOR-PROFIT CORPORATION LAW, TO THE EXTENT SUCH LAW IS NOT INCONSIST-  
36 ENT WITH THE EDUCATION LAW.

37 S 2. This act shall take effect immediately.

<b>S 8432</b> OPPENHEIMER Same as <u>A 11467</u>	<b>A11467</b> Rules (Latimer) Same as <u>S 8432</u>
Rules (Latimer)	OPPENHEIMER
ON FILE: 06/10/08 Westchester County	Public Libraries
TITLE....Renames the Port Chester-Rye Brook Library, reduces the number of trustees thereof and provides for trustee representation based on residency and ratio of funding	TITLE....Renames the Port Chester-Rye Brook Library, reduces the number of trustees thereof and provides for trustee representation based on residency and ratio of funding
06/06/08 REFERRED TO RULES	06/06/08 referred to corporations, authorities and commissions
06/23/08 ORDERED TO THIRD READING CAL.2083	06/10/08 reported referred to rules
06/23/08 SUBSTITUTED BY A11467	06/17/08 reported
<b>A11467 Rules (Latimer)</b>	06/17/08 rules report cal.386
06/06/08 referred to corporations, authorities and commissions	06/17/08 ordered to third reading rules cal.386
06/10/08 reported referred to rules	06/17/08 passed assembly
06/17/08 reported	06/17/08 delivered to senate
06/17/08 rules report cal.386	06/17/08 REFERRED TO RULES
06/17/08 ordered to third reading rules cal.386	06/23/08 SUBSTITUTED FOR S8432
06/17/08 passed assembly	06/23/08 3RD READING CAL.2083
06/17/08 delivered to senate	06/23/08 PASSED SENATE
06/17/08 REFERRED TO RULES	06/23/08 RETURNED TO ASSEMBLY
06/23/08 SUBSTITUTED FOR S8432	07/25/08 delivered to governor
06/23/08 3RD READING CAL.2083	08/05/08 signed chap.424
06/23/08 PASSED SENATE	
06/23/08 RETURNED TO ASSEMBLY	
07/25/08 delivered to governor	
08/05/08 signed chap.424	

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OPPENHEIMER

Amd SS1 - 5 & 7, Chap 137 of 1877

Renames the Port Chester-Rye Brook Library, reduces the number of trustees thereof and provides for trustee representation based on residency and ratio of funding.

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**STATE OF NEW YORK**

8432

**IN SENATE**

June 6, 2008

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

introduced by Sen. ~~William~~ ~~John~~ ~~and~~ ~~Charles~~ ~~Frank~~, and when printed to be committed to the Committee on Rules

AN ACT to amend chapter 137 of the laws of 1877 relating to incorporating the library and reading room of the village of Port Chester in Westchester county, in relation to renaming the corporation, reducing the number of trustees and providing for trustee representation

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Sections 1, 2, 3, 4, 5 and 7 of chapter 137 of the laws of  
2 1877 relating to incorporating the library and reading room of the  
3 village of Port Chester in Westchester county, sections 2 and 4 as  
4 amended and section 3 as added by chapter 599 of the laws of 1961, are  
5 amended to read as follows:

6 Section 1. Robert H. Thomas, Ephraim Sours, John W. Lounsbury, Brock-  
7 holst Morgan, Ezra F. Mundy, S.M. Hammond, John D. Barnes, Herman L.  
8 Marshall, Norton J. Sands, Edward S. Fisher, William P. Sherwood, Josiah  
9 N. Wilcox, Amherst Wight, Jr., and Frank M. Osborn, and their successors  
10 are hereby created and declared to be a body corporate to be known by  
11 the name [and style of "The Library and Reading Room of the Village of  
12 Port Chester,"] Port Chester-Rye Brook Public Library and by that name  
13 they and their successors shall be capable in law of suing and being  
14 sued, receiving and holding property, and shall be known by such name in  
15 all courts and places. They shall have a common seal and may change and  
16 alter the same at pleasure.

17 § 2. The corporation hereby created shall [~~establish and maintain~~]  
18 exist for the purpose of establishing and maintaining a library and  
19 reading room in the village of Port Chester in Westchester county, [a  
20 library and reading room, which shall be for the use of] and providing  
21 the inhabitants of [said village, and for the inhabitants of the uninc-  
22 orporated area of the town of Rye residing outside the boundaries of  
23 the incorporated area of the said village of Port Chester] both the  
24 village of Port Chester and the village of Rye Brook all library  
25 services for so long as each village shall provide suitable and equit-  
26 ably apportioned funding, as agreed by all parties, sufficient to main-

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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2

1 tain minimum service standards, subject to such by-laws, restrictions  
2 and regulations regarding admissions to the benefits of said corporation  
3 as shall be made by the trustees thereof, provided, however, that there  
4 shall be no charge whatever for admission to the library or reading room  
5 and no payment of money shall be required to entitle any inhabitant of  
6 said [village or such unincorporated area of the said town of Rye.]  
7 villages to the use, benefit and enjoyment thereof.

8 § 3. The affairs of said corporation shall be managed and controlled  
9 by a board of [~~trustees~~] trustees numbering not less than seven nor more  
10 than eleven voting members together with the mayor of each village, ex  
11 officio, as set forth in this section. In addition to the seven to elev-  
12 en voting members, the mayor of each village shall serve as a non-vot-  
13 ing, ex officio member of the board. The village board of trustees of  
14 the village of Port Chester shall appoint two trustees and the village  
15 board of trustees of Rye Brook shall appoint one trustee to the library  
16 board. The number of trustees from each municipality shall approximate  
17 the ratio of funding provided by each village annually and each trustee  
18 shall be a resident of either the village of Port Chester or the village  
19 of Rye Brook. No elected official of any school district or municipality

17 the ratio of funding provided by each village annually and each trustee  
 18 shall be a resident of either the village of Port Chester or the village  
 19 of Rye Brook. No elected official of any school district or municipality  
 20 shall be eligible to serve as a library trustee, except as provided  
 21 herein. A quorum shall be computed based on the total number of voting  
 22 trustees. [~~The persons named in the first section hereof and their~~  
 23 ~~successors, together with the supervisor, or officio, of the village of Port~~  
 24 ~~Chester in Westchester county and two residents of said village to be~~  
 25 ~~designated by the board of trustees of said village, together with the~~  
 26 ~~supervisor, or officio, of the town of Rye in Westchester county and one~~  
 27 ~~resident of the unincorporated area of the town of Rye to be designated~~  
 28 ~~by the town board of the said town of Rye, shall be such trustees of the~~  
 29 ~~Port Chester public library.] As to those members of said library board  
 30 of trustees who are successors to those named in [~~the first~~] one  
 31 of this act, any vacancies occurring by reason of their death, resigna-  
 32 tion or neglect to attend the meetings of the board for such length of  
 33 time as shall be designated in the by-laws of said library board, shall  
 34 be filled by persons appointed by a majority of the remaining trustees  
 35 of said library according to the by-laws. [~~The members of said library~~  
 36 ~~board designated by the board of trustees of the village of Port Chester~~  
 37 ~~and the member of said library board designated by the town board of the~~  
 38 ~~town of Rye, shall serve at the pleasure of the board of trustees of~~  
 39 ~~said village of Port Chester and the town board of the town of Rye,~~  
 40 ~~respectively. In the event of the death, resignation, expiration of term~~  
 41 ~~of office of such designees, their successors shall be designated by the~~  
 42 ~~trustees of the village of Port Chester or the town board of the town of~~  
 43 ~~Rye, as the case may be.]~~~~

44 § 4. The trustees shall have power to receive in the name of the  
 45 corporation from Jared V. Peck of the town of Rye, a deed of conveyance  
 46 of real estate and a transfer of personal property in said village which  
 47 he has offered as a gift to said corporation for the purposes of a free  
 48 library and reading room. The said corporation shall hold such real  
 49 estate in fee simple, and shall be capable of purchasing, taking,  
 50 receiving and holding such other real and personal estate, as may be  
 51 granted, sold, conveyed, devised or bequeathed to said corporation, and  
 52 may appropriate the income thereof for the purposes of such corporation  
 53 as expressed in [~~the second section hereof~~] section two of this act and  
 54 for no other purpose. The corporation may let or lease, or sell, by  
 55 approval of a majority of its trustees [~~without application to any~~  
 56 ~~court,]~~ such of its real estate, including real estate now owned by it,

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1 as may not be actually required for the use of the library and reading  
 2 room, but the proceeds of the sale of any of its real estate shall be  
 3 used and applied for or toward the acquisition or purchase of other real  
 4 estate and the erection of a building or buildings thereon to be used  
 5 and occupied by said corporation, and the maintenance, enlargement or  
 6 extension of its facilities, or for any of such purposes, and the trus-  
 7 tees shall have no right to contract debts or incur liabilities on  
 8 behalf of the corporation except such as can be paid out of the income  
 9 of the real or personal estate thereof, or to expend any sum beyond such  
 10 income for the purposes of such corporation unless by the terms of any  
 11 grant, donation or gift of money or property they shall be directed or  
 12 permitted to do so. The corporation shall have the power to contract  
 13 with the village of Port Chester and the [~~town of Rye~~] village of Rye  
 14 Brook in Westchester county for grants of moneys [~~from time to time~~] by  
 15 said [~~village of Port Chester and town of Rye~~] villages annually, to be  
 16 received and applied by said corporation for or toward its support and  
 17 [~~cost of~~] maintenance.

18 § 5. The said trustees or a majority of them shall elect from their  
 19 number a president, vice-president, secretary and treasurer of said

17 ~~(cost of)~~ maintenance.

18 § 5. The said trustees or a majority of them shall elect from their  
 19 number a president, vice-president, secretary and treasurer of said  
 20 corporation, and may elect or appoint a librarian, who may appoint an  
 21 assistant librarian and such other employees as [they] the library board  
 22 may deem necessary, ~~and establish a compensation for their services~~.  
 23 They may ordain and establish by-laws for the election of officers, the  
 24 duration of their term of service, the control and management of the  
 25 property, affairs and funds of the corporation, the meetings of the  
 26 board of trustees, the regulation and conduct of the business thereof,  
 27 the duties of officers and trustees, and for the admission of persons to  
 28 the benefits of the corporation, provided such by-laws shall not be  
 29 inconsistent with the constitution or laws of this state or of the  
 30 United States.

31 § 7. The ~~[said]~~ corporation shall possess the general powers conferred  
 32 by and be subject to the provisions and restrictions of the ~~[third title~~  
 33 ~~of the eighteenth chapter of the first part of the revised statutes]~~  
 34 not-for-profit corporation law, to the extent such law is not inconsis-  
 35 ent with the education law.

36 § 2. This act shall take effect immediately.

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**NEW YORK STATE SENATE**  
**INTRODUCER'S MEMORANDUM IN SUPPORT**  
 submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S8432

SPONSOR: OPPENHEIMER

TITLE OF BILL:

An act to amend chapter 137 of the laws of 1877 relating to incorporat-  
 ing the library and reading room of the village of Port Chester in West-  
 chester county, in relation to renaming the corporation, reducing the  
 number of trustees and providing for trustee representation

PURPOSE:

To amend chapter 137 of the laws of 1877 relating to incorporating the  
 library and reading room in the village of Port Chester in Westchester  
 County.

SUMMARY OF PROVISIONS:

Section 1: Details the amendments to sections 1,2,3,4,5 and 7 of chapter  
 137 of the laws of 1877 regarding the library and reading room in the  
 Village of Port Chester.

Section 1 - Renames the library to the "Port Chester-Rye Brook Public  
 Library"

Section 2 - Includes the Village of Rye Brook as a funding source for  
 the library.

Section 3 - Identifies the structure of the board of trustees for the  
 library, including number of trustees, ex-officio representation by both  
 village Mayors, and method of trustee appointment.

Section 4 - Identifies the financial and contractual powers granted.

Section 5 - Specifies the powers for election of officers of the board  
 of trustees.

Section 7 - Identifies general powers consistent with not-for-profit

-----  
Section 5 - Specifies the powers for election of officers of the board of trustees.

Section 7 - Identifies general powers consistent with not-for-profit corporation law

Section 2: Authorizes an immediate effective date.

JUSTIFICATION:

The Village of Port Chester and the neighboring Village of Rye Brook have undertaken negotiations over the past year to restructure the governance of the Port Chester Public Library, which serves residents of both communities. These detailed discussions have created a new partnership that will involve both jurisdictions contributing to the financial support of the library, and both having a direct input into the library's governance, in order to strengthen the library's fiscal viability and to best serve residents in both Port Chester and Rye Brook.

LEGISLATIVE HISTORY:

New Bill.

FISCAL IMPLICATIONS:

None to New York State.

EFFECTIVE DATE:

This act shall take effect immediately.

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RESOLUTION  
BUDGET AMENDMENT – DEA FUNDS TO PURCHASE  
PATROL PC CORE 1 INTEL GENERATION 2 FIXED MOUNT COMPUTER

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Police Chief is recommending the use of DEA Funds to purchase Patrol PC Core Intel Generation 2 Fixed Mount Computer, featuring Portscape™ mounting, Sunlight Readable Display, Ultra Armour Glass-on-Glass Touch screen from Advanced Electronic Design Inc., DBA Patrol PC, 345 John L. Dietsch Blvd., Units 1 & 2, North Attleboro, MA 18461. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2013-14 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue DEA	\$(4,996.50)
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Revenues:

001-0001-2613	Use of Deferred DEA Funds	\$4,996.50
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Appropriations:

001-3120-0200	Police Equipment	\$4,996.50
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Village of Port Chester  
Budget Transfer Form

Received  
MAY 15 2013  
Village Clerk  
VILLAGE OF PORT CHESTER

Department: Police Department

Date: 5-14-13

	FROM ACCOUNT	TO ACCOUNT	AMOUNT
Account	001-1320-0406	001-1320-0200	Example
Description	Office Supplies	Equipment	500.00
Account	001-0001-0695	001-3120-0200	4,996.50
Description	DEA Asset Forfeiture	Equipment	
Account			
Description			
Account			
Description			
Account			
Description			
Account			
Description			
Account			
Description			
Account			
Description			
Account			
Description			

  
Department Head Approval

\_\_\_\_\_  
Village Manager Approval

# VILLAGE OF PORT CHESTER PURCHASE ORDER FORM

05/14/13  
DATE

Ship To:

Village of Port Chester PD  
350 North Main Street  
Port Chester, NY 10573

000433  
VENDOR NUMBER

VOUCHER NUMBER

Advanced Electronic Design Inc
D/B/A Patrol PC
345 John L Dietsch Blvd., Units 1&2
North Attleboro, MA 18461
<b>VENDOR NAME &amp; ADDRESS</b>

APPROPRIATION	AMOUNT
001.3120.0200	4996.50

\$ 4996.50  
AMOUNT

Quotes Attached

The Village of Port Chester will not honor any purchase order unless signed by the Department Head, authorized by the TREASURER'S OFFICE, and assigned a PURCHASE ORDER NUMBER PRIOR TO RECEIVING ANY GOODS OR SERVICE.

NYS Contract Westchester County # \_\_\_\_\_

QUANTITY	DESCRIPTION OF PURCHASE	PRICE
1	PatrolPC Core i Intel Generation 2 FIXED MOUNT COMPUTER featuring Portscape TM mounting	
	Sunlight Readable Display, Ultra Armour Glass-on-Glass Touch Screen	3770.00
1	Upgrade from 4GB RAM to 8 GB Ram	166.67
1	Windows 7 Pro 32 bit w/WIN 7 Pro COA	208.50
1	Rugged Backlit Keyboard	253.33
1	Pedestal or off-console mounting system for OTHER/Shipping	550.00/48.00

  
DEPARTMENT HEAD'S SIGNATURE

VILLAGE MANAGER'S SIGNATURE

PURCHASE ORDER NUMBER
TREASURER'S OFFICE



# VILLAGE OF PORT CHESTER

Department of Police, 350 North Main Street, Port Chester, NY 10573



Joseph M. Krzeminski  
Chief of Police

(914) 939-1000  
(914) 939-6402  
Fax: (914) 939-2298  
E-mail: [jkrezeminski@vpcpd.com](mailto:jkrezeminski@vpcpd.com)

To: Leonie Douglas, Village Treasurer  
From: Joseph M. Krzeminski, Chief of Police  
Re: Transfer of Funds  
Date: May 14, 2013

Please be advised I authorize the transfer of \$4,996.50 from the DEA Asset Forfeiture Account Number 001-0001-0695 to the Equipment Line, Appropriation Number 001-3120-0200 for payment for the following:

**Advanced Electronic Design Inc.**

**D/B/A Patrol PC, 345 John L Dietsch Blvd., Units 1&2, North Attleboro, MA 18461**

PatrolPC Core I Intel Generation 2 FIXED MOUNT COMPUTER, featuring Portscape TM mounting, Sunlight Readable Display, Ultra Armour Glass-on-Glass Touch screen.

Upgrade from 4GB RAM to 8 GB Ram.  
Windows 7 Pro 32 bit w/WIN 7 Pro COA  
Rugged Backlit keyboard  
Pedestal or off-console mounting system for OTHER  
Shipping



## RT-12i3 Value Series Ultra-Rugged all-in-one Tablet Computer

**Custom Configured to Exceed Expectations - Features May Include:**

Landscape or new Portscape™ mount,  
Intel 2.2 GHz 2-Core i3  
x1 10/100/1000 Ethernet  
FIPS 201 Fingerprint Scanner TPM  
Removable Rugged Backlit Keyboard

Self Adjusting - 12.1" 1200 NITS Sunlight Viewable Display,  
Removable 250 GB HD or 120 GB Solid State  
7 Full Pwr. USB 2.0 Ports  
Built-In Drivers License Scanner (TraCS compatible)  
x2 Mini- PCIe slots (GPS, Wi-Fi, BlueTooth, etc)

FunctionKeys, Volume & Brightness Slide  
8 GB DDR3 -1600 RAM  
Ultra-Armor Glass-on- Glass Touch  
Passive Cooling (No Fan) + HD Heater  
Auto On/Off & Vehicle Voltage Monitor

Qty	Custom Parts: Line item description	PPC Part #	LIST PRICE	TOTAL LIST PRICE	NY State Price	PPC Direct Price
1	PatrolPC Core i Intel Generation 2 FIXED MOUNT COMPUTER featuring Portscape™ mounting - (12.1" Sunlight Readable Display - Approximately 1200NITS, Ultra Armour Glass-On-Glass Touch Screen, 2.2 GHz Core i3 2 core, removable 250 GB HD, 4 GB DDR3-1333 RAM, No OS, 1 10/100/1G Ethernet, 7 USB 2.0, HDMI, 2 Mini-PCIe half card slots, 10 AMP 6 Ft Fused Power Cable, 3yr Warranty)	PPC-RT12i-G2-Lite	\$ 5,800.00	\$ 5,800.00	\$ 4,930.00	\$ 3,770.00
<b>OTHER RECOMMENDED OPTIONS</b>						
1	PPC-IS-17: Upgrade from 4GB RAM to 8 GB RAM	PPC-4-8GB-RAM	\$ 222.22	\$ 222.22	\$ 211.11	\$ 166.67
1	PPC-IS-04: Windows 7 Pro 32 bit w/Win 7 Pro COA	PPC-W-7P32	\$ 278.00	\$ 278.00	\$ 264.10	\$ 208.50
1	PPC-SA-01: Rugged Backlit Keyboard	PPC-SB-K8	\$ 337.78	\$ 337.78	\$ 320.89	\$ 253.33
<b>OTHER VENDOR OPTIONS: ***REQ FOR MOUNTING***</b>						
1	HINT-25: Pedestal or off-console mounting system for OTHER	TM-5502-PPC-make-year	\$ 662.00	\$ 662.00	\$ 628.90	\$ 550.00
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
	NOTE: "Built 2011" 2012 Chevy Impala					
	NOTE:					
Subtotal List Purchase Price:			\$ 7,300.00			

Subtotal NYS Contract Price: \$ 6,355.00    \$ 4,948.50

Subtotal PPC Direct Purchase Price: \$ 4,948.50

"Shipping Costs Not Included"

Approximate Shipping: \$ 48.00

TOTAL PO: \$ 4,996.50

**TERMS ARE NET 30 DAYS**

Quotation Prepared by: Mike Jewett

This is a 30 Day Quotation on the Goods Named Above. It is subject to any conditions noted throughout.



