

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Monday, October 7, 2013
Regular Meeting: 5:00 P.M.
VILLAGE JUSTICE COURTROOM
350 North Main Street
Port Chester, New York
AGENDA**

TIME: 5:00 P.M.

I	WORK SESSION	ACTION
1	On possible projects in the Village of Port Chester utilizing the services of National Council for Community Development, Inc. d/b/a National Development Council.	

TIME: 6:00 P.M.

II	PROPOSED MOTION FOR EXECUTIVE SESSION	ACTION
1	Promotions of particular persons in the Port Chester Police Department.	

TIME: 7:00 P.M.

III	AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:	ACTION
1	Public Hearing to consider a local law further modifying the permit amnesty period of the Permit Amnesty Program. <u>Resolution</u>	
IV	PUBLIC COMMENTS	ACTION
1		
V	RESOLUTIONS	ACTION
	Administration	
1	East Coast Greenway Alliance for a change in their route and signage.	
2	Prisoner Transportation.	
3	Award with regard to Request for Proposals for Medical, drug and alcohol testing.	
4	Authorize the Village Manager to submit an application to the Westchester County Health Department for permit (01-K385-A) renewal for food service establishment regarding the Port Chester Nutrition Program.	
5	Authorize the transfer of \$5977.20 from the DEA Asset Forfeiture Account to Equipment Line to purchase equipment for new police motorcycles.	

6	Authorized to enter into a retainer agreement with regard to a proposed Southern Gateway Mixed Use Overlay District.	
7	Authorized the Village Mayor to submit an application for a Justice Court Assistance Program (JCAP) Grant, requesting \$34,092.09 in funding.	
VI	REPORT OF THE VILLAGE MANAGER	
1		
VII	DISCUSSIONS	ACTION
1	Showboat / Riverboat Proposal.	
VIII	CORRESPONDENCE	ACTION
1	From Fire Patrol & Rescue Co. No. 1 on the election of new member Nick Melillo.	
2	From Fire Patrol & Rescue Co. No. 1 on the election of new member Augustine Diaz.	
3	From Fire Patrol & Rescue Co. No. 1 on the election of new member Michael Spadaro.	
4	From Fire Patrol & Rescue Co. No. 1 on the resignation of Ryan Iarocci as a member	
5	From Harry Howard Hook & Ladder Co. No. 1 on the resignation as a member of Eric Snyder	
6	From Harry Howard Hook & Ladder Co. No. 1 on the expelling of member Robert Painter	
7	Liquor License Renewal for El Palacio	
8	From the Traffic Commission regarding the crosswalk in front of 50 South Main Street	
IX	PUBLIC COMMENTS AND BOARD COMMENTS	ACTION

TIME: _____

WORK SESSION

**PROPOSED MOTION
FOR
EXECUTIVE SESSION**

AFFIDAVIT OF PUBLICATION
AND
NOTICE OF PUBLICATION RE

**AN INTERIM LOCAL LAW FURTHER MODIFYING THE AMNESTY PERIOD OF
THE PERMIT AMNESTY PROGRAM**

SECTION 1: Purpose and Intent.

Pursuant to Local Law No. 4 of 2012, the prior Board of Trustees adopted an interim local law establishing a permit amnesty program to all properties within the Village of Port Chester under certain terms and conditions. The local law provided for a time period to make application for such amnesty from October 1, 2012 to December 31, 2012. This time period, described under said local law as the Amnesty Period, was extended by Local Law No. 1 of 2013 to April 31, 2013, and again by Local Law No. 10 of 2013 to October 31, 2013, all in order to provide more opportunity for individuals to learn and participate and thereby more fully satisfy the Board's intentions in establishing the amnesty program. The current Board of Trustees believes that a further, and final extension of the amnesty period is necessary so as to conclude the amnesty program and the limited remedial relief conferred under same.

SECTION 2. Section 2 of Local Law No. 4 of 2012 is further modified so that the amnesty period for the Permit Amnesty Program shall be deemed to expire on May 31, 2016.

SECTION 3: Effective Date

This local law shall be effective upon due publication and filing with the Secretary of State.



Robert P. Astorino
County Executive

County Planning Board

September 25, 2013

Christopher Gomez, AICP, Director of Planning
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Subject: **Referral File No. PCH 13-003B – Amnesty Program Local Law**

Dear Mr. Gomez:

The Westchester County Planning Board has received a proposed Local Law and related material for a proposed further revision of the existing "Permit Amnesty Program". The modifications would continue to offer amnesty to all properties within the Village for site improvements done without building permits, certificates of occupancy or with violations, if those property owners submit applications for the approvals that are required. The proposed local law also allows for deviance from certain requirements of the Village's 2010 zoning regulations under certain conditions. The proposed revision will extend the amnesty program to May 31, 2016.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61. The proposed local law appears to have a valid and specific intent and should not extend beyond a reasonable time frame. This action is a matter for local determination in accordance with your community's planning and zoning policies.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For
By:

Edward Buroughs, AICP
Commissioner

EEB/LH

RESOLUTION

**AN INTERIM LOCAL LAW FURTHER MODIFYING THE AMNESTY PERIOD
OF THE PERMIT AMNESTY PROGRAM**

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:

RESOLVED, that the Village of Port Chester Board of Trustees hereby adopts Local Law# 13 of 2013 FURTHER MODIFYING THE AMNESTY PERIOD OF THE PERMIT AMNESTY PROGRAM.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

PUBLIC COMMENTS

RESOLUTIONS



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Choose a Department

Village BOT Meeting Date: October 7, 2013

Item Type: Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact		x	Public Hearing Required		x
Funding Source:			BID #		x
Account #:			Strategic Plan Priority Area Business & Economic Development		
Agreement		x	Manager Priorities Choose a Manager Priority		
Strategic Plan Related		x			

Sponsor's Name: Christopher D. Steers, Village Manager

Heading Title
(Will appear as indicated below on Agenda)

EAST COAST GREENWAY

Summary

Background:

A prior Board of Trustees had granted permission for the East Coast Greenway to pass through the Village of Port Chester. When completed, the Greenway will be an almost 3,000 mile shared use pathway that will pass through Westchester County as it connects communities along the Eastern Seaboard.

The East Coast Greenway Alliance has proposed a new route through the Village's downtown on North and South main Streets. The Board referred this matter to the Traffic Commission which has favorably recommended the new route and signage. The New York State Department of Transportation conformed it has no objections.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

- 1. Correspondence from the East Coast Greenway Alliance dated May 15, 2013**
- 2. Correspondence from the Traffic Commission dated August 27, 2013**
- 3. Correspondence from the East Coast Greenway Alliance dated September 5, 2013**
- 3. Correspondence from the New York State DOT dated September 13, 2013**

EAST COAST GREENWAY

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, after presentation by the East Coast Greenway Alliance (“Alliance”), the Board of Trustees referred to the Traffic Commission a proposed change of route of the East Coast Greenway (“Greenway”) using North and South Main Streets, also designated as U.S. Route 1) instead of Abendroth Avenue as originally proposed and approved by the Board; and

WHEREAS, by letter dated August 27, 2013, the Traffic Commission favorably recommended such new route and signage; and

WHEREAS, letter dated September 13, 2013, the New York State Department of Transportation has advised that they have no objection to the new route and would install signage on U.S. Route 1 which is a bicycle route in the 2001 Mid Hudson South Region Bicycle and Pedestrian Master Plan developed by the New York Metropolitan Transportation Council; and

WHEREAS, the Greenway would promote recreational opportunities, attract tourist interest and encourage shopping and doing business in the Village. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby affirms its support of the efforts of the East Coast Greenway Alliance and grants any necessary permission for the passage of the East Coast Greenway through the Village of Port Chester along the route recommended by the Traffic Commission.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:



September 5, 2013

Dear Mayor Neil J. Pagano,
Of the Village of Port Chester,

The East Coast Greenway Alliance has received your Traffic Commission's letter dated August 27th, 2013 in which they accepted the recommended changes in the East Coast Greenway route through Port Chester to Grace Church Street, South Main Street, North Main Street and Mill Street. The East Coast Greenway Alliance wishes to proceed with this alignment for the route which starts in Calais Maine and ends in Key West Florida, connecting 25 major cities, 15 states, and the District of Columbia.

Additionally the Traffic Commission letter of August 27th, 2013 commented that signage would be involved on these roads. They agreed to the signage.

I have the signage in stock and look forward to providing the Village of Port Chester the sign panels for installation of the NYSDOT developed signage plan for the East Coast Greenway route.

Sincerely,

Andrew S. Hamilton, RLA, ASLA, APBP
Mid-Atlantic Trail Coordinator
East Coast Greenway Alliance

cc. Joseph Gianfrancesco, Jr. Chairman, Traffic Commission

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





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

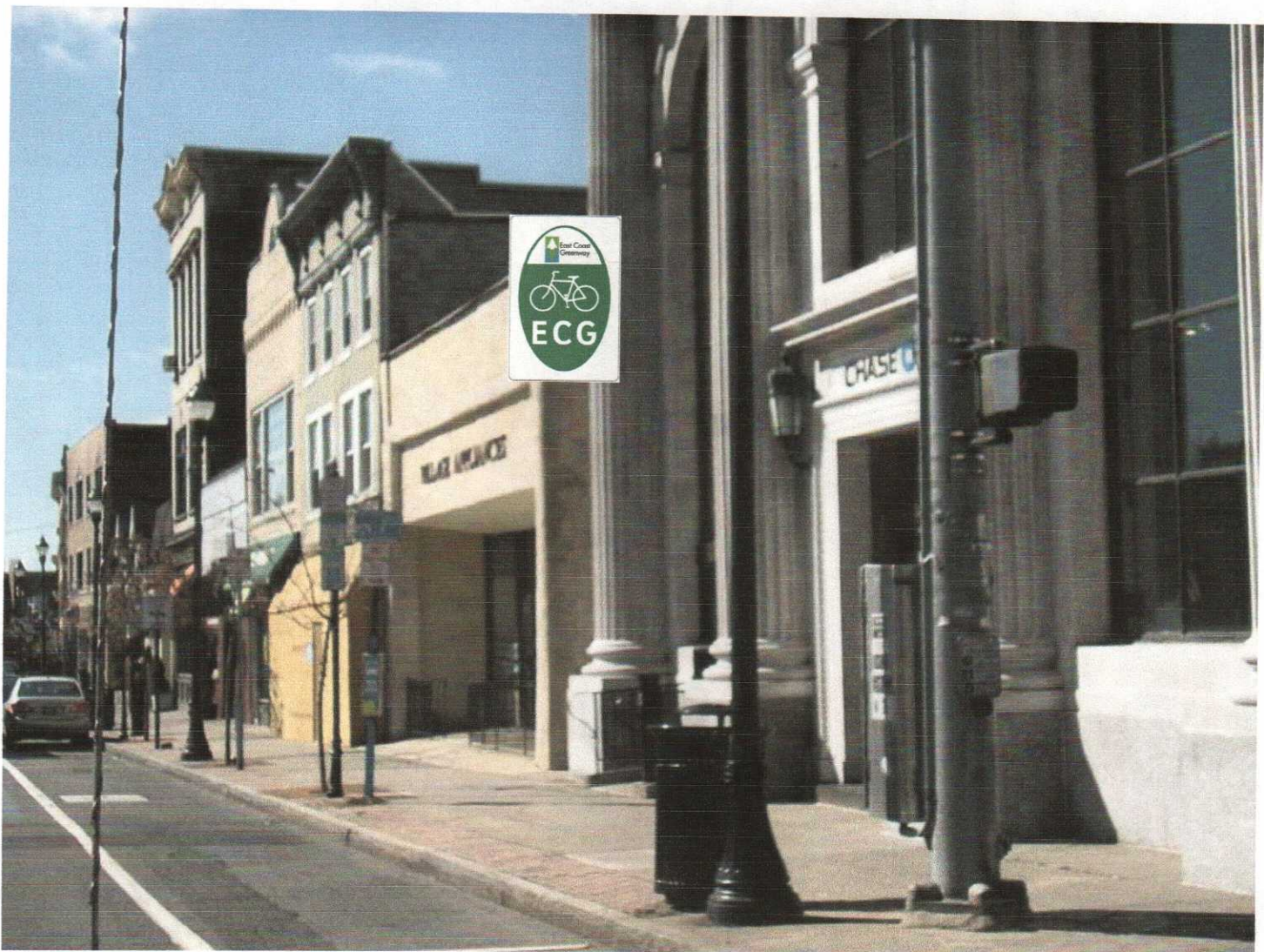
Place a NYS M1-8a ECG confirmation sign.



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

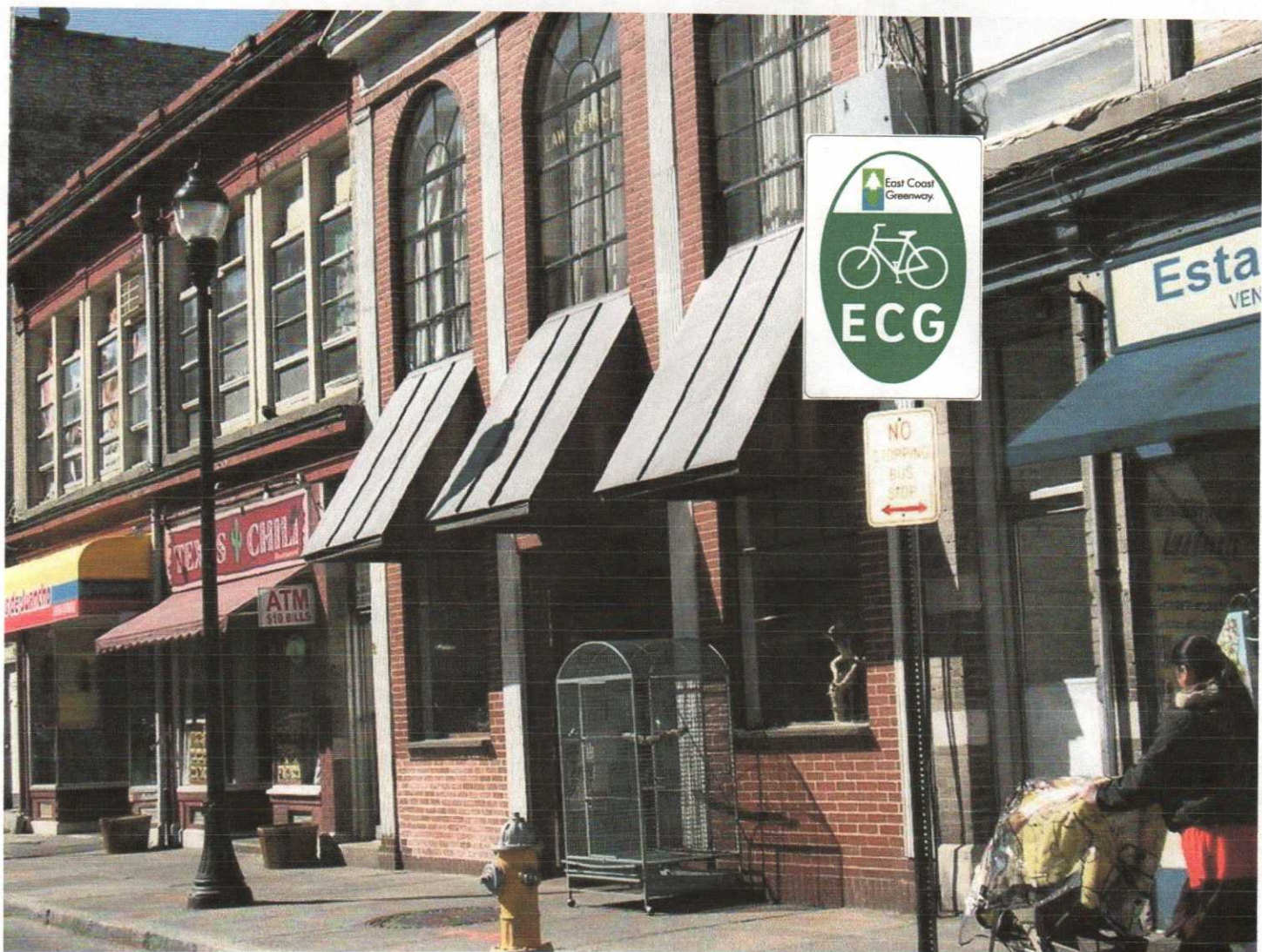
Place a NYS M1-8a ECG sign confirmation sign.



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

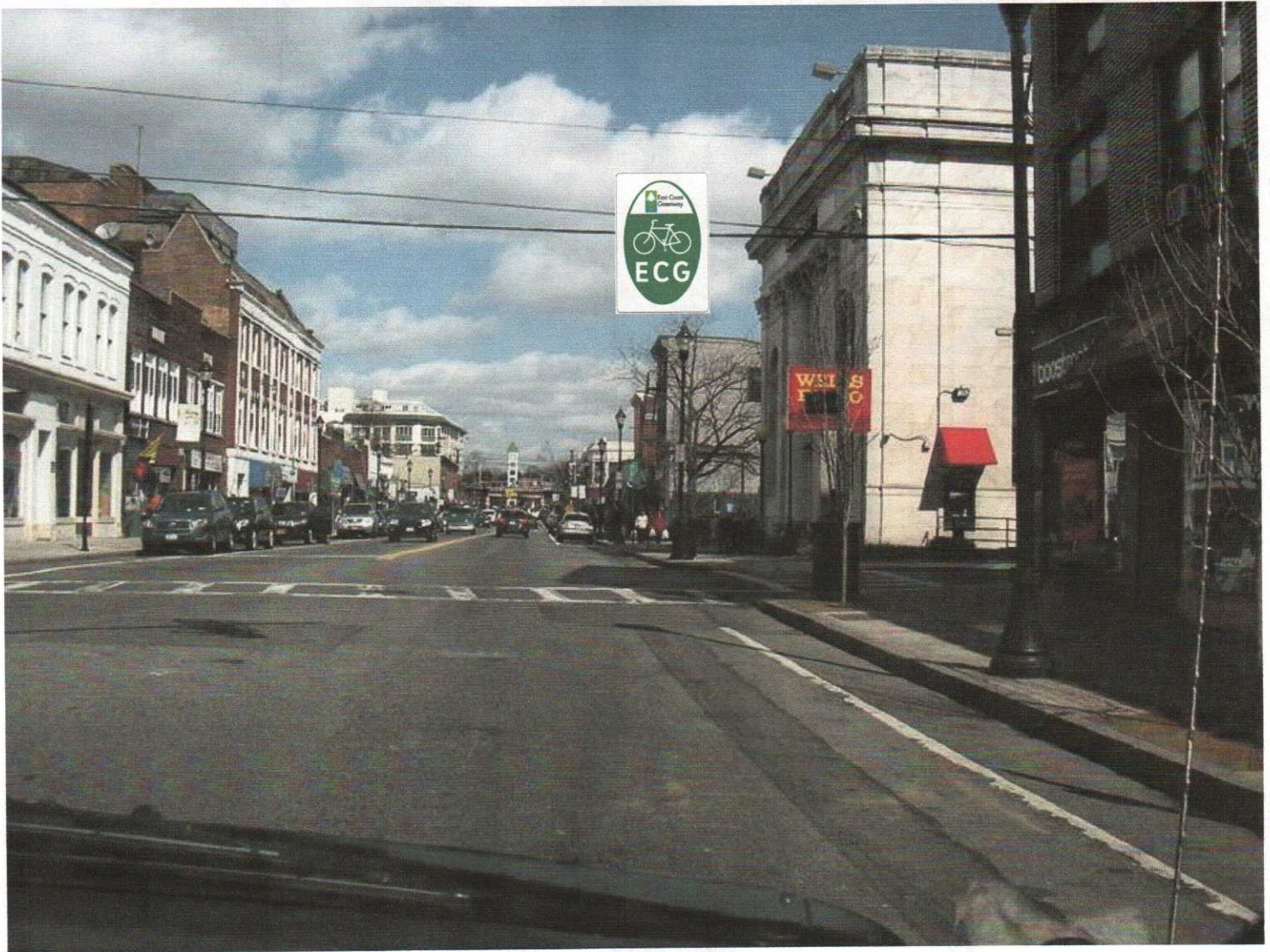
Place a NYS M1-8a ECG confirmation sign.



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.

TRAFFIC COMMISSION
Port Chester, New York

August 27, 2013

Mayor Pagano and the Board of Trustees
Port Chester, New York 10573

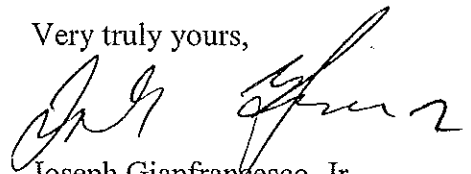
Dear Mayor Pagano and the Board of Trustees:

The Traffic Commission at their monthly meeting held on August 14, 2013, discussed the request from Andy Hamilton of the East Coast Greenway Alliance regarding a change in the route through Port Chester for the interconnected roadways that starts in Maine and ends in Key West Florida. The request also includes signage along the route through the Village.

The requested change involves moving the route to Grace Church Street, South Main Street, North Main Street and Mill Street. The original route traveled Don Bosco Place, Waterfront Place and Abendroth Avenue to Mill Street. Other than the change in the roadway, signage will be involved along the path.

The Commission discussed the traffic patterns and came to the conclusion that there is no difference in the amount of traffic in either route and therefore they agree with the requested change and the signage.

