

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES**
Meeting, Tuesday, September 2, 2014
PROPOSED EXECUTIVE/CLOSED SESSION 6:00-7:00 P.M.
Regular Meeting: 7:00 P.M.
VILLAGE JUSTICE COURTROOM
350 North Main Street
Port Chester, New York
AGENDA

TIME: 6:00 P.M. to 6:15 P.M.

	MEETING OF THE BOARD OF TRUSTEES IN THEIR CAPACITY AS A BOARD OF POLICE COMMISSIONERS	ACTION
1	Board of Police Commissioners to meet with the Chief of Police. Update from the Chief of Police	

TIME: 6:15 P.M.

	PROPOSED MOTION FOR EXECUTIVE SESSION	ACTION
1	Involving the promotion of a particular person(s) in the Police Department.	
2	Consultation with Village Attorney regarding repairs to Village Sidewalks.	

TIME: 7:00 P.M.

I	PUBLIC COMMENTS	ACTION
II	PRESENTATION	ACTION
1	National Development Council (NDC).	
III	RESOLUTIONS	ACTION
	Administration	
1	Setting a public hearing to consider the advisability of adopting a local law amending Chapter 268 of the Code of the Village of Port Chester "Sewer Rents" to clarify procedures with regard to adjustment in water consumption	
2	Sewer rent correction appeal for R. Cianco for 91 Hawley Ave.	
3	Sewer Rent appeal regarding: 31 Pearl St.	
4	Sewer Rent appeal regarding: 53-57 Pearl St.	
5	Sewer Rent Appeal regarding: 211 Irving Ave.-142.22-1-37	
6	Sewer Rent Appeal regarding: 33 New Broad St.-142.30-2-64	

7	Setting a Public Hearing to consider the advisability of adopting a Local Law further modifying the amnesty period of the Permit Amnesty Program.	
8	Fire Contract/Agreement Westchester	
	Appointment(s)	
9	Appoint Deputy Mayor	
	Finance	
10	Repurpose Resolution	
11A	Closeout Capital Projects	
11B	Closeout Capital Projects	
12	Awarding Bid 2014-05 – 2014 Road Resurfacing (BID 14-05).	
13	Awarding BID 2014-02 - Pilgrim Drive Drainage Improvements (BID 14-02).	
	Planning	
14	Setting a public hearing to consider the advisability of adopting a local law to provide for a process for lot line adjustments.	
IV	DISCUSSIONS	ACTION
1	Regarding Village co-sponsoring town hall-style meeting in early September at the Senior Center with NAACP to give residents an opportunity to express their concerns about the spate of racially charged and insensitive (SS flag) activities.	
V	CORRESPONDENCE	ACTION
1	From Church of Our Lady of the Rosary for permission to use Edgewood Park on October 12, 2014 for an outdoor mass, to close Don Bosco Place from 9:00 a.m. to 2:00 p.m. and for a police escort for a procession from the Church to the park and back.	
2	From Christine Morgan Teter requesting to place a sign at Messina Park.	
3	The Port Chester-Rye Union Free School District regarding Port Chester Fire Department light tower rescue truck.	
4	From the Traffic Commission regarding the driveway at 330-340-350- So. Regent Street	
5	From the Traffic Commission regarding handicap parking at Bethesda Baptist Church and overnight parking in parking areas.	
VI	PUBLIC COMMENTS AND BOARD COMMENTS	ACTION

TIME: _____

MEETING OF THE BOARD OF
TRUSTEES IN THEIR CAPACITY AS A
BOARD OF POLICE COMMISSIONERS

**PROPOSED MOTION
FOR
EXECUTIVE SESSION**

PUBLIC COMMENTS

PRESENTATION

National Development Council

NDC is the oldest national non-profit community development organization in the U.S. We have evolved a lot since our founding in 1969, but our mission -- increasing the flow of capital to underserved urban and rural areas for job creation and community development -- remains the same.



We offer our community partners development assistance and professional training as well as small business financing and debt and equity for residential, commercial, public and non-profit facilities projects.



NATIONAL DEVELOPMENT COUNCIL

Partners in Community Development Since 1969

National Development Council

NDC has worked with hundreds of communities in every one of the 50 states and Puerto Rico, providing:

- technical assistance
- professional training
- investment in affordable housing
- small business financing
- direct developer services

Our work has taken many forms, but we have kept pace with the needs of our client communities, adding new programs and services or updating old ones.



NATIONAL DEVELOPMENT COUNCIL

Partners in Community Development Since 1969

National Development Council Component Divisions

- **NDC Economic Development Consulting Services**
- **NDC Grow America Fund**
- **NDC HEDC New Markets**
- **NDC Corporate Equity Fund**
- **NDC HEDC Public Facilities Division (P3)**
- **NDC Training Division**



NATIONAL DEVELOPMENT COUNCIL

Partners in Community Development Since 1969

NDC, through its Public-Private Partnerships has developed projects such as:

- municipal office space
- parking garages
- laboratory space
- student housing
- libraries
- biomedical research facilities



More Projects at:

Ndcppp.org



NATIONAL DEVELOPMENT COUNCIL

Partners in Community Development Since 1969

Standard Public Development Process

- Advantages
 - Tax-exempt financing
 - 100% financing
- Disadvantages
 - Deliberative process -- often time consuming and expensive
 - Prone to costly change orders and time delays
 - Lowest bid is often not lowest cost
 - Typical costs exceed equivalent private projects by 20%-30% on average



Private/Public Development Process (Public Perspective)

- Advantages
 - Efficient delivery
 - Saves time and money
 - Privatization of risk
 - Extensive development experience
- Disadvantages
 - Taxable debt
 - Required market return on equity



NDC's Public-Private Partnerships: A Public-First Model

- Familiarly, “not-for-profit”
- Not public: not part of government
- Not private: publicly-designated and publicly accountable because of tax-exemption and declared public purpose
- A Public Private development partner combines public mission and access to public financing tools with private sector knowledge and skills



NDC's Public-Private Partnerships

- Participants or Partners must have
 - A specific and relevant mission
 - Experience and measurable achievements
 - Knowledge of public sector requirements
 - Knowledge of private sector processes including development and asset management
 - Understanding of bond compliance
 - Commitment to return benefit back to public sector
 - Commitment to accountability and transparency
 - Structure: single-asset, bankruptcy-remote entity



Public-Private Partnerships & Tax-Exempt Financing

- 63-20 Bond: Revenue Ruling 63-20 allows a Not-for-Profit Corporation to issue debt to finance a facility for a tax-exempt purpose IF
 - A local government endorses the financing
 - The facility will be occupied by a tax-exempt entity
 - The facility reverts to the ownership of the endorsing local government at the retirement of the debt
- 501(c)(3) Bond: Recipient of bonds issued through a conduit issuer with a lease to the municipality/not-for-profit



501(c)(3) Bond for Public Facilities

- Not-for-profit / tax-exempt debt
- Requires conduit issuer
- Development using a private development process
- Governmental control through long-term lease
- No mandated reversion / can negotiate a contractual reversion at retirement of debt



The NDC HEDC 501(c)(3) Bonds for Municipal Facilities

- Advantages of using 501(c)(3) bonds to finance municipal facilities
 - Tax-exempt debt
 - Private development process (Greater knowledge and efficiency = Lower development costs)
 - Risk transfer to the private partner
 - 100% financing
- Disadvantages of using 501(c)(3) Bonds to finance municipal facilities
 - Slightly greater up-front cost (e.g. design process)
 - Slightly higher interest rate (4 to 10 basis points)



The NDC HEDC 501(c)(3) Bonds for Municipal Facilities

- When Does it Make Sense?
 - When a public development process is likely to be more costly because of time delay or pricing than a privatized approach
 - When conventional general obligation bonds are not a good alternative
 - When the local government does not possess the necessary development skills



The NDC HEDC Not-for-Profit - 501(c)(3) Finance Structure

Not your Typical Not-for-Profit

- Must be a single asset entity that has bankruptcy remote characteristics
- Strength and substance: There should be qualities about the not-for-profit that suggest it will be in existence for the next 30 years (or the length of the term of the bonds)
- Must have the correct public purpose
- Must understand real estate development including long-term asset management
- Must understand the requirements of bond compliance



Not-for-Profit Development Entity's Responsibilities

- **Negotiate** and enter into development contracts: architect agreement, development agreement, lease agreements and bond documents
- **Issue bonds**
- **Review** construction progress and process construction draws
- **Asset management**
 - Oversee property manager
 - Process lease payments
 - Review and approve annual budgets
- **Bond compliance**
 - Annual audits
 - Annual certification and reporting



The NDC HEDC Development Team

- **Developer** – Works for the not-for-profit and oversees the development
 - Must be willing and able to guarantee completion and price
 - Must be experienced in the type of project
 - Developer is a subsidiary
- **Architect**
 - Works for the not-for-profit and under the direction of the developer
- **Contractor**
 - Works for the not-for-profit and under the direction of the developer