SHIP TO: Port Chester Police  
350 North Main street  
Port Chester, NY 10573

PHONE: (914) 939-6608  
(914) 939-1000

ATTENTION: Seargent C. Viccaro

QUOTE DATE: 1/11/2013



# Request for RT12i3 Starter Series 60 Day Trial

an Applied Electronics Design (A.E.D.) Company

345 John L Dietsch Blvd. , Units 1&2, North Attleboro, MA 18461

Phone: (508) 699-0249

FAX: (508) 699-2531

We are requesting the following configuration to be built and delivered to our agency:

Name of Agency: Port Chester Police  
 Name of Primary Contact: Seargent C. Viccaro  
 Contact Phone Number: (914) 939-6608 (914) 939-1000  
 Ship to Address: 350 North Main street  
Port Chester, NY 10573

### QTY Base Configuration:

PatrolPC Core i Intel Generation 2 FIXED MOUNT COMPUTER featuring  
 Portscape™ mounting - (12.1" Sunlight Readable Display - Approximately  
 1200NITS, Ultra Armour Glass-On-Glass Touch Screen, 2.2 GHz Core i3 2 core,  
 removable 250 GB HD, 4 GB DDR3-1333 RAM, No OS, 1 10/100/1G Ethernet, 7  
 USB 2.0, HDMI, 2 Mini-PCIe half card slots, 10 AMP 6 Ft Fused Power Cable,

<sup>1</sup> 3yr Warrantv)

### Custom Configuration:

1 PPC-iS-17: Upgrade from 4GB RAM to 8 GB RAM

1 PPC-iS-04: Windows 7 Pro 32 bit w/Win 7 Pro COA

1 PPC-SA-01: Rugged Backlit Keyboard

OTHER VENDOR OPTIONS: \*\*\*\*REQ FOR MOUNTING\*\*\*\*

1 HINT-25: Pedestal or off-console mounting system for OTHER

PPC Part #	PPC Direct
PPC-RT12i-G2-Lite	\$ 3,770
PPC-4-8GB-RAM	\$ 167
PPC-W-7P32	\$ 209
PPC-SB-KB	\$ 253
TM-5502-PPC-make-year	\$ 550

NOTE: "Built 2011" 2012 Chevy Impala

PPC Standard Ground Shipping

\$ 48

Total value with Shipping:

4,996

By my hand and signature below, it is understood and agreed that the goods and materials requested (demo equipment) is being delivered to in like-new condition, and I agree it will be safeguarded from theft, and maintained in similar condition during the trial period, less normal wear and tear from use. At the end of the 60 day trial period, you may choose one of the following options:

1. Return demonstration equipment to Patrol PC using original box and packaging material.
2. Request, in writing, an extension to the trial period, not to exceed an additional 30 days.
3. Provide Patrol PC with a purchase order for the demo equipment, and keep it.

I further agree that, should the demonstration equipment not be returned to Patrol PC by the Due Date stated above, that Patrol PC is authorized to invoice for the Equipment Value (Total value with Shipping) as listed above.

Authorized Signature	Title	Date
----------------------	-------	------

Sign and fax to: (508) 699-2531

CUSTOMER SERVICE, PLEASE NOTIFY ACCOUNT MANAGER UPON RECEIPT:

Mike Jewett

RESOLUTION

TO ACCEPT UNCLAIMED BAIL MONIES FROM THE VILLAGE JUSTICE COURT  
TO THE GENERAL FUND

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the

following resolution was adopted by the Board of Trustees of the Village of Port Chester,

New York:

WHEREAS, the Village's Independent Auditor has recommended, consistent with the opinion issued by the State Comptroller (80-515), that bail monies which are unclaimed and outstanding in excess of six years be transferred to the Village's General Fund. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to accept payment in the amount of \$22,557.04 from the Village Justice Court and record such payment as Revenue - Bail Forfeitures, in the FY 2012-13 General Fund Budget.

APPROVED AS TO FORM:

\_\_\_\_\_  
Anthony M. Cerreto  
Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

**EXTRACTS FROM MINUTES OF A MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF PORT CHESTER, NEW YORK**

*(B - \$640,000 – Streets/Machinery & Apparatus, 15 years)*

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on \_\_\_\_\_, 2013 at \_:\_\_\_ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

\* \* \* \* \*

Trustee \_\_\_\_\_ submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee \_\_\_\_\_. The Board of Trustees of the Village was polled. The motion was adopted by a vote of \_\_\_\_ affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with \_\_\_\_ negative votes and \_\_\_\_ votes absent.

**BOND RESOLUTION, DATED \_\_\_\_\_, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$640,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE STREETS AND (II) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE.**

**WHEREAS**, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition, construction and reconstruction of improvements to Village streets (\$500,000) and (ii) the acquisition of machinery and apparatus for construction and maintenance (\$140,000), including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$640,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Port Chester, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$640,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized

for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition, construction and reconstruction of improvements to Village streets, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$500,000 for which \$500,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition of machinery and apparatus for construction and maintenance, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$140,000 for which \$140,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$790,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from (i) the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, and (ii) New York State grants in the estimated amount of \$150,000; (d) the maximum maturity of the serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond

anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in

connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and

effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively

evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

I, **JANUSZ R. RICHARDS**, Village Clerk of the Village of Port Chester, located in the County of Westchester, State of New York (the "Village"), **HEREBY CERTIFY** as follows:

1. A regular meeting of the Board of Trustees of the Village was duly held on \_\_\_\_\_, 2013, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

2. I have compared the attached extract with such minutes so recorded and such extract is a true and correct copy of such minutes and of the whole thereof insofar as such minutes relate to matters referred to in such extract.

3. Such minutes correctly state the time when such meeting was convened and the place where such meeting was held and the members of the Board of Trustees of the Village who attended such meeting.

4. Notice of such meeting was given as prescribed by law and such meeting was open to all persons who were entitled by law to attend such meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and impressed the seal of the Village, this \_\_\_ day of \_\_\_\_\_, 2013.

(SEAL)

---

**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

## PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN** that the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, has on the \_\_\_\_ day of \_\_\_\_\_, 2013, duly adopted, pursuant to the Local Finance Law of New York, a bond resolution which:

(1) authorizes the Board of Trustees of the Village to finance the costs of (i) the acquisition, construction and reconstruction of improvements to Village streets (\$500,000) and (ii) the acquisition of machinery and apparatus for construction and maintenance (\$140,000), and authorizes the issuance of up to \$640,000 aggregate principal amount of serial bonds of the Village to finance the costs of such purposes, and

(2) states the estimated maximum total costs of such acquisition, construction and reconstruction to be not in excess of \$790,000, states that such costs will be financed, in whole or in part, with the issuance of obligations authorized in such bond resolution and grants received by the State of New York and sets forth the plan of financing of the costs of such purposes, and

(3) determines the period of probable usefulness of the purposes to be fifteen (15) years, and

(4) determines that the maximum maturity of such serial bonds will be in excess of five (5) years, and

(5) delegates to the Village Treasurer the power to prescribe the terms, form and contents of such serial bonds and the power to authorize the issuance of, and the power to prescribe the terms, form and contents of, any bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, and to issue, sell and deliver such serial bonds and such bond anticipation notes, and

(6) states that the validity of such serial bonds, or of such bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if (a) such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or (b) the provisions of law, which should have been complied with as of the date of publication of such bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Such bond resolution is subject to a permissive referendum under the provisions of Article 9 of the Village Law and petitions protesting against such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such bond resolution.

By order of the Board of Trustees of the Village of Port Chester, County of Westchester, State of New York.

Dated: \_\_\_\_\_, 2013

/s/ JANUSZ R. RICHARDS

**JANUSZ R. RICHARDS**

Village Clerk

Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK  
AFFIDAVIT AS TO POSTING**

**STATE OF NEW YORK** )  
 )**SS.:**  
**COUNTY OF WESTCHESTER** )

**JANUSZ R. RICHARDS**, being duly sworn, **DEPOSES AND SAYS:**

1. That she is the Village Clerk of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in County of Westchester.

2. On the \_\_\_ day of \_\_\_\_\_ 2013, he posted a form of Public Notice relative to the bond resolution relating to the financing of the costs of (i) the acquisition, construction and reconstruction of improvements to Village streets and (ii) the acquisition of machinery and apparatus for construction and maintenance adopted by the Board of Trustees of the Village on \_\_\_\_\_, 2013, a true copy of which is annexed hereto and made a part hereof, in the six (6) conspicuous places in the Village:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2013

\_\_\_\_\_  
**NOTARY PUBLIC**

\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK  
CERTIFICATE OF NO PROTEST**

I, **JANUSZ R. RICHARDS**, Village Clerk of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, **HEREBY CERTIFY** as follows:

1. The Board of Trustees of the Village at a regular meeting thereof duly called and held on \_\_\_\_\_, 2013, adopted a bond resolution having the following title:

**BOND RESOLUTION, DATED \_\_\_\_\_, 2013, AUTHORIZING THE  
ISSUANCE OF UP TO \$640,000 AGGREGATE PRINCIPAL AMOUNT  
SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF  
WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL  
FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION,  
CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO  
VILLAGE STREETS AND (II) THE ACQUISITION OF MACHINERY AND  
APPARATUS FOR CONSTRUCTION AND MAINTENANCE.**

2. On and prior to the date hereof, no petition or petitions protesting such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval have been filed with the Village Clerk.

**IN WITNESS WHEREOF**, I have hereunto set my hand and impressed the seal of the Village, this \_\_\_\_ day of \_\_\_\_\_, 2013.

**(SEAL)**

\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK**

**ESTOPPEL NOTICE**

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, on \_\_\_\_\_, 2013. The effectiveness of such bond resolution was subject to a permissive referendum and notice thereof was given as prescribed by law. The period of time prescribed by law has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: \_\_\_\_\_, 2013

/s/ JANUSZ R. RICHARDS  
\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**EXTRACTS FROM MINUTES OF A MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF PORT CHESTER, NEW YORK**

*(A - \$775,000 – Various Purposes, 5 years)*

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on \_\_\_\_\_, 2013 at \_:\_\_\_ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

\* \* \* \* \*

Trustee \_\_\_\_\_ submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee \_\_\_\_\_. The Board of Trustees of the Village was polled. The motion was adopted by a vote of \_\_\_\_ affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with \_\_\_\_ negative votes and \_\_\_\_ votes absent.

**BOND RESOLUTION, DATED \_\_\_\_\_, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$775,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, OF MOTOR VEHICLES AND (II) THE ACQUISITION OF PARKING PAY STATIONS.**

**WHEREAS**, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition of motor vehicles (\$175,000) and (ii) the acquisition of parking pay stations (\$600,000) in and for the Village, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$775,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Port Chester, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$775,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized

for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of motor vehicles, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$175,000 for which \$175,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition of parking pay stations, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$600,000 for which \$600,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 50 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$775,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from (i) the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond

anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in

connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and

effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively

evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This resolution shall be effective immediately upon its due adoption by the Board of Trustees of the Village.

I, **JANUSZ R. RICHARDS**, Village Clerk of the Village of Port Chester, located in the County of Westchester, State of New York (the "Village"), **HEREBY CERTIFY** as follows:

1. A regular meeting of the Board of Trustees of the Village was duly held on \_\_\_\_\_, 2013, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

2. I have compared the attached extract with such minutes so recorded and such extract is a true and correct copy of such minutes and of the whole thereof insofar as such minutes relate to matters referred to in such extract.

3. Such minutes correctly state the time when such meeting was convened and the place where such meeting was held and the members of the Board of Trustees of the Village who attended such meeting.

4. Notice of such meeting was given as prescribed by law and such meeting was open to all persons who were entitled by law to attend such meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and impressed the seal of the Village, this \_\_\_ day of \_\_\_\_\_, 2013.

(SEAL)

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**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK**

**ESTOPPEL NOTICE**

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, on \_\_\_\_\_, 2013. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: \_\_\_\_\_, 2013

/s/ JANUSZ R. RICHARDS  
\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**EXTRACTS FROM MINUTES OF A MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF PORT CHESTER, NEW YORK**

*(C-\$300,000 – Building Improvements, 25 years)*

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on \_\_\_\_\_, 2013 at \_:\_\_\_ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

\* \* \* \* \*

Trustee \_\_\_\_\_ submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee \_\_\_\_\_. The Board of Trustees of the Village was polled. The motion was adopted by a vote of \_\_\_\_ affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with \_\_\_\_ negative votes and \_\_\_\_ votes absent.

**BOND RESOLUTION, DATED \_\_\_\_\_, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$300,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE BUILDINGS.**

**WHEREAS**, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to Village buildings, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$300,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Port Chester, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$300,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction and reconstruction of improvements to Village buildings, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto (collectively, the “Project”).

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$300,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board

of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is an object or purpose, or of a class of object or purpose, as described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty-five (25) years (such buildings being of “Class A” construction as that term is defined in Section 11.00 of the Local Finance Law). The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The

Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project

financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement

made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

I, **JANUSZ R. RICHARDS**, Village Clerk of the Village of Port Chester, located in the County of Westchester, State of New York (the "Village"), **HEREBY CERTIFY** as follows:

1. A regular meeting of the Board of Trustees of the Village was duly held on \_\_\_\_\_, 2013, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

2. I have compared the attached extract with such minutes so recorded and such extract is a true and correct copy of such minutes and of the whole thereof insofar as such minutes relate to matters referred to in such extract.

3. Such minutes correctly state the time when such meeting was convened and the place where such meeting was held and the members of the Board of Trustees of the Village who attended such meeting.

4. Notice of such meeting was given as prescribed by law and such meeting was open to all persons who were entitled by law to attend such meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and impressed the seal of the Village, this \_\_\_ day of \_\_\_\_\_, 2013.

**(SEAL)**

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**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

## PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN** that the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, has on the \_\_\_\_ day of \_\_\_\_\_, 2013, duly adopted, pursuant to the Local Finance Law of New York, a bond resolution which:

(1) authorizes the Board of Trustees of the Village to finance the costs of the acquisition, construction and reconstruction of improvements to Village buildings, and authorizes the issuance of up to \$300,000 aggregate principal amount of serial bonds of the Village to finance the costs of such purpose, and

(2) states the estimated maximum total costs of such acquisition, construction and reconstruction to be not in excess of \$300,000, states that such costs will be financed, in whole or in part, with the issuance of obligations authorized in such bond resolution and sets forth the plan of financing of the costs of such purpose, and

(3) determines the period of probable usefulness of the purpose to be twenty-five (25) years, and

(4) determines that the maximum maturity of such serial bonds will be in excess of five (5) years, and

(5) delegates to the Village Treasurer the power to prescribe the terms, form and contents of such serial bonds and the power to authorize the issuance of, and the power to prescribe the terms, form and contents of, any bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, and to issue, sell and deliver such serial bonds and such bond anticipation notes, and

(6) states that the validity of such serial bonds, or of such bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if (a) such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or (b) the provisions of law, which should have been complied with as of the date of publication of such bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Such bond resolution is subject to a permissive referendum under the provisions of Article 9 of the Village Law and petitions protesting against such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such bond resolution.

By order of the Board of Trustees of the Village of Port Chester, County of Westchester, State of New York.

Dated: \_\_\_\_\_, 2013

/s/ JANUSZ R. RICHARDS

**JANUSZ R. RICHARDS**

Village Clerk

Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK  
AFFIDAVIT AS TO POSTING**

**STATE OF NEW YORK** )  
 )**SS.:**  
**COUNTY OF WESTCHESTER** )

**JANUSZ R. RICHARDS**, being duly sworn, **DEPOSES AND SAYS:**

1. That she is the Village Clerk of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in County of Westchester.

2. On the \_\_\_ day of \_\_\_\_\_, 2013, he posted a form of Public Notice relative to the bond resolution relating to the financing of the costs of the acquisition, construction and reconstruction of improvements to Village buildings, adopted by the Board of Trustees of the Village on \_\_\_\_\_, 2013, a true copy of which is annexed hereto and made a part hereof, in the six (6) conspicuous places in the Village:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2013

\_\_\_\_\_  
**NOTARY PUBLIC**

\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK  
CERTIFICATE OF NO PROTEST**

I, **JANUSZ R. RICHARDS**, Village Clerk of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, **HEREBY CERTIFY** as follows:

1. The Board of Trustees of the Village at a regular meeting thereof duly called and held on \_\_\_\_\_, 2013, adopted a bond resolution having the following title:

**BOND RESOLUTION, DATED \_\_\_\_\_, 2013, AUTHORIZING THE  
ISSUANCE OF UP TO \$300,000 AGGREGATE PRINCIPAL AMOUNT  
SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF  
WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL  
FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION,  
CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO  
VILLAGE BUILDINGS.**

2. On and prior to the date hereof, no petition or petitions protesting such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval have been filed with the Village Clerk.

**IN WITNESS WHEREOF**, I have hereunto set my hand and impressed the seal of the Village, this \_\_\_ day of \_\_\_\_\_, 2013.

(SEAL)

\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK**

**ESTOPPEL NOTICE**

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, on \_\_\_\_\_, 2013. The effectiveness of such bond resolution was subject to a permissive referendum and notice thereof was given as prescribed by law. The period of time prescribed by law has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: \_\_\_\_\_, 2013

/s/ JANUSZ R. RICHARDS

**JANUSZ R. RICHARDS**

Village Clerk

Village of Port Chester, New York

**EXTRACTS FROM MINUTES OF A MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF PORT CHESTER, NEW YORK**

*(D - \$1,700,000 – Sewer Improvements)*

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on \_\_\_\_\_, 2013 at \_:\_\_\_ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

\* \* \* \* \*

Trustee \_\_\_\_\_ submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee \_\_\_\_\_. The Board of Trustees of the Village was polled. The motion was adopted by a vote of \_\_\_\_ affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with \_\_\_\_ negative votes and \_\_\_\_ votes absent.

**BOND RESOLUTION, DATED \_\_\_\_\_, 2013, AUTHORIZING THE ISSUANCE OF UP TO \$1,700,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE STORM AND SANITARY SEWER SYSTEMS.**

**WHEREAS**, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to Village storm and sanitary sewer systems, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto (the “Project”), at a total estimated cost not to exceed \$1,700,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Port Chester, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$1,700,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction and reconstruction of improvements to Village storm and sanitary sewer systems, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto.

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$1,700,000; (b) no money has

heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is an object or purpose, or of a class of object or purpose, as described in subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is thirty (30) years. The serial bonds authorized herein shall have a maximum maturity of thirty (30) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued

pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project

financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement

made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

I, **JANUSZ R. RICHARDS**, Village Clerk of the Village of Port Chester, located in the County of Westchester, State of New York (the "Village"), **HEREBY CERTIFY** as follows:

1. A regular meeting of the Board of Trustees of the Village was duly held on \_\_\_\_\_, 2013, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

2. I have compared the attached extract with such minutes so recorded and such extract is a true and correct copy of such minutes and of the whole thereof insofar as such minutes relate to matters referred to in such extract.

3. Such minutes correctly state the time when such meeting was convened and the place where such meeting was held and the members of the Board of Trustees of the Village who attended such meeting.

4. Notice of such meeting was given as prescribed by law and such meeting was open to all persons who were entitled by law to attend such meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and impressed the seal of the Village, this \_\_\_ day of \_\_\_\_\_, 2013.