Very truly yours,



Joseph Gianfrancesco, Jr.
Chairman, Traffic Commission

JG:vs

VILLAGE OF PORT CHESTER

SEP 19 2013

RECEIVED

VA



State of New York
Department of Transportation
Region Eight
4 Burnett Boulevard
Poughkeepsie, New York 12603
www.dot.ny.gov

William J. Gorton, P.E.
Acting Regional Director

Joan McDonald
Acting Commissioner

September 13, 2013

Mr. Anthony Cerreto, Esquire
Village Attorney of Port Chester
222 Grace Church Street
Port Chester, NY 10573

**Re: East Coast Greenway Route
Through the Village of Port Chester
Westchester County**

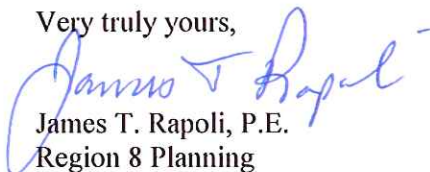
Dear Mr. Cerreto:

Attached please find the Department's letter to Mr. Hamilton, Mid-Atlantic Trail Coordinator for the East Coast Greenway Alliance, approving the design and authorizing the use of the M1-8a Bicycle Route Sign with the East Coast Greenway logo.

Please note that New York State Department of Transportation (NYSDOT) did not choose the East Coast Greenway route through Westchester County. However, NYSDOT has no objections and will install signing for the sections of the East Coast Greenway route that will traverse sections of U.S. Route 1 within our jurisdiction. U.S. Route 1 is proposed as a bicycle route in the 2001 Mid Hudson South Region Bicycle & Pedestrian Master Plan developed by the New York Metropolitan Transportation Council.

The intent of bike route signage is way-finding only and bicyclists share the traveled right of way with motor vehicles pursuant to New York State Vehicle and Traffic Law. They are intended for experienced adult bicyclists who can share the road with motorized traffic and are primarily for transportation purposes. These routes are not recommended for children or inexperienced bicyclists due to the speed and volume of traffic generally encountered on most state highways.

Very truly yours,


James T. Rapoli, P.E.
Region 8 Planning

JTR/lam
Attachments

cc: A. Hamilton, East Coast Greenway
N. Choubah, Acting Regional Traffic Engineer
T. Weiner, Acting Regional Planning and Program Manager



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
www.nysdot.gov

JOAN McDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

November 5, 2012

Andrew Hamilton
Mid-Atlantic Trail Coordinator
East Coast Greenway Alliance
1099 Pebble Hill Road
Doylestown, PA 18901

Dear Mr. Hamilton:

As discussed at the September 13, 2012 meeting between NYSDOT and East Coast Greenway (ECG) representatives, NYSDOT hereby approves the use of the M1-8a Bicycle Route sign to mark the interim route of the ECG within New York State. NYSDOT will proceed with modifying the NYS Supplement to remove the current prohibition on the use of this sign; such use may begin immediately.

Please note that the design of the sign should conform to the design shown in the attached layout. Additionally, the size and design of all arrow auxiliary signs must conform to the requirements in Part 9 of the MUTCD. Any sign placed within the NYSDOT right-of-way will require coordination with our Region 8 office and the issuance of a highway work permit.

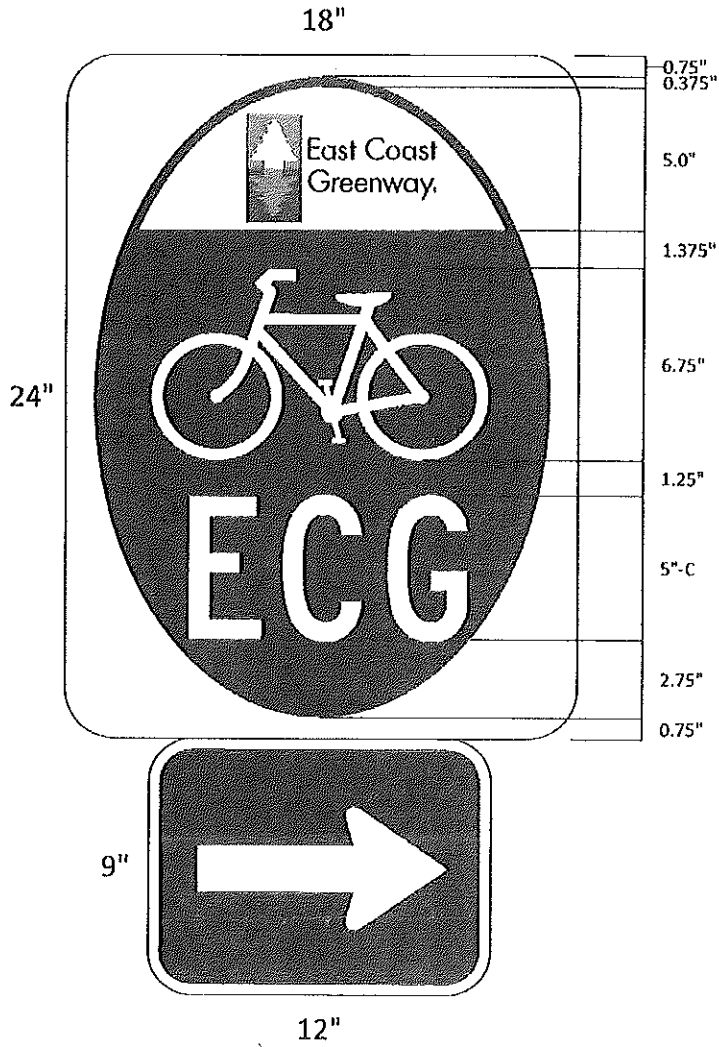
We wish you much success with the continued growth of the ECG system, a system that will benefit both bicyclists and the communities through which the path travels. If you have any questions about sign design issues, please feel free to contact Barbara Abrahamer at (518) 457-2095. Questions regarding the actual marking of the trail should be directed to Jim Rapoli at (845) 431-5991.

Sincerely,

A handwritten signature in cursive script that reads "David C. Woodin".

David C. Woodin, P.E., PTOE
Director
Operations Bureau
Office of Traffic Safety & Mobility

East Coast Greenway (ECG) Signs in New York



Andrew Hamilton
East Coast Greenway
November 5, 2012

cc: M. Cotton, Region 8 RTE
J. Hurley, Region 8 Traffic
J. Rapoli, Region 8 Planning
L. Mondello, Region 8 Planning
G. Mendoza, MO Aviation Bureau
E. Ophardt, MO Bicycle & Pedestrian Section
Jackson Wandres, ECGA, New York Committee
K. Dunn, FHWA, MUTCD Team
R. Moeur, NCUTCD, Bicycle Advisory Committee



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Office of the Village Manager

Village BOT Meeting Date: October 7 2013

Item Type: Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact	x		Public Hearing Required		x
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
			N/A		
Agreement	x		Manager Priorities		
Strategic Plan Related		x	N/A		

Sponsor's Name: Christopher D. Steers, Village Manager

Heading Title
(Will appear as indicated below on Agenda)

AGREEMENT WITH WESTCHESTER COUNTY PRISONER TRANSPORTATION

Summary

Background:

The Village has had a long-standing inter-municipal agreement with the County of Westchester to provide prisoner transportation services from the Port Chester Police Department to the County Jail in Valhalla.

The current agreement has expired and the County has provided a renewal agreement with a term of January 1, 2013 to December 31, 2014.

The Village is reimbursed on a mileage basis.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Intermunicipal Agreement

RESOLUTION
AGREEMENT WITH WESTCHESTER COUNTY
PRISONER TRANSPORTATION

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, pursuant to Sections 500-c and 500-d of the New York Corrections Law, prisoners are required to be transported from municipalities to the Westchester County Jail in Valhalla, New York; and

WHEREAS, the Village of Port Chester has had a long-standing agreement to cooperate in providing such prisoner transportation with reimbursement based on mileage; and

WHEREAS, the current agreement has expired and a renewal agreement has been proposed by the County to continue to receive such services; Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement in the form annexed with the County of Westchester with regard to reimbursement for prisoner transportation between the Village and the County Department of Correction for the period beginning January 1, 2013 and ending on December 31, 2014.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

RESOLUTION
AGREEMENT WITH WESTCHESTER COUNTY
PRISONER TRANSPORTATION

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, pursuant to Sections 500-c and 500-d of the New York Corrections Law, prisoners are required to be transported from municipalities to the Westchester County Jail in Valhalla, New York; and

WHEREAS, the Village of Port Chester has had a long-standing agreement to cooperate in providing such prisoner transportation with reimbursement based on mileage; and

WHEREAS, the current agreement has expired and a renewal agreement has been proposed by the County to continue to receive such services; Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement in the form annexed with the County of Westchester with regard to reimbursement for prisoner transportation between the Village and the County Department of Correction for the period beginning January 1, 2013 and ending on December 31, 2013..

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

Robert P. Astorino
County Executive

Department of Correction

Kevin M. Cheverko
Commissioner

JUL 31 2013

RECEIVED

VM

July 29, 2013

Village of Port Chester
Mr. Christopher Steers
222 Grace Church St.
Port Chester, New York 10573

Tony
Chief

Dear Mr. Steers,

Please find enclosed an original agreement between the Department of Correction and the Village of Port Chester to provide prisoner transportation between the Village of Port Chester and the Westchester County Jail for the term commencing January 1, 2013 and terminating December 31, 2014. Please remember to include a Certificate of Insurance (general liability and auto liability) naming Westchester County as additional insured. If you are self insured, please provide a Self Insured Employers Workers' Compensation Form (SI12) which certifies that compensation has been secured.

After filling out and signing all pertinent sections and returning the original copy to this office, a fully executed copy will be returned to you.

If you have any questions or comments, please do not hesitate to me at (914) 231-1336.

Sincerely,


William P. Fallon
Assistant Director of Administrative Services

WPF/ms
Encl.

PRISONER TRANSPORTATION--ZONE RATE

THIS AGREEMENT, made this _____ day of _____, 2013

by and between:

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601

(hereinafter referred to as the "County")

and

THE VILLAGE OF PORT CHESTER a municipality of the State of New York having its office and place of business at 222 Grace Church St., Port Chester, New York 10573

(hereinafter referred to as the "Municipality")

WHEREAS, pursuant to Sections 500-c and 500-d of the Corrections law prisoners are required to be transported from local municipalities to the Westchester County Jail in Valhalla, New York; and

WHEREAS, the County and the Municipality agree to cooperate in providing such prisoner transportation.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the County and the Municipality agree as follows:

1. **PRISONER TRANSPORTATION**: Except for prisoners arrested by the Westchester County Department of Public Safety, the Municipality shall provide round trip prisoner transportation using its own police department personnel and vehicles between the Municipality and the Westchester County Department of Correction for all prisoners remanded to the Westchester County Jail by court order or required to appear before the local

court within the Municipality. The County will reimburse the Municipality for the actual number of round trips. All municipalities, where possible, shall hold prisoners for one daily trip to the Department of Correction.

2. **REIMBURSEMENT**: The Municipality shall be reimbursed by the County for prisoner transportation services at the rate plus mileage per round trip indicated in the Zone Rate Plan attached hereto as Appendix "A" and made a part hereof. The rate will be paid as follows:

For transportation to County Jail subsequent to arrest - 1 round trip plus mileage;

For Transportation from County Jail to local court; no return - 1 round trip plus mileage;

For Transportation from County Jail to local court; remand to County Jail, where the time expended does not exceed three (3) hours - 2 round trips plus mileage;

Only in the following circumstances will an hourly rate and mileage fee be paid, as an alternative to the zone rate set forth above:

- a. Transportation of female prisoners (1 officer and 1 matron). A minimum of four (4) hours will be reimbursed for a matron; or
- b. Transportation of seven (7) or more prisoners (requiring an additional officer); or
- c. Transportation of prisoners charged with Class A felonies OR classified by Department of Correction as an "A" or "AA" prisoner considered to present danger may warrant (requiring an additional officer); or
- d. Transportation from County Jail to local court and remand to County Jail where time expended exceeds three (3) hours.

In the event that any one of conditions "a" through "d" above are met, then the actual per hour personnel costs incurred by the Municipality will be paid at the hourly wage

and fringe benefit cost as determined in the applicable collective bargaining agreement between the Municipality and the Municipal Police Association for police officers and/or matrons plus a mileage.

Reimbursement for mileage shall be at the rate of fifty-five and one-half cents (\$.565) per mile, or at the then current Internal Revenue Service mileage rate, multiplied by the mileage indicated in Appendix "A".

3. **MEALS**: The County shall reimburse the Municipality for meals provided to post-arraignment prisoners for the actual and reasonable costs incurred and receipts submitted as part of the municipality's monthly voucher submitted to the Department of Correction.

4. **TERM**: This Agreement shall commence on January 1, 2013 and shall terminate on December 31, 2014. The County may, upon thirty (30) days written notice to the Municipality, terminate this Agreement in whole or in part when it deems it to be in its best interest. In such event, the Municipality shall be compensated and the County shall be liable only for payment for services rendered prior to the effective date of termination.

5. **PAYMENT**: Requests for reimbursement shall be submitted by the Municipality on a monthly basis on properly executed County claim forms and paid after approval by the Commissioner of Correction. The number of round trips made, prisoners transported and dates should be listed on the claim forms submitted to the Department of Correction. Reimbursement request shall be subject to audit by the County, and the Municipality shall keep and make available to the County such detailed books and records as are reasonably necessary to substantiate the basis for reimbursement. The Municipality shall not be entitled to reimbursement for any prisoner transportation expense not specifically provided for herein.

The total aggregate cost to the County under this Agreement and the agreements with the other municipalities for zone rate prisoner transportation pursuant to the Resolution approved by the Board of Acquisition and Contract on May 20, 2013, shall not

exceed \$1,176,335. This Agreement shall be deemed executory only to the extent of the monies appropriated and available for the purpose of this Agreement and no liability on account hereof shall be incurred by the County beyond the amount of such monies.

6. **INSURANCE AND INDEMNIFICATION**: All personnel and vehicles engaged in prisoner transportation duties shall at all times remain and be deemed the employees and property of the Municipality. In addition to, and not in limitation of the insurance provisions contained in Schedule "B" of this Agreement, the Municipality agrees to indemnify, defend and hold the County, its officers, employees and agents harmless from and against any and all liability, loss, damage or expense the County may suffer as a result of any and all claims, demands, causes of action or judgments arising directly or indirectly out of the transportation of prisoners for which reimbursement is sought hereunder for losses arising out of the negligent acts or omissions of the Municipality, its agents or employees.

7. **ENTIRE AGREEMENT**: This Agreement constitutes the entire and integrated agreement between and among the parties hereto and supersedes any and all prior negotiations, agreements and conditions, whether written or oral. Any modification or amendment to this Agreement shall be void unless it is in writing and subscribed by the party to be charged.

8. **APPLICABLE LAW**: This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

9. **APPROVALS**: This Agreement is subject to the approval of the Westchester County Board of Legislators, the Westchester County Board of Acquisition and Contract and the governing legislative body of the Municipality.

IN WITNESS WHEREOF, the County and the Municipality have executed this Agreement on the _____ day of _____, 2013.

THE COUNTY OF WESTCHESTER

By: _____
Kevin M. Cheverko
Commissioner of Correction

By: _____
(Name)
(Title)

Approved by the Westchester County Board of Legislators by Act No 78 – 2013 on the 20th day of May, 2013.

Approved by the Board of Acquisition and Contract of the County of Westchester on the 25th day of July, 2013.

Approved by the _____ of the _____
on the _____ day of _____, 20__.

Approved as to form and
manner of execution:

Approved as to form and
manner of execution:

Assistant County Attorney
The County of Westchester
K/l/dcr/Zone Rate Agmt. 13

MUNICIPALITY'S ACKNOWLEDGEMENT

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

On this _____ day of _____, 2013, before me personally came
_____, to me known, and known to me to be the
_____ of _____,
the municipal corporation described in and which executed the within instrument, who being by me
duly sworn did depose and say that he, the said _____ resides at

and that he is _____ of said municipal corporation.

Notary Public County

CERTIFICATE OF AUTHORITY
(Municipality)

I, _____,
(Officer other than officer signing contract)
certify that I am the _____ of the _____
(Title)

(Name of Municipality)

(the "Municipality") a corporation duly organized in good standing under the _____
(Law under which organized, e.g., the New York Village
Law, Town Law, General Municipal Law)

named in the foregoing agreement that _____
(Person executing agreement)

who signed said agreement on behalf of the Municipality was, at the time of execution
_____ of the Municipality,
(Title of such person),

that said agreement was duly signed for on behalf of said Municipality by authority of its

(Town Board, Village Board, City Council)

thereunto duly authorized, and that such authority is in full force and effect at the date hereof.

(Signature)

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

On this _____ day of _____, 2013, before me personally came _____
_____ whose signature appears above, to me known, and know to be the
_____ of _____,
(title)

the municipal corporation described in and which executed the above certificate, who being by
me duly sworn did depose and say that he, the said _____
resides at _____, and that he is
the _____ of said municipal corporation.
(title)

Notary Public County

APPENDIX A

**ZONE PLAN REIMBURSEMENT RATES
WITH DISTANCE TRAVELED TO AND FROM
WESTCHESTER COUNTY DEPARTMENT OF CORRECTION**

(Effective Term: January 1, 2013 through December 31, 2014)

POLICE AGENCY	ROUND TRIP DISTANCE
----------------------	----------------------------

ZONE #1 (1 - 10 Miles)

Reimbursed Rate Per Round Trip:	(1/1/13 – 12/31/13)	\$182.77
	(1/1/14 – 12/31/14)	\$188.25

Plus mileage reimbursed at \$.565 (or the then current IRS mileage rate) times distance.

Elmsford, Village	6 Miles
Sleepy Hollow, Village	8 Miles
Pleasantville, Village	8 Miles
Tarrytown, Village	10 Miles

ZONE #2 (11 - 20 Miles)

Reimbursed Rate Per Round Trip:	(1/1/13 – 12/31/13)	\$191.92
	(1/1/14 – 12/31/14)	\$197.68

Plus mileage reimbursed at \$.565 (or the then current IRS mileage rate) times distance.

Irvington, Village	12 Miles
Briarcliff Manor, Village	14 Miles
New Castle, Town	16 Miles
North Castle, Town	16 Miles
Dobbs Ferry, Village	17 Miles
Ardsley, Village	18 Miles
Scarsdale, Village	19 Miles
Ossining, Village	20 Miles
Hastings-on-Hudson, Village	20 Miles

ZONE #3 (21 - 30 Miles)

Reimbursed Rate Per Round Trip: (1/1/13 – 12/31/13) \$201.03
(1/1/14 – 12/31/14) \$207.07

Plus mileage reimbursed at \$.565 (or the then current IRS mileage rate) times distance.

Rye Brook, Village	23 Miles
Rye, City	25 Miles
Tuckahoe, Village	25 Miles
Eastchester, Town	25 Miles
Port Chester, Village	28 Miles
Mamaroneck, Village	30 Miles
Pelham, Town	30 Miles

ZONE #4 (31 - 40 Miles)

Reimbursed Rate Per Round Trip: (1/1/13 – 12/31/13) \$210.21
(1/1/14 – 12/31/14) \$216.52

Plus mileage reimbursed at \$.565 (or the then current IRS mileage rate) times distance.

Mamaroneck, Town	31 Miles
Larchmont, Village	32 Miles
Pelham Manor, Village	35 Miles

SCHEDULE "B"

STANDARD INSURANCE PROVISIONS
(MUNICIPALITY)

1. Prior to commencing work, the Municipality shall obtain at its own cost and expense the required insurance from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better, and shall provide evidence of such insurance to the County of Westchester, as may be required and approved by the Director of Risk Management of the County. The policies or certificates thereof shall provide that thirty days prior to cancellation or material change in the policy, notices of same shall be given to the Director of Risk Management of the County of Westchester by registered mail, return receipt requested, for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the County, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the County, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, submit the same to the Department of Risk Management of the County of Westchester for approval and submit a certificate thereof. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated. Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification. All property losses shall be made payable to and adjusted with the County.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of any operations under the Agreement, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the County of Westchester.

2. The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the "Special Conditions" of the contract specifications):

(a) Workers' Compensation. Certificate form C-105.2 (9/07) or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: www.web.state.ny.us (click on Employers/Businesses, then Business Permits/Licenses/Contracts to see instruction manual).

If the employer is self-insured for Worker's Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

(b) Employer's Liability with minimum limit of \$100,000.00.

(c) Commercial General Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000.00 for bodily injury and \$100,000.00 for property damage or a combined single limit of \$1,000,000.00 (c.s.l.), naming the County of Westchester as an additional insured. This insurance shall indicate the following coverages:

- (i) Premises - Operations.
- (ii) Broad Form Contractual.

(d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000.00 per occurrence for bodily injury and a minimum limit of \$100,000.00 per occurrence for property damage or a combined single limit of \$1,000,000.00 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages:

- (i) Owned automobiles.
- (ii) Hired automobiles.
- (iii) Non-owned automobiles.

3. All policies of the Municipality shall be endorsed to contain the following clauses:

(a) Insurers shall have no right to recovery or subrogation against the County of Westchester (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

(b) The clause "other insurance provisions" in a policy in which the County of Westchester is named as an insured, shall not apply to the County of Westchester.