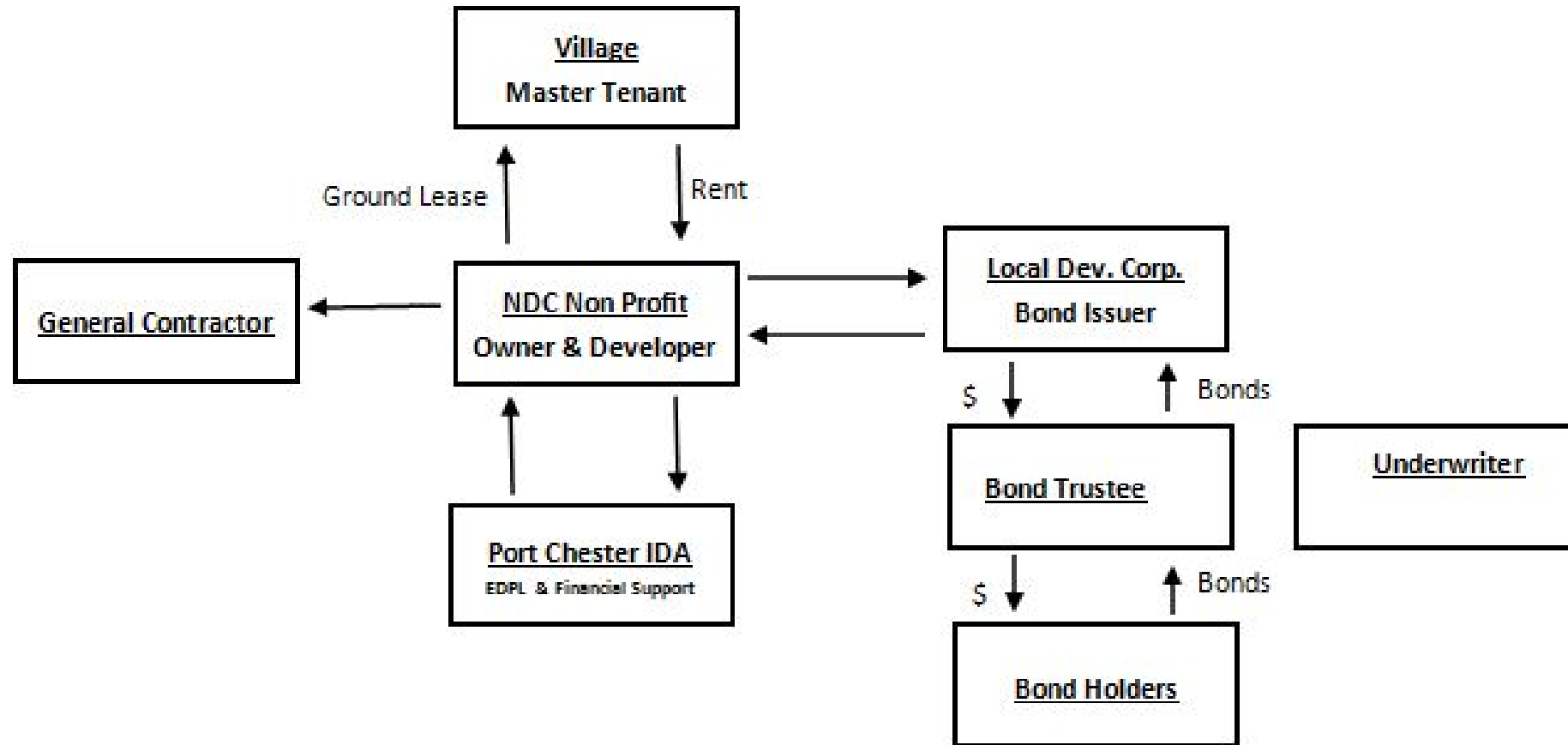


Steps and Key Players in NDC's Public Facility Development Process:

- Issuer Local Development Corp.
- PC IDA: EDPL Support & Financial Assistance
- NDC HEDC Single Purpose Not-for-profit Entity
- Developer
- Architect
- Building contractor
- Bond counsel
- Real estate / contracts counsel
- Bond trustee and trustee's counsel
- Underwriter and underwriter's counsel



Flow Chart of NDC's Public Facility Development Process:



Advantages of NDC Projects vs. Traditional Government Projects

NDC Structure:

- Project debt belongs to NDC no recourse to Village
- Significant Cost Savings over Government Projects
- Fixed Cost Project – no liability for cost overruns
- Risk is borne by NDC not Village
- 25-30% Cost Savings over Government Projects
- Experienced Developer with over \$3 billion in projects
- Estimated project price \$35 million

Traditional General Obligation Structure:

- Project Debt goes on Village Balance Sheet
- Significantly Higher Development Costs - Wicks
- No Fixed Cost Project – full liability for cost overruns
- Project Risk assumed by Village
- 25-30% Higher Project Cost
- Inexperienced Developer
- Estimated project price \$48-52 million
 - Note: Police Station only projected at \$28 million



Where are we now in the process for the Municipal Building Study?

- Task One – Start-up Space Utilization Investigation and Facility Conceptualization Analysis- **Completed**
- Task Two – Architectural and Operational Program & Investigation – **Completed Summer 2014**
- Task Three – Facility Cost Feasibility Analysis Study – **September- December 2014**
- Task Four – Construction Documents Development – **January –February 2015**
- Task Five – Formal Design and Construction - **Spring 2015- Fall 2016**



RESOLUTIONS



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Attorney

BOT Meeting Date: 9/2/2014

Item Type: Resolution Setting Public Hearing

Sponsor's Name: Anthony (Tony) Cerreto, Village Attorney

Description	Yes	No	Description	Yes	No
Fiscal Impact		x <input type="checkbox"/>	Public Hearing Required	x	
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
	Yes	No	N/A		
Agreement	<input type="checkbox"/>	x	Manager Priorities		
Strategic Plan Related	<input type="checkbox"/>	x	Sewer Rent Project		

Agenda Heading Title
(Will appear on the Agenda as indicated below)

Setting a public hearing to consider the advisability of adopting a local law amending Chapter 268 of the Code of the Village of Port Chester "Sewer Rents" to clarify procedures with regard to adjustment in water consumption

Summary

Background:

To more equitably pay for the cost of making necessary and mandated repairs to the Village's sanitary sewer system, estimated to be \$15 million over 5 years, the Village has adopted a system of user fees as opposed to placing the entire burden on property owners. Such user fees, known as "sewer rents", are authorized by Article 14-F of the State General Municipal Law. Following a lengthy approval process with the State Public Service Commission, United Water Westchester, Inc., the private water company which supplies water to the Village, is billing system users under a formula of water consumption. This is the most universally accepted method of establishing sanitary sewer user fees.

Although not required, the local law establishing the sewer rents contained an adjustment and appeal process so as to provide some flexibility to an otherwise rigid application of the formula.

Based on comments from aggrieved users, the general public and members of the Board, if such adjustment process will continue, some changes are in order. The proposed changes are procedural and would not materially affect the sewer budget that was adopted for this fiscal year. In summary, the changes would:

- Establish an administrative process for the hearing and determination of requests for adjustments through the Village Manager or his designee. Currently, the Board is required to perform this function.
- Provide that the request for adjustment may only be made for the time period in question that has been the subject of a bill
- Impose a deadline in which a request for adjustment must be made or is deemed untimely and cannot be considered.
-

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Proposed Local Law
Presentation
New Proposed Sewer Grievance Application

**SETTING A PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF
ADOPTING A LOCAL LAW AMENDING CHAPTER 268, "SEWER RENTS",
OF THE CODE OF THE VILLAGE OF PORT CHESTER WITH REGARD TO
ADJUSTMENT IN WATER CONSUMPTION AND APPEALS**

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 Board of Trustees hereby schedules a public hearing on
Monday, October 6, at 7:00 P.M., or as soon thereafter at the Port Chester Justice
Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider
adopting a local law amending Chapter 268, "Sewer Rents", of the Code of the Village of
Port Chester with regard to adjustment in water consumption and appeals.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

A LOCAL LAW AMENDING CHAPTER 268, "SEWER RENTS", OF THE CODE OF
THE VILLAGE OF PORT CHESTER WITH REGARD TO ADJUSTMENT IN
WATER CONSUMPTION AND APPEALS

SECTION 1: Section 268-4 of the Code of the Village of Port Chester, entitled "Sewer
rent basis; adjustments, changes" is hereby amended as follows:

...

B. Adjustment. System users may apply to the Village for an adjustment of the amount of
water consumption. Such application shall be on a form provided by the Village [in
writing], accompanied by any prescribed filing fee, and include all evidence to support
the degree and amount of water usage that is claimed to be applied for uses that do not
result in discharges to the sanitary sewer system for the billing period in question.
The Village Manager or his designee [Board] may grant an adjustment on the [appeal as
provided hereinafter] application, but in no event shall such adjustment exceed 10% of
the water consumption. An application for an adjustment shall be deemed untimely if
made more than sixty (60) days after the date of the subject invoice.

....

SECTION 2: Section 268-9 of the Code of the Village of Port Chester, entitled "Appeals"
is hereby repealed.

SECTION 3: This local law shall take effect immediately upon filing with the Secretary
of State.



VILLAGE OF PORT CHESTER

Village Manager

222 Grace Church Street, Port Chester, New York 1057

Phone (914) 939-5202 • Fax (914) 305-2560

www.portchesterny.com

- You have 60 days from the date of your invoice to file a grievance.
- The maximum allowable adjustment is 10% of your total consumption.
- An incomplete application will be denied.

SEWER RENT ADJUSTMENT

In accordance with the provisions of Section 268-4 of the Village Code, I, _____, residing at _____, hereby make hereby make application and appeal to the Board of Trustee for review with regard to the attached sewer rent bill dated _____ for the period from _____ to _____ for service located at the property at _____ Port Chester, New York, also designated as Section _____ Block _____ and Lot _____ on the Tax Map of the Town of Rye.

(please attach a copy of the referred to Sewer Rent Bill)

The grounds of my appeal are as follows: (check appropriate box)

1. That the amount of water consumption reflected on the attached Sewer Rent Bill is not correct. The Village will refer this matter to United Water Westchester, Inc. for their comment prior to hearing.
2. That the fee amount in the attached Sewer Rent Bill should be adjusted because a significant portion of the water consumed during the period indicated on the attached Sewer Rent Bill was not discharged into the Village Sanitary Sewer System.

To claim a grievance under option 2. Include all evidence to support the degree and amount of water usage that is claimed to be applied for uses that do not result in discharges into the sanitary sewer system.

- Pools, supply documentation of the capacity of the pool.
 - Hot tubs/like kind, provide documentation of the capacity of the device.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, October 6, at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider adopting a local law amending Chapter 268, "Sewer Rents", of the Code of the Village of Port Chester with regard to adjustment in water consumption and appeals.