(SEAL)

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**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

## PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN** that the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, has on the \_\_\_\_ day of \_\_\_\_\_, 2013, duly adopted, pursuant to the Local Finance Law of New York, a bond resolution which:

(1) authorizes the Board of Trustees of the Village to finance the costs of the acquisition, construction and reconstruction of improvements to Village storm and sanitary sewer systems, and authorizes the issuance of up to \$1,700,000 aggregate principal amount of serial bonds of the Village to finance the costs of such purpose, and

(2) states the estimated maximum total costs of such acquisition, construction and reconstruction to be not in excess of \$1,700,000, states that such costs will be financed, in whole or in part, with the issuance of obligations authorized in such bond resolution and sets forth the plan of financing of the costs of such purpose, and

(3) determines the period of probable usefulness of the purpose to be thirty (30) years, and

(4) determines that the maximum maturity of such serial bonds will be in excess of five (5) years, and

(5) delegates to the Village Treasurer the power to prescribe the terms, form and contents of such serial bonds and the power to authorize the issuance of, and the power to prescribe the terms, form and contents of, any bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, and to issue, sell and deliver such serial bonds and such bond anticipation notes, and

(6) states that the validity of such serial bonds, or of such bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if (a) such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or (b) the provisions of law, which should have been complied with as of the date of publication of such bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Such bond resolution is subject to a permissive referendum under the provisions of Article 9 of the Village Law and petitions protesting against such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such bond resolution.

By order of the Board of Trustees of the Village of Port Chester, County of Westchester, State of New York.

Dated: \_\_\_\_\_, 2013

/s/ JANUSZ RIHCARDS

**JANUSZ R. RICHARDS**

Village Clerk

Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK  
AFFIDAVIT AS TO POSTING**

**STATE OF NEW YORK** )  
 )**SS.:**  
**COUNTY OF WESTCHESTER** )

**JANUSZ R. RICHARDS**, being duly sworn, **DEPOSES AND SAYS:**

1. That she is the Village Clerk of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in County of Westchester.

2. On the \_\_\_ day of \_\_\_\_\_, 2013, he posted a form of Public Notice relative to the bond resolution relating to the financing of the costs of the acquisition, construction and reconstruction of improvements to Village storm and sanitary sewer systems, adopted by the Board of Trustees of the Village on \_\_\_\_\_, 2013, a true copy of which is annexed hereto and made a part hereof, in the six (6) conspicuous places in the Village:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2013

\_\_\_\_\_  
**NOTARY PUBLIC**

\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK  
CERTIFICATE OF NO PROTEST**

I, **JANUSZ R. RICHARDS**, Village Clerk of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, **HEREBY CERTIFY** as follows:

1. The Board of Trustees of the Village at a regular meeting thereof duly called and held on \_\_\_\_\_, 2013, adopted a bond resolution having the following title:

**BOND RESOLUTION, DATED \_\_\_\_\_, 2013, AUTHORIZING THE  
ISSUANCE OF UP TO \$1,700,000 AGGREGATE PRINCIPAL AMOUNT  
SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF  
WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL  
FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION,  
CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO  
VILLAGE STORM AND SANITARY SEWER SYSTEMS.**

2. On and prior to the date hereof, no petition or petitions protesting such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval have been filed with the Village Clerk.

**IN WITNESS WHEREOF**, I have hereunto set my hand and impressed the seal of the Village, this \_\_\_\_ day of \_\_\_\_\_, 2013.

**(SEAL)**

\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK**

**ESTOPPEL NOTICE**

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, on \_\_\_\_\_, 2013. The effectiveness of such bond resolution was subject to a permissive referendum and notice thereof was given as prescribed by law. The period of time prescribed by law has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: \_\_\_\_\_, 2013

/s/ JANUSZ R. RICHARDS  
\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**RESOLUTION  
COURT INTERPRETER AGREEMENT**

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, Olga Hurtado, 170 Elm Street, New Rochelle, New York, has long provided court interpreter services to the Port Chester Justice Court; and

WHEREAS, Ms. Hurtado has proposed a renewal of her agreement with the Village for an additional two years at no increase in rates of compensation; and

WHEREAS, the Village Manager recommends such renewal. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement with Olga Hurtado, 170 Elm Street, New Rochelle, New York, as Interpreter for the Justice Court and the Village Attorney for a term of two years, commencing on June 1, 2013 and ending on May 31, 2015, compensation to be as provided in the fee proposal dated May 1, 2013, as follows: Monday, Wednesday, Thursday, Friday, Traffic and Criminal Court @225.00 per day (starting at 9:00 a.m. until conclusion of calendar), Tuesday evenings Traffic Court and on Wednesday evenings Small Claims session at \$150.00 per night until conclusion of calendar.

APPROVED AS TO FORM:

\_\_\_\_\_  
Anthony M. Cerreto  
Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

**OLGA HURTADO**

170 Elm Street  
New Rochelle, New York 10805

(914) 469-6555

May 1, 2013

Mr. Christopher Steer  
Village Manager  
222 Grace Church St.  
Port Chester, New York 10573

RE: Contract Renewal Court Interpreter

To Whom It May Concern:

It has come to my attention that my contract with the Village as Court Certified Interpreter is due for renewal. I have been employed since 1999 with the Village.

My fee schedule has been \$225.00 per day court session and \$150.00 per night court session. The Village is paid a fee of \$25.00 by the County of Westchester for each day Court is in session.

I understand that my services shall be provided at the request of the Court, and also when the Village Attorney requires an interpreter for 50-H hearings and depositions in his defense of claims against the Village.

I look forward to my continued service to the Village.

Very truly yours,

Olga Hurtado

## AGREEMENT

THIS AGREEMENT, made the \_\_\_\_ day of June 2013, by and between VILLAGE OF PORT CHESTER, (hereinafter referred to as "Village "), a municipal corporation with an office at 222 Grace Church Street, Port Chester, New York, and OLGA HURTADO (hereinafter referred to as "Contractor "), 170 Elm Street, New Rochelle, New York 10805.

WHEREAS, the Village of Port Chester is a municipal corporation responsible, under law, for the health and welfare of its residents, and

WHEREAS, there has been a shift in the population of the Village so that more and more of its residents are people who speak Spanish not as a second language, but as their only language, and

WHEREAS, as a result the Justice Court requires a court certified Spanish interpreter so that it can properly hear matters before it. Now, therefore, the parties do mutually agree as follows:

1. This is a contract for professional services.
2. The services to be provided will be Spanish translating and interpreting.
3. The services to the Justice Court will be shall be provided on an "as- needed" Basis for the Justice Court with schedule and compensation to be as follows: Monday, Wednesday, Thursday and Friday, - Flat rate of \$225.00 per day; session starting at 9:00 a.m. until 5:00 p.m. or conclusion of calendar. Tuesday evenings – Traffic Court – and Wednesday evenings — Small Claims Session — Flat rate of \$150 per evening until conclusion of calendar.
4. That the Contractor will make herself available to the Court on reasonable notice for pre -trial conferences and jury trials or other such additional proceedings available at a rate of \$225 per day.
5. That the Contractor may not assign this agreement or make any substitutions without reasonable notice and the prior consent of the Court Clerk and the presiding judge.
6. This agreement shall be for a term commencing on June 1, 2013 and ending on the 31st day of May, 2015, subject, however, to the right of either party to terminate this agreement at any time on sixty (60) days written notice to the other at the address shown above.
8. In performing these services, it is mutually agreed and understood that the Contractor shall be and all times acting and performing same as independent contractor. Nothing in this agreement is intended to create an employer /employee relationship, or to allow the Village to exercise control or direction over the manner or method by which the Contractor performs the services which are the subject of this agreement.

9. This agreement is entire and shall not be altered or amended except by a writing signed by the parties hereto.

10. In the event of a dispute or controversy between the parties arising out of or relating to this agreement, the parties agree that such disputes will be adjudicated in a court of competent jurisdiction in the State of New York.

11. This agreement shall be governed by and construed in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

VILLAGE OF PORT CHESTER

By \_\_\_\_\_  
Christopher D. Steers,  
Village Manager

\_\_\_\_\_  
OLGA HURTADO

# Memo

**To:** Mr. Chris Steers, Village Manager

**From:** Regina Hill *RH*

**CC:**

**Date:** May 17, 2013

**Re:** Gail Letizia and Olga Hurtado

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After speaking to Judge Sisca and Judge Troy, we highly recommend renewing the resolutions for Gail Letizia as Court Stenographer and Olga Hurtado as Spanish Interpreter for the Village Court. Thank you.

# Memo

To: Ms. Leonie Douglas, Treasurer  
From: Regina Hill  
CC: Mr. Chris Steers, Village Manager  
Date: May 31, 2013  
Re: Gail Letizia and Olga Hurtado

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Olga Hurtado is a certified interpreter and interprets for other courts in New York State and she is paid via a voucher.

Gail Letizia is a stenographer for other courts in New York State and she is paid via a voucher.



**Certificate of Attestation of Exemption  
From New York State Workers' Compensation  
and/or Disability Benefits Insurance Coverage**

**\*\*This form cannot be used to waive the workers' compensation rights or obligations of any party.\*\***

The applicant may use this Certificate of Attestation of Exemption **ONLY** to show a government entity that New York State specific workers' compensation and/or disability benefits insurance is not required. The applicant may **NOT** use this form to show another business or that business's insurance carrier that such insurance is not required.

**Please provide this form to the government entity from which you are requesting a permit, license or contract. This Certificate will not be accepted by government officials one year after the date printed on the form.**

<p><b>In the Application of (Legal Entity Name and Address):</b></p> <p>OLGA HURTADO DBA: OLGA HURTADO 170 ELM ST. NEW ROCHELLE, NY 10805 PHONE: 914-469-6555 FEIN: XXXXX5480</p>
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<p><b>Business Applying For:</b> <b>OTHER: WORKERS COMP ELECT TO BE EXEMPT</b></p> <p><b>From: PORT CHESTER VILLAGE COURT</b></p>
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**Workers' Compensation Exemption Statement:**

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE SPECIFIC WORKERS' COMPENSATION INSURANCE COVERAGE** for the following reason:  
The business is owned by one individual and is not a corporation. Other than the owner, there are no employees, day labor, leased employees, borrowed employees, part-time employees, unpaid volunteers (including family members) or subcontractors.

**Disability Benefits Exemption Statement:**

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE STATUTORY DISABILITY BENEFITS INSURANCE COVERAGE** for the following reason:  
The business **MUST** be either: 1) owned by one individual; OR 2) is a partnership (including LLC, LLP, PLLP, RLLP, or LP) under the laws of New York State and is not a corporation; OR 3) is a one or two person owned corporation, with those individuals owning all of the stock and holding all offices of the corporation (in a two person owned corporation each individual must be an officer and own at least one share of stock); OR 4) is a business with no NYS location. In addition, the business does not require disability benefits coverage at this time since it has not employed one or more individuals on at least 30 days in any calendar year in New York State. (Independent contractors are not considered to be employees under the Disability Benefits Law.)

I, OLGA HURTADO, am the Sole Proprietor with the above-named legal entity. I affirm that due to my position with the above-named business I have the knowledge, information and authority to make this Certificate of Attestation of Exemption. I hereby affirm that the statements made herein are true, that I have not made any materially false statements and I make this Certificate of Attestation of Exemption under the penalties of perjury. I further affirm that I understand that any false statement, representation or concealment will subject me to felony criminal prosecution, including jail and civil liability in accordance with the Workers' Compensation Law and all other New York State laws. By submitting this Certificate of Attestation of Exemption to the government entity listed above I also hereby affirm that if circumstances change so that workers' compensation insurance and/or disability benefits coverage is required, the above-named legal entity will immediately acquire appropriate New York State specific workers' compensation insurance and/or disability benefits coverage and also immediately furnish proof of that coverage on forms approved by the Chair of the Workers' Compensation Board to the government entity listed above.

<b>SIGN HERE</b>	<b>Signature:</b>	<b>Date:</b>
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<p><b>Exemption Certificate Number</b> <b>2013-030647</b></p>		<p><b>Received</b> <b>May 21, 2013</b> <b>NYS Workers' Compensation Board</b></p>
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**Village Justice Court**

**Court Interpreter & Reporter**

**G/L 1.1110.407 - Interpreter - \$40,000 Budget FY 2012-13**

**G/L 1.1110.408 - Court Reporter - \$35,000 Budget FY 2012-13**

<b>Court Date</b>	<b>Court Time</b>	<b>Court Hours</b>	<b>1.1110.407 Interpreter</b>	<b>Olga Hurtado</b>	<b>1.1110.408 Reporter</b>	<b>Gail Letizia</b>
6/1/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/4/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/5/2012			\$ 150	\$ 150		
6/6/2012					\$ 225	\$ 225
6/7/2012			\$ 225	\$ 225		
6/8/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/11/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/13/2012			\$ 150	\$ 150	\$ 150	\$ 150
6/14/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/15/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/18/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/19/2012			\$ 150	\$ 150		
6/21/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/22/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/25/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/28/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/29/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>June Total</b>			<b>\$ 3,375</b>	<b>\$ 3,375</b>	<b>\$ 3,075</b>	<b>\$ 3,075</b>
7/2/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/6/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/9/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/10/2012			\$ 150	\$ 150		

Court Date	Court Time	Court Hours	1.1110.407 Interpreter	Olga Hurtado	1.1110.408 Reporter	Gail Letizia
7/12/2013			\$ 225	\$ 225	\$ 225	\$ 225
7/13/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/16/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/16/2012			\$ 225	\$ 225		
7/19/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/20/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/23/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/24/2012			\$ 150	\$ 150		
7/25/2012			\$ 150	\$ 150	\$ 150	\$ 150
7/26/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/27/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/30/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>July Total</b>			<b>\$ 3,375</b>	<b>\$ 3,375</b>	<b>\$ 2,850</b>	<b>\$ 2,850</b>
8/2/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/3/2012					\$ 225	\$ 225
8/9/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/10/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/13/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/14/2012			\$ 150	\$ 150		
8/16/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/17/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/20/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/22/2012			\$ 150	\$ 150	\$ 150	\$ 150
8/23/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/24/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/27/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/28/2012			\$ 150	\$ 150		
8/30/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/31/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>August Total</b>			<b>\$ 3,150</b>	<b>\$ 3,150</b>	<b>\$ 3,075</b>	<b>\$ 3,075</b>
9/6/2012			\$ 225	\$ 225	\$ 225	\$ 225

<b>Court Date</b>	<b>Court Time</b>	<b>Court Hours</b>	<b>1.1110.407 Interpreter</b>	<b>Olga Hurtado</b>	<b>1.1110.408 Reporter</b>	<b>Gail Letizia</b>
9/7/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/10/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/13/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/14/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/17/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/19/2012			\$ 150	\$ 150	\$ 225	\$ 225
9/19/2012					\$ 150	\$ 150
9/20/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/21/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/24/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/25/2012			\$ 150	\$ 150		
9/27/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/28/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>Sept Total</b>			<b>\$ 2,775</b>	<b>\$ 2,775</b>	<b>\$ 2,850</b>	<b>\$ 2,850</b>
<b>June to Sept</b>			<b>\$ 12,675</b>	<b>\$ 12,675</b>	<b>\$ 11,850</b>	<b>\$ 11,850</b>

*N.B.: Olga Hurtado has been paid \$36,375 from June 1, 2012 to May 6, 2013, of which \$2,700 was for election interpreting services.*

*Gail Letizia has been paid \$31,575 from June 1, 2012 to May 6, 2013.*

*Please note that Westchester County reimburses the Village \$25 for Court Interpreter services for each Court Session. Approximately \$4,700 yearly.*

**Village Justice Court**

**Court Interpreter & Reporter**

**G/L 1.1110.407 - Interpreter - \$40,000 Budget FY 2012-13**

**G/L 1.1110.408 - Court Reporter - \$35,000 Budget FY 2012-13**

<b>Court Date</b>	<b>Court Time</b>	<b>Court Hours</b>	<b>1.1110.407 Interpreter</b>	<b>Olga Hurtado</b>	<b>1.1110.408 Reporter</b>	<b>Gail Letizia</b>
6/1/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/4/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/5/2012			\$ 150	\$ 150		
6/6/2012					\$ 225	\$ 225
6/7/2012			\$ 225	\$ 225		
6/8/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/11/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/13/2012			\$ 150	\$ 150	\$ 150	\$ 150
6/14/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/15/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/18/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/19/2012			\$ 150	\$ 150		
6/21/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/22/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/25/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/28/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/29/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>June Total</b>			<b>\$ 3,375</b>	<b>\$ 3,375</b>	<b>\$ 3,075</b>	<b>\$ 3,075</b>
7/2/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/6/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/9/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/10/2012			\$ 150	\$ 150		

Court Date	Court Time	Court Hours	1.1110.407 Interpreter	Olga Hurtado	1.1110.408 Reporter	Gail Letizia
7/12/2013			\$ 225	\$ 225	\$ 225	\$ 225
7/13/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/16/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/16/2012			\$ 225	\$ 225		
7/19/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/20/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/23/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/24/2012			\$ 150	\$ 150		
7/25/2012			\$ 150	\$ 150	\$ 150	\$ 150
7/26/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/27/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/30/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>July Total</b>			<b>\$ 3,375</b>	<b>\$ 3,375</b>	<b>\$ 2,850</b>	<b>\$ 2,850</b>
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8/10/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/13/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/14/2012			\$ 150	\$ 150		
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8/17/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/20/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/22/2012			\$ 150	\$ 150	\$ 150	\$ 150
8/23/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/24/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/27/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/28/2012			\$ 150	\$ 150		
8/30/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/31/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>August Total</b>			<b>\$ 3,150</b>	<b>\$ 3,150</b>	<b>\$ 3,075</b>	<b>\$ 3,075</b>
9/6/2012			\$ 225	\$ 225	\$ 225	\$ 225

<b>Court Date</b>	<b>Court Time</b>	<b>Court Hours</b>	<b>1.1110.407 Interpreter</b>	<b>Olga Hurtado</b>	<b>1.1110.408 Reporter</b>	<b>Gail Letizia</b>
9/7/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/10/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/13/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/14/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/17/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/19/2012			\$ 150	\$ 150	\$ 225	\$ 225
9/19/2012					\$ 150	\$ 150
9/20/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/21/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/24/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/25/2012			\$ 150	\$ 150		
9/27/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/28/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>Sept Total</b>			<b>\$ 2,775</b>	<b>\$ 2,775</b>	<b>\$ 2,850</b>	<b>\$ 2,850</b>
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*N.B.: Olga Hurtado has been paid \$36,375 from June 1, 2012 to May 6, 2013, of which \$2,700 was for election interpreting services.*

*Gail Letizia has been paid \$31,575 from June 1, 2012 to May 6, 2013.*

*Please note that Westchester County reimburses the Village \$25 for Court Interpreter services for each Court Session. Approximately \$4,700 yearly.*

**RESOLUTION  
COURT REPORTER AGREEMENT**

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, Gail Letizia, P.O. Box 588, Bronxville, New York 10708, has long provided court reporter services to the Port Chester Justice Court; and

WHEREAS, Ms. Letizia has proposed a renewal of her agreement with the Village for an additional two years at no increase in rates of compensation; and

WHEREAS, the Village Manager recommends such renewal. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement with Gail Letizia, P.O. Box 588, Bronxville, New York, as Court Reporter for the Justice Court for a term of two years, commencing on June 1, 2013 and ending on May 31, 2015, compensation to be as provided in the fee proposal dated May 2, 2013, as follows: Monday, Thursday and Friday. \$225 per day (starting time 9:00 a.m. until 5:00 p.m.) any session running past 5:00 p.m. an additional \$50 per hour, and on Wednesday evenings Small Claims session at \$150.00 per night until 10:00 p.m. and any session past 10:00 p.m. an additional \$150.00.