(c) The insurance companies issuing the policy or policies shall have no recourse against the County of Westchester (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

(d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Office of the Village Manager

Village BOT Meeting Date: October 7 2013

Item Type: Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact		x	Public Hearing Required		x
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
			N/A		
Agreement	x		Manager Priorities		
Strategic Plan Related		x	N/A		

Sponsor's Name: Christopher D. Steers, Village Manager

Heading Title
(Will appear as indicated below on Agenda)

AWARD WITH REGARD TO REQUEST FOR PROPOSALS FOR MEDICAL, DRUG AND ALCOHOL TESTING

Summary

Background:

The Village has historically retained separate vendors to provide medical, drug and alcohol testing. The Police and Fire Department had their own surgeons to provide medical examinations and testing.

It has been determined that a department-wide approach is required through a single vendor.

Such approach would be an important component in the Village's risk management program.

A Request for Proposals was advertised in a competitive process. Two proposals were obtained. Partners in Safety, White Plains, is the recommended proposer and has an excellent track record.

The agreement is on an "as-needed" basis, with a schedule of fees/services. The term is for three years to provide a base-line of experience to evaluate the intended approach. The agreement can be terminated by the Village on convenience.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Request for Proposals (RFP) Proposal from Partners in Safety

AWARD WITH REGARD TO MEDICAL, DRUG AND ALCOHOL TESTING

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, through a competitive Request for Proposal ("RFP") process the Village of Port Chester solicited proposals for medical, drug and alcohol testing of prospective and current Village employees and officers; and

WHEREAS, two proposals were submitted to the Village; and

WHEREAS, the retainer of a single vendor to provide these services is an important part of the Village's comprehensive risk management program. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement with Partners in Safety, 15 North Broadway, White Plains, New York 10601, for the provision of medical, drug and alcohol testing of prospective and current Village employees and officers, with a term of three years and compensation as provided in the annexed schedule.

APPROVED AS TO FORM:

Anthony M. Cerreto
Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

SCHEDULE "A"

SCOPE OF SERVICES

Section I - OVERVIEW.

The Consultant shall provide the following services:

1. The highest quality drug and alcohol testing program that complies with the Omnibus Transportation Employee Testing Act of 1991 ("OTETA"), as mandated by the U.S. Department of Transportation Federal Highway Administration ("FHWA") in 49 CFR Part 382, et seq. and all subsequent revisions, modifications and/or amendments. See also, 59 FR 7484 dated February 15, 1994.
2. Required Commercial Drivers License ("CDL") medical examinations.
3. Pre-employment drug testing for safety sensitive positions, such positions to be identified by the Village.
4. Medical examinations/services required under current and future OSHA and PESH regulations including but not limited to audiometric testing, respiratory clearance examination, respiratory fit test, Hepatitis A series, Hepatitis B series, Tuberculosis screening, HAZWOPER physical examination and chest x-rays.
5. Random and reasonable suspicion drug and alcohol testing as described in local labor agreements.
6. On site medical, drug and alcohol testing, and all other tests, as required by the County (such as Respiratory Fitness tests; Pulmonary Function Tests). Such testing may require off-hours accommodations due to shift work (e.g.: start time: 6:00 a.m.)
7. Pre employment medical examinations for Police Officials and Fire Fighters. In-service medical examinations for Fire Fighters and fitness for duty medical examinations for Police Officers and Fire Fighters.

Section II - GENERAL TESTING REQUIREMENTS

A. TESTING

In compliance with the OTETA for safety sensitive positions, drug and alcohol tests will be performed 7 days a week/24 hours per day in accordance with applicable federal regulatory procedures and guidelines to ensure the integrity of the specimen and privacy of the donor. In addition, pre-employment drug tests will be required to be performed within twenty-four (24) hours of a conditional offer of employment.

Finally, reasonable suspicion drug and alcohol and random drug, and alcohol will be conducted in accordance with applicable labor agreements. Nothing

herein shall be construed to guarantee a minimum number of tests. Medical examinations will be conducted in accordance with applicable State and Federal regulations.

B. COLLECTION SITE LOCATIONS AND AVAILABILITY

The Consultant is required to use collection facilities that are qualified to perform collections for drug and alcohol testing according to DHHS guidelines utilizing chain of custody procedures. All collections will need to conform to the federal split specimen collection procedures.

The Consultant will be responsible to make necessary and appropriate arrangements with the collection site personnel including shipping/transportation of the specimens. Payment for these services shall be the sole responsibility of the Consultant.

Collection site personnel shall arrange to ship the specimens to the Consultant's laboratory. The Consultant shall assume responsibility for overnight transportation of all specimens to the appropriate testing site.

A certified/licensed phlebotomist will be available 7 days per week/24 hours per day for collections on an individual basis in any location in The Village of Port Chester.

C. DRUG TESTING TO BE PERFORMED

SUBJECTS TO BE TESTED WILL COME UNDER TWO GENERAL CATEGORIES:

1. DOT Mandated. U.S. DOT Federal Highway Administration (FHWA) for safety-sensitive positions requiring a Commercial Driver's License (CDL) in the following categories: random, pre-employment/pre-duty, reasonable suspicion, post accident, return-to-duty, follow-up testing in accordance with federal regulations and any subsequent revisions.

DOT mandated SAP/NIDA 5

amphetamines
cannabinoids
cocaine
opiates
phencyclidine

2. NON-DOT Mandated. NON-DOT mandated applicants/employees for positions subject but not limited to pre-employment and other categories of testing developed in accordance with collective bargaining agreements or Federal, State, and local rules and regulations.

Applicant/employee testing will consist of a SAP 10 as follows:

DOT mandated SAP/NIDA 5

NON-DOT mandated SAP 10(SAP 5/plus)

amphetamines
cannabinoids
cocaine
opiates
phencyclidine

benzodiazepines
barbiturates
methadone
methaqualone
propoxyphene

D. CONFIRMATION TESTS FOR POSITIVE RESULTS

A GC/MS (gas chromatography/mass spectrometry) confirmation on presumptive positives within 48 hours is required for all applicants and employees and must be conducted according to the DHHS guidelines. See 53 FR 11970 and any subsequent revisions and/or modifications.

The Consultant will be required to assay each specimen for signs of possible adulteration. Specimen adulteration assays will consist of two or more of the following:

Creatinine
Chloride
Specific Gravity
pH

The Consultant shall provide adulterant testing for the specific presence of nitrates used to mask the presence of drugs as needed. Should the federal regulations mandate nitrate testing during the term of the contract, the Consultant will be responsible to insure compliance.

E. ALCOHOL TESTING

Alcohol testing for both initial and confirmatory testing shall be conducted using an approved Evidential Breath Testing Device (EBT) listed on the Conforming Products List of Evidential Breath Measurement Devices established by the U.S. Department of Transportation/National Highway Safety Administration. If an applicant/employee is medically unable to provide adequate breath, blood testing must be performed by a certified phlebotomist.

The Consultant, for alcohol testing, shall provide certified Breath Alcohol Technicians (BAT) in accordance with OTETA regulations. The County will not accept saliva testing.

F. MEDICAL REVIEW SERVICES

The Consultant must be federally certified by the American Association of Medical Review Officers (AAMRO) or the Medical Review Officers Certification Council (MROCC) and must perform all duties required by Department of

Health and Human Services (DHHS) and Department of Transportation (DOT) mandates.

G. SUBSTANCE ABUSE PROFESSIONAL SERVICES FOR SAFETY SENSITIVE EMPLOYEES PURSUANT TO FEDERAL REGULATIONS

The Consultant must be federally certified to perform all requirements for safety sensitive employees subject to U.S. Department of Transportation regulations as defined by OTETA. Documentation of this certification must be submitted with the proposal. The Consultant must possess knowledge of area treatment resources as well as insurance, benefit plans, and payment requirements and must adhere to compliance monitoring standards. The Village will use its best efforts to make copies of insurance benefit plans and payment requirements available for review. Sample assessment forms, evaluation instruments, release forms, return-to-work letters, etc. and any other assessment tools must be submitted along with the proposal.

H. TRAINING

The Consultant shall be prepared to develop and implement training programs on the requirements of OTETA and the procedures to maintain compliance pursuant to 49 CFR Sections 382.601 and sections 382.603 and any subsequent revisions to be provided on-site and as needed for new managers and supervisors at the Village's option.

The Village shall have the option of selecting training programs appropriate to needs of the administration. Prior to the start of training, the Consultant shall present samples of training materials and documents, outline of the training curriculum and the methods (lecture, video, etc.) proposed, copies of all forms and record systems necessary to meet OTETA requirements and other materials to demonstrate how the training and record keeping will be accomplished.

All training materials, curriculum forms and record keeping systems as well as all records shall be the property of the Village at the end of the contract. The Village shall have the right to reproduce all training materials and use the material and curriculum for future internal training.

The Consultant shall complete a separate price proposal for training services. The Village reserves the right to approve all proposed training material and trainers.

I. INDEPENDENT (SECONDARY) TESTING

No independent (secondary) testing of urine samples submitted by the Village shall be permitted without the Village's written consent and approval. The Consultant is required to identify by name the federally certified laboratories to be utilized should an applicant/employee exercise their right to a second test. All Third Party Administrators must submit documentation that the laboratories are currently certified to meet the standards of Sub Part C of Mandatory Guidelines for Federal Workplace Drug Testing Programs (59 FR

29916, 29925). All DHHS certified laboratories must be identified, including the primary laboratory and secondary laboratory, should a split sample specimen analysis be requested.

J. CONFIDENTIALITY

All test results shall be confidential and shall not be released to any other person or organization without the Village's prior written approval. In addition, all such test results shall be kept confidential in accordance with all applicable Federal, State and Local laws, rules, regulations and/or ordinances.

K. COORDINATION OF ACTIVITIES

All activities will be coordinated by the Consultant's personnel, who will assume responsibility for setting up each site to ensure proper implementation of supply distribution, specimen transportation, results delivery, invoicing and collection orientation. Scientific staff must be available to consult with designated Village personnel on matters related to alcohol/drug testing, toxicology and pharmacology.

L. CHAIN OF CUSTODY

The Consultant will provide the Village with Chain of Custody documentation and procedures in accordance with DHHS guidelines to account for the integrity of each sample by tracking its handling and storage from point of collection to final disposition.

M. AVAILABILITY OF RESULTS

The Consultant will insure prompt delivery of negative and positive results. Please include in your proposal specific information regarding the method and time frames to communicate results and attach any written procedures and/or protocols if in place in order to substantiate the process. The Consultant must insure that positive results for employees in safety sensitive positions, subject to OTETA regulations, will be immediately forwarded to the Village.

Drug and alcohol testing results which are positive must be reported in the Village's desired format by social security number, only to insure confidentiality, in a sealed envelope addressed to the designated County official and clearly marked: CONFIDENTIAL. The Village will accept results electronically for negative results.

All written hard copy reports, including negative and positive results, must be certified in writing by the Medical Review Officer with an original signature and submitted in duplicate to the designated Village Official.

SECTION III: PROVISION FOR COLLECTION SITES AND LABORATORY SERVICES FOR DRUG AND ALCOHOL TESTING

A. COLLECTION SERVICES

The Consultant or its approved subcontractor(s) must:

1. Provide 24-hour access to collection sites within an eight (8) mile radius of all potential areas (zip codes attached as Appendix A) which have all necessary personnel, materials, equipment, facilities and supervision to provide for the collection, security, temporary storage, shipping and transportation of urine specimens to a certified laboratory.
2. Provide a telephone number which the Village can call for emergency services and which can respond to service requests, seven days a week, twenty-four hours a day.
3. Provide the supplies needed for the recording, obtaining, and preserving of samples.
4. Provide specimen collection kits including: pre-printed Chain of Custody consent forms, tamper-proof security labels with pre-printed ID number referenced to the Chain of Custody form, specimen collection cup, transportation and shipping supplies.
5. Permit on-site inspection of collection facilities prior to the selection of the Consultant.
6. Conduct alcohol testing for both initial and confirmatory testing using an approved Evidential Breath Testing Device (“EBT”) listed on the Conforming Products List of Evidential Breath Measurement Devices established by the U.S. Department of Transportation/National Highway Traffic Safety Administration.
7. Must conduct all alcohol testing using approved Evidential Breath Testing Devices performed by certified Breath Alcohol Technicians (BAT) meeting OTETA regulations.
8. Must make available a certified phlebotomist for collection on an individual basis if necessary.
9. Transport all specimens to the appropriate testing laboratory via courier. The Consultant shall ensure that the Chain of Custody procedures are maintained and must provide documentation upon request.
10. Supply an expert witness to testify as to the collection process if necessary.

11. Perform "observed" collections for employees subject to Return-to-Work procedures recommended by the Medical Review Officer and/or a Substance Abuse Professional.

B. LABORATORY SERVICES

The Consultant or its approved subcontractor(s) must:

1. Be currently certified by the SAMSHA Department of Health and Human Services to meet standards of Subpart C of the Mandatory Guidelines for Federal Workplace Drug Testing Programs (59 FR 29916, 29925) and meet DOT regulations to perform federally regulated testing. Documentary proof of such certification/licensing shall be provided at the time of proposal submission.
2. Conduct drug collection and analyses according to federal regulations including split-specimen procedures using federal detection cut-off levels for initial and confirmatory testing performed by Gas Chromatography/Mass Spectrometry (GC/MS). The detection levels, list of analytes and test methodologies are subject to adjustment when required by applicable government regulations or guidelines.
3. Have the ability to conduct forensically defensible confirmation testing prior to reporting specimens presumptively positive for nitrites or pyridine.
4. Maintain all equipment necessary to meet OTETA regulations.
5. Provide, upon request, a list of all the authorized personnel involved in the drug and alcohol testing in any manner.
6. Maintain a quality assurance program in accordance with federal regulations.
7. Provide an expert witness, a Ph.D. or supervisor who will qualify as such in court when required to testify as to testing procedures, analyses and results.
8. Provide the supplies needed for the recording, obtaining, and preserving of samples, and include such as part of any basic charge.
9. Maintain frozen positive sample for one (1) year from the date of testing.
10. Report positive and negative results to the Village's designated Medical Review Officer ("MRO") at no additional charge that will validate the result(s) and issue a report in the format as specified by the Village. It is understood and agreed that the Village, at its sole discretion, may add additional MROs or change the designated MRO.

11. Provide a professional staff member (Ph.D. or supervisor) who has been, or is capable of being, qualified as an expert in the testing process to represent the Village for any positive finding, and/or as an expert witness on the testing and analysis process in court testimony, arbitration hearings or disciplinary proceedings.
12. Provide specimen containers and report forms in sufficient supply, as needed, at no additional charge to the Village.
13. Provide monthly itemized billing statements to the Village, indicating a breakdown of all tests conducted by test type and charge including a monthly summary of all drug testing performed according to type: i.e., random, pre-employment, post accident, and each department, identifying each applicant/employee by social security number only, to insure confidentiality.
14. Permit an inspection by the Village of its facilities, testing processes, credentials and staff resumes to verify qualifications prior to the awarding of any contract. Westchester County reserves the right to conduct unannounced visits.
15. Perform re-testing if necessary or send a sample to another laboratory for re-testing as requested by the MRO. All DHHS laboratories must be specified.
16. Ability to conduct forensically defensible confirmation testing, including but not limited to: 6-monoacetylmorphine and d and l isomers (dextro and levo) of methamphetamine.

SECTION IV MEDICAL

Consultant must perform required CDL medical examinations, medical examinations/services required under OSHA and PESH regulations including but not limited to audiometric testing, respiratory clearance examination, respiratory fit test, Hepatitis A services, Hepatitis B services, Tuberculosis screening, Haz Woper physical examination and chest x-rays, and on-site medical testing as required by the Village. The Consultant will be required to conduct medical examinations in accordance with application State and Federal regulations and occupational guidelines including pre-employment for Police Officers and Fire Fighters as well as in service examination of Fire Fighters and fitness for duty examinations.

SCHEDULE "A-1"

LIST OF KEY PERSONNEL

Ursula Clancy
Family Nurse Practitioner
President

Russell Kramer, M.D.
Medical Director
Chief Medical Review Officer
Substance Abuse Professional

Nancy Wanser
Compliance Specialist
New Accounts Coordinator

Jennifer Skeeter
Executive Assistant
Project Coordinator

Ashley Lenahan
On-Site Coordinator, Dispatcher

Kathy Brownlee
Senior Results Specialist

Beverly Aventun
White Plains Office Manager

Amy Snyder
Accounts payable, Receivable Supervisor

SCHEDULE "B"

PRICE SHEETS
COLLECTION/LABORATORY SERVICES

DESCRIPTION

Provide specimen collection supplies	<u>INC</u>
Provide a supply of pre-printed Chain of Custody Forms	<u>INC</u>
Provide Transportation of specimens to the Laboratory	<u>INC</u>
The per unit cost of an immunoassay screen and a confirmation GC/MS test for the SAP 5	<u>\$48</u>
The per unit cost of an immunoassay screen and a confirmation GC/MS test for the SAP 10	<u>\$48</u>
The Per unit cost of specimen adulteration assays (specify specific test)	<u>INC</u>
The per unit cost of 6-monoacetylmorphine (6 MAM)	<u>INC</u>
The per unit cost of alcohol testing by Evidential Breath Testing Device (EBT) screening and confirmatory testing	<u>\$38</u>
Off-hour/emergency service fee (Indicate if flat rate fee per service or hourly rate)	<u>\$125ph</u> (2hr min)
The per unit cost of blood alcohol by GC/ MS only	<u>\$20</u>
Observed collections when indicated (Indicate flat fee per instance)	<u>\$40</u>
Split-sample and send to another laboratory If requested by the MRO	<u>\$250</u>

SCHEDULE "B"

PRICE SHEETS CONTINUED

DESCRIPTION

Issue itemized monthly billing statements	<u>INC</u>
Forwarding of sample to another laboratory for analysis	<u>INC</u>
Retention of specimens in accordance with federal guidelines	<u>INC</u>
Consultation with scientific and medical staff	<u>INC</u>
Handling of rejected specimen or otherwise unfit for testing	<u>INC</u>
Provide mandated summary reports	
Retention of positive specimens in frozen storage for one year	<u>INC</u>
Record Retrieval	<u>NO CHARGE</u>
Other fees (please specify)	
_____	_____
_____	_____
_____	_____

TOTAL FEE FOR COLLECTION/LABORATORY SERVICES

(PER UNIT) \$48

SCHEDULE "B"

PRICE SHEETS CONTINUED

DESCRIPTION

Unit cost per specimen to validate negative results SAP 5	<u>INC</u>
Unit cost per specimen to validate negative results SAP 10	<u>INC</u>
Unit cost per specimen to validate positive results SAP 5	<u>INC</u>
Unit cost per specimen to validate positive results SAP 10	<u>INC</u>
Review donor's medical history	<u>INC</u>
Review Chain of Custody protocols	<u>INC</u>
Per unit cost to re-analyze, if necessary	<u>INC</u>
Maintain and generate random alcohol and drug selections quarterly for DOT mandated employees according to OTETA mandates	<u>INC</u>
Maintain and generate drug testing Selections pursuant to collective bargaining agreement	<u>INC</u>
Return to duty testing evaluation	<u>INC</u>
Follow schedule preparation and testing	<u>INC</u>
Issue itemized reports	<u>INC</u>
Issue itemized billing statements	<u>INC</u>
Provide 24-hour technical assistance	<u>INC</u>
Provide results in the Village's desired format	<u>INC</u>
Record Retrieval	<u>NO CHARGE</u>

OTHER FEES:

Specify:

SCHEDULE "B"

PRICE SHEETS CONTINUED

SUBSTANCE ABUSE PROFESSIONAL

DESCRIPTION

Comprehensive Assessment	<u>\$125.00</u>
Return-to-work Agreements	<u>\$85.00</u>
Compliance Monitoring	_____
Technical Assistance	_____

Please note that all fees for services provided by the Substance Abuse Professional (SAP) will be the responsibility of the employee/applicant. The Village of Port Chester will not be responsible for payment of these services.