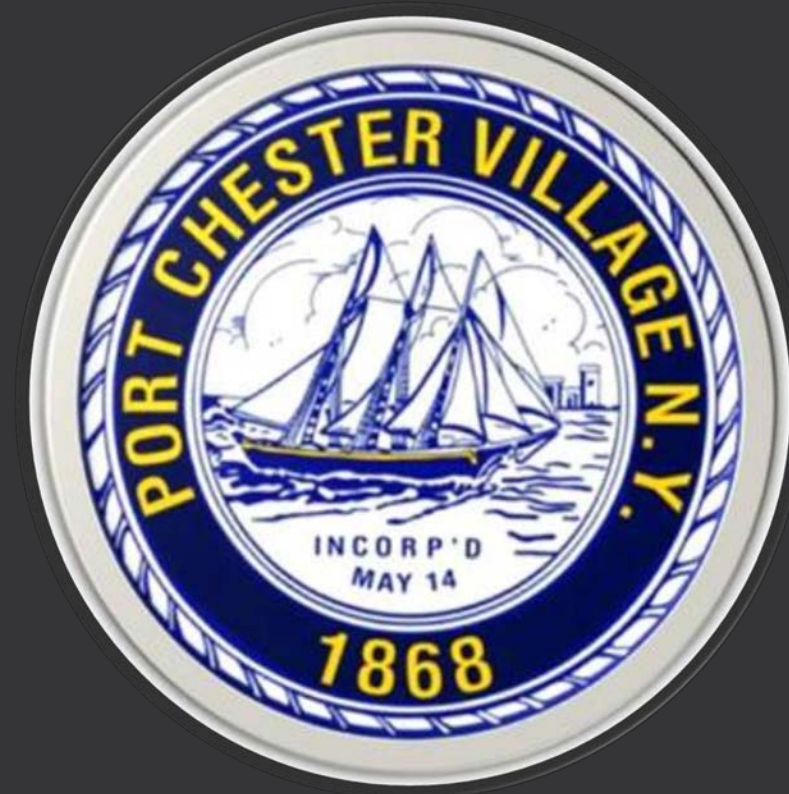
Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website www.portchesterny.com.

Date: September 5, 2014

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

VILLAGE OF PORT CHESTER

Sewer Rent Local Law Discussion



Presented on August 29, 2014

The Appeals Process - History

- Existence of an appeal process is **NOT** a necessary element of a program for “sewer rents”.
- Existence of a process for adjusting water consumption and appropriate sewer rent is **ALSO NOT** a necessary element of a program.
- The Board instituted an appeals and adjustment process to monitor the implementation of the new program and provided for an adjustment in water consumption with a 10% cap to create flexibility in an otherwise rigid application of the law.

The Appeals Process – To Date

- The appeals process allows applicants to adjust their fee when a significant portion of the water they consume does not enter the sewer.
- To date a relatively small amount of money has been recovered in this way.

Proposed Changes

- Establishes an administrative process for the hearing and determination of requests for adjustments through the Village Manager or his designee.
- Provides that the request for adjustment is limited to the time period in question that has been the subject of a bill
- Imposes a deadline in which a request for adjustment must be made or is deemed untimely and cannot be considered.

A New Administrative Process

- The process can be managed in house with greater flexibility.
- Wait times for responses and results can be decreased.
- Production times for paperwork and Board resolutions can be reduced.
- Saves on staff time.
- Eliminates need for public to attend nightly meetings.

Limited Scope of Appeals

- Applications are good only for the bill provided.
- Any adjustments made to a sewer rent bill have implications on all other users who are affected.
- Use of water changes with the seasons.
- Proof of consumption exceptions should be demonstrated.
- Clarification of this rule has been made on the draft of the 2nd generation application.

Filing Deadline

- Large applications can have large impacts on the program budget.
- Limitations on applications allows for planning and management of staff time around the program.
- Clarification of this rule has been made on the draft of the 2nd generation application.

Maintenance of the Cap

- Reconsideration of the cap requires further study.
Financial impacts are unknown
- Increased demand for reductions decreases revenue which will raise the rate on all users in following years.
- Increased demand for grievances involves a greater investment of staff time which draws resources from other areas.

Maintenance of the Cap

- A system of sewer rents, with water consumption which is the most universally used formula, charging all users is the most fair and equitable means of paying the estimated \$15 million dollars necessary in the next five years of repairs to the sanitary sewer system.
- A simple and clearly defined program protects users from rate swings or the need to repair sewers with property taxes in the future.



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Manager

BOT Meeting Date: 9/2/2014

Item Type: Resolution

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

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

Agenda Heading Title
(Will appear on the Agenda as indicated below)

Review of Sewer Rent Grievances for approval or denial

Summary

Background:

Attached are recommendations for Sewer Rent Grievance appeals. The board may approve or deny them as recommended or otherwise to a cap of 10% of the value of each grievances billing period. Each applicant has been made aware by mail and phone of their right to a hearing.

Attachments

91 Hawley Avenue
 31 Pearl Street
 53-57 Pearl Street

211 Irving Avenue
33 New Broad Street
(Each contains)
Grievance Report
Sewer Rent Grievance Application
Copy of letter informing applicant of meeting.

**DETERMINATION ON APPEAL
WITH REGARD TO SEWER RENT**

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, Enrico Ciancio (hereafter the “applicant”) filed an appeal with the Village of Port Chester Board of Trustees with regard to the Sewer Rent charged for property located at 91 Hawley Ave, Port Chester, and also designated as Section 136.45 , Block 2 and Lot 15 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 7/7/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 7/22/14 the applicant was advised that the matter would be considered at the Board meeting of 8/4/14 and that they would be welcome to be heard at that time; and

WHEREAS, said letter also provided a copy of Village staff’s report; and

WHEREAS, the applicant has been invited to appear on his/her/its’ behalf at this meeting; and

WHEREAS, in addition to the appeal and staff report, the Board has considered the following in its deliberations:

Documentation of water consumption history,

The Board is prepared to make a determination on the appeal. NOW, therefore, be it

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 8 CCFs be reduced from the bill in question on the grounds that it has been found that a significant portion of water consumed did not affect the PC Sewer System , and be it further

RESOLVED, that the applicant be notified of the Board’s determination with a certified copy of this resolution; and be it further

RESOLVED, if the appeal is granted, that the Village Manager is hereby directed to take all necessary and appropriate action with regard to this matter in order to effectuate timely and complete relief.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:



VILLAGE OF PORT CHESTER

OFFICE OF THE VILLAGE MANAGER

MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Christopher Ameigh

THROUGH: Christopher D Steers

DATE: August 29, 2014

RE: Enrico Ciancio Sewer Rent Grievance Report/Recommendation.

As directed the 7/07/14 BOT meeting, the Village Manager's office has prepared a report on the Sewer Rent Grievance of Enrico Ciancio of 91 Hawley Ave, received on 6/20/14. This report is a correction of a report received by the BOT on 8/4/14 which included erroneous information.

- Provided documentation showing water consumption 6/1/13-3/24/14 and 3/24/13-6-23-14 demonstrating a 11.5% trend of increased consumption in Summer watering months.
- Sprinkler: No documentation of the existence of a sprinkler system provided.

The Village Manager's Office recommends the maximum credit of 10% of the total Consumption between 6/1/13-3/24/14.

Original Consumption 83 CCF
Reduction 8 CCF
Original Fee \$107.9
New Fee with Consumption Reduction \$97.50



VILLAGE OF PORT CHESTER

Village Clerk

222 Grace Church Street, Port Chester, New York 1057

Phone (914) 939-5202 • Fax (914) 305-2560

www.portchesterny.com

Received

JUN 20 2014

Village Clerk
VILLAGE OF PORT CHESTER

TO: Mayor and Board of Trustees
c/o Village Clerk
Village of Port Chester
222 Grace Church Street
Port Chester, N.Y. 10573

APPEAL

In accordance with the provisions of Section 268-9 of the Village Code, I, ENRICO CIANCIO, owner of property located at 91 HAWLEY AVE Port Chester, New York, also designated as Section 13645 Block 1 and Lot 15, on the Tax Map of the Town of Rye, hereby make hereby make application and appeal to the Board of Trustees for review with regard to the attached Sewer Rent Bill dated 5/20/14 for the period from 6/1/13 to 3/24/14.

(please attach a copy of the referred to Sewer Rent Bill)

The grounds of my appeal are as follows: (check appropriate box)

- That the amount of water consumption reflected on the attached Sewer Rent Bill is not correct. * The Village will refer this matter to United Water Westchester, Inc. for their comment prior to hearing.
- That the fee amount in the attached Sewer Rent Bill should be adjusted because a significant portion of the water consumed during the period indicated on the attached Sewer Rent Bill was not discharged into the Village Sanitary Sewer System.

To claim a grievance under option 2, include all evidence to support the degree and amount of water usage that is claimed to be applied for uses that did not result in discharges into the sanitary sewer system. Detail the uses for the water, the equipment that was used, the holding capacity or flow capacity of that equipment, the average amount of time that equipment was in use etc. and state the non-sanitary sewer destination for such water during the time period to be adjusted. Note that the Board may grant an adjustment of the amount of water consumption to be used as the basis for the sewer rent, but in no event shall such adjustment exceed ten (10) percent of consumption.

3. Other. Please describe below.

Sprinkler system

2 zones front and back

1 hour a day

Provide all documentation supporting your claim under option #3.

Enrico Ciancio

914-937-0823

Signature of owner

Phone # of Owner

6-20-2014

Date

FOR VILLAGE USE ONLY

Date of Receipt: _____

Date of Referral to Staff: _____

Date of Report and Recommendation: _____ (copy annexed):

DETERMINATION

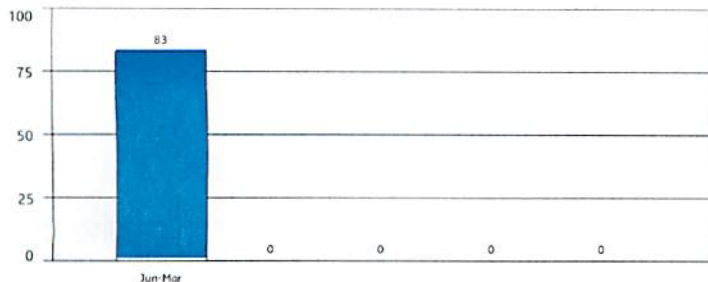
Upon review of the foregoing, the Board of Trustees of the Village of Port Chester hereby GRANTS /DENIES (circle one) the application and appeal of _____



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
 www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 06/23/2014

Billing Date: 05/20/14
Account Number: 07903586588161

Previous Balance	\$0.00
Payments Through 05/20/14	\$0.00
Balance Forward	\$0.00
Current Charges Due 06/13/2014	\$107.90
TOTAL AMOUNT DUE	\$107.90

*PAY BY 06/16/2014 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: ENRICO CIANCIO

SERVICE ADDRESS: 91 HAWLEY AVE PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
90208119	06/01/13	03/24/14	296	0222	0305	83	CCF	PRORATED ACTUAL	SWQ
						EQUIVALENT TO		62,084 GALLONS	

SEW RENT 83.0000 @ \$1.30002
 TOTAL CURRENT CHARGES

\$107.90
 \$107.90

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period.
 This bill represents the total sewer rent due for this period based on your water usage reflected above. All future bills will be issued on the same date as your water bill.