APPROVED AS TO FORM:

\_\_\_\_\_  
Anthony M. Cerreto  
Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

To Village Clerk for BOT  
5-3-13

VILLAGE OF PORT CHESTER

MAY 03 2013

RECEIVED *vm*

Gail M. Letizia, Court Reporter  
16 Saxon Woods Park Drive  
White Plains, New York 10605

Christopher Steers, Village Manager  
Village of Port Chester  
222 Grace Church Street  
Port Chester, New York 10573

May 2, 2013

Dear Mr. Steers:

It has come to my attention that my contract with the Village of Port Chester as Court Stenographer is due for renewal.

I have been employed with the Village since 1993. My contract expired May 31<sup>st</sup>, 2013. With your approval, I would like to continue my contract for another two (2) years at the same rates:

Monday, Thursday, Friday @\$225.00 per day, starting time 9:00 a.m. until 5:00 p.m. Any session running past 5:00 p.m. an additional \$50 per hour will be charged.

Wednesday night Small Claims Session @ \$150.00 per night until 10:00 p.m. Any session running past 10:00 p.m. an additional \$150.00 will be charged.

If, in the event, the need to hire an outside agency arises due to a conflict in my scheduling, the Village will pay fee of agency.

Very truly yours,

*Gail M. Letizia*  
Gail M. Letizia

Cc: Regina Hill, Court Clerk

## AGREEMENT

THIS AGREEMENT, made the \_\_\_\_ day of June 2013 by and between VILLAGE OF PORT CHESTER, (hereinafter referred to as "Village "), a municipal corporation with an office at 222 Grace Church Street, Port Chester, New York, and GAIL LETIZIA, P.O. Box 588, Bronxville, New York 10708, (hereinafter referred to as "Contractor "), party of the second part.

WITNESSETH:

WHEREAS, the Village requires the services of a court reporter for the Port Chester Village Justice Court; and

WHEREAS, the Reporter wishes to be retained in such capacity all on the following terms and conditions: Now, therefore, the parties do mutually agree as follows:

1. This is a contract for professional services.
2. That such services will be provided on an "as needed" basis for the Justice Court with schedule and compensation to be as follows: Monday, Wednesday, Thursday and Friday, flat rate of \$225.00 per day; session starting at 9:00 a.m. until 5:00 p.m. After 5:00 p.m., an additional \$50/hour. Wednesday evenings, Small Claims Session — Flat rate of \$150.00; session starting at 7:00 p.m. until 10:00 p.m. Any session that is past 10:00 p.m. an additional flat rate of \$150.00 until conclusion of calendar.
3. That the Reporter will make herself available to the Court on reasonable notice for pre-trial conferences and jury trials or other such additional proceedings at a flat rate of \$225 per day.
4. That the Reporter may not assign this agreement or make any substitutions without reasonable notice and the prior consent of the Court Clerk and the presiding judge.
5. This agreement shall be for a term commencing on June 1, 2013 and ending on the 31 day of May, 2015, subject, however, to the right of either party to terminate this agreement at any time on sixty (60) days written notice to the other at the address shown above.
6. In performing these services, it is mutually agreed and understood that the Reporter shall be and all times acting and performing same as an independent contractor. Nothing in this agreement is intended to create an employer /employee relationship, or to allow the Village exercise control or direction over the manner or method by which the Reporter performs the services which are the subject of this agreement.
7. This agreement is entire and shall not be altered or amended except by a writing signed by the parties hereto.

8. In the event of a dispute or controversy between the parties arising out of or relating to this agreement, the parties agree that such disputes will be adjudicated in a court of competent jurisdiction in the State of New York.

9. This agreement shall be governed by and construed in accordance with the laws of the State of New York

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

VILLAGE OF PORT CHESTER

By \_\_\_\_\_  
Christopher D. Steers,  
Village Manager

\_\_\_\_\_  
GAIL LETIZIA

# Memo

**To:** Mr. Chris Steers, Village Manager

**From:** Regina Hill *RH*

**CC:**

**Date:** May 17, 2013

**Re:** Gail Letizia and Olga Hurtado

---

After speaking to Judge Sisca and Judge Troy, we highly recommend renewing the resolutions for Gail Letizia as Court Stenographer and Olga Hurtado as Spanish Interpreter for the Village Court. Thank you.

# Memo

To: Ms. Leonie Douglas, Treasurer  
From: Regina Hill  
CC: Mr. Chris Steers, Village Manager  
Date: May 31, 2013  
Re: Gail Letizia and Olga Hurtado

---

Olga Hurtado is a certified interpreter and interprets for other courts in New York State and she is paid via a voucher.

Gail Letizia is a stenographer for other courts in New York State and she is paid via a voucher.

**Village Justice Court**

**Court Interpreter & Reporter**

**G/L 1.1110.407 - Interpreter - \$40,000 Budget FY 2012-13**

**G/L 1.1110.408 - Court Reporter - \$35,000 Budget FY 2012-13**

<b>Court Date</b>	<b>Court Time</b>	<b>Court Hours</b>	<b>1.1110.407 Interpreter</b>	<b>Olga Hurtado</b>	<b>1.1110.408 Reporter</b>	<b>Gail Letizia</b>
6/1/2012			\$ 225	\$ 225	\$ 225	\$ 225
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6/5/2012			\$ 150	\$ 150		
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6/11/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/13/2012			\$ 150	\$ 150	\$ 150	\$ 150
6/14/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/15/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/18/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/19/2012			\$ 150	\$ 150		
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6/25/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/28/2012			\$ 225	\$ 225	\$ 225	\$ 225
6/29/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>June Total</b>			<b>\$ 3,375</b>	<b>\$ 3,375</b>	<b>\$ 3,075</b>	<b>\$ 3,075</b>
7/2/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/6/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/9/2012			\$ 225	\$ 225	\$ 225	\$ 225
7/10/2012			\$ 150	\$ 150		

<b>Court Date</b>	<b>Court Time</b>	<b>Court Hours</b>	<b>1.1110.407 Interpreter</b>	<b>Olga Hurtado</b>	<b>1.1110.408 Reporter</b>	<b>Gail Letizia</b>
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8/20/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/22/2012			\$ 150	\$ 150	\$ 150	\$ 150
8/23/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/24/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/27/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/28/2012			\$ 150	\$ 150		
8/30/2012			\$ 225	\$ 225	\$ 225	\$ 225
8/31/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>August Total</b>			<b>\$ 3,150</b>	<b>\$ 3,150</b>	<b>\$ 3,075</b>	<b>\$ 3,075</b>
9/6/2012			\$ 225	\$ 225	\$ 225	\$ 225

<b>Court Date</b>	<b>Court Time</b>	<b>Court Hours</b>	<b>1.1110.407 Interpreter</b>	<b>Olga Hurtado</b>	<b>1.1110.408 Reporter</b>	<b>Gail Letizia</b>
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9/14/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/17/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/19/2012			\$ 150	\$ 150	\$ 225	\$ 225
9/19/2012					\$ 150	\$ 150
9/20/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/21/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/24/2012			\$ 225	\$ 225	\$ 225	\$ 225
9/25/2012			\$ 150	\$ 150		
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9/28/2012			\$ 225	\$ 225	\$ 225	\$ 225
<b>Sept Total</b>			<b>\$ 2,775</b>	<b>\$ 2,775</b>	<b>\$ 2,850</b>	<b>\$ 2,850</b>
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*Gail Letizia has been paid \$31,575 from June 1, 2012 to May 6, 2013.*

*Please note that Westchester County reimburses the Village \$25 for Court Interpreter services for each Court Session. Approximately \$4,700 yearly.*

## INTERMUNICIPAL AGREEMENT

THIS AGREEMENT made this \_\_\_\_ day of June 2013, by and between the VILLAGE OF PORT CHESTER, a municipal corporation duly organized and existing under the laws of the State of New York, with offices at 222 Grace Church Street, Port Chester, New York, 10573 (hereinafter referred to as "PORT CHESTER") and the TOWN OF HARRISON/VILLAGE OF HARRISON, a municipal corporation duly organized and existing under the laws of the State of New York with offices at 1 Heineman Place, Harrison, New York 10528 (hereinafter referred to as "HARRISON").

### WITNESSETH

WHEREAS, the Village of Port Chester does not have the current capability of providing firearms training for members of the Police Department; and

WHEREAS, the Town of Harrison/Village of Harrison has made its outdoor pistol range available at no financial expense to the Village of Port Chester;

WHEREAS, such cooperative agreement is authorized under Article 5-G of the General Municipal Law and represents another example of the close and continuing relationship between Port Chester and neighboring municipalities in the area of shared services.

NOW, THEREFORE, in consideration of the promises and covenants contained herein, it is mutually agreed by and between the parties as follows:

1. Scope of Services: Subject to advance notice and availability, Harrison shall make available its pistol range to the Port Chester Police Department.

2. Supervision: Port Chester will have appropriate supervisory personnel on site during use.

3. Compliance: Port Chester will comply with all applicable codes, laws, rules and regulations in the use of the facility.

4. Indemnification: Port Chester will execute the indemnification agreement annexed hereto and made a part of this agreement.

6. Insurance: Port Chester agrees to name Harrison as an additional insured under its Comprehensive General Liability Policy with the New York Municipal Insurance Reciprocal and to provide evidence of insurance coverage by an appropriate certificate of insurance.

7. Term: This Agreement shall be effective upon execution and automatically continue year by year unless terminated by either party on ninety (90) days notice.

8. Complete Agreement; Modification; Assignment: This Agreement contains the complete agreement between the parties and may not be modified except in writing signed by both parties. Upon its effective date, this Agreement supersedes any prior agreements, understandings, written or oral between the parties. It may not be assigned without the prior written consent of the other party

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed by their respective duly authorized officials on the day and year first above written.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

VILLAGE OF PORT CHESTER

---

Christopher D. Steers, Village Manager

TOWN OF HARRISON

---

AUTHORIZING AGREEMENT WITH THE TOWN OF HARRISON FOR USE OF  
OUTDOOR PISTOL RANGE

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Port Chester Police Department desires to continue the use of the Town/Village of Harrison Police Department Pistol Range; and

WHEREAS, Harrison has afforded the use of the pistol range at no cost to Port Chester, subject to the provision of an indemnification agreement and inclusion of an additional insured under Port Chester's general liability policy; and

WHEREAS, an intermunicipal agreement is required to facilitate this successful example of shared services between the Village of Port Chester and its neighboring municipalities. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an intermunicipal agreement with the Town/Village of Harrison for the Port Chester Police Department's use of the pistol range, on the foregoing conditions and such other terms as satisfactory to the Manager and Village Attorney.

APPROVED AS TO FORM:

\_\_\_\_\_  
Anthony M. Cerreto  
Village Attorney

REPORT  
OF  
THE VILLAGE MANAGER



# VILLAGE OF PORT CHESTER

## OFFICE OF THE VILLAGE MANAGER

### MEMORANDUM

TO: Mayor and the Board of Trustees

FROM:  Christopher D. Steers, Village Manager

DATE: June 3<sup>rd</sup>, 2013

RE: Updates

#### ACTIONS:

- **Software Upgrades:** As a follow up to the recent Board workshop on priorities and code enforcement, authorization was given to move forward with the purchase of the MUNICIPALITY Software commencing on June 1<sup>st</sup>. The upgrades include the following new modules:

Item	Unit Price	Units	Total
Municipality GIS 20/20 (Web Based GIS Module)	\$6000.00	1	\$6000.00
Municipality Work Order Module	\$4300.00	1	\$4300.00
Droid Application (one time \$1,500 setup fee included in price)	\$500.00	10	\$6500.00
Municipality Web with Credit Card and Check Processing	\$10,900.00	1	10,900.00
<b>Total Project Price</b>			<b>\$27,000.00</b>

These modules are the next step in the modernization of some of the Village's information technology resources. The additional utility provided by the modular upgrades will allow for: Real Time inspection updates; Data Access for CEO's and Building Inspectors in the field; Public Access to multiple data layers including code violations and inspection statuses; the ability to track all public complaints received; and the ability for the public to pay certain fees on line. The annual maintenance fees going forward for all the modular upgrades will be approximately \$5,000.00.

- **Recruitment of two interns for the Building Department:** As a follow up to the Board workshop on priorities and code enforcement recruitment of two additional interns will commence on June 1<sup>st</sup>. Expedited searches continue to be provided within the 10 business day guideline. However, regular searches continue to take in excess of 8 weeks to complete which quite frankly is an unacceptable level of service delivery.

The interns will be hired for a one year term at the salary of \$35,000 each. The total cost plus fringe is approximately \$105,000 for the year. These interns will provide the additional resources necessary to process the growing search backlog and significantly improve our service delivery in this area.

Both actions will be implemented in accordance with the referenced Board authorization and prior Board resolution dated April 24<sup>th</sup>, 2013. These actions are in furtherance of the number one listed Board priority.

Attachments.

CC: Tony Cerreto, Village Attorney  
Peter Miley, Building Inspector / Code Enforcement Director  
Christopher Ameigh, Administrative Aide  
Ed Brancati, HR /Risk Management  
Maryanne Veltri, Office Assistant  
File



781 Elmgrove Road, Rochester, New York 14624  
 (800) 836-8834 • (585) 328-1810  
 FAX (585) 328-8189

**MUNICIPITY™ CHANGE ORDER # [PO0100\_04-05-2013] – ADDITIONAL PRODUCTS/SERVICES**

This Change Order is subject to General Code’s Content Management Solutions Terms and Conditions, which are available at [www.generalcode.com/TCdocs](http://www.generalcode.com/TCdocs) and are incorporated herein by reference, and the client authorizes General Code to proceed with the project.

**Client: Village of Port Chester**  
**Address: 222 Grace Church Street**

**Contact Person: Christopher Steers**  
**Date: 04-05-2013**

Item	Unit Price	Units	Total
Municipy GIS 20/20 (Web Based GIS Module)	\$6000.00	1	\$6000.00
Municipy Work Order Module	\$4300.00	1	\$4300.00
Droid Application (one time \$1,500 setup fee included in price)	\$500.00	10	\$6500.00
Municipy Web with Credit Card and Check Processing	\$10,900.00	1	10,900.00
<b>Total Project Price</b>			<b>\$27,000.00</b>

**Timeline:** This service will be provided within 60 days from receipt of the signed Change Order.

**Payment Terms:** 50% on receipt of signed change order; 50% on delivery.

**Price Validity:** Price is valid for 30 days from 04-05-2013

---

**(Client please fill out) Invoice for this Change Order to be sent to:**  
**Department:** \_\_\_\_\_ **Contact Name:** \_\_\_\_\_

---

The prices and specifications in this Change Order are satisfactory and are hereby accepted. All work is to be performed under the same terms and conditions as specified in the original contract unless otherwise specified.

**Village of Port Chester, Westchester County, New York**

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Name** \_\_\_\_\_ **Title** \_\_\_\_\_

**Please fax to General Code at 585/328-8189**

## CHANGE ORDER FORM

<b>Municipity™ Recommended Minimum Specifications</b>
---

**Server:**

CPU	Pentium IV 1 GHz or better required
Memory	If server running only Municipity: 2 GB RAM recommended If server running additional applications: increase by 1 GB per additional application
Operating System	Windows Server 2003 or above with current service pack
Database Engine	MS SQL Server 2005 or above with all SQL tools installed
Network Protocol	Must be TCP/IP; the network address and sub-net mask must be the same on both the server and the workstations
Browser	Internet Explorer 6.0 or higher
Hard Drives	Assume 20,000 pictures from inspections per 1 GB of hard drive space, RAID array recommended
NIC	For network connectivity
UPS/Tape Backup	UPS and tape or other backup system to ensure data integrity
Software	Microsoft Outlook version 2000 SP-3 or better

**Workstations:**

CPU	Pentium IV or better recommended
Memory	512 MB RAM or better - 1GB RAM recommended
Operating System	Windows XP Professional, Windows Vista Business, Windows 7
Network Protocol	Must be TCP/IP; the network address and sub-net mask must be the same on both the server and the workstations
Browser	Internet Explorer 6.0 or later
NIC	Access to the network server running Municipity
Monitor	17" monitor or better recommended for optimal viewing
Resolution	Minimum Screen resolution of 1024x768
Scanner	If scanning documents into Municipity is required - a scanner that supports TWAIN drivers
Software	Microsoft Outlook version 2000 SP-3 or better

**Laptop/Tablet PC:**

CPU	Pentium IV or better recommended
Memory	1GB RAM recommended
Operating System	Windows XP Professional, Windows Vista Business, Windows 7
Network Connection	Must be TCP/IP; the network address and sub-net mask must be the same on both the server and the laptop - used for synchronization to the main database
Browser	Internet Explorer 7.0 or later

## CHANGE ORDER FORM

**Android:**

General	Android 2.3 or greater; persistent data connection [cellular (preferred) or wifi]; camera recommended for taking photos in the field
---------	--

**Remote Support:**

Remote Access	As part of this purchase, the municipality agrees to allow remote access to your Server and Desktop system(s) with a minimum of a 56kb modem. If your municipality has broadband Internet service, the preferred access method would be via TCP/IP over the Internet (utilizing software such as GoToMeeting or GoToAssist).
---------------	--

AGREEMENT FOR THE USE OF THE PROFFER  
WITH REGARD TO THE MARINER PROJECT

On motion of TRUSTEE KENNER, seconded by TRUSTEE TERENCE, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, by resolution adopted on March 23, 2006, the Village Board of Trustees declared its intent to establish an "Affordable Housing Incentive Fund" that would assist qualified moderate income families to acquire affordable housing; and

WHEREAS, by resolution adopted January 25, 2010, the Village Planning Commission granted site plan approval in connection with a 100-unit residential development on Abendroth Avenue requiring Mariner's predecessor in interest to deposit \$600,000 into an "Affordable Housing Fund"; and

WHEREAS, Mariner's predecessor in interest made such \$600,000 payment to the Village on or about January 28, 2011; and

WHEREAS notwithstanding the language of the Planning Commission's resolution, the parties recognize and acknowledge that such \$600,000 was a voluntary proffer; and

WHEREAS, that final approval for the Mariner Project was obtained and the Village issued a certificate of occupancy; and

WHEREAS, Mariner has vested rights in the Mariner Project and has no further obligation to the Village; and

WHEREAS no such Affordable Housing Incentive Fund has been established by the Village; and

WHEREAS, it is the desire of the Board of Trustees to utilize these funds for code enforcement and building compliance purposes.

RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with Mariner Port Chester LLC, c/o J.P. Morgan Investment Management, Inc., 270 Park Avenue, New York, New York 10017, that the \$600,000 payment made by the predecessor in interest may be used by the Village of Port Chester in any manner that it deems appropriate and in its sole discretion for the public benefit, including, but not limited to, code enforcement and building code compliance.

APPROVED AS TO FORM:

---

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Adams

Date: April 24, 2013

# DISCUSSION

# CORRESPONDENCE

**From:** [rogan384@aol.com](mailto:rogan384@aol.com)  
**To:** [Richards, Janusz R](#)  
**Subject:** Planning Commission Candidate  
**Date:** Thursday, May 16, 2013 9:35:44 PM  
**Attachments:** [S\\_M\\_Rogan\\_resume.docx](#)

---

Please distribute this cover letter and the attachment to Mayor Pagano and the Board of Trustees.  
Thank you. Sheila Rogan

Dear Mayor Pagano and Board of Trustees,

With this letter, I would like to express my interest to serve the Village on the Planning Commission. I'm particularly interested in helping to contribute towards future development of the Village following the goals and guidelines established in the Comprehensive Plan. I look forward to working with Village staff and other Commission members to develop the best possible outcome for the Village.