SCHEDULE "B"

PRICE SHEETS CONTINUED

ALCOHOL AND DRUG TESTING TRAINING

DESCRIPTION

On Site Training

Cost per session \$750

Cost per person NA

Training Materials

Manuals INC

Handbooks INC

Audio Visuals INC

Video Tapes INC

OTHERS FEES:

Specify: Offers online reasonable suspicion course for new supervisors

SCHEDULE "B"

PRICE SHEETS CONTINUED
LITIGATION ASSISTANCE

EXPERT TESTIMONY:

If applicable:	<u>Telephone Deposition</u>	<u>Trial Deposition</u>
Hourly Rate for Phlebotomist	<u>NC</u>	<u>\$85 (4hr min)</u>
Per Diem Rate for Phlebotomist	<u>NC</u>	<u>\$85 (4hr min)</u>
Hourly Rate for collection personnel	<u>NC</u>	<u>\$85 (4hr min)</u>
Per Diem Rate for collection personnel	<u>NC</u>	<u>\$85 (4hr min)</u>
Hourly Rate for lab personnel	<u>\$125</u>	<u>\$125 (8hr min)</u>
Per Diem Rate for lab personnel	_____	_____
Hourly Rate for project manager	<u>NC</u>	<u>\$135 (4hr min)</u>
Per Diem Rate for project manager	_____	_____
Hourly Rate for Breath Alcohol Technician (BAT)	<u>NC</u>	<u>\$85</u>
Per Diem Rate for BAT	_____	_____
Hourly Rate for Medical Review Officer (MRO)	<u>NC</u>	<u>\$300 (4hr min)</u>
Per Diem Rate for MRO	_____	_____
Hourly Rate for Substance Abuse Professional (SAP)	<u>NC</u>	<u>\$300 (4hr min)</u>
Per Diem Rate for SAP	_____	_____
Hourly Rate for forensic scientist	_____	_____
Per Diem Rate for forensic scientist	_____	<u>\$1,000 per diem plus expenses</u>

If applicable:	<u>Telephone Deposition</u>	<u>Trial Deposition</u>
Hourly Rate for other (specify)	_____	_____
_____	_____	_____
Per Diem Rate for other (specify)	_____	_____
_____	_____	_____

OTHERS EXPENSES (i.e. travel, etc.)
(Specify _____

SCHEDULE "B"

PRICE SHEETS CONTINUED

HEALTH AND SAFETY MEDICAL EXAMINATIONS/SERVICES

DESCRIPTION

Audiometric Testing	<u>\$30</u>
CDL Medical Examination for out of state certification	<u>\$55</u>
Respiratory Clearance Exam	<u>\$30</u>
Respiratory Fit Test	<u>\$40</u>
Hepatitis A Series	<u>\$90</u>
Hepatitis B Series	<u>\$75 per inj</u>
TB Screening	<u>\$20</u>
Chest X-Ray	<u>\$88</u>
HAZWOPER Physical	<u>\$220</u>
To include:	
• Medical history	
• Physical examination	
• EKG	
• PFT	
• U/A	
• Vision and hearing	
• PPD	
• Comprehensive metabolic panel	
• Lipid profile	
• CBC	
And as indicated:	
• Chest x-ray	
• tetanus vaccine	
Police Officer pre-employment	<u>\$160</u>
Firefighter pre-employment	<u>\$220</u>
Firefighter in-service	<u>\$220</u>
Fitness for Duty examinations	<u>\$250</u>
EXPERT TESTIMONY FOR HEARINGS	<u>\$300ph (4hrmin)</u>

POLICE & FIRE PHYSICAL & DRUG TESTING

Budgeted information for the above:

<u>Department</u>	<u>G/L Code</u>	<u>Description</u>	<u>Budget</u>	<u>Expended</u>	<u>Balance</u>
Police	1.3120.412	Medical Service	\$2,500	\$334.95	\$2,165.05
Fire	1.3410.481	Physical	\$12,000	\$3,610.00	\$8,390.00
Fire	1.3410.511	Hepatitis B. Vaccine	\$11,500	\$422.50	\$11,077.50
Highway	1.5110.481	Physical	\$750	-0-	\$750.00
Sanitation	1.8160.481	Physical	\$500	-0-	<u>\$500.00</u>
Budget Balance as of 10/4/13					\$14,492.55

Please note that the Police medical service, line 1.3120.412, is also use for Police Medical co-pay reimbursement. More and more officers are being reimbursed for medical co-pay that exceeds the \$30 co-payment. The \$334.95 expended to date were medical co-pay reimbursements that exceeded the \$30 limit.



VILLAGE OF
PORT CHESTER
 222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Choose a Department Senior Center

Village BOT Meeting Date: October 7, 2013

Item Type: Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact			Public Hearing Required		
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
			Quality of Life & Village Image		
Agreement			Manager Priorities		
Strategic Plan Related			Choose a Manager Priority		

Sponsor's Name: Select a Sponsor's Name

Heading Title
(Will appear as indicated below on Agenda)

Renewal of Westchester County Health Department Permit #01-K385A for the Port Chester Senior Community Center, expiration date November 20, 2013.

Summary

Need to attach a resolution and insurance certificate with the application.



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

application, insurance certificate, resolution form.

RESOLUTION
WESTCHESTER COUNTY FOOD SERVICE PERMIT
FOR SENIOR NUTRITION PROGRAM
220 GRACE CHURCH STREET

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:

RESOLVED, that the Village Manager be authorized to submit an application to the Westchester County Health Department for renewal of permit number 01-K385-A which expires November 30, 2013 for food service establishment regarding the Port Chester Nutrition Program at 220 Grace Church Street.

Approved as to Form:

Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE: October 7, 2013

CERTIFICATION OF RECORDS

STATE OF NEW YORK)

SS:

COUNTY OF WESTCHESTER)

I, _____, the undersigned Village Clerk of the Village of Port Chester, New York, DO HEREBY CERTIFY.

That I have compared the annexed copy of a resolution adopted by the Board of Trustees of the Village of Port Chester, New York on [October 7, 2013](#), 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 [8 day of October, 2013](#)

Village Clerk,
Village of Port Chester, New York

(Seal)

Robert P. Astorino
County Executive

Sherlita Amler, M.D.
Commissioner of Health

PERMIT RENEWAL FOR FOOD SERVICE ESTABLISHMENT OWNERS AND OPERATORS

Please be advised that your permit to operate a food service establishment expires soon. According to provisions of Section 873.301 of the Westchester County Sanitary Code, applications must be received not later than 60 days prior to the date of expiration. **In order for you to continue to operate your business, you are required to do the following:**

1. Submit your "Renewal Application for a Permit to Operate"

Answer all questions, and do not leave anything blank. Please include your email contact information. Be sure to date and sign application. Please do not detach or attempt to reassemble the forms for any reason as this will delay processing. Change any information that is incorrect. Note: If the owner's name that appears on the Renewal Application is not yours, or if ownership has changed even if by "name" only, you cannot use this form. Please contact your Regional Office for instructions and an original application.

2. Worker's Compensation/Disability Insurance

SEE PAGE 2 OF THE RENEWAL APPLICATION FOR ACCEPTABLE FORMS. Any questions concerning the forms or procedure should be directed to the local NYS Workers' Comp Board Office or the Bureau of Compliance, NYS Workers' Comp Board at 518-486-6307. If you do not provide Worker's Compensation or Disability Insurance, you are required to submit Form CE-200, which can be done online at www.wcb.ny.gov.

3. Corporate Ownership

If ownership of the business is a corporation, you must file the enclosed "Certificate of Resolution". The person who signs the Renewal Application *must be* the same person named and authorized in the Certificate of Resolution. The corporate seal must be affixed to the document. If your corporate officers have changed since you last filed your application, submit a list of names and addresses of the new corporate officers.

4. Source of Food Supply Form and Food Managers Certification Course

Answer questions concerning your major food suppliers and the Food Managers Certification Course. The Westchester County Sanitary Code mandates that all operators of food service establishments attend an approved Food Managers Course and re-certify every five (5) years. If you have any questions concerning this requirement, contact your Regional Office.

(over)

5. Application Fee

Every application for a permit shall be accompanied by a **NON-REFUNDABLE** application fee as specified on the renewal- see "**Total Fee Due**" printed on **Renewal Application for a Permit to Operate**.

Applications that are received after the permit expiration date will incur an \$80.00 late fee. In addition, Operators may be subject to closure and legal action with additional fines.

Cash Payments are NOT Accepted

Please make checks or money orders payable to:
WESTCHESTER COUNTY HEALTH DEPARTMENT

BE SURE APPLICATIONS ARE COMPLETE
SUBMIT ALL REQUIRED PAPERS PROMPTLY TO AVOID DELAY

Return the completed application and all Supporting documents to:
Westchester County Health Department
Bureau of Public Health Protection
25 Moore Avenue
Mount Kisco, NY 10549
(914) 864-7330

Permit to Operate
Renewal Application

Westchester County Department of Health

Business / Location Information (Please modify only if information has changed.)

Business Name PORT CHESTER SENIOR COMMUNITY CENTER Code: 01-K385-A
Address 220 GRACE CHURCH STREET Business Phone (914) 939-4975
PORT CHESTER, NY 10573 Business Fax (914) 305 2523
Location Village of PORT CHESTER Business Website _____
County WESTCHESTER

Permit Number 01-K385-A

Permit Expiration Date
November 30, 2013

Fee Exempt

Mail To
VILLAGE OF PORT CHESTER
222 GRACE CHURCH ST.
PORT CHESTER, NY 10573-

Permitted
Operation

PORT CHESTER SENIOR COMMUNITY CENTER
SOFA Food Service - SOFA Prep Site-State Office for the Aging

Operation ID: 558956

In Operation: Year-Round Seasonal If Seasonal: Expected Opening Date _____ Expected Closing Date _____
Month/Day Month/Day
Capacity: 160 Seats Days/Hours of Operation: _____

Permit Applicant Information (Please modify only if information has changed.)

Legal Operator or Operating Corporation: VILLAGE OF PORT CHESTER

Person in Charge Village Manager Christopher Steed VILLAGE OF PORT CHESTER
Title First M.I. Last
Address 222 GRACE CHURCH ST.
City, State, Zip PORT CHESTER NY 10573-
Primary Phone (914) 939-2200 Ext _____ Cell Fax (914) 305-2525 Emergency Contact
Other Phone (914) 939-4975 Ext _____ Cell E-mail carol.nielsen@portchesterny.com

Location Owner: VILLAGE OF PORT CHESTER

Address 222 GRACE CHURCH ST.
City, State, Zip PORT CHESTER NY 10573-
Primary Phone (914) 939-2200 Ext _____ Cell Fax (914) 305-2525 Emergency Contact
Other Phone (914) 939-4975 Ext _____ Cell E-mail carol.nielsen@portchesterny.com

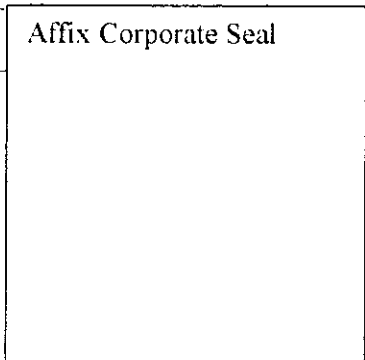
CERTIFICATE OF RESOLUTION
FOR AUTHORIZATION

The Undersigned, _____ of
Name of Corporation _____, a corporation
Duly organized and validly existing under the laws of (State) _____
Hereby certifies that the following resolution was duly adopted by the Board of Directors, of said
Corporation, at a meeting duly called and held on the _____ day of _____ 20____.
Be it resolved that the Board of Directors, or President if there is no Board of Directors, of (Name of
Corporation) _____
With offices at: _____
Hereby authorizes (Name if person authorized): _____
To execute and deliver to the Westchester County Department of Health, for and on behalf of said
corporation, and application for a permit to operate a (type of operation):

_____ to execute and deliver any and all additional documents which may be appropriate or desirable in
connection therewith.
The undersigned further certifies that said resolution has not been revoked, rescinded or modified and
remains in full force and effect on the date hereof.

In WITNESS WHEREOF, the undersigned has duly executed this certificate
This _____ day of _____, 20____.

OFFICER'S SIGNATURE: _____
TITLE: _____
ACKNOWLEDGEMENT



STATE OF _____)
COUNTY OF _____): ss:

On this _____ day of _____, 20____, before me personally came _____ of
to me known, and known to me to be the _____ of
_____ the corporation referred to in the within Certificate of
Resolution, who being by duly sworn did depose and say that (s)he is _____
of said corporation and that (s)he signed his/her name thereto.

NOTARY PUBLIC

COUNTY

**WESTCHESTER COUNTY DEPARTMENT OF HEALTH
BUREAU OF PUBLIC HEALTH PROTECTION**

Supplement to be Completed as Part of the Application

SOURCE OF FOOD SUPPLY

ITEM	FIRM	ADDRESS	CITY, STATE
MEAT			
FISH			
DAIRY PRODUCTS			
CANNED PRODUCTS			
BEVERAGES			
OTHER			

FOOD MANAGER'S CERTIFICATION COURSE (PLEASE PRINT CLEARLY)

Have you taken the Food Manager's Certification course Yes No

If yes, name of person who took course: Carl E. Nelson

Social Security number of person who took course: _____

Institution where course was taken: Westchester Community College

Date of course: 5/10/2010 - 5/10/2015

RESOLUTION
BUDGET AMENDMENT – DEA FUNDS TO PURCHASE
RADIOS AND ACCESSORIES FOR THE TWO NEW MOTOR CYCLES

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 Acting Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase radios and accessories for two new police motorcycles for \$5,977.20 from Motorola Solutions, C/o Metrocom, 31 Plainfield Avenue, Bedford Hills, NY 10507, NYS Contract PT62495. 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 Police DEA	\$(5,977.20)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$5,977.20
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Appropriations:

001-3120-0200	Police Equipment	\$5,977.20
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Approved as to Form:

Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE: October 7, 2013



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: jkrzeminski@vpcpd.com

To: Leonie Douglas, Village Treasurer
From: Captain John R. Telesca, Acting Chief of Police
Re: Transfer of Funds
Date: October 2, 2013

Please be advised I authorize the transfer of \$5,977.20 from the DEA Asset Forfeiture Account Number 001-0001-0695 to the Equipment Line, Appropriation Number 001-3120-0200 for payment for the following:

Motorola Solutions, c/o MetroCom, 31 Plainfield Ave., Bedford Hills, New York

2-XTL 5000 VHF Mobile 10-50 watt, 136-174MHZ	2,994.00
2-Add: Remote Mount Motorcycle	640.00
2-Motorcycle Palm Microphone	115.20
2-Antenna ¼ wave roof top VHF	31.20
2-ENH: Conventional Operation	1,280.00
2-Add: Auxiliary Speaker Spectra Motorcycle	96.00
2-Add: XTL 5000 05 Control Head	691.20
2-Add: VHF Preamp 136-174	105.60
2-Add: Remote Mount Cable 17 ft	24.00

Contract #PT62495, (for new police motorcycles)

**Village of Port Chester
Budget Transfer Form**

Department: Police Department

Date: 10-2-13

	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	5,977.20
Description	DEA	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

10/02/13
DATE

Ship To:

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

131905
VENDOR NUMBER

VOUCHER NUMBER

Motorola Solutions
c/o Metrocom
31 Plainfield Ave
Bedford Hills, NY 10507
VENDOR NAME & ADDRESS

APPROPRIATION	AMOUNT
001.3120.0200	5977.20

\$ 5977.20 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
	Contract #PT62495	
	2- XTL 5000 VHF Mobile 10-50 watt, 136-174MHZ radios and accessories for police motorcycles	
	Refer to attached quote	5977.20


DEPARTMENT HEAD'S SIGNATURE

VILLAGE MANAGER'S SIGNATURE

PURCHASE ORDER NUMBER
TREASURER'S OFFICE



Quote Number: QU0000248395
 Effective: 30 SEP 2013
 Effective To: 29 NOV 2013

Bill-To:
 PORT CHESTER, VILLAGE OF
 222 GRACE CHURCH ST
 PORT CHESTER, NY 10573
 United States

Ultimate Destination:
 PORT CHESTER, VILLAGE OF
 350 N MAIN ST
 PORT CHESTER, NY 10573
 United States

Attention:
Name: Capt. Telesca
Email: jtelesca@vpcpd.com
Phone: 914-939-6386
Fax: 914-939-2303

Sales Contact:
Name: Robert Gerardi
Email: chief391@aol.com
Phone: 914-244-3500

Contract Number: NEW YORK STATE CONTRACT
Freight terms: FOB Destination
Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	% Discount Price	Extended Price
1	2	M20KSS9PW1AN	XTL 5000 VHF MOBILE 10-50 WATT 136-174 MHZ	\$1,497.00	\$1,497.00	-	\$2,994.00
1a	2	G67AD	ADD: REMOTE MOUNT MOTORCYCLE	\$400.00	\$320.00	20.00	\$640.00
1b	2	W620AD	ADD: NO MOTORCYCLE ENCLOSURE NEEDED	-	-	-	-
1c	2	W22AT	ADD: MOTORCYCLE PALM MICROPHONE	\$72.00	\$57.60	20.00	\$115.20
1d	2	G299AA	ANTENNA 1/4 WAVE ROOF TOP VHF (150.8-162 MHZ)	\$19.50	\$15.60	20.00	\$31.20
1e	2	G48AU	ENH: CONVENTIONAL OPERATION	\$800.00	\$640.00	20.00	\$1,280.00
1f	2	B18CM	ADD: AUXILIARY SPEAKER SPECTRA MOTORCYCLE	\$60.00	\$48.00	20.00	\$96.00
1g	2	G241AL	ENH: SOFTWARE ASTRO READY ANALOG	-	-	-	-
1h	2	G442AB	ADD: XTL 5000 O5 CONTROL HEAD	\$432.00	\$345.60	20.00	\$691.20
1i	2	G444AA	ADD: ADD: CONTROL HEAD SOFTWARE	-	-	-	-
1j	2	G90AA	ADD: NO MICROPHONE NEEDED	-	-	-	-
1k	2	G138AA	ADD: CONTROL HEAD SOFTWARE, W7 MOTORCYCLE	-	-	-	-
1l	2	W357BA	ADD: CHANNEL SCAN WITH VRS	-	-	-	-
1m	2	W12DH	ADD: VHF PREAMP 136-174	\$66.00	\$52.80	20.00	\$105.60
1n	2	G628AB	ADD: REMOTE MOUNT CABLE 17 FT	\$15.00	\$12.00	20.00	\$24.00

Total Quote in USD

\$5,977.20

Contract # PT 62495

- PO Issued to Motorola Solutions Inc. must:
- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
 - >Have a PO Number/Contract Number & Date
 - >Identify "Motorola Solutions Inc." as the Vendor
 - >Have Payment Terms or Contract Number
 - >Be issued in the Legal Entity's Name
 - >Include a Bill-To Address with a Contact Name and Phone Number
 - >Include a Ship-To Address with a Contact Name and Phone Number
 - >Include an Ultimate Address (only if different than the Ship-To)



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Planning and Development Department

Village BOT Meeting Date: OCT. 7, 2013

Item Type: Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact		x	Public Hearing Required		X
Funding Source:			BID # n/a		
Account #: escrow			Strategic Plan Priority Area		
			Business & Economic Development		
Agreement	x		Manager Priorities		
Strategic Plan Related	X		N/A		

Sponsor's Name: Anthony Cerreto, Village Attorney

Heading Title
(Will appear as indicated below on Agenda)

Retaining Specialized Counsel with Regard to a Proposed Southern Gateway Mixed Use Overlay District

Summary

Background:

As directed by the Board of Trustees at a workshop on August 20, 2013, planning staff has prepared a draft zoning amendment with regard to a proposed Southern Gateway Mixed Use Overlay District,

Request is made to obtain specialized counsel to provide legal review/consultation with planning staff with regard to such amendment and develop appropriate procedures to assure compliance with SEQRA.

It is intended that the zoning amendment and supporting planning and legal memos will be presented to the Board for consideration and discussion at an upcoming public workshop.

Starwood has made a proffer to pay for such expense.

The recommended law firm of Sive Paget Riesel has the background, specialized expertise and local knowledge to assist the Village of Port Chester.

Should the Board of Trustees desire to advance a local law, it would require referral to the Planning Commission for an advisory report as well as referrals pursuant to the Westchester County Administrative Code, as well as a public hearing by the Board.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Rtainer proposal

RETAINING SPECIALIZED COUNSEL WITH REGARD TO A PROPOSED SOUTHERN
GATEWAY MIXED USE OVERLAY DISTRICT

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, by resolution adopted on December 17, 2012, the Village of Port Chester adopted its first-ever Comprehensive Plan which identifies goals, objectives, principles, and policies for the immediate and long-range protection, enhancement, growth and development of the community; and

WHEREAS, by local law enacted on March 18, 2013, the Village adopted related zoning amendments as part of a multi-phased approach to implement the land use and zoning recommendations of the Comprehensive Plan; and

WHEREAS, on August 20, 2013 the Village of Port Chester Board of Trustees hosted a public workshop where planning staff presented overlay concepts purposed to further implement the land use and zoning recommendations of the Comprehensive Plan; and

WHEREAS, staff has since prepared a draft zoning amendment for a “Southern Gateway Mixed Use Overlay District” that includes the CD Design Shopping and PMU Planned Mixed Use Districts on the Boston Post Road; and

WHEREAS, the proposed overlay district is supported by and consistent with the Comprehensive Plan which recommends “...a mix of both residential and non-residential uses to reinforce existing uses and activate underutilized portions of the area as a means to incentivize appropriately scaled economic development opportunities”; and

WHEREAS, staff has recommended the retention of specialized land use/environmental counsel to provide a legal review of the proposed zoning amendment and develop the proper procedures for compliance with the State Environmental Quality Review Act for presentation to the Board of Trustees for subsequent discussion in a work-shop format; and

WHEREAS, Starwood Capital, LLC has made a proffer to fund such expense; and

WHEREAS, such work-product will be presented to the Board of Trustees for consideration and discussion in a public meeting/workshop. NOW, THEREFORE, be it

RESOLVED, that the Village Manager is authorized to enter into a retainer agreement with Sive, Paget & Reisel, P.C., to provide legal services with regard to a proposed formulation of a Southern Gateway Project, compensation to be capped at \$26,000 and as otherwise set forth in the proposal dated September 26, 2013, and be it further

RESOLVED, that the proffer of Starwood Capital, LLC to fund such expense is hereby accepted.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

Mark Chertok
Direct Dial: (646) 378-7228
mchertok@sprlaw.com

October 3, 2013

By Electronic Mail

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

Re: Retainer Letter

Dear Mr. Steers:

This letter sets forth the proposal for the Village of Port Chester's retention of Sive, Paget & Riesel, P.C. (the "Firm") to provide legal counsel to the Village in connection with the prospective formulation of the Southern Gateway Mixed Use Overlay District, which would encompass approximately 79 acres of the Village.