\$107.90 Cel 5/14

UNDERSTANDING YOUR BILL

CONSUMPTION UNIT OF MEASURE

CCF: 100 cubic feet, equivalent to 748 gallons


SEWER RATE

Set annually to cover the cost for maintaining the sanitary sewer System. For FY 2013-14 the rate is \$1.300020/CCF of water consumption.


PENALTIES

A penalty of 1% will be charged for any bill that remains unpaid after 25 days of issuance. An additional penalty of 1% shall be added for each succeeding month in which the sewer rent continues to remain unpaid.

CUSTOMER SERVICE

 BY TELEPHONE
888 876 1672


 BY FAX
914 637 5333


 IN PERSON / IN WRITING
United Water Westchester Customer Service Center
2525 Palmer Avenue
P.O. Box 469
New Rochelle, NY 10801
Monday through Friday (except holidays)
8:00 a.m. - 4:30 p.m.
Always remember to include your account number on any correspondence to us.


 BY E-MAIL
uwccustomerservice@unitedwater.com


 ONLINE
www.unitedwater.com/uwcc

PAYMENT OPTIONS

 BY TELEPHONE
To pay your bill by phone, call us at 888 608 6690. *A convenience fee applies for this service.*

 IN PERSON
Pay by cash, check or money order during business hours at our Customer Service Center.

 BY MAIL
For your convenience, a return envelope accompanies this statement and should be used to make payments by mail. Please include your bill stub to avoid a delay in processing your payment.
DO NOT SEND CASH.

 ONLINE
To pay your bill online please visit www.unitedwater.com and click on the Western Union SpeedPay link. A convenience fee applies for this service.

GENERAL INFORMATION

RATE SCHEDULE

A rate schedule is available upon request.

EMPLOYEE IDENTIFICATION

All company employees are uniformed and wear identification badges with the company logo, the employee's picture and name, and the date the card was issued. Please ask to see it, or call us to confirm an employee's name.

RESPONSIBILITY

The Property owner is responsible for the payment of the Sewer Rent.

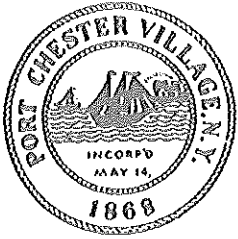
UNPAID SEWER RENTS

Delinquent sewer rents, penalties and interest shall constitute a lien upon the real property. Delinquent accounts shall be subject to enforcement, including levying the said unpaid amount to be collected and enforced in the same manner as village taxes or commencing an action to recover same, all as authorized by General Municipal Law, Section 452.

SEWER RENT APPEAL PROCESS

Section 268-4. B Village Code

B. Adjustment. System users may apply to the Village for an adjustment of the amount of water consumption. Such application shall in writing, accompanied by any prescribed filing fee, and include all evidence to support the degree and amount of water usage that is claimed to be applied for uses that do not result in discharges into the sanitary sewer system. The Board may grant an adjustment on an appeal as provided hereinafter, but in no event shall such adjustment exceed ten (10) percent of the water consumption.



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, NY 10573

Christopher D. Steers
Village Manager

(914) 939-2200
Fax: (914) 937-3169
E-mail: csteers@portchesterny.com

August 29, 2014

H&H Property Corp C/O M Ravikoff Associates
33 New Broad Street
Port Chester, NY 10573

To whom it may concern,

The Village received your Sewer Rent grievance complaint on 8/13/14. A copy of the document is attached.

The Village Board of Trustees (BOT) received your grievance on 8/18/14 and may make a determination based on your provided application and documentation at the next regularly scheduled BOT meeting on 9/3/14

You are welcome to attend to be heard.

Sincerely,

Christopher Ameigh
Administrative Aide to the Village Manager

**DETERMINATION ON APPEAL
WITH REGARD TO SEWER RENT**

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, Dominick Neri (hereafter the “applicant”) filed an appeal with the Village of Port Chester Board of Trustees with regard to the Sewer Rent charged for property located at 31 Pearl Street, Port Chester, and also designated as Section 142.30 , Block 2 and Lot 5 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 8/4/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 8/29/14 and phone then about the applicant was advised that the matter would be considered at the Board meeting of 9/2/14 and that they would be welcome to be heard at that time; and

WHEREAS, said letter also provided a copy of Village staff’s report; and

WHEREAS, the applicant has been invited to appear on his/her/its’ behalf at this meeting; and

WHEREAS, in addition to the appeal and staff report, the Board has considered the following in its deliberations:

Documentation of water consumption history and water use in industrial processes.

The Board is prepared to make a determination on the appeal. NOW, therefore, be it

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 902 CCFs be reduced from the bill in question on the grounds that it has been found that a significant portion of water consumed did not affect the PC Sewer System , and be it further

RESOLVED, that the applicant be notified of the Board’s determination with a certified copy of this resolution; and be it further

RESOLVED, if the appeal is granted, that the Village Manager is hereby directed to take all necessary and appropriate action with regard to this matter in order to effectuate timely and complete relief.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:



Village of Port Chester

Office of the Village manager

MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Christopher Ameigh

THROUGH: Christopher D Steers

DATE: August 29, 2014

RE: **Dominick Neri Sewer Rent Grievance Report/Recommendation for 31 Pearl Street.**

As directed the 8/4/14 BOT meeting, the Village Manager's office has prepared a report on the Sewer Rent Grievance of Dominick Neri of 31 Pearl Street, received on 7/25/14.

- Provided documentation showing water consumption between 6/1/13-4/8/14 indicating that approximately 94% of total consumption occurred as a result of industrial production activity meaning that this water did not enter into the sewer.

Water Bills for period 6/2013 thru 4/2014					
PERIOD		USAGE CCF	GALLONS	Use % to Tot	
FROM	TO				
06/01/14	04/08/14	9024	6,750,700	100.00%	Total water for location
06/01/14	04/08/14	8212	6,143,137	91.00%	Product Ingredient
06/01/14	04/08/14	271	202,521	3.00%	to create steam for product
06/01/14	04/08/14	541	405,042	6.00%	normal discharges into sewer

The Village Manager's Office recommends the maximum credit of 10% of the total Consumption between 6/1/13-4/8/14.

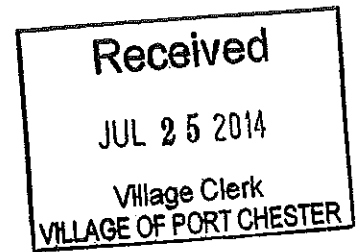
Original Consumption	9025 CCF
Reduction	902 CCF
Original Fee	\$11,732.68
New Fee with Consumption Reduction	\$10,560.06



VILLAGE OF PORT CHESTER

Village Clerk

222 Grace Church Street, Port Chester, New York 1057
Phone (914) 939-5202 • Fax (914) 305-2560
www.portchesterny.com



TO: Mayor and Board of Trustees
c/o Village Clerk
Village of Port Chester
222 Grace Church Street
Port Chester, N.Y. 10573

APPEAL

In accordance with the provisions of Section 268-9 of the Village Code, I, Dominick Neri, owner of property located at 31 Pearl St. Port Chester, New York, also designated as Section 142.30 Block 2 and Lot 5 on the Tax Map of the Town of Rye, hereby make hereby make application and appeal to the Board of Trustees for review with regard to the attached Sewer Rent Bill dated 5/20/14 for the period from 6/1/13 to 4/8/14.

(please attach a copy of the referred to Sewer Rent Bill)

The grounds of my appeal are as follows: (check appropriate box)

- That the amount of water consumption reflected on the attached Sewer Rent Bill is not correct. * The Village will refer this matter to United Water Westchester, Inc. for their comment prior to hearing.
- That the fee amount in the attached Sewer Rent Bill should be adjusted because a significant portion of the water consumed during the period indicated on the attached Sewer Rent Bill was not discharged into the Village Sanitary Sewer System.

To claim a grievance under option 2, include all evidence to support the degree and amount of water usage that is claimed to be applied for uses that did not result in discharges into the sanitary sewer system. Detail the uses for the water, the equipment that was used, the holding capacity or flow capacity of that equipment, the average amount of time that equipment was in use etc. and state the non-sanitary sewer destination for such water during the time period to be adjusted. Note that the Board may grant an adjustment of the amount of water consumption to be used as the basis for the sewer rent, but in no event shall such adjustment exceed ten (10) percent of consumption.

3. Other. Please describe below.

The water used at this location is primarily used in the baking process and consumed

into the dough. This address conducts baking of bread products 24 hours a day

7 days a week.

Use of Water--- Bread Baking process

Equipment Used- Commercial Dough Mixers and Fulton Steam Boilers

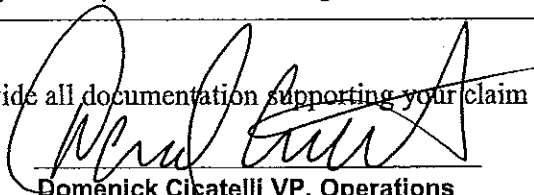
Time Equipment is used- 24 hours a day and seven days a week

Capacity and flow rates are part of confidential formulas and will be furnished after

Confidentiality agreements are agreed and signed.

(consumption and Discharge information Attached.