Best Regards,

Sheila M. Rogan

Sheila M. Rogan  
384 King Street  
Port Chester, NY 10573

Home: 914-937-1325

Office: 203-326-7103

## **Experience**

### **February 2012 - Present**

*UBS Financial Services, Stamford, CT 06901*

*Wealth Management*

Senior Associate

The Reidy Investment Consulting Group

### **February 2007 – February 2012**

*Morgan Stanley Smith Barney, Greenwich, CT 06830*

*Wealth Management*

Assistant Vice President

The Mahon Group

### **November 1999 – February 2007**

*Morgan Stanley Dean Witter, Greenwich, CT 06830*

*Wealth Management*

*High Net Worth Clients*

Assistant Vice President

### **November 1991 – May 1995**

*Dean Witter Reynolds, 2 World Trade Center, NY, NY*

Assistant Vice President

Retirement Planning Services

### **November 1987 – November 1991**

*Smith Barney Harris Upham, 1345 Ave of Americas, NY, NY*

Insurance Operations Manager

## **Education**

Hobart and William Smith Colleges, Geneva, NY

B.A. awarded 1986

**Education**

Hobart and William Smith Colleges

B.A. awarded 1986



May 15, 2013

Port Chester, New York  
222 Grace Church Street  
Port Chester NY 10573

Andy Hamilton, RLA, APBP  
Mid-Atlantic Coordinator  
East Coast Greenway Alliance  
1099 Pebble Hill Road  
Doylestown, PA 18901

**Board of Trustees**

David Read, MA (Chair)  
Paul Haydt, FL (Vice Chair)  
Elizabeth Brody, NY (Secretary)  
Robert Russo, NJ (Treasurer)  
Jacob Dolan, NC  
Gail Kirkland, GA  
Robert Kruts, NY  
Anne Maleady, MA  
Steve Mitchell, CT  
Al Nierenberg, MA  
Stephen Rees, ME  
Maria Sawczuk, DE  
Larry Silver, PA

**Advisory Board**

Chuck Flink, Alta Planning + Design (Chair)  
Deborah Apps, President & CEO, Trans Canada Trail  
Wayne Clark, CISCO Systems (retired), Cycling Advocate  
Andy Clarke, Executive Director, League of American Bicyclists  
Mary Glassman, First Selectman, Simsbury, CT  
Tony Hiss, Environmental Author  
John Horsley, Executive Director, AASHTO  
Wil Hylton, GQ Magazine  
Harry Jaffe, Washingtonian Magazine  
Patricia King, ECGA Co-Founder  
Keith Laughlin, President Rails-to-Trails Conservancy  
Jeff Miller, President/CEO, Alliance for Biking and Walking  
Ellen Moyer, former Mayor, Annapolis, MD  
Jeff Olson, Alta Planning + Design  
Bill O'Neill, Founder, Fuss and O'Neill  
Jean-François Pronovost, Director, Vélo Québec  
Chuck Sloan, Chairman, Trust for the Appalachian Trail Lands  
Pablo Torres, Environmental Advocate  
Karen Votava, ECGA Co-Founder

**Executive Director**

Dennis Markatos-Soriano

Dear Mayor Pagano and Board of Trustees,

On behalf of the East Coast Greenway Alliance (ECG) I am writing to update you on the status of the East Coast Greenway's effort in Westchester County and Port Chester. The East Coast Greenway is a system of trails, interconnected by roadways that starts in Calais, Maine and ends in Key West, Florida, connecting 15 states and the District of Columbia. The East Coast Greenway is 2,900 miles in length. Today it is 29% completed off road trail and the ECG is energetically signing the entire route from Maine to Florida.

In January 2011 Mayor Pilla and the Board of Trustees of Port Chester signed a resolution recognizing the East Coast Greenway and supporting the effort to install signage along the route. In the past year we have been working with NYSDOT to get an MUTCD compliant sign accepted into the NYSDOT manual for the ECG. That approval has been completed. Additionally NYSDOT has completed a tour of the alignment of the East Coast Greenway and completed a signage plan for same.

This letter is to inform you all of the steps that have been taken and to initiate the next step with the town of Port Chester to implement the installation of signs.

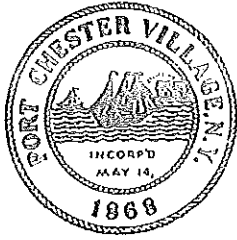
Please see the enclosures that include the agreement with NYSDOT, the sign plan which is in the form of photographs with signage superimposed, and the resolution of support from 2011.

I look forward to working with Port Chester to complete the installation of these signs along the ECG alignment.

Sincerely,

Andy Hamilton, RLA, APBP





VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, NY 10573

Joan Mancuso  
Village Clerk

January 21, 2011

(914) 939-5202  
Fax: (914) 305-2560  
E-mail: [jmancuso@portchesterny.com](mailto:jmancuso@portchesterny.com)

The Honorable Andrew Cuomo  
Governor of New York  
Executive Chambers  
Albany, NY 12224

New York State Department of Transportation  
Region 8, Eleanor Roosevelt State Office Building  
4 Burnett Boulevard  
Poughkeepsie, NY 12603

Commissioner Edward Burroughs  
Westchester County Planning Dept.  
414 Michaelian Building  
148 Martine Avenue  
White Plains, NY 10601

Mayor Douglas H. French  
City of Rye  
1051 Boston Post Road  
Rye, NY 10580

Mayor Noam Bramson  
City of New Rochelle  
515 North Avenue  
New Rochelle, NY 10801

Mayor/Supervisor Joan B. Walsh  
Town/Village of Harrison  
1 Heineman Place  
Harrison, NY 10528

Supervisor Valerie O'Keeffe  
Town of Mamaroneck  
740 West Boston Post Road  
Mamaroneck, NY 10543

Mayor Joseph C. Hays, Jr.  
Village of Pelham Manor  
Four Penfeld Place  
Pelham Manor, NY 10803

Mayor Norman S. Rosenblum  
Village of Mamaroneck  
123 Mamaroneck Avenue  
Mamaroneck, NY 10543

Mayor Joshua L. Mandell  
Village of Larchmont  
120 Larchmont Avenue  
Larchmont, NY 10538

Dear Governor Cuomo, New York State Department of Transportation,  
Commissioner Burroughs, Mayor French, Mayor Bramson,  
Mayor/Supervisor Walsh, Supervisor O'Keeffe, Mayor Hays, Mayor Rosenblum and  
Mayor Mandell;

Enclosed please find a certified copy of a resolution adopted by the Board of  
Trustees of the Village of Port Chester at a meeting held on December 20, 2010 that the  
Board endorses the concept of the East Coast Greenway.

On behalf of the Board of Trustees please accept their gratitude for your attention  
to this important matter.

Very truly yours,

Joan Mancuso  
Village Clerk

cc: East Coast Greenway  
Mayor Pilla and the Board of Trustees

**VILLAGE OF PORT CHESTER  
RESOLUTION  
ENDORING THE EAST COAST GREENWAY ROUTE  
THROUGH THE VILLAGE OF PORT CHESTER**

On motion of TRUSTEE BRANCA, seconded by TRUSTEE MARINO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

**WHEREAS**, the East Coast Greenway Alliance, a not for profit organization is spearheading the East Coast Greenway, a proposed 2600-mile, shared-use pathway that will pass through Westchester County to connect cities, towns and villages along the eastern seaboard from Calais, Maine, to Key West, Florida; and

**WHEREAS**, New York is one of 15 states and the District of Columbia through which the Greenway runs; and

**WHEREAS**, the Greenway, considered the "urban equivalent of the Appalachian Trail," will pass through sites showcasing the nation's industrial, historic, and cultural diversity; and

**WHEREAS**, the Greenway will spur the building of a network of pedestrian and bicycling greenways through New York, a goal encouraged by the New York Department of Transportation and other agencies; and

**WHEREAS**, the Greenway will serve bicyclists, walkers, equestrians, the physically challenged and other non-motorized users, both local residents and long-distance travelers; and

**WHEREAS**, the Greenway, by providing a largely off-road route separated from vehicular traffic, will encourage people of all ages to be outdoors more, improving their health and physical fitness while enjoying their playing fields, parks and nature preserves; and

**WHEREAS**, the Greenway, by offering tourists and shoppers access to cultural and historical sites, will bring economic benefits to municipalities and businesses along the route;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Port Chester, New York, hereby endorses the concept of the East Coast Greenway and its passage through the Village of Port Chester along the designated route of Mill Street to Abendroth Avenue, to Waterfront Place/Don Bosco Place then to Grace Church Street; and

**BE IT FURTHER RESOLVED**, the East Coast Greenway Alliance is hereby authorized to assist the Village to erect necessary signage along the route; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the East Coast Greenway, the Governor of the State of New York, the New York State Department of Transportation, the Westchester County Planning Department, the City of Rye, the Town of Harrison, the Town of Mamaroneck, Village of Mamaroneck, the Village of Larchmont, the City of New Rochelle and the Village of Pelham Manor.

ROLL CALL

AYES: Trustees Didden, Terenzi, Kenner, Branca, Marino, Brakewood and Mayor Pilla

NOES: None

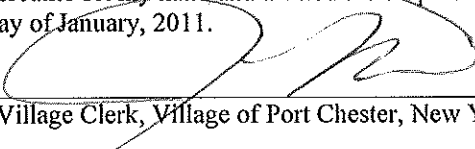
ABSENT: None

DATE: December 20, 2010

STATE OF NEW YORK) ss:  
COUNTY OF WESTCHESTER)

I, JOAN MANCUSO, Village Clerk of the Village of Port Chester, New York, do hereby certify that I have compared the foregoing copy with the original copy on file in the Village of Port Chester.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Port Chester, New York this 21<sup>st</sup> day of January, 2011.

  
\_\_\_\_\_  
Village Clerk, Village of Port Chester, New York

(Seal)



Southbound East Coast Greenway  
Mill Street - New York side of Byram River

Approaching US Route 1  
Village of Port Chester  
Westchester County, New York

Place ECG sign with an advanced left arrow.



Southbound East Coast Greenway

Mill Street at US Route 1  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG sign with a left arrow.



Southbound East Coast Greenway

US Route 1 south of Mill Street  
Village of Port Chester  
Westchester County, New York

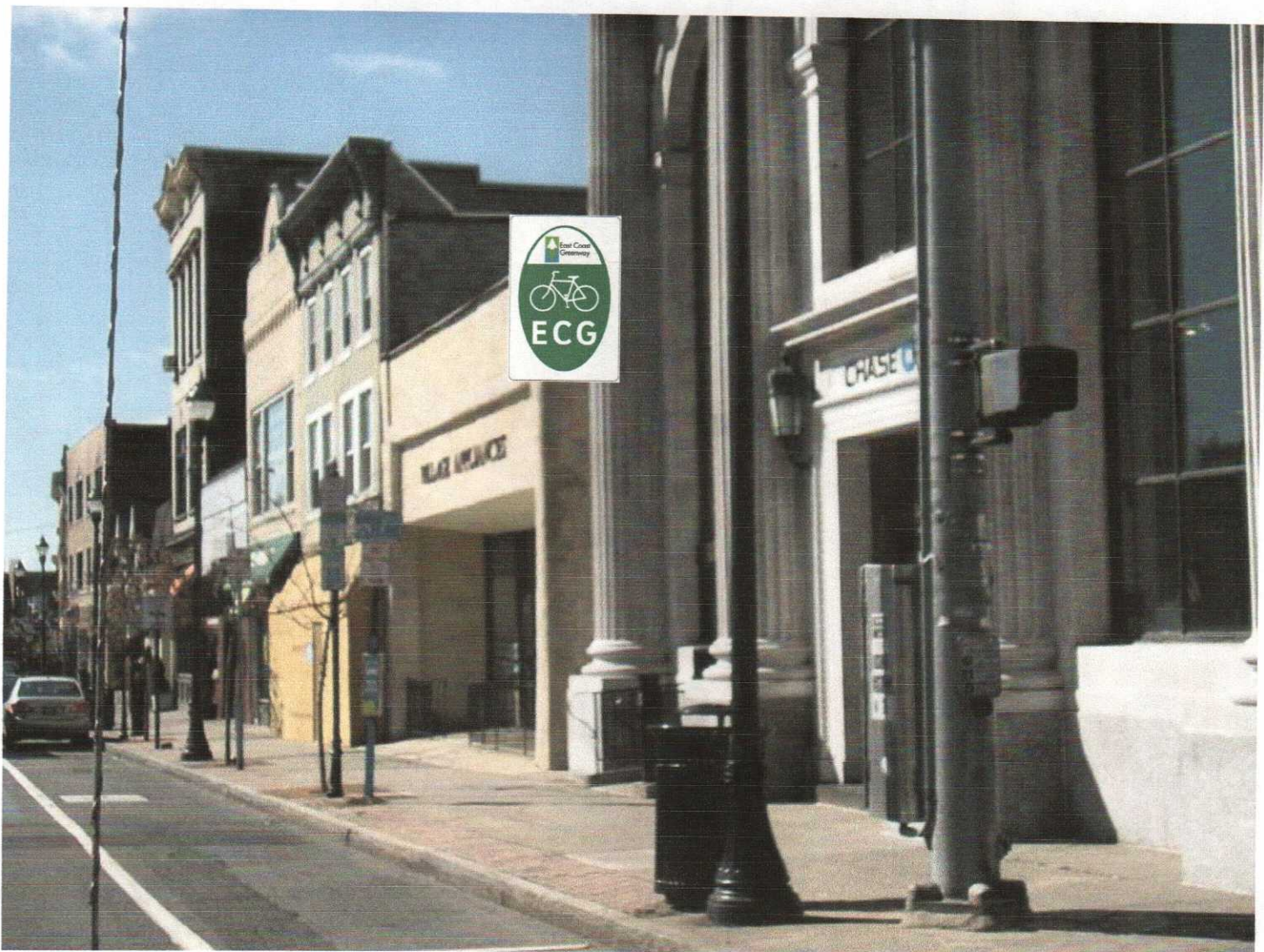
Place a NYS M1-8a ECG confirmation sign.



Southbound East Coast Greenway

US Route 1 at Highland Street  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG sign confirmation sign.



Southbound East Coast Greenway

US Route 1 south of Willet Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG sign confirmation sign.



Southbound East Coast Greenway

US Route 1 south of Adee Street  
Village of Port Chester  
Westchester County, New York

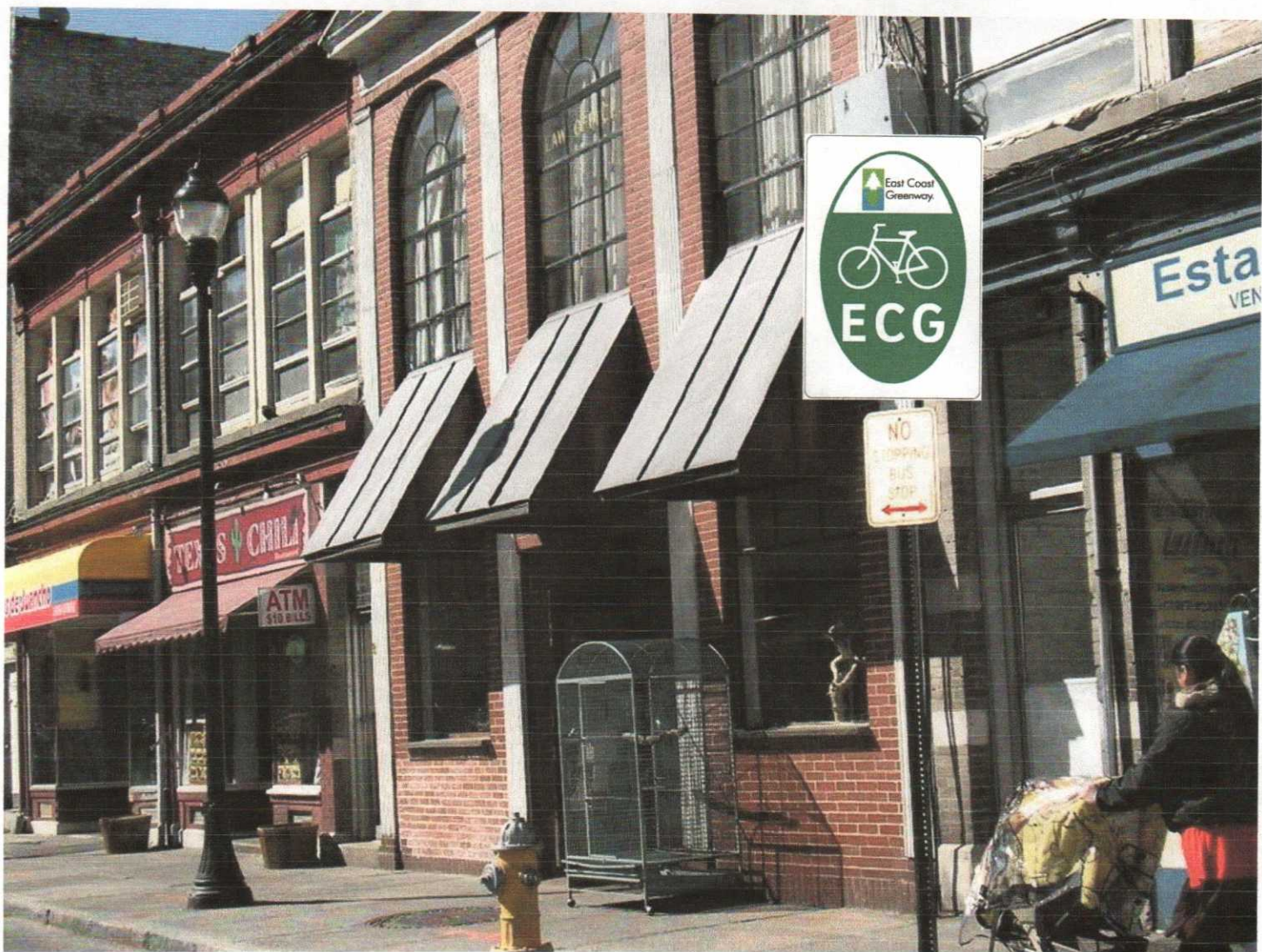
Place a NYS M1-8a ECG sign confirmation sign.



Southbound East Coast Greenway

US Route 1 approaching Westchester Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG sign with a straight arrow.



Southbound East Coast Greenway

US Route 1 south of Westchester Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG confirmation sign.



Southbound East Coast Greenway

US Route 1 approaching Grace Church Street/US Route 1/Purdys Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG confirmation sign.



Southbound East Coast Greenway

Grace Church Street at US Route 1/Purdy Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG sign with a straight arrow.



Southbound East Coast Greenway

Grace Church Street after US Route 1/Purdy Avenue

Village of Port Chester

Westchester County, New York

Place a NYS M1-8a ECG confirmation sign.



Southbound East Coast Greenway

Grace Church Street at Midland Avenue (NY Route 982B)  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG sign with a straight arrow.



Southbound East Coast Greenway

Grace Church Street south of Midland Ave.  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG confirmation sign.



Southbound East Coast Greenway

Grace Church Street between Sand and Arnett Streets  
Village of Port Chester  
Westchester County, New York

Existing ECG sign.

Place a NYS M1-8a ECG confirmation sign.



Southbound East Coast Greenway

Grace Church Street at Eldridge Street.  
Village of Port Chester  
Westchester County, New York

Existing ECG sign.

Place a NYS M1-8a ECG confirmation sign.



Northbound East Coast Greenway

Grace Church Street at the Village of Port Chester Line  
Village of Port Chester  
Westchester County, New York

Existing ECG sign.

Place a NYS M1-8a ECG confirmation sign.



Northbound East Coast Greenway

Grace Church Street at Midland Avenue (982B)/Don Bosco Place  
Village of Port Chester  
Westchester County, New York

Existing ECG sign.

Place a NYS M1-8a ECG sign with a straight arrow.



Northbound East Coast Greenway

Grace Church Street north of Midland Avenue (982B)/Don Bosco Place  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG confirmation sign.



Northbound East Coast Greenway

Grace Church Street/S. Main Street at US Route 1/Purdy Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG sign with a straight arrow.