I will be principally responsible for this matter; Steve Barshov, my partner who is experienced in zoning, will take the lead in certain aspects of zoning issues. As a courtesy, the Firm will provide these services to the Village at the same partner rates that have been applicable over the past several years. The partner rate for this matter through this year is \$395 per hour; associate rates will range up to \$345 per hour. Paralegals will be billed at the rate of \$110 per hour. These rates will not change during 2013.

We agree to undertake the following work for \$26,000. This cap would include review of the proposed Overlay District, legal research and review of pertinent documents, up to 4 meetings or hour-plus conference calls with Village Staff and/or property owners, revisions of the proposed Overlay, development of a conceptual SEQRA approach; participation in two work sessions with the Board of Trustees, and a public meeting with the Board of Trustees with respect to the proposed Overlay. The work does not include the formal rezoning process, including SEQRA review, public hearings and other steps that would accompany a zoning amendment.

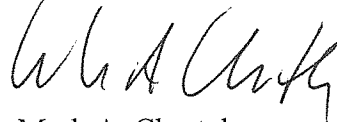
The Firm does not charge for stenographic services, except in extremely limited circumstances that would appear to have no applicability to this engagement. Photocopies are typically charged at 25 cents per page. Deliveries, etc. by firm clerks are billed at \$15 per hour; outgoing faxes are billed at \$1 per page. Other expenses (e.g., Westlaw [computerized legal research], postage, and travel expenses) are billed at the Firm's cost, with no additional overhead; for Westlaw research, in particular, discrete charges will occur only when the research

costs the Firm beyond our regular plan charges. The Village would be billed on a monthly basis and payment is expected within 30 days of its receipt of the bill. These bills would contain a full description of the services and out-of-pocket disbursements.

In the event that a dispute arises between us relating to fees, the Village may have a right to arbitration of the dispute pursuant to Part 137 of the Rules of the Chief Administrator of the Courts, a copy of which will be provided upon request. Our engagement to represent the Village will be deemed to have terminated at any time that a period in excess of nine (9) consecutive months elapses during which the Village does not request, and we do not furnish, any billable services. Unless the Village advises us to the contrary in connection with any particular matter(s), we shall be free to dispose of all files pertaining to this matter at any time after five years have elapsed after we last performed services on such matter. Such disposal will be accomplished in a manner that will protect the confidentiality of such files.

If this letter is in conformity with your understanding, please sign below at the designated area and return it to the undersigned. We appreciate the opportunity to represent the Village in this important matter.

Sincerely,



Mark A. Chertok

AGREED AND ACCEPTED:

Village of Port Chester
By: Christopher Steers, Village Manager

Cc: Anthony Cerreto, Esq.



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Justice Court

Village BOT Meeting Date: October 7, 2013

Item Type: Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact		x	Public Hearing Required		x
Funding Source: Grant			BID #		
Account #:			Strategic Plan Priority Area		
			N/A		
Agreement			Manager Priorities		
Strategic Plan Related			N/A		

Sponsor's Name: Regina Hill, Court Clerk

Heading Title
(Will appear as indicated below on Agenda)

Authorized the Village Mayor to submit an application for a Justice Court Assistance Program (JCAP) Grant, requesting \$34,092.09 in funding.

Summary

Background:
Resolution for JCAP Grant

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

2013-2014 JCAP Grant

RESOLUTION

GRANT APPLICATION FOR THE POLICE JUSTICE COURT

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 of Port Chester Police Justice Court serves a vital purpose to ensure fair justice in the Village; and

WHEREAS, the Court has one of the heaviest dockets of all local courts in the State of New York; and

WHEREAS, the State of New York Unified Court System invited the Village to apply for a Justice Court Assistance Program (JCAP) Grant, with a maximum award of \$30,000; and

WHEREAS, the Court Clerk has recommended that the Village submit a grant to fund audio and presentation equipment, office furniture, a cash bill counter, storage for old files and painting of the hallways at the Justice Court; and

WHEREAS, the deadline for the 2013-2014 JCAP Grant is October 15, 2013.
Now, therefore, be it

RESOLVED, that the Mayor be and hereby is authorized to submit an application for a Justice Court Assistance Program (JCAP) Grant, requesting \$34,092.09 in funding in accordance with the needs assessment prepared for such purpose by the Court Clerk.

APPROVED AS TO FORM:

Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE: October 7, 2013

Memo

To: Christopher Steers, Village Manager

From: Regina Hill 

CC:

Date: September 23, 2013

Re: 2013-2014 JCAP Grant

Hi Chris, can you review the 2013-2014 JCAP Grant. After reviewing can you have Mayor Pagano review and sign? Thank you.

COURT NAME: Port Chester Village Court, Westchester County ID: 2173

D. SIGNATURE PAGE & SUPPORTING DOCUMENTATION

To complete the process mail, fax or scan/email this page with the following required documents:

ANNUAL BUDGET: Court's itemized budget for the most recent municipal fiscal year.

AUTHORIZATION: Certified copy of the Local Resolution(s) of the Town or Village Board(s) authorizing this application. The Resolution may simply authorize the applicant to "request up to the maximum amount available."

SUPPORTING DOCUMENTS: Estimates, Photographs, Floor Plans, etc.

JUSTICE SIGNATURE: Original signature(s) required from at least one justice (not an Acting Justice).

Name: Peter Siska Signature: [Signature] Date: 9/23/13

Name: Matthew Tray Signature: [Signature] Date: 9/18/13

CERTIFICATION: Original signature required by Town Supervisor or Village Mayor.

The following signature provides certification that: (1) any funds (and any goods or services) awarded pursuant to this application shall be used only in accordance with the provisions of Chapter 280 of the Laws of 1999 and with all rules and regulations governing the Justice Court Assistance Program; (2) any goods and/or services purchased with any Justice Court Assistance Program funds shall be obtained in accordance with acceptable procurement practices established by the governing municipality including, but not limited to, competitive bidding and procurement policies and procedures; (3) no funds awarded pursuant to this application shall be used to compensate justices or non-judicial staff or to reduce or otherwise supplant funding provided by a town or village to its justice court.

Signature: _____ Name: _____
 Town Supervisor Village Mayor (please print)

Date: _____

**REMEMBER: YOUR JCAP APPLICATION IS SUBMITTED ONLINE ONLY.
YOU MUST MAIL, FAX OR SCAN/EMAIL SIGNATURE PAGE & DOCUMENTS REQUIRED ABOVE.**

Justice Court Assistance Program Grant Application

Page 1 of 5

Port Chester Village Court, Westchester County

Welcome**A. APPLICATION INFORMATION - TO BE COMPLETED ONLINE**

Court Name, Contact Information & Grant Items Requested

B. CASELOAD - TO BE COMPLETED ONLINE

New Case Filings for 3 Years

C. GRANT ITEMS - TO BE COMPLETED ONLINE (Please note that certain items are not allowed and should not be applied for, such as salaries, telephone bills, internet access or annual renewal fees for software.)

Please choose the item needed, enter the quantity of that item, the cost and the "priority level". The priority level is either "1 High priority" - needed immediately; "2 Medium Priority" - needed in the near future; and "3 Low Priority" - want or wish. You may have more than one item with the same priority, however, if we are unable to give you all items, we will prioritize the items awarded. (We take your 'priority list' into consideration when reviewing applications, however, the Chief Administrative Judge is not bound by your priority assignments when making awards)

D. SIGNATURE PAGE & SUPPORTING DOCUMENTATION

Your Application is not complete until we receive the Signature Page with the original signatures, the Court's budget, a Certified Resolution from the Town or Village Board, and any other required documentation (construction estimates, drawings, price estimates, photographs, invoices, vouchers, etc.)

After completing the application online, please print the Signature Page and mail, fax, scan/email it, along with any supporting or required documentation to:

Justice Court Assistance Program
NYS Office of Court Administration
187 Wolf Rd, Suite 103
Albany, NY 12205
Fax: 518-438-3518
Email: jcap@nycourts.gov

REQUIRED:

ANNUAL BUDGET - Attach a copy of the Court's itemized budget for the most recent municipal fiscal year.

BOARD RESOLUTION - Attach a certified copy of the Town or Village Board Resolution authorizing the court's JCAP application.

JUSTICE(S) SIGNATURES - At least one Justice of the Court must sign, other than an Acting Justice.

CERTIFICATION - Must be signed by the Town Supervisor or Village Mayor

Justice Court Assistance Program Grant Application

Page 2 of 5

Port Chester Village Court, Westchester County

GRANT ELIGIBLE ITEMS:**Computer Case Management Software**

SEI, SEI DMV Module, SEI Multi-User Upgrade, etc.

Computer Hardware

Misc. Servers, backup systems, etc.

Computer Software

MS Office, etc.

***Computer Support**

Records Management, etc.

*If you are requesting funds for scanning court records, be advised that The Unified Court System has guidelines for maintaining records in electronic format. Before you begin a scanning project, contact Kristy Barton, Office of Records Management at 518-238-4327 or 212-428-2875.

Construction

Exterior Renovations/Repairs

Interior Renovations/Repairs

Audience Seating

Other construction

Furniture

Bookcases

Chairs

Desks

File cabinets

Lectern

Storage cabinets

Tables

Other furniture

Office Equipment

Cash Box

Cash Register

Hand Seal

Label Printer

Calculator

Bulletin Board

Photocopier

Safe

Shredder

Telephone equipment/installation

TV/Video

Other

Air conditioning

Battery backup/Emergency lights

Generator

Audio/PA Systems

Other supplies/equipment

Security

Walkthrough metal detector

Bench

Handheld metal detector

Duress Alarms

Jury Box

Other Alarms (Fire, theft, etc.)

Reception/Pay window

Video Surveillance

Other

Courtroom Enhancements

Gavel

Judicial Robe

Flags

Signs

Wall Seal

Other

Please Note:

The maximum possible grant award is **\$30,000** per court.

Applications are due **October 15, 2013**. While applications can be submitted after that date, it is expected that grant requests will exceed the available funds, and therefore early submission is recommended.

QUESTIONS If you have any questions about JCAP or if you need assistance completing the application, call the Office of Justice Court Support at 1-800-232-0630 or email to resourcecenter@nycourts.gov.

Justice Court Assistance Program Grant Application

Page 3 of 6

Port Chester Village Court, Westchester County

**To print this
the Control K
letter P - clic
page.**

INSTRUCTIONS:

Online application. To eliminate multiple applications, please coordinate with your municipality, Justices and court employees who will be the contact person PRIOR TO beginning the online application process.

Federal ID Number. The Town or Village Clerk, Mayor or Supervisor should be able to provide you with this number.

Joint Application. If applying jointly, click "yes" and then name the other municipality who is jointly applying with you.

Contact Person. Person we may contact if we have questions or need additional information or documentation.

E-mail. If you are a Justice or court employee, enter your OCA Novel/GroupWise email address only (ex. Jdoe@nycourts.gov). If you are a Mayor or Supervisor, or do not have a court email address, please enter your email address.

Address. Enter all information. (Do not enter "same" in any box)

Items requested (see 'construction' and 'security' below for additional specific instructions)

You must submit estimates for each item. These may be pages from catalogs showing the item and price. When ordering from private vendors, be sure they quote you the "State Contract Price".

Select the level of need priority (1 - immediate need, 2 - need, 3 - want, etc.)

Select the "item category"

Click on "save category" box

Choose "item" (click on the box to see options)

Enter "quantity" of item ("1" for items that quantity does not apply (construction, etc) to allow the program to calculate the total)

Enter "price" per item; Click in the total box to the right so the program will calculate the totals;

Continue same procedure for each item requested.

"Explain need" for your request (example, "our roof is leaking and we need to replace it", or "our audience chairs do not clip together and are a safety hazard, so we need to order ganging chairs", etc.)

Construction Projects. (These projects require extra documentation and explanation)

Explain the need for the construction project. Indicate if you are ready to begin this project and how long it will take the project to be completed.

If the application is denied or the amount granted does not cover the entire amount needed for this project, you must have a source of funding to pay for the project or to make up the difference. For example, the Town or Village should have the entire amount of the project in their annual budget.

Applications seeking a construction project must submit, in the same package as the signature page, the following additional attachments:

- a detailed estimate for materials and/or labor; ** Check with your Town /Village Attorney regarding prevailing rates and bidding requirements.
- a sketch with dimensions of the existing floor plan of the building and room(s) along with proposed floor plans of the building and room(s). Indicate on the floor plan the various points of entry and room names or use;
- digital photographs of the exterior of the building (to enable us to understand your current facility), as well as digital photographs of any interior rooms to be affected. Please take photographs from each angle of the room (i.e. from the bench as the Judge views the room, from the back of the courtroom as the public sees the Judge's bench, from each doorway, etc.)

Security Items.

Security requests must contain a narrative explaining the court's need for the items.

Request for walk through metal detectors will not be approved unless the court has, or will have, security personnel to staff the equipment. (Please note that JCAP funds may not be used for staff salaries)

Printing Your Application.

You must print your application PRIOR TO clicking "submit" online. You must print each page individually.

Go to the "file" menu at the top left of the page and choose "print"

Submitting your Application

You must submit your application online and either mail, fax or scan/email the following:

- signature page (signed by both the Justice(s) and Mayor or Supervisor)
- certified copy of Board resolution
- court budget

- price estimates for each item
- additional documents for construction or security applications

QUESTIONS. If you have any questions, please call 1-800-232-0630.

Justice Court Assistance Program Grant Application

Page 3 of 5

ID: 2173

A. APPLICANT INFORMATION

Name of Court: Port Chester Village Court, Westchester				
Type of Application: <input checked="" type="radio"/> Individual <input type="radio"/> Joint:				
If Joint, please select the name of Joint Applicant: <input type="text"/>				
Contact Person:				
Salutation:	First Name:	M.I. (If Any)	Last Name:	Phone:
Mrs.	Regina		Hill	914-320-9886
Title:		Email:		Fax:
Court Clerk		RHill2@nycourts.gov		
Address Information:				
Court Mailing Address:		Address:	City:	ZIP:
		350 North Main Street	Port Chester	10573
Contact Mailing Address:		350 North Main Street	Port Chester	10573
Shipping (no PO Box):				

B. CASELOAD: NEW CASE FILINGS FOR 3 YEARS

	Criminal:	Civil:	VTL:	Jury:
Year 2012:	751-1,000	101-150	3,001-5,000	0-30
Year 2011:	1,001-2,000	101-150	5,001-7,500	0-30
Year 2010:	751-1,000	101-150	5,001-7,500	0-30

Has your court had a security assesment performed by the Dept. Of Public Safety? No Yes

Did you receive a grant in 2012-2013 No Yes Amount of Award \$9909.64

Did you receive a grant in 2011-2012 No Yes Amount of Award

* indicates required fields

QUESTIONS If you have any questions about JCAP or if you need assistance completing the application, call the Office of Justice Court Support at 1-800-232-0630 or email to resourcecenter@nycourts.gov.

Justice Court Assistance Program Grant Application
Port Chester Village Court, Westchester County
GRANT ITEMS

To print the Contract letter P

Contin

Priority	Item Category	Item Name	Quantity	Price	Item Total
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Total of all Items requested: \$34,092.09

1	Courtroom	Other	1	\$3,974.20 _kf_ApplicationID 1485	\$3,974.20
Comments Audio Equipment. Improve microphones/sound system in the court room. Replace defective sound system.					
1	Courtroom	Other	1	\$6,497.00 _kf_ApplicationID 1485	\$6,497.00
Comments Presentation equipment. Needed for viewing evidence in trials.					
1	Furniture	Chairs	8	\$111.00 _kf_ApplicationID 1485	\$888.00
Comments Chairs needed for Assistant Court Clerks					
1	Other	Other	4	\$37.00 _kf_ApplicationID 1485	\$148.00
Comments Chair Mats needed for Assistant Court Clerks					
1	Office Equipment	Shredder	1	\$2,319.99 _kf_ApplicationID 1485	\$2,319.99
Comments					
1	Other	Other	1	\$375.00 _kf_ApplicationID 1485	\$375.00
Comments Cash bill counter. We count a large sum of money for our daily deposit.					
1	Furniture	Chairs	2	\$304.95 _kf_ApplicationID 1485	\$609.90
Comments					
1	Other	Other	1	\$13,000.00 _kf_ApplicationID 1485	\$13,000.00
Comments Build/create storage for old files					
1	Other	Other	1	\$6,280.00 _kf_ApplicationID 1485	\$6,280.00
Comments Painting of Court Hallways.					

Justice Court Assistance Program Grant Application

Port Chester Village Court, Westchester County

Page 5 of 5

Completing the process

Mail the Signature Page, along with all other required documentation.

Remember: Applications are not reviewed or considered until the required documentation and signature page are received.

Signature Acknowledgment

I understand that this application will not be reviewed until the signed signature page is received by the Office of Court Administration, along with any required documents.*

 Yes

QUESTIONS If you have any questions about JCAP or if you need assistance completing the application, call the Office of Justice Court Support at 1-800-232-0630 or email to resourcecenter@nycourts.gov.

REPORT
OF
THE VILLAGE MANAGER

DISCUSSION

Village of Port Chester Planning & Development

222 Grace Church Street

Port Chester, NY 10573

Phone 914-937-6780



PROJECT PROPOSAL FORM

This form must be submitted to the Office of Planning and Development prior to scheduling a pre-submission meeting with the Director of Planning and Development or designee. Please allow at least ten (10) business days from the time of form submission for staff review. Submit completed form in hard copy or electronically to planning@portchesterny.com.

Applicant Information

Name: William Frenz

Address: 30 Morgan Ave, Greenwich, Ct 06831-4940

Phone: 203-532-1312

Email: frenzyyy@optonline.net

Property Owner Information (if different than above)

Name: Village of Port Chester

Address: 222 Grace Church St, Port Chester, NY 10573

Phone:

Email:

Property of Interest

Address: Village Marina

Existing Use, e.g. retail, office, restaurant, warehouse, vacant, etc.:

Seasonal in-water boat moorings on docks.

Development Proposal

Description of proposed project. Please be as specific as possible. Please attach any additional information, description, photos, etc. as needed to explain the proposal to the back of this form as needed.

Operate a Permanently Moored Vessel at the Town Marina dock as a Restaurant and Cabaret. The hours would be 4 pm to 12 midnight during weekdays and noon until midnight on the weekends. This would operate through the 4 seasons as an attraction to the downtown, waterfront development.

This proposal/project is consistent with the New Master Plan and the New Local Waterfront development Plan.

This vessel would be considered a structure and abide by the rules of the Building Department and the Westchester Health Department. The Showboat will supply a pump-out station, handi-cap bathrooms for use by patrons and marina customers, an 80' Hand-cap gangway, and upgrade the utilities at the marina. The marina is presently in default of these amenities and necessities.

The project will be approved by the Army Corps of Engineers and be U.S. Coast Guard compliant.

The term would be 10 years with a 10 year automatic renewable concession agreement.

The Showboat riverboat staff will maintain the bathrooms. A Storm Plan of action will be in-place.

A performance bond will be offered if considered necessary.

I am a promoter and producer of special boating and musical events and that will insure the success of the SHOWBOAT RIVERBOAT as a waterfront attraction to the Downtown, Port Chester economic development.

(Continued on attachments)

Please answer the following questions.

a) What is the size (sqft) of the existing structure(s) on site? What is the size (sqft) of proposed building, structure, or addition?

The size of the Showboat is 92' long and 22' wide and contains two decks which total 1,584 square feet of enclosed space.

b) Will there be any truck or other deliveries? If so, list frequency and number of deliveries by the type of truck (van, box truck, tractor trailer). Will the proposal pose an increase in the number of deliveries compared to the existing use?

A van and/or small box truck will make deliveries, similar to the adjacent operation, 'Bartaco' Restaurant. Deliveries will be in the morning, three times per week.

c) Is any parking currently provided on-site? If so, how many spaces? Will the proposal described herein require additional parking spaces? If so, how many additional spaces?

Current parking is available in the marina lot. 1 parking space per boat slip is authorized by the village permitting system. The Showboat will occupy 10 boat slips and will qualify for 10 parking spaces.

There is no parking requirement for this operation in this zone.

d) Will there be any exterior work completed (parking lot, building façade, sidewalk, drainage, signage, etc.)? Will there be any interior work completed? Is there any construction proposed, such as additions or demolitions?

Exterior work will consist of upgrading the electrical service at the marina and upgrading the sewer service by installing ADA compliant bathrooms at the landing of the marina's entrance, an ADA compliant 80' Gangway and a pump-out station for all public boaters. All Interior work will be undertaken to comply with state and local building codes as established by the Port Chester Building Department.

e) *Will there be an increase in the number of patrons resulting from the proposed use?*

There will be an increase in the number of patrons...presently there are none.

f) *Number of intended employees?*

We intend to employ 28 to 32 people....all new positions. Tentatively, that breaks down to 8 employees per shift, 2 shifts per day, totalling 16 people working daily with 2 people trained as subs for every position. In addition, there will be musicians performing on a daily basis and matinee performances on Saturday and Sunday and chosen holidays.

g) *Will the project generate additional stormwater runoff or create additional impervious surface area? (An impervious surface is one that does not permit the passage of water, i.e. parking lots, sidewalks, rooftops, etc.)*

The project will not generate any additional run-off.
The current lighting at the marina seems sufficient.

h) *Does the property currently experience flooding during significant rainfall or storm events? Is the proposal site in a flood zone?*

The proposed site is the Byram River....which we have been moored on for over 10 years and have survived all storms and floods.

i) *Has the applicant conducted a property history search through the [Building Department](#)? If so, for what use was the last Certificate of Occupancy (CO) and/or Certificate of Permitted Use issued by the Building Inspector and in which year?*

There is no property history in the Port Chester Building Department in connection with this structure, however it held a certificate of occupancy in the town of Greenwich, Connecticut from 1965 to 1996.

j) Is the proposal site currently connected to the Village sewer/storm system?

the proposed development will be connected to the sewer system, but not the storm system.

k) Are any permits or licenses required by any governmental agency? If so, have all necessary permits and/or licenses been acquired?