Provide all documentation supporting your claim under option #3.



Domenick Cicatelli VP. Operations
Signature of owner

914-715-7062

Phone # of Owner

June 30, 2014

Date

FOR VILLAGE USE ONLY

Date of Receipt: _____

Date of Referral to Staff: _____

Date of Report and Recommendation: _____ (copy annexed):

DETERMINATION

Upon review of the foregoing, the Board of Trustees of the Village of Port Chester hereby GRANTS /DENIES (circle one) the application and appeal of _____

Neri's

Bakery Products, Inc.

31-37 Pearl Street
Port Chester, NY 10573
(914) 939-3311/4761
FAX (914) 937-4204

Listed below is the breakout in actual gallons to support percentages listed below by Department:
Should you require additional information for the Appeal process, please let me know

Bagel Dept- Account # 07900543232882 Service address 53-57 Pearl St. Port Chester

Billing Cycle 06/01/13 – 04/08/14 Service 311 days eqv. 44.43 wks.

Consumption total: 3,896,332 gallons

Consumption usage: 3,623,589 gallons as ingredient in product produced

38,963 gallons used to generate steam for product processing equipment in bakery

233,780 gallons used for cleaning of processing equipment and related areas – discharged to

sanitary sewer system

Total Consumption : 3,896,332 gallons

Bread Dept- Account # 07904645320013 Service address 31 Pearl St. Port Chester

Billing Cycle 06/01/13 – 04/08/14 Service 311 days eqv. 44.43 wks.

Consumption total: 6,750,700 gallons

Consumption usage: 6,143,137 gallons as ingredient in product produced

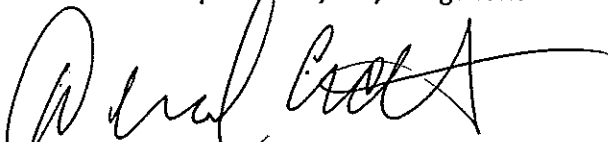
202,521 gallons used to generate steam for product processing equipment in

bakery

405,042 gallons used for cleaning of processing equipment and related areas - discharged to

sanitary sewer system

Total Consumption: 6,750,700 gallons



Domenick Cicatelli

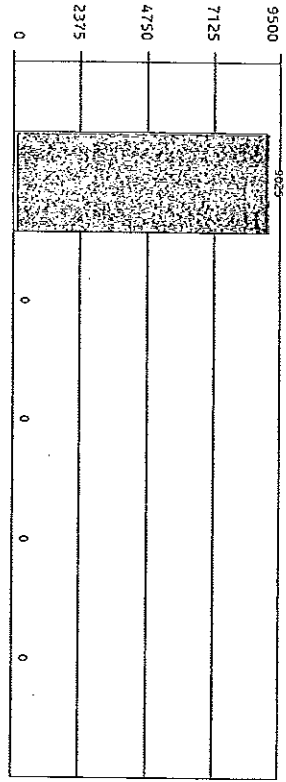
VP Operations Neri Bakery Products Inc.



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 07/08/2014

Billing Date:	05/20/14
Account Number:	07904645320013
Previous Balance	\$0.00
Payments Through 05/20/14	\$0.00
Balance Forward	\$0.00
Current Charges Due 06/13/2014	\$11,732.68
TOTAL AMOUNT DUE	\$11,732.68

*PAY BY 06/16/2014 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: 40 PEARL STREET INC

SERVICE ADDRESS: 31 PEARL ST PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
60568598	06/01/13	07/19/13	48	34862	36356	1494	CCF	PRORATED ACTUAL	SWQ
60829248	07/19/13	04/08/14	263	00000	07531	7531	CCF	METER CHANGE	SWQ
						EQUIVALENT TO	→ 6,750,700 GALLONS		
SEW RENT 9.025.0000 @ \$1.30002						\$11,732.68			
TOTAL CURRENT CHARGES						\$11,732.68			

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

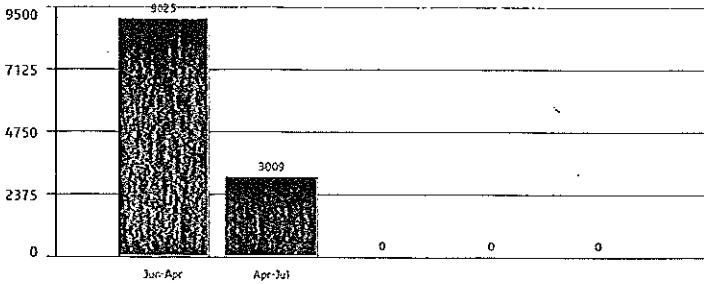
SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period.
 This bill represents the total sewer rent due for this period based on your water usage reflected above. All future bills will be issued on the same date as your water bill.



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
 www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 10/08/2014

Billing Date: 07/08/14
Account Number: 07904645320013

Previous Balance	\$11,732.68
Payments Through 07/08/14	\$0.00
Balance Forward - PAST DUE	\$11,732.68
Current Charges Due 08/01/2014	\$4,077.31
TOTAL AMOUNT DUE	\$15,809.99

Past Due Balance may be subject to late charges, collection and/or termination.

*PAY BY 08/04/2014 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: 40 PEARL STREET INC

SERVICE ADDRESS: 31 PEARL ST PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
60829248	04/08/14	07/07/14	90	07531	10540	3009	CCF	ACTUAL	SWQ
						EQUIVALENT TO	2,250,732 GALLONS		

1,237.0333 @ \$1.338999 SEW REN \$1,656.39
 1,771.9667 @ \$1.30002 SEW REN \$2,303.59
 PORT CHESTER SEWER-SEWER LATE \$117.33
TOTAL CURRENT CHARGES \$4,077.31

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period.
 Effective June 1, 2014, the sewer rent changes from \$1.30002 to \$1.338999 per CCF.

PLEASE DETACH HERE AND RETURN THE BOTTOM PORTION WITH YOUR PAYMENT IN THE RETURN ENVELOPE PROVIDED.



Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801

Temp - Return Service Requested

SERVICE ADDRESS: 31 PEARL ST
 PORT CHESTER NY

Please check this box if you have made any changes to the information on the reverse side.

000147



*****SINGLE-PIECE 147 T1:2 147 1 SP 0.480



40 PEARL STREET INC
 31 PEARL ST
 PORT CHESTER NY 10573-4610

Account Number: 07904645320013

Balance Forward - PAST DUE \$11,732.68

Current Charges Due 08/01/2014 \$4,077.31

TOTAL AMOUNT DUE \$15,809.99

Please make payable to: VILLAGE OF PORT CHESTER SEWER RENT

Payment Amount Enclosed \$ _____



VILLAGE OF PORT CHESTER SEWER RENT
 PO BOX 28327
 NEWARK NJ 07101-3159

0790464532001300001580999000000003

Dom Cicatelli

From: "Dom Cicatelli" <dcicatelli@neribake.com>
Date: Thursday, July 24, 2014 3:57 PM
To: "Dom Cicatelli" <dcicatelli@neribake.com>
Subject: Fw: Sewer Usage - Fee

From: Dom Cicatelli
Sent: Thursday, July 24, 2014 3:53 PM
To: Dom Cicatelli
Subject: Fw: Sewer Usage - Fee

From: Joseph Topolski
Sent: Thursday, July 24, 2014 3:37 PM
To: dcicatelli
Subject: Fw: Sewer Usage - Fee

Chic,

Listed below is the breakout in actual gallons to support percentages listed below by Department:
Should you require additional information for the Appeal process, please let me know

Bagel Dept- Account # 07900543232882 Service address 53-57 Pearl St. Port Chester
Billing Cycle 06/01/13 – 04/08/14 Service 311 days eqv. 44.43 wks.
Consumption total: 3,896,332 gallons

Consumption usage: 3,623,589 gallons as ingredient in product produced
38,963 gallons used to generate steam for product processing equipment in
bakery
233,780 gallons used for cleaning of processing equipment and related areas –
discharged to sanitary sewer system
Total Consumption : 3,896,332 gallons

Bread Dept- Account # 07904645320013 Service address 31 Pearl St. Port Chester
Billing Cycle 06/01/13 – 04/08/14 Service 311 days eqv. 44.43 wks.
Consumption total: 6,750,700 gallons

Consumption usage: 6,143,137 gallons as ingredient in product produced
202,521 gallons used to generate steam for product processing equipment in
bakery
405,042 gallons used for cleaning of processing equipment and related areas - discharged to
sanitary sewer system
Total Consumption : 6,750,700 gallons

From: Joseph Topolski
Sent: Monday, July 21, 2014 3:14 PM
To: dcicatelli
Cc: Joseph Topolski
Subject: Sewer Usage - Fee

Chic,

I have gone back through these bills and our actual estimated usage for the billing periods on the bills for the Bread and Bagel departments. Our argument for a major adjustment in this billing should be based on the the information I have listed below:

Water Consumption:

- Ninety-three (93%) of water consumption is used in the manufacturing of the Bakery Foods Neri Bakery Products produces as a Wholesale Bakery
- Another one (1%) of water consumption is consumed in steam generation required in the manufacturing of the baked goods and this one percent is vented to atmosphere
- The remaining six (6%) is discharged to the Village Sanitary Sewer system, this discharge is the the result of sanitary cleaning requirements

This argument can be applied to both the Bread an Bagel departments equally. Based on this methodically our billing should be adjusted as follows:

Bagel Dept. bill is for \$ 6,771.80 at four percent actual discharge the bill should be \$ 406.31 dollars
Bread Dept. bill is for \$ 11,732.68 dollars at four percent actual discharge the bill should be \$ 703.96



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, NY 10573

Christopher D. Steers
Village Manager

(914) 939-2200
Fax: (914) 937-3169
E-mail: csteers@portchesterny.com

August 29, 2014

Dominick Neri
53-57 Pearl Street
Port Chester, NY 10573

Dear Mr. Neri,

The Village received your grievance complaint on 7/25/14. A copy of the document is attached.