Northbound East Coast Greenway

S. Main Street (US Route 1) north of Purdy Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG confirmation sign.



Northbound East Coast Greenway

S. Main Street (US Route 1) approaching Westchester Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG sign with a straight arrow.



Northbound East Coast Greenway

S. Main Street (US Route 1) at Westchester Avenue  
Village of Port Chester  
Westchester County, New York

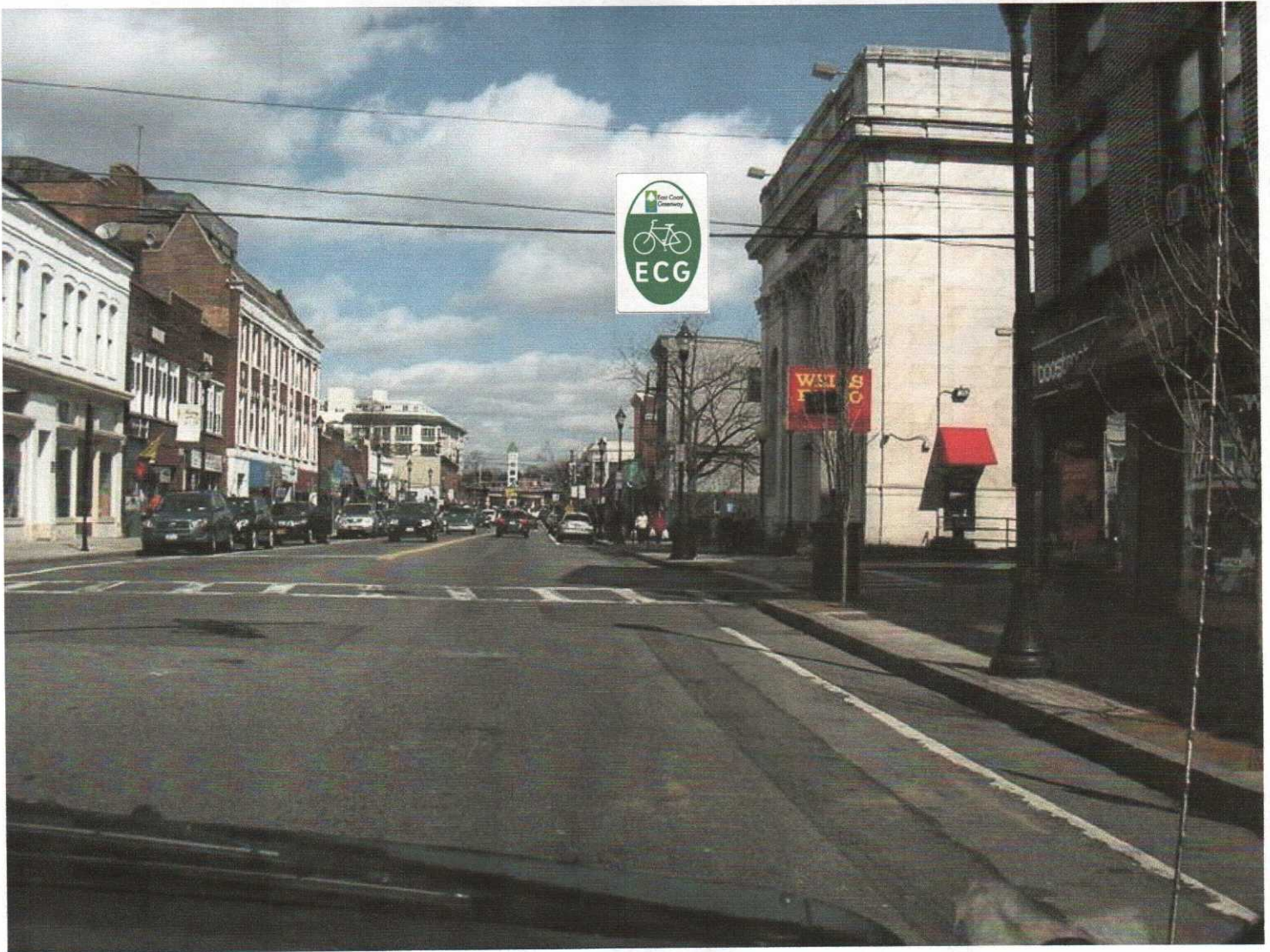
Place a NYS M1-8a ECG confirmation sign.



Northbound East Coast Greenway

S. Main Street (US Route 1) at Adee Street  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG confirmation sign.



Northbound East Coast Greenway

S. Main Street at Willett Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG confirmation sign.



Northbound East Coast Greenway

S. Main Street ( US Route 1) approaching Mill Street  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG sign with a right arrow.



Northbound East Coast Greenway

S. Main Street north of US Route 1/Purdy Avenue  
Village of Port Chester  
Westchester County, New York

Place a NYS M1-8a ECG confirmation sign.



## **Port Chester Council for the Arts National Arts in the School Day Celebration**

**Date:** Thursday, June 6, 2013  
**Time:** 3:45 pm to 5:45 pm  
**Place:** Anthony J. Posillipo Community Center  
32 Garibaldi Place, Rye Brook

**2013 Arts Advocate Award Recipients  
Brigitte Loritz & Cindy Moore**

Join us for an award presentation, special performance by the  
Rye Brook Seniors, Camille Linen & Donna Cribari  
Light refreshments will be served!

Please rsvp to [lizzieski@verizon.net](mailto:lizzieski@verizon.net) or (914) 886-8226



## **Explorer Post 700 of the Port Chester Fire Department**

*Cordially invites you to it's*

### **2013 FASNY Youth Group of the Year Recognition Ceremony**

The Post has been selected as the Fireman's Association of the State Of New York Youth Group of the Year for their commitment to their volunteer fire department and community.

**June 30, 2013**

**4pm**

**South End Fire Station**

(51-53 Grace Church Street Port Chester, NY)

Please RSVP to:  
Charles Nielsen  
[cjniel84@aol.com](mailto:cjniel84@aol.com)  
914-879-7367

**Thomas Edison PTO**  
132 Rectory Street  
Port Chester, NY 10573  
(914)934-7980  
edisonpto.10573@gmail.com

---

Mayor & Board of Trustees  
Port Chester Village Hall  
222 Grace Church Street  
Port Chester, NY 10573

**RE: Thomas Edison School Fun Day-June 14, 2012**

Dear Mayor Pagano & the Board of Trustees:

On Friday June 14, 2013, the Thomas Edison School will be having its annual Fun Day. Fun Day will be held from 8:30 a.m. to 2:30 p.m.

We are hereby requesting the closure of Rectory Street (only the small section in front of the school, between Locust Avenue & Orchard Street.)

For your convenience, I have also forwarded the request to all Emergency Personnel.

If you have any questions, please feel free to call me at (914) 469-8029.

Thank you.

Sincerely,

Cynthia Oliveros  
Vice President of the  
Thomas Edison PTO

CC: Ivan Tolentino, Principal  
Charles Vaccarro, PCPD Traffic Sergeant  
PCFD Fire Chief  
Scott Moore, EMS Administrator  
Roccy Morabito, DPW General Foreman



ARCHITECTURE · FACILITY PLANNING · INTERIORS

May 27, 2013

Neil Pagano, Mayor  
and Board of Trustees  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

Re: 110 Westchester Avenue

Dear Mayor Pagano and Board of Trustees:

We are the architects and planners representing Chung Hwan Kim, the owner of 110 Westchester Avenue, with regard to this minor site plan application. This project is before you relative to the applicant's prior request to the Village for a rear access gate along the common property line with the Village's municipal parking lot on East Broadway. This application addresses the minimum site improvements necessary for the rear yard access from the Village's parking lot to the second floor of the existing building.

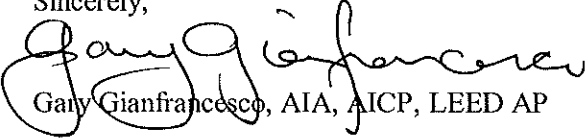
The existing building at 110 Westchester Avenue has two finished floors totaling  $\pm 3,500$  square feet and a full basement. The ground floor had been used previously for many years as a pharmacy and a very small portion utilized for a taxi dispatch office. The second floor was utilized by Circulo Cubano as a social club for many years. The building, with pedestrian access limited to Westchester Avenue, has no on-street or off-street convenient parking available and, as such, has remained vacant and hard to rent. The request for access from the Village's underutilized 14-space parking lot on East Broadway will be done by license agreement similar to the access granted Main Street businesses which back up to the Village's Shopper's parking lot.

The proposed improvements required for the rear access from the Village lot and site upgrade are: handicap drop curb in Village lot; installation of an access gate in the Village fencing; new on-site paved walkway; fencing; walkway lighting; new rear landscaping; building access "bridge"; and a new ADA-compliant door to serve future second floor tenancy and provide a second means of egress.

There have been several site meetings with the Village Engineer relative to the parking lot access and proposed site improvements which have been incorporated into this application.

We look forward to presenting this project in greater detail at the Board of Trustee meeting on June 3, 2013, at which time we can answer any questions you may have.

Sincerely,



Gary Gianfrancesco, AIA, AICP, LEED AP

cc: C. Kim  
A. Vitagliano

545.5 WESTCHESTER AVENUE  
RYE BROOK, NY 10573  
914-937-5596  
914-939-1255 FAX  
INFO@ARCONICS.NET





**Rye Port Chester-Rye Brook-Town of Independence Day Committee**

**P.O.B. 1134**

**Port Chester, New York 10573**

***Chairman & Treasurer***

**Gerald Logan**

***Secretary***

**Nancy Logan**

***Security***

**George Colalucca**

**Amanda Buritica**

***Vice Chairman***

**Steve Giamundo**

***Public Relations***

**Toni Ganim**

**Fabriola Montoya**

**Antonio Moran**

**Noel Gallicano**

**Dom Cicatelli**

**Village of Port Chester**

**Mayor, Manager & Board of Trustees**

**222 Grace Church Street**

**Port Chester, New York 10573**

**May 19, 2013**

**Dear Mayor, Manager and Board:**

**We would like to thank you for your cooperation in the past and present regarding the 4<sup>th</sup> of July Festivities.**

**Thursday, July 4<sup>th</sup> 2013 will be the 66th year of this celebration which is scheduled to take place in the Port Chester Senior High School's Ryan Stadium at 7:30PM.**

**We would like permission to put up our 2 banners, one on Westchester Avenue and the other one in North Main Street.**

**We would also truly appreciate it if you could supply the high school with two porta johns, as in the past and six horses brought to the circle of the Port Chester High School on Neuton Avenue.**

**We are also enclosing copies of this letter for the Village Manager, Mr Steele, and the DPW department, and the Recreation Department, since we are not sure which department it should go to. We would appreciate your helping us in directing this letter to the correct department. We thank you and look forward to you joining us on the dais.**

**If you have any questions, please call me at 914-939-8291, or email [nancyglogan@gmail.com](mailto:nancyglogan@gmail.com)**

**Sincerely,**

**Gerald Logan, Chairman**

# MINUTES

## **MEETING HELD APRIL 15, 2013**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, April 15, 2013 at 7:00 P.M., in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Luis Marino, Joseph Kenner and Gene Ceccarelli.

It should be noted that Trustee Saverio Terenzi was absent.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Director of Planning and Development Christopher Gomez; Police Chief, Joseph Krzeminski; Administrative Aide, Christopher Ameigh and Village Planner, Jessica Youngblood.

On motion of Trustee Kenner, seconded by Trustee Marino, the meeting was declared opened at 7:00 p.m.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

## **AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION**

*Public Hearing to consider the Carver Center, 400 Westchester Avenue, Special Exception Use Application.*

The following Public Notices were duly published in the Journal News and the Westmore News on February 1, 2013 certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

### **PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, April 15, 2013, at 7:00 P.M., at the Police Station/Justice Courtroom second floor, 350 North Main Street, Port Chester, New York, to consider public comment on the proposed special exception use application made by the Carver Center, 400 Westchester Avenue, to operate a membership club, fraternal organization or similar social institution not operated for a profit.

Interested persons will be afforded the opportunity to be heard at this time.

Janusz R. Richards  
Village Clerk

Dated: March 26, 2013

On motion of Trustee Ceccarelli, seconded by Trustee Adams, the public hearing was declared open.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Mr. Richards stated that the public hearing was duly noticed as required by law.

Mr. Gary Gianfrancesco of Arconics Architecture, P.C. spoke regarding the proposed construction for a rear handicap accessible entrance to the Carver Center facility.

Mayor Pagano asked if anyone from the public would like to comment on the proposed special exception use for the Carver Center.

Ms. Goldie Solomon commented that the Carver Center needs a handicap ramp.

Ms. Bea Conetta commented that the Carver Center needs a handicap ramp and the Board should pass the application.

Trustee Brakewood commented that the Carver Center does need to have a handicap accessible ramp.

On motion of Trustee Brakewood, seconded by Trustee Kenner, the public hearing was declared closed.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

On motion of Trustee Brakewood, seconded by Trustee Kenner, the Board asked the Village Attorney to prepare a resolution for the Carver Center special exception use:

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

# **AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION**

## ***Public Hearing to consider a proposal to locate a Port Chester Dog Park in Abendroth Park***

The following Public Notices were duly published in the Journal News and the Westmore News on February 1, 2013 certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

### **PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, April 15, 2013 at 7:00 P.M., in the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider a proposal to locate a Port Chester Dog Park, to be operated by the Village of Port Chester, in Abendroth Park.

Interested persons are invited to attend. The presentation made by Port Chester Dog Park Group is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com)

JANUSZ R. RICHARDS  
Village Clerk

Dated: April 2, 2013

On motion of Trustee Brakewood, seconded by Trustee Marino, the public hearing was declared open.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano  
NOES:  
ABSENT: Trustee Terenzi

Mr. Richards stated that the public hearing was duly noticed as required by law.

Ms. Dina Goren read a statement on behalf of the Port Chester Dog Park Group.

Mr. Joe Langworth of Touraine Avenue commented and asked questions on the following issues: enforcement of park cleanup; monitoring who uses the dog park and if there will be a monitor on duty; safety of children and residents; pavilion parking; dog barking in the evening and property value for homes near the park.

Mr. Terranova commented about the use of the park and pavilion parking.

Ms. Goren commented and answered the questions that were asked by residents and the public.

Mr. Ceruzzi commented that the dog park should only be for Port Chester residents and they should have the dog park as a pilot program first to see if the dog park program works.

Mr. Edgar Salcedo of Touraine Avenue commented that he is not in favor of the dog park. Mr. Salcedo commented about dog fights, dog feces, parking and park maintenance.

Ms. Deidra Curran commented that she is in favor of the dog park and thinks the program will work with responsible dog owners.

Ms. Linda Turturino of Birch Street commented that the responsible dog owners will police the dog park.

Trustee Brakewood commented that this is an excellent public hearing and thinks the dog park will help the problems that already exist in the park.

Trustee Kenner commented his concerns about the maintenance for the dog park and liability issues.

Mayor Pagano asked staff to work out the details with Ms. Goren and to have a resolution prepared for the May 6, 2013 meeting.

On motion of Trustee Adams, seconded by Trustee Marino, the public hearing was declared closed.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

## **AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION**

### ***Public Hearing for the purpose of considering and discussing such tentative budget for FY 2013-2014***

The following Public Notices were duly published in the Journal News and the Westmore News on February 1, 2013 certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

VILLAGE OF PORT CHESTER

### **NOTICE OF BUDGET PUBLIC HEARING**

PLEASE TAKE NOTICE, that pursuant to Section 5-508 of the Village Law, a Tentative Budget showing the revenue and expenditures for the fiscal year of the Village

of Port Chester, New York, commencing June 1, 2013, was filed with the Clerk of said Village.

PLEASE TAKE NOTICE, that a public hearing will be held by the Board of Trustees of said Village on Monday, April 15, 2013 at 7:00 p.m. with the hearing to be held in the Village Justice Courtroom, 350 North Main Street, Port Chester, New York for the purpose of considering and discussing such tentative budget. A copy of such Tentative Budget is available at the office of the Clerk, where it may be inspected by any interested person during office hours or online at [www.portchesterny.com](http://www.portchesterny.com)

Said Tentative Budget includes compensation for the Mayor of \$12,633.00 per annum and for the Trustees of \$5,200.00 per annum.

PLEASE TAKE NOTICE, that at said public hearing all persons are invited to attend and provide the Board with written and oral comments and ask questions concerning the Village's Tentative Budget.

BY ORDER OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF PORT CHESTER, NEW YORK

Janusz R. Richards  
Village Clerk

Dated: April 1, 2013

On motion of Trustee Adams, seconded by Trustee Brakewood, the public hearing was declared open.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Mr. Richards stated that the public hearing was duly noticed as required by law.

Ms. Goldie Solomon commented about the many residents who are struggling to pay their bills and she also commented about the Police, Fire and EMT departments.

Mr. Steers and Ms. Douglas presented to the Board a summary and recommendation of the tentative budget for fiscal year 2013-2014.

Mr. Giangrande commented regarding the parking meter fees.

Mr. Abel also commented regarding the parking meter time and fees.

Mr. Ceruzzi commented that there should also be budget cuts.

Ms. Conetta also commented that there should also be budget cuts.

Mr. Steers commented to the public that the tentative budget has been cut significantly.

On motion of Trustee Adams, seconded by Trustee Brakewood, the public hearing was declared closed.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

**WORK SESSION**

***Budgetary legislative work-session for Library budget and revenue enhancements.***

Ms. Lisa Simon, Treasurer of the Library introduced to the Board some of the Library Board members and staff that were present at the meeting. Ms. Simon presented to the Board the tentative Library budget.

The Board along with staff discussed the tentative Library budget and revenue enhancements.

**Work Session Resolutions**

Resolution 1A

ADJUSTMENT TO PARKING METER HOUR RATES

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the following resolution was **postponed to April 29, 2013** by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, parking meter hour rates are established in Chapter 175, Fees, which may be adjusted by resolution of the Board of Trustees; and

WHEREAS, the Village Manager has provided the Board of Trustees his Tentative Budget for FY 2013-2014; and

WHEREAS, as part of this submission, the Manager suggested certain revenue enhancements, including an adjustment to parking meter hour rates. Now, therefore, be it

RESOLVED, that Chapter 175 Fees, is hereby amended to read as follows:

Parking meter zones

	<u>Section</u>	<u>Rate</u>
2-hour limit	319-87A	\$0.25 for each [20] <u>15</u> minutes
12-hour limit	319-87B	\$0.25 for each [20] <u>15</u> minutes
Parking lots	319-87C	
Parking Lot No. 1		
12-hour limit		\$0.25 for each [20] <u>15</u> minutes, up to a maximum of [\$5] <u>\$6.25</u> .
Parking Lot No. 4		
2-hour limit		\$0.25 for each [20] <u>15</u> minutes
12-hour limit		\$0.25 for each [20] <u>15</u> minutes, up to a maximum of [\$5] <u>\$6.25</u>
[12-hour limit		\$0.25 for each 30 minutes, up to a maximum of \$3 (except decal-only spaces]
Parking Lot No. 11		
2-hour limit		\$0.25 for each [20] <u>15</u> minutes
[South side of Highland Street From North Main Street to Abendroth Avenue		\$0.25 for each 20 minutes,, up to a maximum of \$5]
Parking Lot No. 12		
2-hour limit		\$0.25 for each [20] <u>15</u> minutes
Parking Lot No. 13		
2-hour limit		\$0.25 for each [20] <u>15</u> minutes
12-hour limit		\$0.25 for each [20] <u>15</u> minutes Up to a maximum of [\$5] <u>\$6.25</u>
Parking Lot No. 16		
2 hour limit	319-87C	\$0.25 for each [20] <u>15</u> minutes
Parking Lot No. 17		
2-hour limit	319-87C	\$0.25 for each [20] <u>15</u> minutes
Parking meter cover per day, per cover	<b>319-34B</b>	Single [\$5] \$6.25 Double [\$10.00] \$12.50

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

**Resolutions 1B, 1C, 1D, 1E and 1F combined as a group**

Trustee Marino made a motion to combine resolutions 1B, 1C, 1D, 1E and 1F, of the agenda for the purpose of casting one vote for all five resolutions by the Board of Trustees of the Village of Port Chester, New York. The motion was seconded by Trustee Kenner:

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

On a motion by Trustee Ceccarelli, seconded by Trustee Kenner the following resolutions 1B, 1C, 1D, 1E and 1F were adopted as a group.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

**RESOLUTION 1B  
SET PUBLIC HEARING  
A LOCAL LAW AMENDING CHAPTER 319 OF THE CODE OF THE VILLAGE  
OF PORT CHESTER WITH REGARD TO INCREASING THE HOURS OF  
PARKING METER OPERATION**

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, April 29, 2013, at 7:00 P.M., at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider a

Local Law amending CHAPTER 319 of the Code of the Village of Port Chester with regard to increasing the hours of parking meter operation.