Permits and licenses will be acquired upon completion of a concession agreement.

Billy Frenz

Applicant/Applicant Representative Name – Please Print

Applicant/Applicant Representative Signature

June 20th, 2013

Date

SPACE BELOW IS FOR OFFICE USE ONLY

DATE RECEIVED:

STAFF VERIFICATION
Section, Block, Lot:
Zoning District:
Total lot size (sqft):
Building footprint (sqft):
Approved existing use:
Proposed use: <p style="text-align: center;"><input type="checkbox"/> P <input type="checkbox"/> SE <input type="checkbox"/> X</p>
Reviewed by:

MAJOR SITE PLAN THRESHOLDS DETERMINATION:

- Development of 15,000 square feet or more of new or renovated floor space
- Development of 15,000 square feet or more of new or land disturbance including demolition
- Any residential development greater than four (4) dwelling units
- Development of any vacant parcel
- New Wireless Telecommunications Facility
- Any development classified by a Lead Agency as a Type 1 Action under the New York State Environmental Quality Review Act (SEQRA)

If at least one (1) box applies, project proposal is classified as a Major site plan and will require at least one Development Review Committee Meeting per Section 345-23(C) of the Village Code before site plan submission, subject to Section 175 Fees.

SHOWBOAT RIVERBOAT: Project Proposal Form:

June 20, 2013 Village of Port Chester

Description of Proposed Project: Operate a Permanently Moored Vessel at the Town Marina dock as a Restaurant and Cabaret, with *live* music. The hours would be 4 pm to 12 midnight during weekdays and noon until midnight on the weekends. This would operate through the 4 seasons as an attraction to the downtown, waterfront development.

This proposal/project is consistent with the New Master Plan and the New Local Waterfront development Plan.

This vessel would be considered a structure and abide by the rules of the Building Department and the Westchester Health Department. The Showboat will supply a pump-out station, handi-cap bathrooms for use by patrons and marina customers, an 80' Hand-cap gangway, and upgrade the utilities at the marina. The marina is presently in default of these amenities and necessities.

Approvals: The project will be approved by the Army Corps of Engineers, the Port Chester Building Department, the Westchester Health Department and be U.S. Coast Guard compliant, meaning that the Coast Guard has inspected the vessel and has agreed to allow the vessel be deemed a permanently moored vessel and fall under the rules of a 'structure' in the Village of Port Chester.

Term: The term of the license from the Village of Port Chester would be 10 years with a rate of \$8,000.00 annually paid to the Village for the first 5 years and increase by 10% to \$8,800.00 for the 2nd, 5 year term, years 6 thru 10. This is derived by the present dockage charge of \$800.00 per boat and the Showboat will consume almost 10 slips, (100'). Provided the tenant is in compliance and current with all of the terms of the agreement, tenant will have the option to renew his tenancy for an additional period of 10 years under the same term and conditions of the primary term except that the rent herein reserved will be increased to \$1,000.00 per slip/year. Tenant will notify the licensor in writing within six (6) months prior to the expiration of his primary term of Tenant's desire to exercise the option.

The Showboat Riverboat staff will maintain the bathrooms.

A Storm Plan of action will be in-place, as recommended by the U.S. Coast Guard. Upon predicted storm tides of 12' or more, all business operations will cease and the vessel evacuated. The adjacent docks that the boat is moored to will be large enough to handle the predicted maximum capacity of 149 people upon immediate evacuation due to any emergencies. The Showboat Riverboat will be responsible for supplying and maintain these docks.

Also recommended upon the U.S. Coast Guard inspection was to install 2 pilings on the seaward side of the vessel, so to insure her location during inclement weather patterns. This would allow a dock to be installed on her seaward side and ultimately 'box in' the vessel.

A performance bond will be offered if considered necessary.

Experience will insure success:

I am a promoter and producer of special boating and musical events and that will insure the success of the SHOWBOAT RIVERBOAT as a waterfront attraction to the Downtown, Port Chester economic development. Since 1975, my NATIONAL POWERBOAT ASSOCIATION produces 'Cigarette' boat races and poker runs from Massachusetts to Key West, Florida. Our recent series of events concentrate on the regional market. Since the late 60's, I have been a professional musician and bandleader, appearing throughout the Northeast region and primarily the New York City region.

Billy Frenz's Promotional and Entertainment Background: Being the son of a guitar teacher who taught at 'Carl Erca's Bandstand' music store, at the square in Port Chester in 1956, I started playing guitar at the age of 6 and was proficient by the age of 13...when I was being showcased at nightclubs on the Jersey Shore, Seaside Heights, at the 'Chatterbox' in 1963 on the Boardwalk to be specific...I knew then that playing guitar in a rock band was cool. I started my own band, wrote the charts, rehearsed the group and won all the local 'Battle of the Bands' and developed lifetime relationships with many good musicians and upcoming producers. During my college years, I was chosen to be the guitarist and bandleader for The CHIFFONS ("He's So Fine", "One Fine Day", "Sweet Talkin' Guy"), when their guitarist and local star, Billy Vera moved to LA to write songs for Dolly Parton, Lou Rawls and Bobby Goldsboro. I concurrently completed my college education and received a Bachelor of Science in Biology from Quinnipiac University and continued to perform and produce 2 records for the CHIFFONS on the Laurie label... and earned my 'PhD' in Rhythm and Blues!

One of my early tours consisted of the Chiffons, Jay Black and the Americans, The Four Tops, and Frankie Valli and the Four Seasons, which over a 3 month period brought us to Madison Square Garden, The Hartford Civic Center, The Omni in Atlanta, The New Haven Coliseum, Boston's Civic Center, and a host of other super large venues that held 15,000 plus people. The 1st time on stage as an opening act in front of 25,000 screaming, clapping people at Madison Square Garden in 1972...in my platform shoes...was an experience! This opened the door for new musical collaborations and to produce soundtracks for some 'B' Movies. In addition to the CHIFFONS, I played guitar for the SHIRELLES also.



The point of this reflection of time is that I played a lot of cabarets, night clubs and concert halls on the East Coast and the tri-state region...experiencing 1st hand as to what works and what does not work as a successful venue. I have remained in the music industry and presently lead my band, BILLY AND THE SHOWMEN, comprised of some of the boys from the Chiffon's band, and entertain at the premier events in the region ranging from the very successful, 'Live at Five', Summer Concert Series produced in Downtown Stamford for huge audiences and the merchants benefit, to formal affairs at West Point Naval Academy on the Hudson River. I also run the band for BILLY VERA on his East Coast performances as the 'East Coast Beaters'



Tony Aiardo
Keyboards

Billy Frenz
Guitar
Musical Director

John Caminiti
Drums

Tommy Marotta
Bass

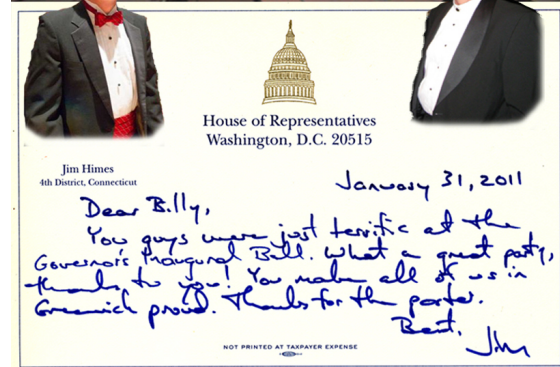
Billy Vera

Joe Meo
John Serio
Saxes

Billy Harris
Scotty Harper



My BILLY AND THE SHOWMEN Band performed as the main act at Governor Dan Malloy's Inaugural Ball, for 3,500+ guests and was recognized and thanked by Senator Richard Blumenthal and Representative Jim Himes.



RICHARD BLUMENTHAL
CONNECTICUT

United States Senate
WASHINGTON, DC 20510

February 24, 2011

Mr. Billy Frenz
Billy and the Showmen
30 Morgan Avenue
Greenwich, CT 06831

Dear Billy:

Thank you for the letter, attached poster, and most importantly – the music. I had a great time at the Governor's inaugural ball thanks to your wonderful rhythm and blues. Your tunes were a great accoutrement to the evening.

I will certainly keep you in mind for future events. Once again, thank you for the good times!

Sincerely,

Richard Blumenthal
RICHARD BLUMENTHAL
United States Senator

www.BillyandtheShowmen.com



We were recently recruited to open for James Taylor at the recent Greenwich Town Party this past May. Again, point being...I have experienced what it takes for a good musical production...what it takes to produce a good show... what it will take to promote a great venue...the SHOWBOAT RIVERBOAT. Especially when I host the best talent around and then have some of my great professional musical friends drop by to play a few notes and sing a few songs.

This capsulates my musical expertise, affiliations, and promotions....now to the waterfront.

My interest in boats also started at a young age and grew into expert engine repairs and modifications that grew into my racing boats and then running my own marina in 1975. While employing 4 mechanics, for over 10 years running a specialty automotive and marine facility, I enjoyed a professional music career/industry at the same time. It wasn't long before I was sponsored and travelling nationally on the professional



offshore racing circuit on a team called, 'OUTRAGEOUS'.



We initially campaigned a 30' Sutphen supported by a Peterbilt tractor trailer with a dedicated rolling workshop included and then moved up to a 33' Sutphen and a double-sleeper PeterBilt Tractor ...similar to 'Mac' in the movie "CARS". Our engines were small-block NASCAR motors producing over 600 HP each and we averaged speeds of 80 MPH in the ocean races. We campaigned the 'OUTRAGEOUS RACE TEAM' nationally on the Professional circuit for over 5 years.



OUTRAGEOUS
PETERBILT



In 2003, I also set the Official V-Bottom Speed record at 161 mph in a 47' Outerlimits GTX, titled, "XXX".

During 1975, I also started producing my own powerboat races and developed a circuit for the east coast under the banner of the NATIONAL POWERBOAT ASSOCIATION.

www.nationalpowerboat.com



**OFFICIALLY
WORLD'S FASTEST V-BOTTOM
161.29 MPH**

**BREAKING RECORDS
EVEN THEIR OWN**

APBA World's and National Champions
Powerboat Custom Boat of the Year
Power Run Circuit Leaders
World's Fastest V-Bottom

Follow the Leader...

WORLD CHAMPIONS
Outerlimits
OFFSHORE POWERBOATS

OUTERLIMITS OFFSHORE POWERBOATS HAS PROVEN THEIR SUPERIORITY IN POWER, PERFORMANCE AND RELIABILITY BY ONCE AGAIN BREAKING THEIR OWN RECORD AS THE WORLD'S FASTEST V-BOTTOM.

IN AN OFFICIALLY SANCTIONED EVENT BY THE NATIONAL POWERBOAT ASSOCIATION, OUTERLIMITS 47 GTX, POWERED BY TWIN 1450 HP STERLING ENGINES, BROKE THE V-BOTTOM SPEED RECORD AT A STAGGERING 161.29 MPH, BECOMING THE FIRST V-BOTTOM TO ECURE THE 160 MPH BARRIER. OH BY THE WAY, THE ONLY THING EXCEPTIONAL ABOUT THIS BOAT IS THAT IT IS AN OUTERLIMITS, ACCESSIBLE TO ANYONE WHO HAS THE DESIRE AND PASSION FOR THE ULTIMATE LEVEL OF PERFORMANCE.

THIS NEW RECORD CONFIRMS THAT WHEN IT COMES TO THE ULTIMATE IN HIGH PERFORMANCE BOATING, OUTERLIMITS LEADS THE WAY.

SO WHETHER YOU'RE PLANNING TO BREAK SOME RECORDS OF YOUR OWN, DOMINATE THE NEXT POKER RUN, OR JUST GO PLEASURE BOATING WITH YOU FAMILY...

Outerlimits — your only choice.

Outerlimits Offshore Powerboats • 91 Broad Common Road, Bristol, RI 02809 • 401-253-7300 • www.outerlimitspowerboats.com

104

My NATIONAL POWERBOAT ASSOCIATION produces 'Cigarette' boat races and poker runs from Massachusetts to Key West, Florida. Our present series of events concentrates on the regional market, consisting of 4 events for 2013, which are The NEW YORK CITY POWERBOAT POKER RUN/Hudson River; OLD SAYBROOK POWERBOAT POKER RUN/Long Island Sound, Montauk; MANHASSET BAY GOLD CUP POKER RUN/Long Island Sound; and the MILFORD POWERBOAT POKER RUN/Long Island Sound. Some of my early powerboat productions were successfully hosted in Port Chester during 1993-1995, while I operated the location now known as 'Bartaco's Restaurant' as a marina. We were then given the opportunity to take the event to New York City, and we catapulted and produced a national event that was televised on the Speed Channel, ESPN 2, and the MSG Network. I look forward to producing an event in Port Chester again, at the Village's waterfront...at the SHOWBOAT RIVERBOAT...and create quite a show for spectators and merchants.



I experience directly which waterfront locations are successful at promoting events, what works and what is good for the host communities.



All events, especially the musical and nautical ones that I specialize in, are good for the community and the local tourism industry.

Rob Paparozzi, current lead singer for “Blood, Sweat & Tears” performs with Billy and the Showmen

History of the SHOWBOAT RIVERBOAT in Port Chester:

In March of 2009, after being endorsed by the Comprehensive Plan Advisory Committee and waiting for the Master Plan to be adopted, I applied to the PC Building Department with plans for the boat to be considered a ‘structure’ and operate at its present location as a public entertainment venue.

The \$2,500.00 fee was paid to the Building Department, Village of Port Chester with its application and professional/engineering/architectural plans were submitted (at a cost of over \$5,000.00).

April 2009 brought us before the Port Chester Planning Commission; with a positive consensus we were referred to the Waterfront Commission for its input. This commission referred us to the Army Corps of Engineers to insure all dock permits were in order/Certificate of Occupancy for present location.

May 2009: the U S Coast Guard conducted a ‘Risk Management Assessment’ of the vessel. The vessel scored a ‘22’ which far exceeds the minimum acceptable score of ‘13’.

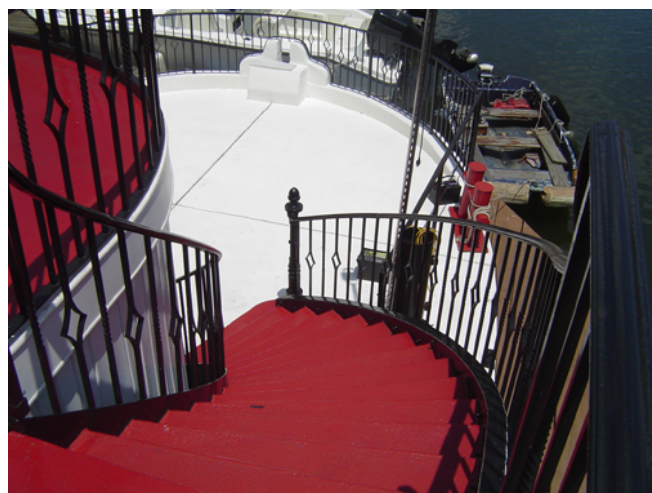
July 2009: Public Comments were solicited by the Army Corps of Engineers: Letters of endorsement are attached from local business owners and residents.

August 2009: The Regulatory Branch of the Army Corps of Engineers determined that the Highland Marina docks were in the federal Navigational Channel and ultimately never received a permit for that location. There is no Certificate of Occupancy from the Village of Port Chester for the Highland Marina docks. For the Showboat’s application to go forward at this location, Highland marina would have to seek permits from the Army Corps of Engineers, the State of New York and the Village of Port Chester. The owners Highland Marina have chosen not to acquire these permits and to operate illegally.



Showboat, He Jes' Keeps Rollin' Along

FOR THOSE LOOKING FOR A Saturday night activity that's out of the norm, look no further than









The vision for the SHOWBOAT RIVERBOAT has always been to be an attraction to the downtown waterfront and be berthed at the village marina.

Spending tens of thousands of dollars attempting to attain permits at the Highland Marina location was an alternative plan chosen only when the 1st attempt that the Laberge Company made to adopt the Master Plan failed to be approved.

Fortunately, the 2nd company, BFJ Planning, LLC, found this SHOWBOAT RIVERBOAT proposal worthy to be included in their Master Plan, which was adopted by the Board of Trustees.

Attached are letters of endorsement to the Army Corps of Engineers and the Industrial Development Agency.

From:

- 1. Westchester Government: Laurence Gottlieb, Director of Economic Development; Natasha Caputo, Director of Tourism and film.**
- 2. Jay Feinsod: Feinsod Hardware Company.**
- 3. Hattie Adams: Member of Port Chester Comprehensive Plan Advisory Committee.**
- 4. Bob Mangels: WJQZ Classic Hits Radio; also FREEDOMLAND USA expert.**
- 5. C.J.Pagano and Sons, Inc: Neil J. Pagano - President; Realtors, Appraisers and Insurance Brokers.**
- 6. Gene Ceccarelli: Member of the Port Chester Comprehensive Plan Advisory Committee and resident.**
- 7. Gerardo Espinoza: Port Chester resident.**

Robert P. Astorino
County Executive

Larry Gottlieb
Director
Economic Development

Natasha Caputo
Director
Tourism & Film

June 27, 2012

Neil J. Pagano, Chairman
Industrial Development Agency
Village of Port Chester
222 Grace Church Street
Port Chester, New York 10573

Re: SHOWBOAT Riverboat Proposal

Dear Chairman Pagano,

Westchester County Office of Economic Development including Tourism & Film is pleased to submit this letter of support on behalf of the SHOWBOAT Riverboat and the proposal to open a floating jazz club in the Village of Port Chester by permanently docking the riverboat at the new Marina Boat Basin.

The Office of Economic Development and Tourism & Film markets Westchester as a premier regional business location and travel destination and feels that the SHOWBOAT Riverboat proposal has the potential to add to the county's travel and tourism offerings and could become a signature venue for visitors and residents alike.


The SHOWBOAT Riverboat is a 92 ft paddle wheel boat that has been restored to accommodate a number of guests on its upper and lower levels. Like the River Club in New York City and the River Café in Brooklyn, the SHOWBOAT Riverboat proposal calls for creating a permanently moored venue for year round use and entertainment. At this time, there are no other riverboats that operate this way in the Village of Port Chester or within a 25-mile radius of the proposed location.

If approved and implemented, this new business endeavor could benefit Westchester County's \$1.7 billion travel and tourism industry by adding a new opportunity for visitors and residents. As such, the Office of Economic Development encourages efforts to move forward with the SHOWBOAT Riverboat proposal.

Thank you in advance for your time and consideration.

Regards,


Laurence P. Gottlieb
Director of Economic Development
Office of the County


Natasha Caputo
Director of Tourism & Film
Office of the County

CORPS OF ENGINEERS
1911 YORK DISTRICT

2009 AUG 24 AM 7:38

OPERATIONAL DIVISION

FEINSOD

TrueValue.

HARDWARE

43 N. Main Street
Port Chester NY 10573
914-939-3872
Fax: 914-939-5714
jay@feinsodhardware.com
TRUE VALUE #13212-9

August 12, 2009

Ahmed Soliman
Project Manager
Army Corp of Engineers
Room 1937
26 Federal Plaza
Jacob Javits Federal Building
New York, NY 10278

Ref: Showboat Riverboat #NAN-2009-00336-ESQ

Dear Mr. Soliman:

I own the local True Value hardware store in Port Chester, New York. I am in favor of a permanent mooring for Mr William Frenz Jr and his Showboat on the Byram River.

Mr Frenz's Showboat will be a welcome addition to the list of merchants in the village and increase the usefulness of the environment for the residents and visitors to the Port Chester waterfront area.

Sincerely,


Jay Feinsod



82 Railroad Avenue
Wellsville, New York 14895
585-593-6070
fax: 585-5936212
WWW.WJQZ.COM

May 4, 2012

Mr. Neil Pagano
President
Industrial Development Agency
Village of Port Chester
Port Chester, New York

Dear Mr Pagano:

I am writing this letter in support of the Showboat, to be located in Port Chester.

Having written articles and narrated a DVD on Freedomland USA, the theme park located in The Bronx from 1960-64, I have received many favorable comments not only throughout our country but the world about Freedomland and it's attractions including the 2 sternwheelers. The historical importance of this ship known as "The Canadian" is significant alone as it was one of the last sternwheelers built in 1960, and was designed by Gene Angel and Earl Hart both of whom designed the showboat used by MGM in their movies. But the attraction of it now to Freedomland fans in the region would bring tourists to Port Chester. The Showboat (as it is now known) has been restored into a first class attraction that can only be a positive addition to your community.

I certainly hope that the permanent placement of the Showboat in Port Chester can take place as it will be a positive addition to your community.