The Village Board of Trustees (BOT) received your grievance on 8/4/14 and may make a determination based on your provided application and documentation at the next regularly scheduled BOT meeting on 9/2/14

You are welcome to attend to be heard. A phone call to this affect was made to the number provided on your application.

Sincerely,

Christopher Ameigh
Administrative Aide to the Village Manager

**DETERMINATION ON APPEAL
WITH REGARD TO SEWER RENT**

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, Dominick Neri (hereafter the “applicant”) filed an appeal with the Village of Port Chester Board of Trustees with regard to the Sewer Rent charged for property located at 53-57 Pearl Street, Port Chester, and also designated as Section 142.30 , Block 2 and Lot 9 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 8/4/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 8/29/14 and phone then about the applicant was advised that the matter would be considered at the Board meeting of 9/2/14 and that they would be welcome to be heard at that time; and

WHEREAS, said letter also provided a copy of Village staff’s report; and

WHEREAS, the applicant has been invited to appear on his/her/its’ behalf at this meeting; and

WHEREAS, in addition to the appeal and staff report, the Board has considered the following in its deliberations:

Documentation of water consumption history and water use in industrial processes.

The Board is prepared to make a determination on the appeal. NOW, therefore, be it

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 520 CCFs be reduced from the bill in question on the grounds that it has been found that a significant portion of water consumed did not affect the PC Sewer System , and be it further

RESOLVED, that the applicant be notified of the Board’s determination with a certified copy of this resolution; and be it further

RESOLVED, if the appeal is granted, that the Village Manager is hereby directed to take all necessary and appropriate action with regard to this matter in order to effectuate timely and complete relief.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:



Village of Port Chester

Office of the Village manager

MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Christopher Ameigh

THROUGH: Christopher D Steers

DATE: August 29, 2014

RE: **Dominick Neri Sewer Rent Grievance Report/Recommendation for 53-57 Pearl Street.**

As directed the 8/4/14 BOT meeting, the Village Manager's office has prepared a report on the Sewer Rent Grievance of Dominick Neri of 53-57 Pearl Street, received on 7/25/14.

- Provided documentation showing water consumption between 6/1/13-4/8/14 indicating that approximately 94% of total consumption occurred as a result of industrial production activity meaning that this water did not enter into the sewer.

<u>Water Bills for period 6/2013 thru 4/2014</u>					
PERIOD		USAGE		Use % to	
FROM	TO	CCF	GALLONS	Tot	
06/01/14	04/08/14	5209	3,896,332	100.00%	Total water for location
06/01/14	04/08/14	4844	3,623,589	93.00%	Product Ingredient
06/01/14	04/08/14	52	38,963	1.00%	to create steam for product
06/01/14	04/08/14	313	233,780	6.00%	Sewer related consumption

The Village Manager's Office recommends the maximum credit of 10% of the total Consumption between 6/1/13-4/8/14.

Original Consumption	5209 CCF
Reduction	520 CCF
Original Fee	\$6,771.80
New Fee with Consumption Reduction	\$6,095.79

Received
JUL 25 2014
Village Clerk
VILLAGE OF PORT CHESTER



VILLAGE OF PORT CHESTER

Village Clerk

222 Grace Church Street, Port Chester, New York 1057

Phone (914) 939-5202 • Fax (914) 305-2560

www.portchesterny.com

TO: Mayor and Board of Trustees
c/o Village Clerk
Village of Port Chester
222 Grace Church Street
Port Chester, N.Y. 10573

APPEAL

In accordance with the provisions of Section 268-9 of the Village Code, I, Dominick Neri, owner of property located at 53-57 Pearl St. Port Chester, New York, also designated as Section 142.30 Block 2 and Lot 9 on the Tax Map of the Town of Rye, hereby make hereby make application and appeal to the Board of Trustees for review with regard to the attached Sewer Rent Bill dated 5/20/14 for the period from 6/1/13 to 4/8/14.

(please attach a copy of the referred to Sewer Rent Bill)

The grounds of my appeal are as follows: (check appropriate box)

1. That the amount of water consumption reflected on the attached Sewer Rent Bill is not correct. * The Village will refer this matter to United Water Westchester, Inc. for their comment prior to hearing.

That the fee amount in the attached Sewer Rent Bill should be adjusted because a significant portion of the water consumed during the period indicated on the attached Sewer Rent Bill was not discharged into the Village Sanitary Sewer System.

To claim a grievance under option 2, include all evidence to support the degree and amount of water usage that is claimed to be applied for uses that did not result in discharges into the sanitary sewer system. Detail the uses for the water, the equipment that was used, the holding capacity or flow capacity of that equipment, the average amount of time that equipment was in use etc. and state the non-sanitary sewer destination for such water during the time period to be adjusted. Note that the Board may grant an adjustment of the amount of water consumption to be used as the basis for the sewer rent, but in no event shall such adjustment exceed ten (10) percent of consumption.

3. Other. Please describe below.

The water used at this location is primarily used in the baking process and consumed into the dough. This address conducts baking of Bagel products 24 hours a day 7 days a week.

Use of Water--- Bread Baking process

Equipment Used- Commercial Dough Mixers and Fulton Steam Boilers

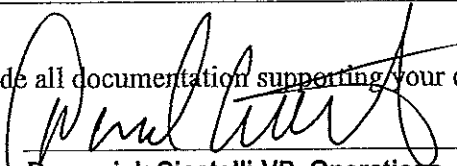
Time Equipment is used- 24 hours a day and seven days a week

Capacity and flow rates are part of confidential formulas and will be furnished after

Confidentiality agreements are agreed and signed.

(consumption and Discharge information Attached.

Provide all documentation supporting your claim under option #3.


Domenick Cicutelli VP. Operations
Signature of owner

914-715-7062

Phone # of Owner

June 30, 2014

Date

FOR VILLAGE USE ONLY

Date of Receipt: _____

Date of Referral to Staff: _____

Date of Report and Recommendation: _____ (copy annexed):

DETERMINATION

Upon review of the foregoing, the Board of Trustees of the Village of Port Chester hereby GRANTS /DENIES (circle one) the application and appeal of _____

Neri's

Bakery Products, Inc.

31-37 Pearl Street
Port Chester, NY 10573
(914) 939-3311/4761
FAX (914) 937-4204

Listed below is the breakout in actual gallons to support percentages listed below by Department:
Should you require additional information for the Appeal process, please let me know

Bagel Dept- Account # 07900543232882 Service address 53-57 Pearl St. Port Chester

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38,963 gallons used to generate steam for product processing equipment in bakery

233,780 gallons used for cleaning of processing equipment and related areas – discharged to

sanitary sewer system

Total Consumption : 3,896,332 gallons

Bread Dept- Account # 07904645320013 Service address 31 Pearl St. Port Chester

Billing Cycle 06/01/13 – 04/08/14 Service 311 days eqv. 44.43 wks.

Consumption total: 6,750,700 gallons

Consumption usage: 6,143,137 gallons as ingredient in product produced

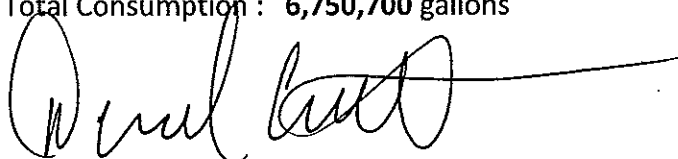
202,521 gallons used to generate steam for product processing equipment in

bakery

405,042 gallons used for cleaning of processing equipment and related areas - discharged to

sanitary sewer system

Total Consumption : 6,750,700 gallons



Domenick Cicatelli

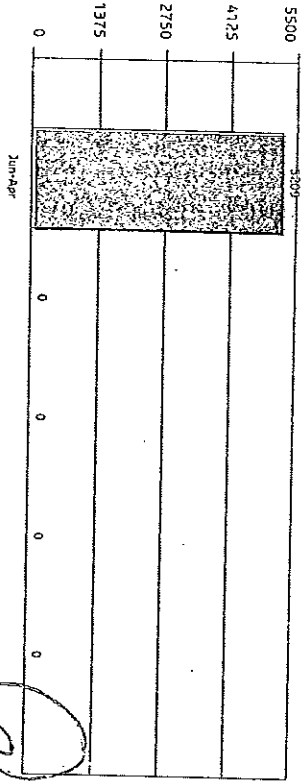
VP Operations Neri Bakery Products Inc.



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
 www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 07/08/2014

SERVICE TO: 40 PEARL ST LLC

SERVICE ADDRESS: 53 57 PEARL ST PORT CHESTER NY

*PAY BY 06/15/2014 TO AVOID A 1% LATE PAYMENT CHARGE

Billing Date:	05/20/14
Account Number:	07900543232882
Previous Balance	\$0.00
Payments Through 05/20/14	\$0.00
Balance Forward	\$0.00
Current Charges Due 06/13/2014	\$6,771.80
TOTAL AMOUNT DUE	\$6,771.80

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
60568604	06/01/13	07/19/13	48	22659	23182	523	CCF	PRORATED ACTUAL	SWQ
60829247	07/19/13	04/08/14	263	00000	04686	4686	CCF	METER CHANGE	SWQ
						EQUIVALENT TO		3,896,332 GALLONS	
SEW RENT 5,209.0000 @ \$1.30002						\$6,771.80			
TOTAL CURRENT CHARGES						\$6,771.80			

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

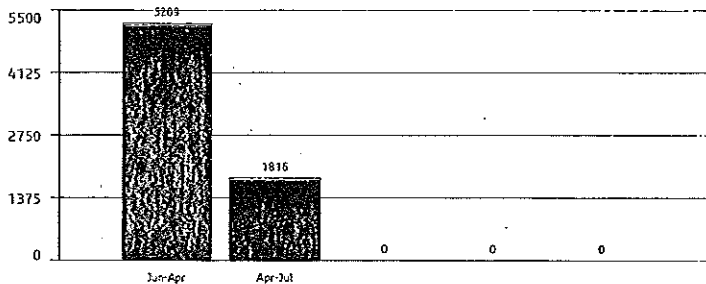
SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period.
 This bill represents the total sewer rent due for this period based on your water usage reflected above. All future bills will be issued on the same date as your water bill.