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

**RESOLUTION 1C  
SET PUBLIC HEARING  
A LOCAL LAW AMENDING CHAPTER 345 OF THE CODE OF THE VILLAGE  
OF PORT CHESTER WITH REGARD TO SUBMISSION PROCEDURES FOR  
SITE PLANS**

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, April 29, 2013, at 7:00 P.M., at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider a Local Law amending CHAPTER 345 of the Code of the Village of Port Chester with regard to submission procedures for site plans.

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

**RESOLUTION 1D  
SET PUBLIC HEARING  
A LOCAL LAW AMENDING CHAPTER 345 OF THE CODE OF THE VILLAGE  
OF PORT CHESTER WITH REGARD TO REIMBURSEMENT OF  
PROFESSIONAL FEES**

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, April 29, 2013, at 7:00 P.M., at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider a Local Law amending CHAPTER 345 of the Code of the Village of Port Chester with regard to reimbursement of professional fees.

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

**RESOLUTION 1E  
SET PUBLIC HEARING  
A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT  
CHESTER, CHAPTER 175, WITH REGARD TO NEW PLANNING AND  
ZONING FEES**

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, April 29, 2013, at 7:00 P.M., at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider a Local Law amending the code of the Village of Port Chester, CHAPTER 175, with regard to new planning and zoning fees.

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

**RESOLUTION 1F  
SET PUBLIC HEARING  
A LOCAL LAW AMENDING CHAPTER 332 AND CHAPTER 175 OF THE  
CODE OF THE VILLAGE OF PORT CHESTER WITH REGARD TO THE FEES  
FOR WATERFRONT CONSISTENCY REVIEW**

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, April 29, 2013, at 7:00 P.M., at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider a Local Law amending CHAPTER 332 and CHAPTER 175 of the code of the Village of Port Chester with regard to the fees for Waterfront Consistency Review.

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

Resolution 1G

ADJUSTMENT TO BUILDING DEPARTMENT FEES

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the following resolution was **postponed to April 16, 2013** by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, Building Department Fees are established in Chapter 175, Fees, which may be adjusted by resolution of the Board of Trustees; and

WHEREAS, the Village Manager has provided the Board of Trustees his Tentative Budget for FY 2013-2014; and

WHEREAS, as part of this submission, the Manager suggested certain revenue enhancements, including an adjustment to Building Department Fees. Now, therefore, be it

RESOLVED, that Chapter 175 Fees, is hereby amended to read as follows:

<u>Fee Type</u>	<u>Section</u>	<u>Fee</u>
<b>Architectural Board</b>		
<b>Construction</b>	9-4	
One- and two-family dwellings		\$50.00
All other uses		\$100.00
<b>Signs</b>	9-7	<del>[\$40.00]</del> <u>\$50.00</u>
<b>Sign installation</b>		<del>[\$25.00]</del> <u>\$100.00</u>
<b>Building and fire prevention</b>		
<b>Building permits</b>	151-6	
Construction costs		
Residential		\$75.00
Commercial		\$100.00
Over \$1,000,000 construction cost residential		\$150.00

Over \$1,000,000 construction cost commercial	\$250.00
Each additional \$1,000 or part thereof, per \$1,000	\$12.00
Amendments to permit	
Residential	<del>[\$75.00]</del> <u>\$100.00</u>
Commercial	<del>[\$100.00]</del> <u>\$150.00</u>
<b>Certificate of occupancy</b>	
Residential	
1- and 2-family dwellings	<del>[\$50.00]</del> <u>\$100.00</u>
Multiple-family dwelling (3 or more dwelling units)	\$200.00
Nonresidential	<del>[\$200]</del> <u>\$300.00</u>
Change in nature of occupancy (commercial tenancy only)	\$125.00
<b>Temporary certificate of occupancy</b>	
Residential (1- and 2-family dwellings)	
First 60 days	\$100.00
Each additional 30 days	<del>[\$50.00]</del> <u>\$100.00</u>
Multifamily	
First 60 days	<del>[\$150.00]</del> <u>\$200.00</u>
Each additional 30 days	<del>[\$75.00]</del> <u>\$150.00</u>
Plus	<del>[\$10.00]</del> <u>\$15.00</u> per unit 6 or more
Commercial	
First 60 days	<del>[\$25.00]</del> <u>\$300.00</u>
Each additional 30 days	<del>[\$75.00]</del> <u>\$150.00</u>
<b>Applications for extensions</b>	
Alteration and repair and building permits	
Residential	\$175.00

Multifamily	\$200.00, plus \$10.00 each unit 6 or more
Commercial	\$300.00
<b>Fire sprinkler permits</b>	
Residential (1- and 2-family dwellings)	\$150.00
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$12.00</u>
Multifamily	
First 24 heads	\$200.00
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$15.00</u>
[25 to 99 heads] <u>Above 24 heads</u>	\$100.00
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$12.00</u>
[About 100 heads]	[\$150.00]
Commercial	
First 24 heads	[\$200.00] <u>\$300.00</u>
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$15.00</u>
[25 to 99 heads] <u>Above 24 heads</u>	\$100.00
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$12.00</u>
[Above 100 heads]	[\$150.00]
<b>Fire sprinkler permits - Alterations or repairs to existing systems</b>	
Residential	[\$75.00] <u>\$150.00</u>
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$15.00</u>
Multifamily	<u>\$250.00</u>
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$17.00</u>
[First 24 heads]	[\$150.00]

[25 to 99 heads]	[\$100.00]
Commercial	<u>\$250.00</u>
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$17.00</u>
[First 24 heads]	[\$150.00]
[25 to 99 heads]	[\$100.00]
[Above 100 heads]	[\$150.00]
[Above 100 heads]	[\$150.00]
<b>HVAC permits</b>	
Residential	\$100.00 for the first \$10,000; \$5.00 per \$1,000
Multifamily	\$200.00 for the first \$10,000; \$5.00 per \$1,000
Commercial	\$25.00 for the first \$10,000; \$5.00 per \$1,000
<b>Plumbing permit fees</b>	
1 to 5 fixtures, minimum fee	[\$50.00] <u>\$100.00</u>
Each additional fixture over 5, per fixture	[\$5.00] <u>\$10.00</u>
Testing gas meters	
First meter	[\$24.00] <u>\$50.00</u>
Each additional meter	[\$15.00] <u>\$25.00</u>
Return for retesting of gas meter, per meter	[\$25.00] <u>\$50.00</u>
<b>Electrical permit fees</b>	
Work cost	
\$0 to \$10,000	[\$50.00] <u>\$100.00</u>
\$10,001 to \$100,000	[\$100.00] <u>\$150.00</u>
\$100,001 and up	[\$200.00] <u>\$250.00</u>
<b>Demolition work</b>	
Work cost	
\$0 to \$1,000	\$250.00

Each additional \$1,000		\$15.00
<b>Interior demolition work</b>		\$100.00, plus \$10.00 per \$100.00
<b>Any application for an extension made to the Board of Trustees, Zoning Board of Appeals, Planning Commission or Building Inspector</b>		[\$150.00] <u>\$300.00</u>
<b>Administrative fee where work has been commenced without the requisite having been obtained</b>		\$250.00 or 3 times the permit fee, as set out above, whichever is greater
<b>Other permits</b>	151-7	
Tanks (new and replacements)		[\$30.00] <u>\$50.00</u>
Sale or storage of explosives		\$50.00
Installation or test of oil burner		\$30.00
Storage and sale of small arms ammunition		\$80.00
Fireworks display and discharge		\$150.00
Tents		\$150.00
Blasting (per job)		\$80.00
Copies of fire reports		\$10.00
Transport of explosives		\$50.00
Storage or handling of any catalytic agent necessary for the manufacture of plastic materials		\$40.00
Retailer, jobber or wholesaler storing or handling more than 25 pounds of cellulose nitrate plastics (pyroxylin)		\$40.00
<b>Inspection program</b>	151-7.2	
Each regular inspection		\$100.00
Each reinspection		[\$25.00] <u>\$50.00</u>
<b>Building permit administrative fee where there is an outstanding stop-work order</b>	151-9B(3)	\$300 or 3 times the permit fee, whichever is greater
<b>Fire safety and property maintenance inspection program</b>	151-11	

Multiple dwellings

3 units	\$100
4 to 20 units	\$150
21 to 40 units	\$200
41 to 60 units	\$250
61 or more units	\$300

Places of public assembly

Up to 99 occupants	<del>[\$150]</del> <u>\$200.00</u>
99 occupants or more	<del>[\$250]</del> <u>\$300.00</u>

Nonresidential properties

Up to 9,999 square feet	\$150
10,000 to 50,000 square feet	\$250
51,000 square feet or more	\$350
First reinspection	<del>[\$25]</del> <u>\$50.00</u>
Each additional reinspection	<del>[\$35]</del> <u>\$75.00</u>

**Obstructions**

283-21

Initial permit (roll-off box)	\$5
Additionally, per day or fraction thereof	\$20
Other, (scaffolding, barriers) per foot	\$10

**ROLL CALL**

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

RESOLUTION 1H

PETITION TO NEW YORK STATE PUBLIC SERVICE COMMISSION WITH  
REGARD TO PROPOSED SEWER RENT PROJECT

On motion of TRUSTEE KENNER, seconded by TRUSTEE CECCARELLI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

AUTHORIZING FILING OF JOINT PETITION OF THE VILLAGE  
OF PORT CHESTER AND UNITED WATER WESTCHESTER TO  
THE New York STATE PUBLIC SERVICE COMMISSION FOR  
APPROVAL TO FURTHER ADVANCE A PLAN OF  
IMPLEMENTING SEWER RENTS PURSUANT TO ARTICLE 14-F OF  
NEW YORK  
GENERAL MUNICIPAL LAW

WHEREAS, the prior Board of Trustees made it a policy priority to establish a multi-year, \$15 million capital program to comprehensively address the maintenance and reconstruction of the Village of Port Chester's sanitary sewer system; and

WHEREAS, historically, the funds to maintain the Village's sewer system have been raised through the real property tax which is not only regressive, but does not include all users of the system; and

WHEREAS, in an effort to more equitably spread the significant cost of the program, and operate the system in a more effective and efficient manner, the Board proceeded in the direction of abandoning the Village's reliance on the property tax and instead adopting a system of sewer fees whereby all property owners would be required to contribute; and

WHEREAS, Article 14-F of the New York General Municipal Law authorizes municipalities to charge annual fees for the maintenance of sanitary sewers known as sewer rents by the adoption of a local law; and

WHEREAS, although the statute accords municipalities wide latitude in establishing the formula for calculating sewer rents, water consumption is the most equitable basis and is widely used across the nation; and

WHEREAS, unlike other municipalities in Westchester County that have adopted sewer rents, the Village of Port Chester does not have its own water department but is instead served by a private water company, United Water Westchester Inc.; and

WHEREAS, last year the Village opened discussions to utilize the water company's consumption data and to outsource billing and collection services in order to cost-effectively implement a sewer rent plan; and

WHEREAS, the Board retained specialized counsel experienced in public utility law and who had represented the Village of Port Chester and neighboring municipalities in rate proceedings before the State Public Service Commission; and

WHEREAS, after extensive negotiations, the water company has submitted a proposed work plan and proposal to the Village to offer its services subject to the approval of the New York Public Service Commission to the extent required by law; and

WHEREAS, if consummated between the parties, the proposed relationship would be the first such public-private partnership in New York State.

RESOLVED, that special counsel, Joel Dichter, Esq. Dichter Law Firm, be and is hereby authorized to file a Joint Petition with United Water Westchester Inc. on behalf of the Village of Port Chester and United Water Westchester, Inc. for approval of the use of United Water-Westchester water consumption data for its customers in order to compute and bill charges for sewer rents adopted by the Village of Port Chester pursuant to the General Municipal Law; and be it further

RESOLVED, that counsel further be authorized to negotiate and finalize an agreement with United Water Westchester, Inc., subject to approval by the Board of Trustees.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

## **PUBLIC COMMENTS**

Ms. Conetta congratulated Mayor Pagano, Trustee Adams and Trustee Ceccarelli. Ms. Conetta commented regarding the role of the Board of Trustees, code enforcement and illegal apartments in the village.

Mr. Ceruzzi commented regarding traffic congestion on Putnam Avenue, illegal parking, certificate of occupancy and the amnesty program.

Mr. Abel commented regarding the sewer rent project.

## **RESOLUTIONS**

### RESOLUTION

#### AUTHORIZING JUDICIAL INTERVENTION TO ADDRESS NUISANCE CONDITIONS AT 48 IRENHYL AVENUE AND 169 FAIRVIEW AVENUE

On motion of TRUSTEE KENNER, seconded by TRUSTEE BRAKEWOOD, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the houses at 48 Irenhyl Avenue and 169 Fairview Avenue have been vacant for some time and the properties are in a state of disrepair; and

WHEREAS, these properties has been the subject of repeated complaint by the surrounding neighbors; and

WHEREAS, the current situation is untenable and is nothing less than a public nuisance that must be abated by court action if necessary. Now, therefore, be it

RESOLVED, the Village Attorney is hereby authorized to seek judicial intervention to remedy the nuisance conditions at 48 Irenhyl Avenue and 169 Fairview Avenue, Port Chester, by the commencement of a special proceeding in the Supreme Court, Westchester County.

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

#### ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

RESOLUTION  
AGREEMENT  
BRONX UMPIRES ALLIANCE  
FOR ADULT SOFTBALL LEAGUE 2013 SEASON

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Village Manager is authorized to enter into an agreement with the Bronx Umpires Alliance, 60 Topland Road, White Plains, New York 10605 to provide umpiring services for the Village of Port Chester Recreation Department Adult Softball League for the 2013 Season at a fee of \$40.00 per umpire for two-umpire games and \$55 per umpire for single-umpire games.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano  
NOES:  
ABSENT: Trustee Terenzi

Date: April 15, 2013

RESOLUTION  
BUDGET AMENDMENT – DEA FUNDS TO PURCHASE  
RICOH PRINTER, RICI FINGER PRINGING SYSTEM & DELL PRECISION  
COMPUTERS

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Police Chief recommended the use of DEA Funds for these items and that it is a proper use of such funds to purchase the following items:

1. To replace the existing color printer that served the Detective Division for thirteen years with a Ricoh Aficio MP C3002 Printer, copier, fax & scanner for **\$7,112.00** from Ricoh USA, 2500 Westchester Avenue, Purchase, NY 10577, GSA Contract-GS-03F-0085U, and
2. To replace the existing thirteen year old finger printing system with a new RICI System for **\$20,096** from Comnetix, Inc., 2872 Bristol Circle, Suite 100, Oakville, Ontario, Canada, L6H 6G4, NYS contract PT63109, and
3. Two (2) Mobile Precision M6600 (22-0379) Computers @ \$1,266.53 each (Total **\$2,533.06**) from Dell Computer, JC Otero, Account Manager, Dell Public Sales – North East, NYS contract PT 65340. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2012-13 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue DEA	\$(29,741.06)
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Revenues:

001-0001-2613	Use of Deferred DEA Funds	\$29,741.06
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Appropriations:

001-3120-0200	Police Equipment	\$29,741.06
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ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

RESOLUTION

BUDGET AMENDMENT – USE OF DEA FUNDS & DETMER DONATION  
TO PURCHASE POLICE EMERGENCY VEHICLE RETRO-FIT WITH CUSTOM  
SPECIALTY EQUIPMENT STORAGE

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, \$25,000 was donated to the Police Department by Christine Detmer of Greenwich, Connecticut, in two payments of \$5,000 and \$20,000 in FY 2006-07 for a K-9 Unit, and

WHEREAS, said funds were being held in the Trust & Agency Fund, and

WHEREAS, Christine Detmer has since died; and

WHEREAS, on August 19, 2010, the executrix and sole beneficiary of the Estate has requested that the use of such funds be re-designated so as to confirm Ms. Ditmer's intentions that her donation be used to defray the cost of the current needs of the Police Department; and

WHEREAS, the Police Chief has recommended that the donation be used together with a transfer of DEA funds so as to acquire and retrofit an emergency vehicle; and

WHEREAS, the Chief has advised that such a transfer is a proper use of such DEA funds. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby authorizes the Village Treasurer to make payment for the purchase of an emergency vehicle and equipment as follows:

1. One (1) 2013 Chevrolet Tahoe 4WD for \$32,656.60, NYS Contract PC65854 from Hoselton Chevrolet, Inc., 909 Fairport Road, East Rochester, NY 14445, and
2. One (1) WLC1-24 Rockland Cabinet-Weapons/Command Center/Storage from Rockland Custom Cabinets, 140 Broadhollow Road, Farmingdale, NY 11735, and be it further

RESOLVED, that to accomplish same, the Board accepts the gift of Christine Detmer in the amount of \$25,000; and be it further

RESOLVED, that the Village Treasurer is further authorized to transfer the said sum from the Trust & Agency Fund and modify the 2012-13 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:		
001-001-0695	Deferred Revenue DEA	\$(11,413.98)
Revenues:		
001-0001-2613	Use of Deferred DEA Funds	\$11,413.98
001-0001-2705	Gifts & Donation	\$25,000.00
Appropriations:		
001-3120-0203	Police Vehicle	\$32,656.60
001-3120-0200	Police Equipment	\$3,757.38

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano  
 NOES:  
 ABSENT: Trustee Terenzi

Date: April 15, 2013

RESOLUTION  
 CERTIORARI SETTLEMENT  
 PC406 BPR LLC (UNITED HOSPITAL)

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, PC 406 BPR LLC (“petitioner”) filed certiorari proceedings for review of tax assessments fixed by the Town of Rye upon property located at 406 Boston Post Road, and designated as Section 141.52, Block 1, Lot 2, on the Tax Assessment Map of the Village of Port Chester; and

WHEREAS, the Town of Rye retained specialized tax certiorari counsel to defend this matter; and

WHEREAS, these proceedings were on the trial calendar in the Westchester Supreme Court; and

WHEREAS, after several pre-trial conferences with the Court, extensive negotiations between counsel and consultations by the Town of Rye with the affected taxing jurisdictions, the parties have agreed to settle these proceedings; and

WHEREAS, the Village has received notice of entry of the consent judgment from petitioner’s counsel indicating that the court has signed same; and

WHEREAS, The Village Treasurer requests authorization of the Board since there are insufficient funds in the tax certiorari refund budget line to pay the refund. Now, therefore, be it

RESOLVED, that the Village Board hereby authorizes the Village Treasurer to modify the FY 2012-13 General Fund Budget by applying \$64,574.38 against current tax revenue and appropriating unassigned fund balance for the remaining \$165,261.58 so as to accomplish payment of the refund in the amount of \$229,835.96 to 406 BPR LLC, in care of its attorneys, Griffin, Coogan, Blose & Sultzer.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

**RESOLUTION  
SET PUBLIC HEARING  
TO CONSIDER AN INTERIM LOCAL LAW FURTHER MODIFYING THE  
AMNESTY PERIOD WITH REGARD TO LOCAL LAW NO. 4 OF 2012  
ESTABLISHING A PERMIT AMNESTY PROGRAM**

On motion of TRUSTEE KENNER, seconded by TRUSTEE CECCARELLI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday April 29, 2013, at 7:00 P.M., at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider an interim local law further modifying the Amnesty period with regard to Local Law No. 4 of 2012 establishing a Permit Amnesty Program.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

## ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Date: April 15, 2013

## **REPORT FROM THE VILLAGE CLERK**

Mr. Richards gave an update on the Board & Commission member letter and showed the Board a sample copy of the letter. Trustee Kenner asked for the Board to receive an attendance report on all current Board & Commission members.