Sincerely

Bob Mangels
Classic Hits/Oldies Radio WJQZ

OPERATION SHOWBOAT
2009 AUG 26 PM 2:58
CORPS OF ENGINEERS
PORT CHESTER NY

August 13, 2009

Mrs. Hattie Adams
350 South Regent Street #2P
Port Chester, NY 10573

Jacob Javits Federal Building
Army Corp of Engineers
Mr. Ahmed Soliman, Project Manager
26 Federal Plaza - Room 1937
New York, NY 10278

Re: "SHOWBOAT" NAN-2009-00336-ESQ

Dear Mr. Ahmed Soliman,

I am honored to write this letter on the behalf of the amazing "SHOWBOAT" docked at the Highland Marina in Port Chester, N.Y.

I am a member of the Port Chester Comprehensive Plan Advisory Committee and we have completed 2years of strategic planning for the Village of Port Chester. Port Chester is moving forward and becoming a better place for all, residents and visitors. The Showboat would definitely be an asset and compliment to the downtown area. I am very excited and can't wait until the Showboat opens!

Mr. Billy Frenz is a wonderful man and the Port Chester community is very happy that he chose our Village to dock his entertainment Showboat. We are really excited about this unique attraction.

I would highly recommend for the "SHOWBOAT" to become a part of the Port Chester community.

Sincerely,


Hattie Adams

C.J. PAGANO & SONS, INC
Realtors, Appraisers & Insurance Brokers

**420 Westchester Avenue
Port Chester, NY 10573
Bus: 914-939-1123
Fax: 914-939-1136
Email: npagano@cjpagano.com**

CORPS OF ENGINEERS
NEW YORK DISTRICT
2009 AUG 24 AM 7:36
OPERATIONS DIVISION

**Neil J. Pagano
President**

July 18, 2009

Jacob Javits Federal Building
Army Corps of Engineers
Mr. Ahmed Soliman, Project Manager
26 Federal Plaza – Room 1937
New York, NY 10278

**Re: The “Showboat”
NAN-2009-0336- Esq**

Dear Mr. Soliman:

By means of an informal introduction, my name is Neil J. Pagano and I am the President of C.J. Pagano & Sons, Inc, a real estate, appraisal and insurance firm.

My purpose in writing to you is to heartily recommend approval of the application submitted by William Frenz Jr (referenced above) to “Permanently moor a 92-foot long river boat and modify its access” on the Byram River Waterway (Bronx River Watershed) in the Village of Port Chester, Westchester County, NY.

My firm has been in business in the Village of Port Chester for nearly 80 years. We make our living here and have invested in this community over the many years we’ve been in operation and are current property owners in the Central Business District of the Village.

Over the years we have see our downtown prosper, have watched it slide with the advent of the shopping center era, watched it again rise in the late 50s only to slide once again during the 60s and 70s. Recently it has once again rebounded but only with a lot of hard work and people dedicated to the idea that our Community is the place to live and raise a family. In the past few years a Downtown resurgence began and is continuing in spite of economic conditions. Property owners are spending money on their properties and while there certainly are vacancies in the retail segment, interest in that area has become very impressive. The message being clearly sent to those who wish to live, invest and do business here is that Port Chester welcomes those people from all walks of life who have a vision of what our Village “should be”.

Clearly, Billy Frenz is one of those people. I’ve known him for a number of years and have found him to be an upstanding gentleman and a man of his word. I’ve watched him doggedly follow his dream over a number of years to position his Showboat in the heart of our Village. I know his journey has not been an easy one. His proposed contribution to the Downtown with the “Showboat” could not come at a better time as the CBD revitalizes itself with the help of business people and local Government. As a recent-past member of the Port Chester Comprehensive Plan Advisory Committee (CPAC), I can attest to the fact that his plans to “park” the *Showboat* in the heart of our Downtown were met with great and unqualified enthusiasm by all 14 members of the CPAC. So much so that the Plan itself has incorporated not only the concept of such a placement but has gone so far as to mention the project by name (The “Showboat”) in numerous sections of the report. Other downtown property owners like me have expressed similar enthusiasm because this project serves to enhance every effort that is being made to upgrade the CBD.

Mr. Ahmed Soliman, Project Manager
26 Federal Plaza – Room 1937
New York, NY 10278

Re: The "Showboat"
NAN-2009-0336- Esq

Suffice it to say, I for one am grateful that Billy chose Port Chester in which to invest and make such a herculean effort to bring this project to fruition.

Your affirmative response to his application will be most appreciated.

Sincerely



NEIL J. PAGANO

C. J. Pagano & Sons, Inc.

CORPS OF ENGINEERS
NEW YORK DISTRICT

91 Munson St.
Port Chester, NY 10573
July 31, 2009

2009 AUG 24 AM 7:37

OPERATIONS DIVISION

Ahmed Soliman
Project Manager
Army Corps of Engineers
Room 1937
26 Federal Plaza
Jacob Javits Federal Building
NY, NY 10278

Ref.: SHOWBOAT RIVERBOAT #NAN-2009-00336-ESQ

Dear Mr. Soliman:


I am a resident of Port Chester, NY, and, while serving on the Comprehensive Plan Advisory Committee for the Mayor and Board of Trustees, I have heard a number of presentations by the owner of the Showboat Riverboat.

In my opinion, I think that it will be a positive addition to our waterfront, and an enjoyable source of entertainment to many of the people in our Village. My understanding is that it will play jazz music and serve light hors d'oeuvres, and will not have an adverse impact on the local restaurant establishments (i.e, no dinners will be served). It is a very attractive boat.

It will be nice to see the people of our Village making use of the river again, and I believe that the Showboat Riverboat will add to its vibrancy.

Thank you for listening to my comments.

Sincerely yours,



Gene Ceccarelli

August 18, 2009

2009 AUG 26 PM 2:58
CORPS OF ENGINEERS
PORT CHESTER DISTRICT
OPERATIONS DIVISION

Mr. Ahmed Soliman
Project Manager
Army Corp of Engineers
Room 1937
26 Federal Plaza
Jacob Javits Federal Building
New York, NY 10278

Reference: SHOWBOAT RIVERBOAT #NAN-2009-00336-ESQ

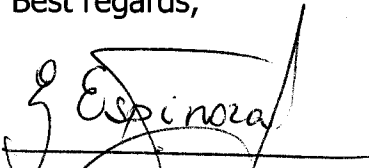
Mr. Soliman:

By means of this letter, I would like to let you know that I am in favor of this project in Port Chester. I have been a Port Chester resident for more than 25 years. I personally believe this project will bring something new to our Village.

So, my vote for this project is a "Yey". I will endorse this project.

If you have further questions please feel free to contact me.

Best regards,


Gerardo Espinoza
133 Breckenridge Ave
Port Chester, NY 10573

August 18, 2009

Ahmed Soliman
Project Manager
Army Corp of Engineers
Room 1937
26 Federal Plaza
Jacob Javits Federal Building
New York, NY 10278

RE: SHOWBOAT
#NAN-2009-00336-ESQ

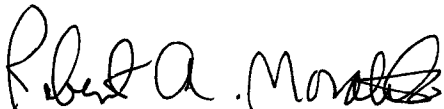
Dear Mr. Soliman:

I write this letter to endorse the proposed Showboat River Project. Mr. Frenz and his associates have devoted a great deal of time and money for this worthwhile project. I visited the site last year and was quite impressed at the restoration efforts conducted by Mr. Frenz. His concern for detail is evident by the beautiful work done on the Riverboat. When you visit the boat, it is like going back in time when people and institutions showed more care and appreciation for simple comforts.

The project, if allowed, would certainly benefit the Byram River, Port Chester, and Greenwich. This project would be astatically pleasing to those who visit the Riverboat.

In closing, as the former Rye Town Supervisor for fourteen years, I believe that I have a good understanding of the pulse of our community. I truly believe this project should be green lighted so that we all can enjoy the majestic Riverboat. The atmosphere and comradery will be a welcomed amenity for our community.

Sincerely,



Robert A. Morabito
14 West Glen Avenue
Port Chester, NY 10573

CORPS OF ENGINEERS
ARMY CORP OF ENGINEERS
2009 AUG 26 PM 2:58
OPERATIONS DIVISION

CORPS OF ENGINEERS
NEW YORK DISTRICT

2009 AUG 28 PM 3: 50

NAN-2009-00336-ES0

August 22, 2009

OPERATIONS DIVISION

To: Army Corps of Engineers New York District;

Dear Sirs,

I have been a business associate and friend with William Frenz for more than 40 years.

William has always been an upstanding and productive citizen. He has always been community minded and is a man with great vision. In Greenwich where he resides he has done much for the town. For example he has worked many years with the local Red Cross festivals.

I would highly recommend that he be allowed to go ahead with his plans for the showboat. The Showboat has been a part of history for many years. I believe it would only be a benefit and a wonderful addition to the already newly renovated Waterfront District. It is exciting that this part of local history will now become a part of the Village of Port Chester.

Sincerely,



John Caminiti
4 Woodland Avenue
Port Chester, NY 10573

181 WESTCHESTER AVE.
PORT CHESTER, N.Y.

NAH - 2009 - 00450 - WYO

August 19, 2009

2009 AUG 26 PM 2:58
OPERATIONS DIVISION
ARMY CORP OF ENGINEERS
NEW YORK DISTRICT

Ahmed Soliman
Project Manager
Army Corp of Engineers
Room 1937
26 Federal Plaza
Jacob Javits Federal Building
NYC, N.Y. 10278

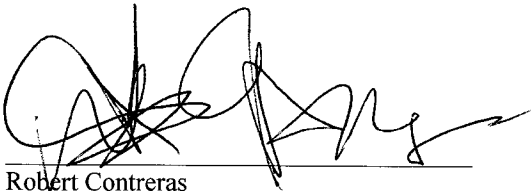
Dear Mr. Soliman,

We are the owners of a large property located in Port Chester, N.Y. Our building is within walking distance of the proposed Showboat Riverboat located on the Waterfront. We would like to express our enthusiasm for this entertainment to be offered to our community. It would be a great asset as well as a great support to the ongoing efforts of the Village of Port Chester to make this a desirable and frequented community. With the opportunities of employment and influx of visitors it could only generate revenue, tax dollars, and enhance the lifestyle of our residents.

Let's make this a community effort to get this beautiful village "Rollin-On-The River"!

Please contact me with any questions or discussions.

Thank you for all your attention regarding this matter.



Robert Contreras
Managing Member
181 Westchester Ave., LLC



181 WESTCHESTER AVE., LLC
P.O. BOX 1068
LARCHMONT, N.Y. 10538
(914) 939-0690

8/23/09

U S Army Corps
of Engineers
New York District

Jacob L. Garisto Federal Building - Room 2109
New York, NY 10278-0090

Attn: Regulatory Branch

RECEIVED AUG 27 2009
26 Federal Plaza

re: Public Notice number NAN-2009-00336-ESO
WILLIAM FRENZ, JR.

To whom it may concern: RICHARD TOMER
CHIEF, REGULATORY BRANCH

Recently there have been many major
improvements implemented in the downtown
area of Port Chester (the waterfront) - beautiful
restaurants, various stores to shop in, a movie
complex, etc - leaving room for people to enjoy
"a nice" evening on a safe permanently moored
Riverboat.

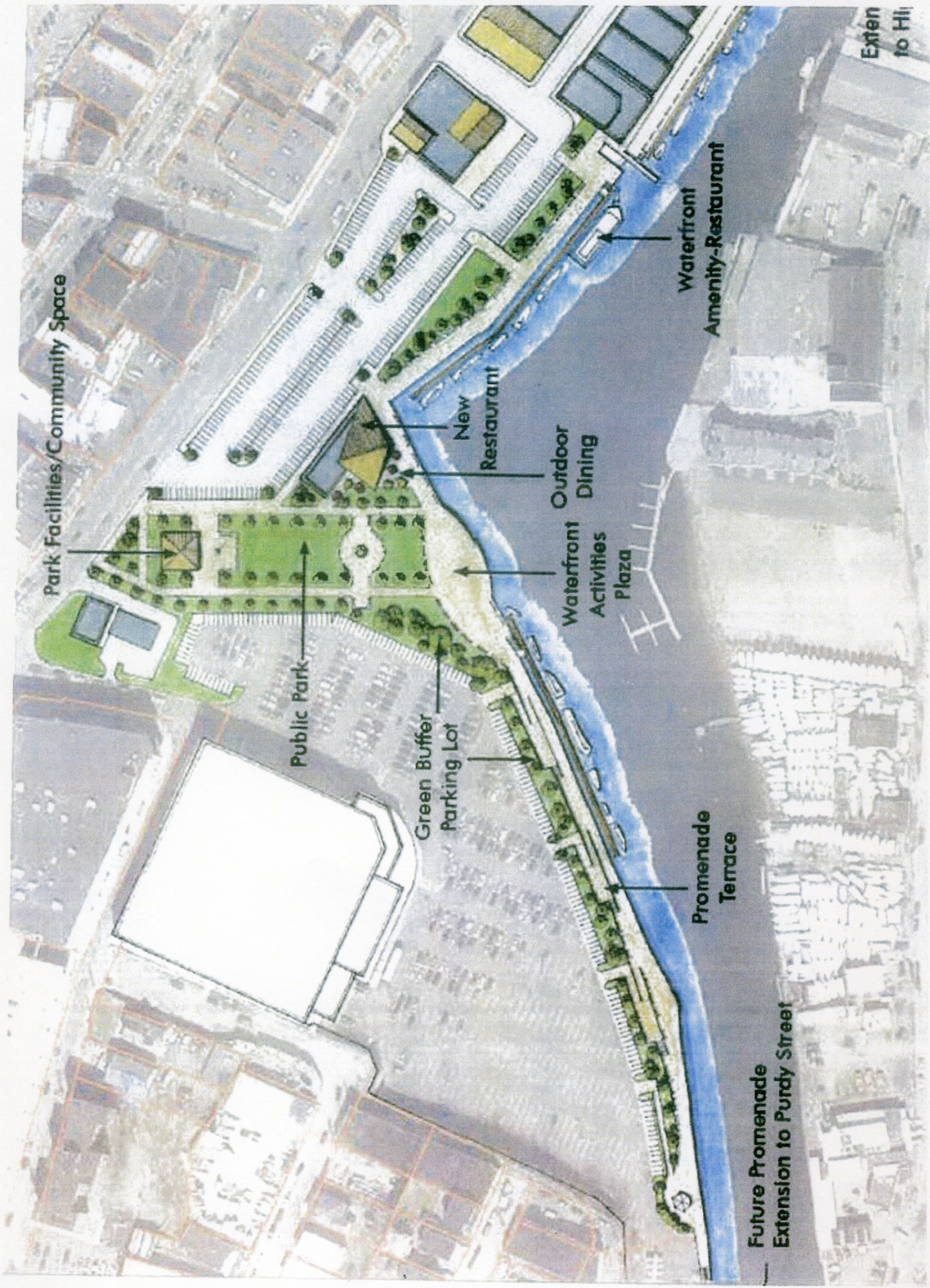
A Riverboat with this much "class" and with
such a long "historical background" is a very
attractive addition to any town, especially
"Our Town".

As Port Chester residents, we feel this
Riverboat will be a definite upgrade for
the downtown Port Chester area.

Thank you and have a
nice day.

PEGGYANN + KEN Munnick
25 RIVERDALE AVENUE
PORT CHESTER, NY 10573
(914) 937-8427

Cove Park



Park Facilities/Community Space

Public Park

Green Buffer
Parking Lot

New
Restaurant

Outdoor
Dining

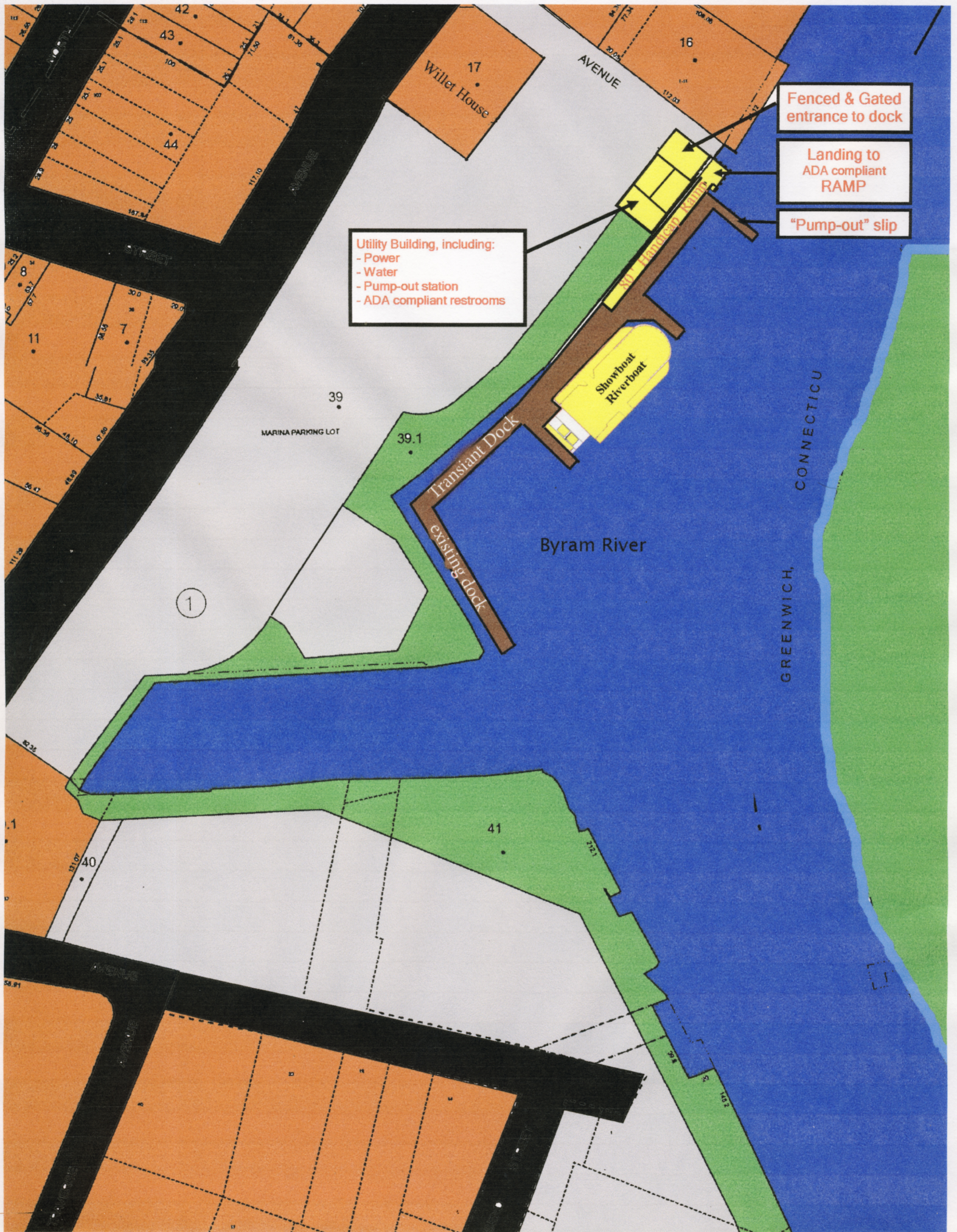
Waterfront
Activities
Plaza

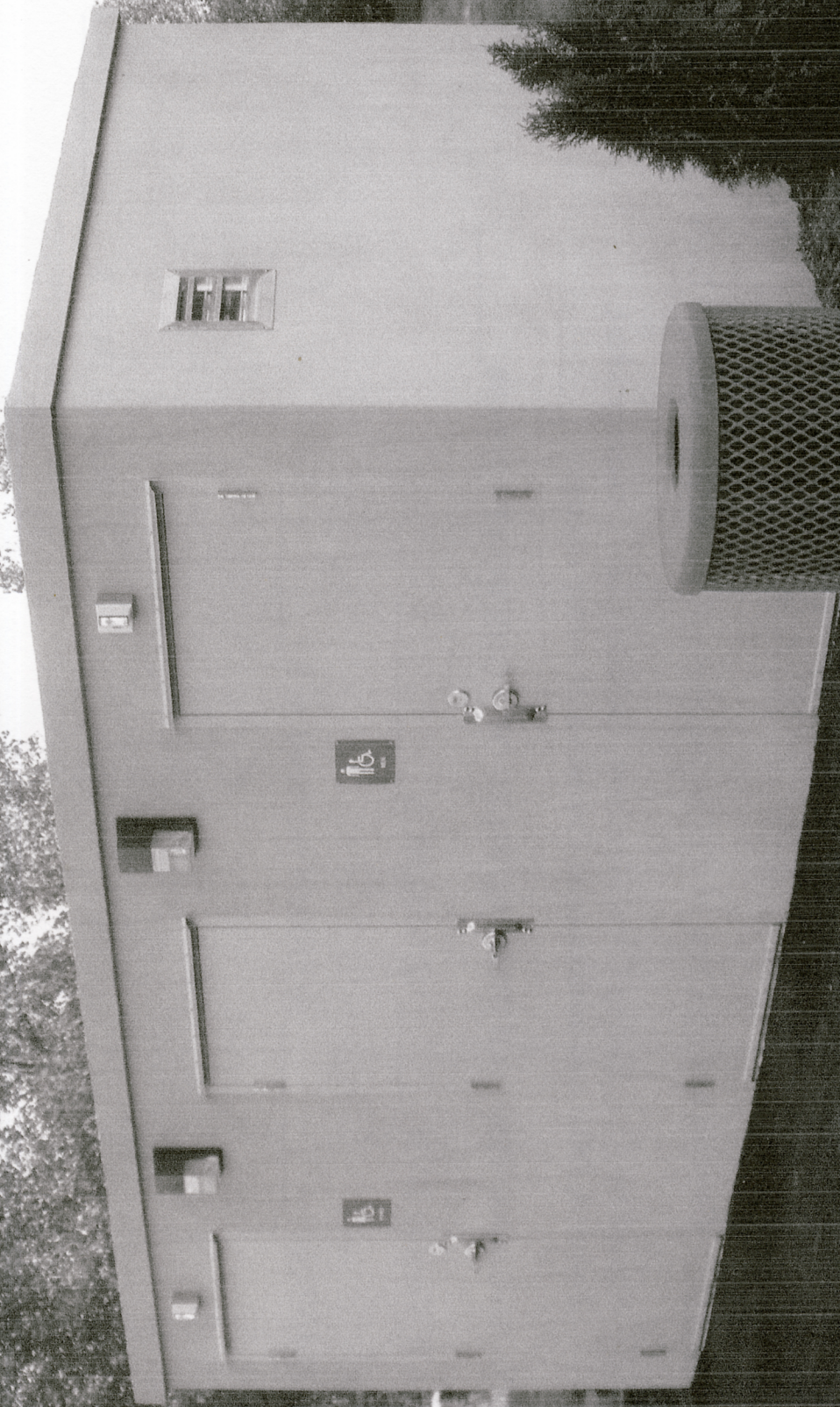
Promenade
Terrace

Waterfront
Amenity-Restaurant

Future Promenade
Extension to Purdy Street

Extend
to Hill





SHOWBOAT RIVERBOAT projected schedule of operations and personnel requirements:

Summer Schedule:

Monday: 11 am to Midnight

Tuesday: 11 am to Midnight

Wednesday: 11 am to Midnight

Thursday: 11 am to 1 am

Friday: 11 am to 2 am

Saturday: 11 am to 2 am

Sunday: 11 am to Midnight

Winter Schedule:

4 pm to Midnight

4 pm to Midnight

4 pm to Midnight

4 pm to Midnight

4 pm to 2 am

2 pm to 2 am

2 pm to 12 Midnight

Live entertainment daily beginning at 7 pm; (optional) earlier during 'Happy Hours' TBA

Matinee's on Saturday and Sunday beginning at 2 pm

Employee Shift requirements: 2 shifts daily ,

Each shift requires the following personnel:

1 Bartender, 1 Barback, 2 Wait staff, 1 Chef, 1 Handyman, 1 Hostess, 1 Manager:

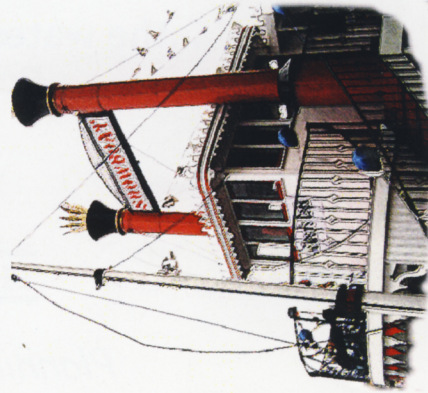
Total of 8 employees per shift. 2 shifts daily, so 16 people working daily. We will have 2 people trained as subs for every position. Potentially, there will be 32 people employed weekly by the SHOWBOAT RIVERBOAT.

PLUS Musicians on a daily basis (Performing Artists).



SHOWBOAT

THE SHOWBOAT



Welcome Aboard
Byram River
Port Chester, NY
www.ShowboatRiverboat.com



THE SHOWBOAT

Showboat Riverboat

Highland Marina
2 Highland Avenue
Port Chester, NY



www.ShowboatRiverboat.com

CORRESPONDENCE



Fire Department
Village of Port Chester

WESTCHESTER COUNTY, N. Y.



Headquarters: Westchester Avenue and Honingo Street

- Harry Howard Hook & Ladder No. 1
- Fire Police No. 1
- Mellor Hose No. 1
- Washington Engine & Hose No. 4
- Brooksville Hose No. 5

Companies:

- Reliance Chemical & Hose No. 1
- Putnam Steamer & Hose No. 2

TO THE HONORABLE BOARD OF TRUSTEES OF THE VILLAGE PORT CHESTER, N. Y.:

The Fire Patrol Rescue Co. #1 respectfully reports that at a meeting

held on Oct 1, 2013 favorable action was taken on the following:

Elected active members Melillo, Nick

Elected honorary members _____

Members resigned _____

Members expelled _____

Members suspended _____

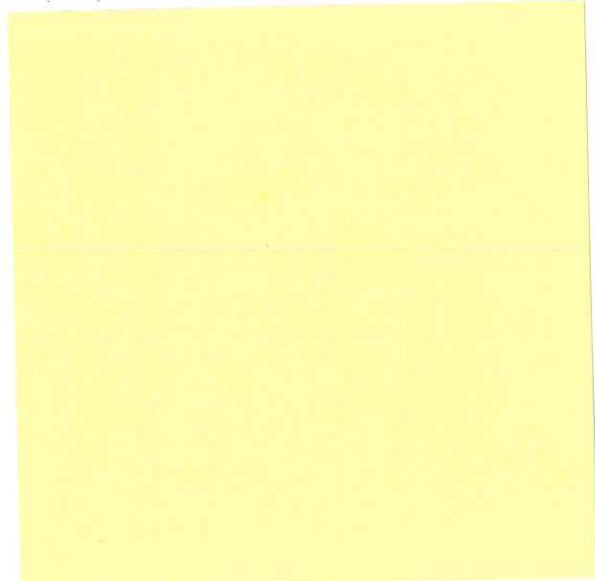
Members died _____

Badges returned (numbers) _____

Remarks _____

Former member Harry Howard Hook & Ladder PCFD

James K. Mitchell Secretary.



Received
OCT 2 2013
Village Clerk
VILLAGE OF PORT CHESTER



Fire Department
Village of Port Chester

WESTCHESTER COUNTY, N. Y.



Headquarters: Westchester Avenue and Honingo Street

Harry Howard Hook &
Ladder No. 1

Fire Police No. 1

Mellor Hose No. 1

Washington Engine & Hose
No. 4

Brooksville Hose No. 5

Companies:

Reliance Chemical & Hose
No. 1

Putnam Steamer & Hose
No. 2

TO THE HONORABLE BOARD OF TRUSTEES OF THE VILLAGE PORT CHESTER, N. Y.:

The Fire Patrol & Rescue Co #1 respectfully reports that at a meeting held on Oct 1, 2013 favorable action was taken on the following:

Elected active members..... Diaz, Augustine

Elected honorary members

Members resigned.....

Members expelled.....

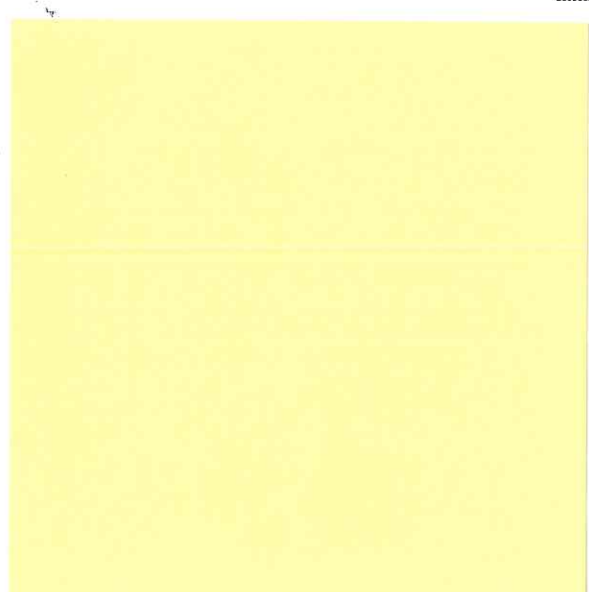
Members suspended.....

Members died.....

Badges returned (numbers)

Remarks..... previous member Reliance Exit Co #1 PCFD

[Handwritten Signature]
Jamesia Mitchell Secretary.



Received
OCT 2 2013
Village Clerk
VILLAGE OF PORT CHESTER



Fire Department Village of Port Chester

WESTCHESTER COUNTY, N. Y.



Headquarters: Westchester Avenue and Honingo Street

Harry Howard Hook &
Ladder No. 1

Fire Police No. 1

Mellor Hose No. 1

Washington Engine & Hose
No. 4

Brooksville Hose No. 5

Companies:

Reliance Chemical & Hose
No. 1

Putnam Steamer & Hose
No. 2

TO THE HONORABLE BOARD OF TRUSTEES OF THE VILLAGE PORT CHESTER, N. Y.:

The *Fire Patrol - Reserco #1* respectfully reports that at a meeting held on *Oct 1, 2013* favorable action was taken on the following:

Elected active members *Spadaro, Michael*

Elected honorary members _____

Members resigned _____

Members expelled _____

Members suspended _____

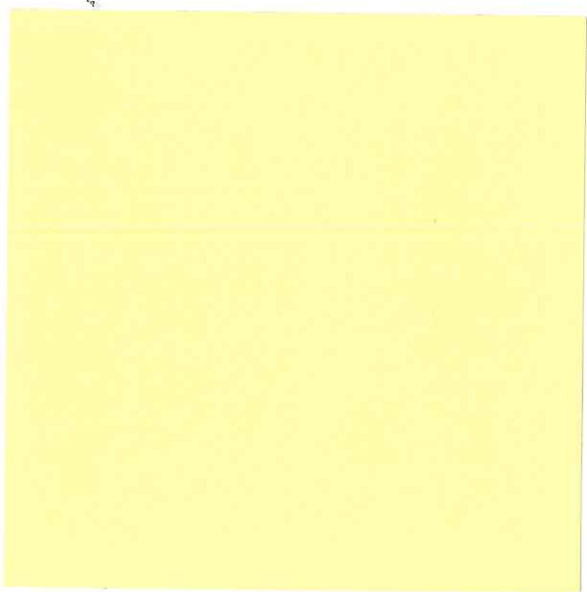
Members died _____

Badges returned (numbers) _____

Remarks _____

former member Harry Howard Hook & Ladder Co #1

James R. Mitchell Secretary.



Received
 OCT 2 2013
 Village Clerk
 VILLAGE OF PORT CHESTER



Companies:

Reliance Chemical & Hose
No. 1

Putnam Steamer & Hose
No. 2

Fire Department
Village of Port Chester

WESTCHESTER COUNTY, N. Y.



Headquarters: Westchester Avenue and Ponings Street

Harry Howard Hook &
Ladder No. 1

Fire Police No. 1

Mellor Hose No. 1

Washington Engine & Hose
No. 4

Brooksville Hose No. 5

TO THE HONORABLE BOARD OF TRUSTEES OF THE VILLAGE PORT CHESTER, N. Y.:

The Fire Police Rescue Co. respectfully reports that at a meeting

held on Oct 1, 2013 favorable action was taken on the following:

Elected active members.....

Elected honorary members.....

Members resigned..... J. Acciari, Ryan

Members expelled.....

Members suspended.....

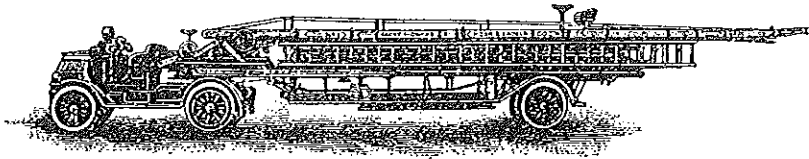
Members died.....

Badges returned (numbers).....

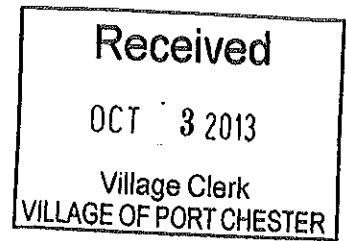
Remarks.....

Received
OCT 2 2013
Village Clerk
VILLAGE OF PORT CHESTER

James R. Mitchell
James R. Mitchell Secretary.



HARRY HOWARD HOOK & LADDER CO. NO. I
PORT CHESTER, N.Y. 10573



October 2, 2013

Honorable Mayor Neil J. Pagano and
Members of the Village Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573
Attn: Dr. Janusz Richards – Village Clerk


Re: Resignation of Eric Snyder

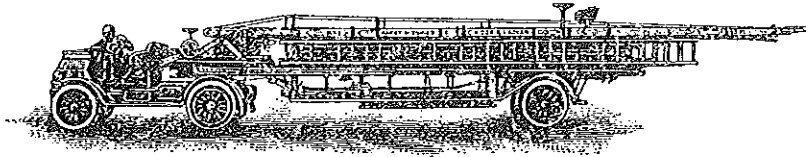
Gentlemen:

The purpose of this letter is to advise you that a letter of resignation was received from Eric Snyder, 48 Park Avenue, Port Chester, NY 10573 resigning from Harry Howard Hook & Ladder Company #1

The resignation was formally accepted at the regular monthly meeting of the Company on 9/13/2013

Yours truly,


NEIL J. PAGANO
Secretary



HARRY HOWARD HOOK & LADDER CO. NO. 1
PORT CHESTER, N.Y. 10573

Received
OCT 3 2013
Village Clerk
VILLAGE OF PORT CHESTER

October 2, 2013

Honorable Mayor Neil J. Pagano and
Members of the Village Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573
Attn: Dr. Janusz Richards – Village Clerk

Re: Expulsion of Robert Painter

Gentlemen:

The purpose of this letter is to inform you that on the evening of September 13, 2013 during the regularly scheduled monthly meeting of Harry Howard Hook & Ladder Company #1, in accordance with its By-Laws, the Company membership voted to expel the following individual from membership in the Company effectively immediately:

Robert Painter
1410 Edison Avenue
Bronx, NY 10461

Yours truly,

NEIL J. PAGANO
Secretary

**Detective Division
Port Chester Police Department
350 North Main Street
Port Chester, New York 10573**

To: John R. Telesca, Acting Chief of Police
From: Sergeant Charles H. Vaccaro, Detective Division
Re: Liquor License Renewal – 134 N. Main Street
Date: 10/3/2013

Our records indicate that El Palacio De Los Mariscos Corp. located at 134 N. Main Street only has a Beer and Wine License from the Division of Alcoholic Beverage Control State Liquor Authority. The current renewal application submitted is requesting a Liquor, Wine and Beer License. El Palacio De Los Mariscos is changing the type of Alcohol being sold to now include Liquor. I contacted the Albany Division of the Alcohol Beverage Control SLA and ascertained that this renewal application is incorrect. The proper application would be a "class change" application not a renewal. In light of this information I would recommend the denial of this application.



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
STATE LIQUOR AUTHORITY

Received
OCT 1 2013
Village Clerk
VILLAGE OF PORT CHESTER

Standardized **NOTICE FORM** for Providing a
30-Day Advance Notice to a Local Municipality or Community Board
in connection with the submission to the State Liquor Authority of a **(check one)**
New Application **Renewal Application**
Alteration Application **Corporate Change**
for an **On-Premises Alcoholic Beverage License**

1.	Date the original copy of this Notice was mailed to the Local Municipality or Community Board:		Month	Month	Day	Day	Year	Year	Year	Year						
			0	9	2	5	2	0	1	3						
THIS 30-DAY ADVANCE NOTICE IS BEING PROVIDED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD																
2.	Name of the Local Municipality or Community Board:															
FOR NEW APPLICANTS, PROVIDE DESCRIPTION BELOW USING ALL INFORMATION KNOWN TO DATE FOR ALTERATION APPLICANTS, ATTACH COMPLETE DESCRIPTION AND DIAGRAM OF PROPOSED ALTERATION(S) FOR CURRENT LICENSEES, SET FORTH APPROVED METHOD OF OPERATION ONLY DO NOT USE THIS FORM TO CHANGE YOUR METHOD OF OPERATION																
3.	Type(s) of alcohol sold or to be sold under the license (*X* one):	<input type="checkbox"/> Beer Only	<input type="checkbox"/> Wine and Beer Only	<input checked="" type="checkbox"/> Liquor, Wine, and Beer												
4.	Extent of food service: (*X* one)	<input checked="" type="checkbox"/> Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef)		<input type="checkbox"/> Tavern / Cocktail Lounge / Adult Venue / Bar (Alcohol sales primarily - meets legal minimum food availability requirements)												
5.	Type of establishment: (*X* all that apply)	<input type="checkbox"/> Hotel	<input type="checkbox"/> Live Music	<input type="checkbox"/> Disk Jockey	<input checked="" type="checkbox"/> Juke Box	<input type="checkbox"/> Patron Dancing (Small Scale)	<input type="checkbox"/> Cabaret, Night Club, Discotheque (Large Scale Dance Club)	<input type="checkbox"/> Capacity for 600 or more patrons								
		<input type="checkbox"/> Club (e.g. Golf / Fraternal Org.)	<input type="checkbox"/> Bkd & Breakfast	<input type="checkbox"/> Catering Facility	<input type="checkbox"/> Karaoke Bar	<input type="checkbox"/> Stage Shows	<input type="checkbox"/> Topless Entertainment	<input type="checkbox"/> Recreational Facility (Sports Facility/Vessel)								
6.	Licensed outdoor area:	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Rooftop	<input type="checkbox"/> Patio or Deck	<input type="checkbox"/> Freestanding Covered Structure	<input type="checkbox"/> Garden / Grounds	<input type="checkbox"/> Sidewalk Cafe	<input type="checkbox"/> Other (Specify):								
7.	Will the license holder or a manager be physically present within the establishment during all hours of operation? (*X* one):								<input type="checkbox"/> YES	<input type="checkbox"/> NO						
8.	License serial number:				9.	Expiration Date:	Month	Month	Day	Day						
							1	1	3	0						
10.	The applicant's or license holder's full name, as it appears or will appear on the license:	EL PALACIO DE LOS HAPISCOS VT CORPORATION														
11.	The trade name, if any, under which the establishment conducts or will conduct business:															
12.	The establishment is located within the building which has the following street address:	134 NORTH MAIN ST.														
13.	City, Town, or Village:	PORT CHESTER					NY	Zip Code:	10573							
14.	The establishment is located on the following floor(s) of the building at the above address:	1ST FLOOR.														
15.	Within the building at the above address, the establishment is located within the room(s) numbered as follows:															
16.	Business telephone number of applicant/licensee:	9	1	4	-	7	7	4	-	7	4	6	9			
17.	Business fax number of applicant/licensee:				-				-							
18.	Business e-mail address of applicant/licensee:															
19.	Does the applicant or license holder own the building in which the establishment is located? (*X* one)	Yes <input type="checkbox"/>	If "YES", SKIP items No. 20-23. Complete the 3 entries at Item No. 24.					No <input checked="" type="checkbox"/>	If "NO", ANSWER items No. 20-23, and complete the 3 entries at Item No. 24.							
OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED																
20.	Building owner's full name is:	DANNY DEWIX														
21.	Building owner's street address:	125 N. MAIN ST														
22.	City, Town, or Village:	PORT CHESTER					NY	Zip Code:	10573							
23.	Business telephone number of building owner:	9	1	4	-	9	3	9	-	7	6	4	3			
24.	I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.															
	By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.															
	Printed Name	VICTOR A TORRIN					Title	OWNER					X	Signature	[Signature]	

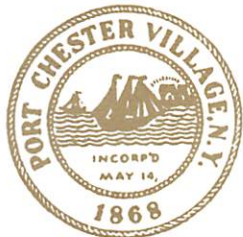
C-7-B

Sileo, Vita

From: Miley, Peter
Sent: Monday, October 07, 2013 1:49 PM
To: Sileo, Vita
Subject: re: Liquor License

Regarding 134 N. Main Street El Palacio De Los Mariscos, the building department has no objection to the issuance of a liquor license, business has a CO and recently passed their Fire Inspection.

*Peter J. Miley
Building Inspector
Director of Code Enforcement
Village of Port Chester New York 10573
914-939-5203
pmiley@portchesterny.com*



VILLAGE OF
PORT CHESTER
222 Grace Church Street, Port Chester, NY 10573

C-8

October 4, 2013

Mayor Pagano & the Board of Trustees

Dear Mayor Pagano and Board of Trustees:

At a recent meeting of the Board of Trustees a letter from Julitza Martinez regarding her concerns with the crosswalk in front of 50 South Main Street was discussed by you and the Board. At that time this letter was referred to the Traffic Commission.

At their meeting of October 1, 2013 the Commission discussed this crosswalk at length. This crosswalk was originally put in place approximately 1999-2000 during the construction of the Waterfront area to be used to get around the site. Traffic Sergeant Mark Braccio met with the NYS Department of Transportation regarding this crosswalk. It does not meet ADA standards. The NYS representative suggested the crosswalk be eliminated and the crosswalk at Purdy Avenue and South Main Street be used. The representative also stated that if the Village wanted to make the corrections needed, including the fact that the curbing must be cut down, the State would agree with the Village. The building at 50 South Main Street has both elderly and handicap residents and for 13 years they have used this crosswalk to get across the street.

The Commission recommends making the required improvements to upgrade this crosswalk and add signage to help with the traffic flow.

Very truly yours,

Joseph Gianfrancesco

Joseph Gianfrancesco
Chairman, Traffic Commission

cc: Christopher Steers
Sgt. Mark Braccio

**PUBLIC COMMENTS
AND
BOARD COMMENTS**