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
 www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 10/08/2014

Billing Date: 07/08/14
 Account Number: 07900543232882

Previous Balance	\$6,771.80
Payments Through 07/08/14	\$0.00
Balance Forward - PAST DUE	\$6,771.80
Current Charges Due 08/01/2014	\$2,457.66
TOTAL AMOUNT DUE	\$9,229.46

Past Due Balance may be subject to late charges, collection and/or termination.
 *PAY BY 08/04/2014 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: 40 PEARL ST LLC

SERVICE ADDRESS: 53 57 PEARL ST PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
60829247	04/08/14	07/07/14	90	04686	06502	1816	CCF	ACTUAL	SWQ
						EQUIVALENT TO		1,358,368 GALLONS	

1,069.4222 @ \$1.30002 SEW RENT	\$1,390.27
746.5778 @ \$1.338999 SEW RENT	\$999.67
PORT CHESTER SEWER-SEWER LATE	\$67.72
TOTAL CURRENT CHARGES	\$2,457.66

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period.
 Effective June 1, 2014, the sewer rent changes from \$1.30002 to \$1.338999 per CCF.

PLEASE DETACH HERE AND RETURN THE BOTTOM PORTION WITH YOUR PAYMENT IN THE RETURN ENVELOPE PROVIDED.



Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801

Temp - Return Service Requested

SERVICE ADDRESS: 53 57 PEARL ST
 PORT CHESTER NY

Please check this box if you have made any changes to the information on the reverse side.

000048



*****SINGLE-PIECE 48 T1:1 48 1 SP 0.480



40 PEARL ST LLC
 NERI'S BAGEL
 31 PEARL ST 37
 PORT CHESTER NY 10573-4610

0790054323288200000922946000000008

Account Number:	07900543232882
Balance Forward - PAST DUE	\$6,771.80
Current Charges Due 08/01/2014	\$2,457.66
TOTAL AMOUNT DUE	\$9,229.46
<i>Please make payable to: VILLAGE OF PORT CHESTER SEWER RENT</i>	
Payment Amount Enclosed	\$ _____



VILLAGE OF PORT CHESTER SEWER RENT
 PO BOX 28327
 NEWARK NJ 07101-3159



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, NY 10573

Christopher D. Steers
Village Manager

(914) 939-2200
Fax: (914) 937-3169
E-mail: csteers@portchesterny.com

August 29, 2014

Dominick Neri
53-57 Pearl Street
Port Chester, NY 10573

Dear Mr. Neri,

The Village received your grievance complaint on 7/25/14. A copy of the document is attached.

The Village Board of Trustees (BOT) received your grievance on 8/4/14 and may make a determination based on your provided application and documentation at the next regularly scheduled BOT meeting on 9/2/14

You are welcome to attend to be heard. A phone call to this affect was made to the number provided on your application.

Sincerely,

Christopher Ameigh
Administrative Aide to the Village Manager

**DETERMINATION ON APPEAL
WITH REGARD TO SEWER RENT**

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, H & H Property Corporation (hereafter the “applicant”) filed an appeal with the Village of Port Chester Board of Trustees with regard to the Sewer Rent charged for property located at 211 Irving Ave, Port Chester, and also designated as Section 142.22 , Block 1 and Lot 37 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 8/18/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 8/29/14 and by phone then about the applicant was advised that the matter would be considered at the Board meeting of 9/2/14 and that they would be welcome to be heard at that time; and

WHEREAS, said letter also provided a copy of Village staff’s report; and

WHEREAS, the applicant has been invited to appear on his/her/its’ behalf at this meeting; and

WHEREAS, in addition to the appeal and staff report, the Board has considered the following in its deliberations:

Documentation of water consumption history, a breakdown of tenant’s water consumption and description of non sewer related water use,

The Board is prepared to make a determination on the appeal. NOW, therefore, be it

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 138 CCFs be reduced from the bill in question on the grounds that it has been found that a significant portion of water consumed did not affect the PC Sewer System, and be it further

RESOLVED, that the applicant be notified of the Board’s determination with a certified copy of this resolution; and be it further

RESOLVED, if the appeal is granted, that the Village Manager is hereby directed to take all necessary and appropriate action with regard to this matter in order to effectuate timely and complete relief.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:



Village of Port Chester

Office of the Village manager

MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Christopher Ameigh

THROUGH: Christopher D Steers

DATE: August 29, 2014

RE: **H & H Property Corporation's Sewer Rent Grievance Report/Recommendation for 211 Irving Avenue**

As directed the 8/18/14 BOT meeting, the Village Manager's office has prepared a report on the Sewer Rent Grievance of H & H Property Corporation of 33 New Broad Street, received on 8/13/14.

- Provided documentation showing water consumption by quarter between 6/1/13-6/27/14.
- Provided documentation of breakdown of water consumption by tenant.
- Provided account but not documentation of water uses which may not enter sewer system.
- Claims that 40% of water use in hair salon is non sewer related are unsubstantiated.
- Claims that 90% of water use in Bakery is non sewer related are unsubstantiated however precedent exists in sewer grievance report for 31 Pearl Street dated 8/29/14. Indicates a likely amount of approximately 65% of consumption on the property does not enter the sewer which is well above the 10% allowable grievance amount.

The Village Manager's Office recommends the maximum credit of 10% of the total Consumption between 6/1/13-6/27/14.

Original Consumption	1384 CCF
Reduction	138 CCF
Original Fee	\$1,803.25
New Fee with Consumption Reduction	\$1,622.95

Water Bills for period 6/2013 thru 6/2014					
PERIOD		USAGE		Use % to	
FROM	TO	CCF	GALLONS	Tot	
06/01/13	07/11/13	167	124,925	12.1%	
07/11/13	03/27/14	865	647,065	62.5%	
03/27/14	06/27/14	352	263,314	25.4%	
		1384	1,035,304	100.0%	
Break down by tenant					
Bagel Emporium	1 year	938.62	702,137	73.1%	
New Look Salon	1 year	84.54	63,240	6.6%	
Other tenant	1 year	260.84	195,122	20.3%	
				100.00%	
	Claimed exemption				
Bagel Emporium	90%	910.55	681,138	65.79%	water into industrial products by BE
New Look Salon	40%	82.01	61,349	5.93%	Water Evaporating in Hair Salon
Remainder	N/A	391.44	292,817	28.28%	
		1384.00	1,035,304	100.00%	



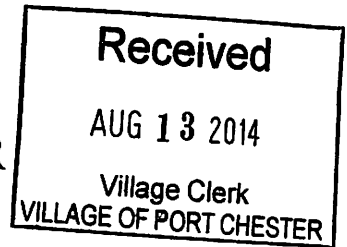
VILLAGE OF PORT CHESTER

Village Clerk

222 Grace Church Street, Port Chester, New York 1057

Phone (914) 939-5202 • Fax (914) 305-2560

www.portchesterny.com



TO: Mayor and Board of Trustees
c/o Village Clerk
Village of Port Chester
222 Grace Church Street
Port Chester, N.Y. 10573

APPEAL

In accordance with the provisions of Section 268-9 of the Village Code, ~~I~~
H & H Property Corp, residing at 90 M RAVIKOFF ASSOC.
33 New Broad St, hereby make hereby make application and appeal
to the Board of Trustee for review with regard to the attached sewer rent bill dated _____
5/20/14 & 6/30/14 for the period from 6-1-13 to 6-27-14 for
service located at the property at 211 IRVING AVE Port
Chester, New York, also designated as Section 142.22 Block 1 and
Lot 37 on the Tax Map of the Town of Rye.

(please attach a copy of the referred to Sewer Rent Bill)

The grounds of my appeal are as follows: (check appropriate box)

- That the amount of water consumption reflected on the attached Sewer Rent Bill is not correct. The Village will refer this matter to United Water Westchester, Inc. for their comment prior to hearing.
- That the fee amount in the attached Sewer Rent Bill should be adjusted because a significant portion of the water consumed during the period indicated on the attached Sewer Rent Bill was not discharged into the Village Sanitary Sewer System.

To claim a grievance under option 2. Include all evidence to support the degree and amount of water usage that is claimed to be applied for uses that do not result in discharges into the sanitary sewer system.

- Pools, supply a copy of the Certificate of Occupancy (available at the Port Chester Building Department), and documentation of the capacity of the pool.
 - Hot tubs/like kind, provide documentation of the make and model of your unit.

Howard Blumoff

Signature of owner

914 934 2424

Phone # of Owner

7.23.14

Date

Note

- You may apply for only one billing period at a time.
- You have 30 days from the date of receipt of your bill to file a grievance.
- An incomplete application will be denied.

FOR VILLAGE USE ONLY

Date of Receipt: _____

Date of Referral to Staff: _____

Date of Report and Recommendation: _____ (copy annexed):

DETERMINATION

Upon review of the foregoing, the Board of Trustees of the Village of Port Chester hereby GRANTS /DENIES (circle one) the application and appeal of _____

The village will credit no more than the value of the volume of one pool/hot tub/etc fill per year. (*Note Pools cannot be lawfully drained into the storm system without permits)

- Sprinkler systems, provide evidence of the make/model/flow capacity of your system and provide historical water consumption documentation demonstrating seasonal increases.
- Any other substantial consumption activities will be considered on a case by case basis.

3. Other. Please describe below.

H & H Property Corp.

33 New Broad Street
Port Chester, NY 10573

Phone 914-934-2424

Fax 914-937-5186

Mayor and Board of Trustees
c/o Village Clerk
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Re: Appeal SEWER RENT, 211 Irving Avenue

August 7, 2014

To Whom It May Concern,

211 Irving Avenue is a commercial building with 3 tenants. There is 1 water meter monitored by United Water Westchester. As landlords we have installed 2 sub-meters, 1 each for the Bagel Emporium and New Look beauty Salon. These sub-meters are monitored by the Landlord and used to measure their corresponding water usage.

Bagel Emporium calculates that 90% of the water measured does not go back down the drain into the sewer system. See attachment. 90% of the water measured goes into their product and out the door. We present that we should pay only 10% of their use.