## **DISCUSSIONS**

*To establish a Code Enforcement Task Force.*

The Board referred the discussion to another date.

*To fill the position of Chairman on the Waterfront Commission.*

The Board referred the discussion to another date.

## **CORRESPONDENCES**

*From Alex Payan requesting to be considered for appointment to the Ethics Board.*

The Board of Trustees acknowledged the correspondence from Mr. Alex Payan.

*From Jarden – Westchester Triathlon requesting permission for use of the roadways through the Village of Port Chester on Sunday September 29, 2013.*

The Board of Trustees referred the correspondence to staff.

*From Joseph Levi, Project Manager for struc'tur'al, regarding 395 Westchester Ave - Emergency Garage Repair Work.*

The Board of Trustees referred the correspondence to staff and the Traffic Commission for further discussion.

***From Council of Community Services seeking co-sponsorship of the Village of Port Chester “Port Chester Fest” and to clarify one significant error on our part as well as provide additional information.***

Due to Trustee Ceccarelli being a member of the Council of Community Services; he recused himself from the correspondence. Mayor Pagano and the Board of Trustees referred the correspondence to the April 16, 2013 meeting.

***From the Village of Mamaroneck requesting the use of Port Chester’s Showmobile for public cooperative concert with the Emelin Theater in Harbor Island Park on Sunday, July 13, 2013***

The Board of Trustees denied the correspondence and referred the denial letter to staff.

***From Rye Town Youth Football and Cheerleading, requesting permission to display an annual Fund-Raising Barbecue sign in Messina Park from May 26 to June 9, 2013.***

The Board of Trustees referred the correspondence to staff.

***From Port Chester Rye Brook Girl Scouts, requesting permission to post a 4’ x 4’ sign in Messina Park from April 13 to April 21, 2013.***

The Board of Trustees referred the correspondence to staff.

### ***Add-on Correspondence***

Trustee Marino made a motion to add on the following correspondence from Centro Cultural Bolivia, seconded by Trustee Kenner:

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

***From the Bolivian Cultural Center, requesting permission to sponsor a parade to celebrate Bolivian Culture on Sunday, August 25, 2013 at 12:30p.m.***

The Board of Trustees referred the correspondence to staff.

## **MINUTES**

***Approval of the Board of Trustees minutes of March 28, 2013 and March 29, 2013.***

On motion of Trustee Kenner, seconded by Trustee Marino, the minutes of March 28, 2013 and March 29, 2013 were adopted.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

## **PUBLIC COMMENTS AND BOARD COMMENTS**

### ***Public***

Mr. Abel commented regarding the April 16, 2013 meeting.

### ***Board***

Trustee Adams thanked everyone who voted for him. Trustee Adams asked staff if he could get a report on the parks which show the fees and permits. Trustee Adams also commented that the village should advertise about the parks.

Trustee Brakewood commented about Lyon Park and the baseball league. Trustee Brakewood also commented about the fire at 222 William Street.

Trustee Marino commented about the fire at 222 William Street.

Trustee Ceccarelli commented regarding the fire at 222 William Street and landlord issues.

## **MOTION FOR EXECUTIVE SESSION**

At 11:15 p.m., on motion of Trustee Marino, seconded by Trustee Kenner, the Board of Trustees adjourned into an executive session for consultation with Village Attorney, Village Manager and the Fire Chief regarding a particular personnel matter involving the Fire Department.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None

ABSENT: Trustee Terenzi

No action was taken in the first executive session.

At 11:44 p.m., on motion of Trustee Kenner, seconded by Trustee Ceccarelli, the executive session was closed.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None

ABSENT: Trustee Terenzi

At 11:45 p.m., on motion of Trustee Marino, seconded by Trustee Kenner, the meeting was closed.

Roll Call

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Terenzi

Respectfully submitted,

Jacqueline Johnson  
Deputy Village Clerk

## **MEETING HELD APRIL 16, 2013**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, April 16, 2013 at 6:30 P.M., in the Port Chester Senior Center, 220 Grace Church Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Saverio Terenzi, Luis Marino, Joseph Kenner and Gene Ceccarelli.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Director of Planning and Development, Christopher Gomez; Police Chief Joseph Krzeminski and Administrative Aide, Christopher Ameigh.

On motion of Trustee Marino, seconded by Trustee Terenzi, the meeting was declared opened at 6:30 p.m.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT:

### **PRESENTATION**

***Presentation of municipal data software and mobile inspection application by Municipality.***

A representative from General Code spoke to the Board on the proposed municipal software services. No action was taken at this time.

### ***Add-on Correspondence***

Trustee Brakewood made a motion to add-on the following correspondence from Council of Community Services. The motion was seconded by Trustee Marino:

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT:

### **CORRESPONDENCE**

***From Council of Community Services requesting from the Village of Port Chester Co-sponsorship of Port Chester Fest on Saturday, June 8, 2013.***

On motion of Trustee Brakewood, seconded by Trustee Marino, the Board of Trustees approved the correspondence from Council of Community Services.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT:

## **RESOLUTION**

### RESOLUTION ADJUSTMENT TO BUILDING DEPARTMENT FEES

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, Building Department Fees are established in Chapter 175, Fees, which may be adjusted by resolution of the Board of Trustees; and

WHEREAS, the Village Manager has provided the Board of Trustees his Tentative Budget for FY 2013-2014; and

WHEREAS, as part of this submission, the Manager suggested certain revenue enhancements, including an adjustment to Building Department Fees. Now, therefore, be it

RESOLVED, that Chapter 175 Fees, is hereby amended to read as follows:

<b><u>Fee Type</u></b>	<b><u>Section</u></b>	<b><u>Fee</u></b>
<b>Architectural Board</b>		
<b>Construction</b>	9-4	
One- and two-family dwellings		\$50.00
All other uses		\$100.00
<b>Signs</b>	9-7	[\$40.00] <u>\$50.00</u>
<b>Sign installation</b>		[\$25.00] <u>\$100.00</u>
<b>Building and fire prevention</b>		
<b>Building permits</b>	151-6	
Construction costs		

Residential	\$75.00
Commercial	\$100.00
Over \$1,000,000 construction cost residential	\$150.00
Over \$1,000,000 construction cost commercial	\$250.00
Each additional \$1,000 or part thereof, per \$1,000	\$12.00
Amendments to permit	
Residential	[\$75.00] <u>\$100.00</u>
Commercial	[\$100.00] <u>\$150.00</u>
<b>Certificate of occupancy</b>	
Residential	
1- and 2-family dwellings	[\$50.00] <u>\$100.00</u>
Multiple-family dwelling (3 or more dwelling units)	\$200.00
Nonresidential	[\$200] <u>\$300.00</u>
Change in nature of occupancy (commercial tenancy only)	\$125.00
<b>Temporary certificate of occupancy</b>	
Residential (1- and 2-family dwellings)	
First 60 days	\$100.00
Each additional 30 days	[\$50.00] <u>\$100.00</u>
Multifamily	
First 60 days	[\$150.00] <u>\$200.00</u>
Each additional 30 days	[\$75.00] <u>\$150.00</u>
Plus	[\$10.00] <u>\$15.00</u> per unit 6 or more
Commercial	
First 60 days	[\$25.00] <u>\$300.00</u>
Each additional 30 days	[\$75.00] <u>\$150.00</u>

## Applications for extensions

### Alteration and repair and building permits

Residential	\$175.00
Multifamily	\$200.00, plus \$10.00 each unit 6 or more
Commercial	\$300.00

## Fire sprinkler permits

Residential (1- and 2-family dwellings) \$150.00

Each additional \$1,000 or part thereof, per \$1,000 \$12.00

### Multifamily

First 24 heads \$200.00

Each additional \$1,000 or part thereof, per \$1,000 \$15.00

[25 to 99 heads] Above 24 heads \$100.00

Each additional \$1,000 or part thereof, per \$1,000 \$12.00

[About 100 heads] [\$150.00]

### Commercial

First 24 heads [ \$200.00] \$300.00

Each additional \$1,000 or part thereof, per \$1,000 \$15.00

[25 to 99 heads] Above 24 heads \$100.00

Each additional \$1,000 or part thereof, per \$1,000 \$12.00

[Above 100 heads] [\$150.00]

## Fire sprinkler permits - Alterations or repairs to existing systems

Residential	[ <del>\$75.00</del> ] <u>\$150.00</u>
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$15.00</u>
Multifamily	<u>\$250.00</u>
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$17.00</u>
[First 24 heads]	[ <del>\$150.00</del> ]
[25 to 99 heads]	[ <del>\$100.00</del> ]
Commercial	<u>\$250.00</u>
<u>Each additional \$1,000 or part thereof, per \$1,000</u>	<u>\$17.00</u>
[First 24 heads]	[ <del>\$150.00</del> ]
[25 to 99 heads]	[ <del>\$100.00</del> ]
[Above 100 heads]	[ <del>\$150.00</del> ]
[Above 100 heads]	[ <del>\$150.00</del> ]

**HVAC permits**

Residential	\$100.00 for the first \$10,000; \$5.00 per \$1,000
Multifamily	\$200.00 for the first \$10,000; \$5.00 per \$1,000
Commercial	\$25.00 for the first \$10,000; \$5.00 per \$1,000

**Plumbing permit fees**

1 to 5 fixtures, minimum fee	[ <del>\$50.00</del> ] <u>\$100.00</u>
Each additional fixture over 5, per fixture	[ <del>\$5.00</del> ] <u>\$10.00</u>
Testing gas meters	
First meter	[ <del>\$24.00</del> ] <u>\$50.00</u>
Each additional meter	[ <del>\$15.00</del> ] <u>\$25.00</u>
Return for retesting of gas meter, per meter	[ <del>\$25.00</del> ] <u>\$50.00</u>

**Electrical permit fees**

Work cost	
\$0 to \$10,000	[ <del>\$50.00</del> ] <u>\$100.00</u>

\$10,001 to \$100,000		[ <del>\$100.00</del> ] <u>\$150.00</u>
\$100,001 and up		[ <del>\$200.00</del> ] <u>\$250.00</u>
<b>Demolition work</b>		
Work cost		
\$0 to \$1,000		\$250.00
Each additional \$1,000		\$15.00
<b>Interior demolition work</b>		\$100.00, plus \$10.00 per \$100.00
<b>Any application for an extension made to the Board of Trustees, Zoning Board of Appeals, Planning Commission or Building Inspector</b>		[ <del>\$150.00</del> ] <u>\$300.00</u>
<b>Administrative fee where work has been commenced without the requisite having been obtained</b>		\$250.00 or 3 times the permit fee, as set out above, whichever is greater
<b>Other permits</b>	151-7	
Tanks (new and replacements)		[ <del>\$30.00</del> ] <u>\$50.00</u>
Sale or storage of explosives		\$50.00
Installation or test of oil burner		\$30.00
Storage and sale of small arms ammunition		\$80.00
Fireworks display and discharge		\$150.00
Tents		\$150.00
Blasting (per job)		\$80.00
Copies of fire reports		\$10.00
Transport of explosives		\$50.00
Storage or handling of any catalytic agent necessary for the manufacture of plastic materials		\$40.00
Retailer, jobber or wholesaler storing or handling more than 25 pounds of cellulose nitrate plastics (pyroxylin)		\$40.00
<b>Inspection program</b>	151-7.2	
Each regular inspection		\$100.00

Each reinspection		[\$25.00] <u>\$50.00</u>
<b>Building permit administrative fee where there is an outstanding stop-work order</b>	151-9B(3)	\$300 or 3 times the permit fee, whichever is greater
<b>Fire safety and property maintenance inspection program</b>	151-11	
Multiple dwellings		
3 units		\$100
4 to 20 units		\$150
21 to 40 units		\$200
41 to 60 units		\$250
61 or more units		\$300
Places of public assembly		
Up to 99 occupants		[\$150] <u>\$200.00</u>
99 occupants or more		[\$250] <u>\$300.00</u>
Nonresidential properties		
Up to 9,999 square feet		\$150
10,000 to 50,000 square feet		\$250
51,000 square feet or more		\$350
First reinspection		[\$25] <u>\$50.00</u>
Each additional reinspection		[\$35] <u>\$75.00</u>
<b>Obstructions</b>	283-21	
Initial permit (roll-off box)		\$5
Additionally, per day or fraction thereof		\$20
Other, (scaffolding, barriers) per foot		\$10

**ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT:

Date: April 16, 2013

## **WORK SESSION**

### ***Workshop on Village of Port Chester Tentative Budget for Fiscal Year 2013-2014***

The Board along with staff discussed the tentative budget for fiscal year 2013-2014. No action was taken at the work session.

## **MOTION FOR EXECUTIVE SESSION**

At 8:47 p.m., on motion of Trustee Ceccarelli, seconded by Trustee Marino, the Board of Trustees adjourned into an executive session for consultation with the Village Attorney. Present in addition to the Board of Trustees and Village Attorney, were Village Manager, Christopher Steers and Village Clerk Janusz Richards.

The following action was taken in the executive session:

On motion of Trustee Kenner, seconded by Trustee Marino, the Board of Trustees authorized the Village Manager to issue a notice of default to G & S for failure to make a payment in court judgment of Domenick D. Bologna, Bart A. Didden vs. Village of Port Chester.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None

ABSENT:

At 9:17 p.m., on motion of Trustee Kenner, seconded by Trustee Marino, the Board of Trustees closed the executive session.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None

ABSENT:

At 9:18 p.m., on motion of Trustee Kenner, seconded by Trustee Marino, the meeting was closed.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None

ABSENT:

Respectfully submitted,

Jacqueline Johnson  
Deputy Village Clerk

## **MEETING HELD APRIL 24, 2013**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Wednesday, April 24, 2013 at 6:30 P.M., in the Village Hall conference room, 222 Grace Church Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Saverio Terenzi, Luis Marino, Joseph Kenner and Gene Ceccarelli.

Also present were Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas and Administrative Aide, Christopher Ameigh.

Village Manager, Christopher Steers was present via telephone.

It should be noted that Police Chief, Joseph Krzeminski arrived at 7:30 p.m.

On motion of Trustee Kenner, seconded by Trustee Adams, the meeting was declared opened at 6:32 p.m.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT:

### **WORK SESSION**

#### ***Workshop on Village of Port Chester Tentative Budget for Fiscal Year 2013-2014.***

The Board along with staff discussed the tentative budget for fiscal year 2013-2014. No action was taken in the work session.

It should be noted that Trustee Adams had to leave the meeting at 7:15 p.m.

### **RESOLUTION**

#### **AGREEMENT FOR THE USE OF THE PROFFER WITH REGARD TO THE MARINER PROJECT**

On motion of TRUSTEE KENNER, seconded by TRUSTEE TERENZI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, by resolution adopted on March 23, 2006, the Village Board of Trustees declared its intent to establish an “Affordable Housing Incentive Fund” that would assist qualified moderate income families to acquire affordable housing; and

WHEREAS, by resolution adopted January 25, 2010, the Village Planning Commission granted site plan approval in connection with a 100-unit residential development on Abendroth Avenue requiring Mariner’s predecessor in interest to deposit \$600,000 into an :”Affordable Housing Fund”; and

WHEREAS, Mariner’s predecessor in interest made such \$600,000 payment to the Village on or about January 28, 2011; and

WHEREAS notwithstanding the language of the Planning Commission’s resolution, the parties recognize and acknowledge that such \$600,000 was a voluntary proffer; and

WHEREAS, that final approval for the Mariner Project was obtained and the Village issued a certificate of occupancy; and

WHEREAS, Mariner has vested rights in the Mariner Project and has no further obligation to the Village; and

WHEREAS no such Affordable Housing Incentive Fund has been established by the Village; and

WHEREAS, it is the desire of the Board of Trustees to utilize these funds for code enforcement and building compliance purposes.

RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with Mariner Port Chester LLC, c/o J.P. Morgan Investment Management, Inc., 270 Park Avenue, New York, New York 10017, that the \$600,000 payment made by the predecessor in interest may be used by the Village of Port Chester in any manner that it deems appropriate and in its sole discretion for the public benefit, including, but not limited to, code enforcement and building code compliance.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Adams

Date: April 24, 2013

## **CORRESPONDENCES**

### ***Add-on Correspondence***

Trustee Kenner made a motion to add on the following correspondence from Tamarack Tower Foundation. The motion was seconded by Trustee Marino.

Roll Call

AYES: Trustees Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Adams

***From Tamarack Tower Foundation requesting to post two banners across Westchester Avenue and North Main Street and to have a sign posted in Messina Park from May 2, 2013 to June 2, 2013 to promote “Taste of Port Chester Restaurant Tour” on June 2, 2013.***

On motion of Trustee Marino, seconded by Trustee Kenner the Board of Trustees approved the correspondence from Tamarack Tower Foundation.

Roll Call

AYES: Trustees Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Adams

***From Port Chester Cares Community Coalition requesting permission to fly a banner over North Main Street and Westchester Avenue from May 1, 2013 to May 22, 2013, announcing Family U.***

On motion of Trustee Marino, seconded by Trustee Kenner the Board of Trustees approved the correspondence from Port Chester Cares Community Coalition only for Westchester Avenue.

Roll Call

AYES: Trustees Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Adams

***From The American Legion Port Chester Post 93 requesting the Village of Port Chester appropriation for the 2013 Memorial Day Ceremonies and parade.***

The Board of Trustees referred the correspondence to staff.

***From Michael Scarola requesting to be considered for re-appointment to the Planning Commission.***

The Board of Trustees referred the correspondence to staff.

At 8:34 p.m., on motion of Trustee Kenner, seconded by Trustee Marino, the meeting was closed.

Roll Call

AYES: Trustees Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustee Adams

Respectfully submitted,

Jacqueline Johnson  
Deputy Village Clerk

## **MEETING HELD APRIL 26, 2013**

A Special meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Friday, April 26, 2013 at 2:00 P.M., in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Saverio Terenzi and Gene Ceccarelli.

It should be noted that Trustees Luis Marino and Joseph Kenner were absent.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; and Village Attorney, Anthony Cerreto.

It should be noted that Village Treasurer, Leonie Douglas arrived at 2:40 p.m.

On motion of Trustee Adams, seconded by Trustee Brakewood, the meeting was declared opened at 2:10 p.m.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustees Marino and Kenner

### **MOTION FOR EXECUTIVE SESSION**

At 2:10 p.m., on motion of Trustee Brakewood, seconded by Trustee Adams, the Board of Trustees adjourned into an executive session for consultation with the Village Attorney. Present in addition to the Board of Trustees and Village Attorney, were Village Manager, Christopher Steers and Village Clerk, Janusz Richards.

No action was taken in the executive session:

At 2:59 p.m., on motion of Trustee Ceccarelli, seconded by Trustee Adams, the Board of Trustees closed the executive session.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Ceccarelli and Mayor Pagano

NOES:

ABSENT: Trustees Marino and Kenner

At 3:00 p.m., on motion of Trustee Ceccarelli, seconded by Trustee Adams, the meeting was closed.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Ceccarelli and Mayor Pagano

NOES: None

ABSENT: Trustees Marino and Kenner

Respectfully submitted,

Jacqueline Johnson  
Deputy Village Clerk