New Look Salon calculates 40% of the water measured does not go back down the drain in to the sewer system. See attachment. They sight the use of towels and hair dryers as evidence that the water is not going down the drain. We present that we should pay only 60% of their use.

Using historical data New look Salon water use measures 4227 cubic feet in 6 months and 8454 cubic feet in 12 months.

Bagel Emporium water use measures 46931 cubic feet in 6 months and 93862 cubic feet in 12 months.

Total water usage measured by United Water Westchester for the entire building consisting of 3 tenants is 64200 cubic feet for 6 months and 128400 cubic feet for 12 months.

Total water measured minus Bagel Emporium use minus New Look Salon use is as follows:

$128400 - 93862 - 8454 = 26084$

26084 cubic feet we should be billed for 100%

93862 we should be billed for 10% (9386)

8454 we should be billed for 60% (5072)

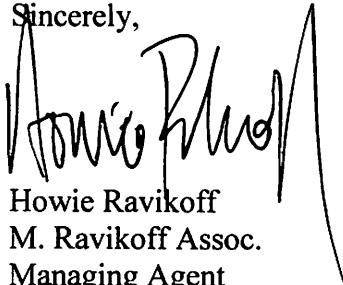
We present that we should be billed for 40542 cubic feet or 31% of the total water measured by United Water Westchester.

Billing date 5/20/2014 $\$1,341.62 \times 31\% = \415.90

Billing date 06/30/14 $\$461.63 \times 31\% = \143.10

We ask that a process should be enacted to keep these more accurate calculations in place moving forward for 1 year or more without having to submit a grievance application upon receipt of each and every bill saving all people, businesses, Village Boards and personnel substantial time.

Sincerely,



Howie Ravikoff
M. Ravikoff Assoc.
Managing Agent
H&H Property Corp
211 Irving Avenue
Port Chester, NY 10573

The Bagel Emporium of Port Chester

211 IRVING AVENUE
PORT CHESTER, N.Y. 10573

To: M. Ravikoff Associates, Inc.

Subject : Sewer Tax

Dear Howard,

Our business is a bagel store. Approximately 90 % of the water that my business uses **does not** go back down into the drain but rather is used to make bagels that are delivered to our customers.

Regards,



Michael Rozins - President

***New Look Beauty Salon
211 Irving Avenue
Port Chester, NY 10573
Tel. 914-934-8354***

July 29, 2014

RE: Sewer Rent Tax

To Whom It May Concern:

Please be advised that we are a beauty Salon. We believe that 40% of the water that comes out of the tap does not go down the drain. If all water went down the drain we would not need towels and hair dryers. Also the barbers use spray bottles for haircuts and for shaving, we use water to water the plants, for drinking, cleaning, making coffee and tea.

For further information, please contact me at 914-934-8354.

Sincerely,



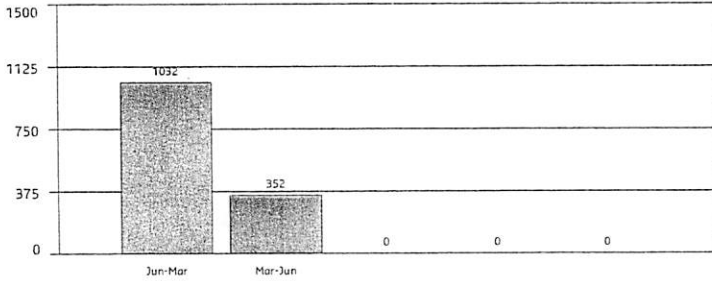
Lidia Adames
Owner



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
 www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 09/29/2014

Billing Date: 06/30/14
Account Number: 07908055938844

Previous Balance	\$1,341.62
Payments Through 06/30/14 <i>THANK YOU</i>	\$1,341.62CR
Balance Forward	\$0.00
Current Charges Due 07/24/2014	\$461.63
TOTAL AMOUNT DUE	\$461.63

*PAY BY 07/25/2014 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: H & H PROPERTIES

SERVICE ADDRESS: 211 IRVING AVE PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
93336287	03/27/14	06/27/14	92	0865	1217	352 EQUIVALENT TO	CCF	ACTUAL 263,296 GALLONS	SWQ

103.3043 @ \$1.338999 SEW RENT \$138.32
 248.6957 @ \$1.30002 SEW RENT \$323.31
TOTAL CURRENT CHARGES \$461.63

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period.
 Effective June 1, 2014, the sewer rent changes from \$1.30002 to \$1.338999 per CCF.

0 0 0 0 RE 453444

PLEASE DETACH HERE AND RETURN THE BOTTOM PORTION WITH YOUR PAYMENT IN THE RETURN ENVELOPE PROVIDED.

079

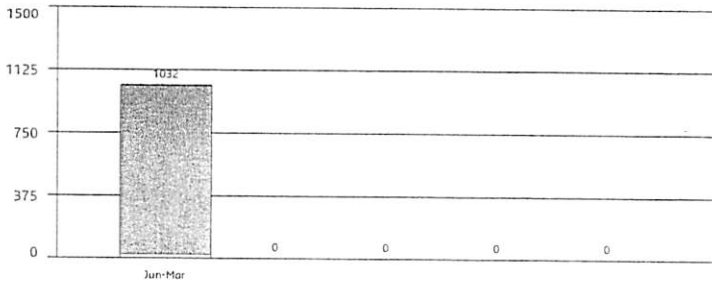
840
 AMOUNT
 461.63



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
 www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 06/30/2014

Billing Date:	05/20/14
Account Number:	07908055938844
Previous Balance	\$0.00
Payments Through 05/20/14	\$0.00
Balance Forward	\$0.00
Current Charges Due 06/13/2014	\$1,341.62
TOTAL AMOUNT DUE	\$1,341.62

*PAY BY 06/16/2014 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: H & H PROPERTIES

SERVICE ADDRESS: 211 IRVING AVE PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
92910402	06/01/13	07/11/13	40	0439	0606	167	CCF	PRORATED ACTUAL	SWQ
93336287	07/11/13	03/27/14	259	0000	0865	865	CCF	METER CHANGE	SWQ
						EQUIVALENT TO		771,936 GALLONS	

SEW RENT 1,032.0000 @ \$1.30002
 TOTAL CURRENT CHARGES

\$1,341.62
 \$1,341.62

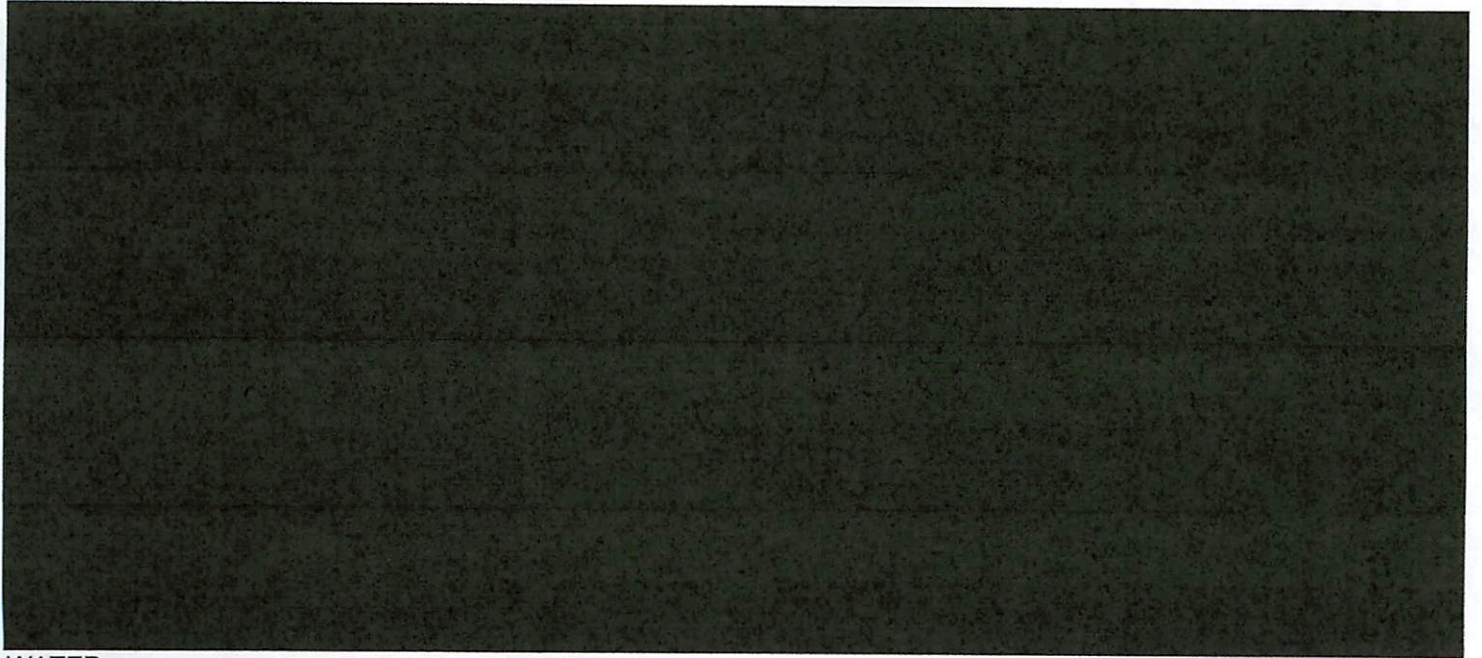
SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period. This bill represents the total sewer rent due for this period based on your water usage reflected above. All future bills will be issued on the same date as your water bill.

0 0 0 0 RE 446407 PLEASE DETACH HERE AND RETURN THE BOTTOM PORTION WITH YOUR PAYMENT IN THE RETURN ENVELOPE PROVIDED. 077

52	597	1,341.62	AMOUNT
----	-----	----------	--------



WATER

Reading on: 1/6/2014

Reading on: 7/1/2014

002095.0 Cubic Feet

006322.0 Cubic Feet

4,227 Cubic Feet

jan
feb
mar
apr
may
jun
jul
aug
sept
oct
nov

\$1,539.25

32800

\$1,546.39

31400

\$3,085.64 TOTAL

64200

rate

\$0.0481

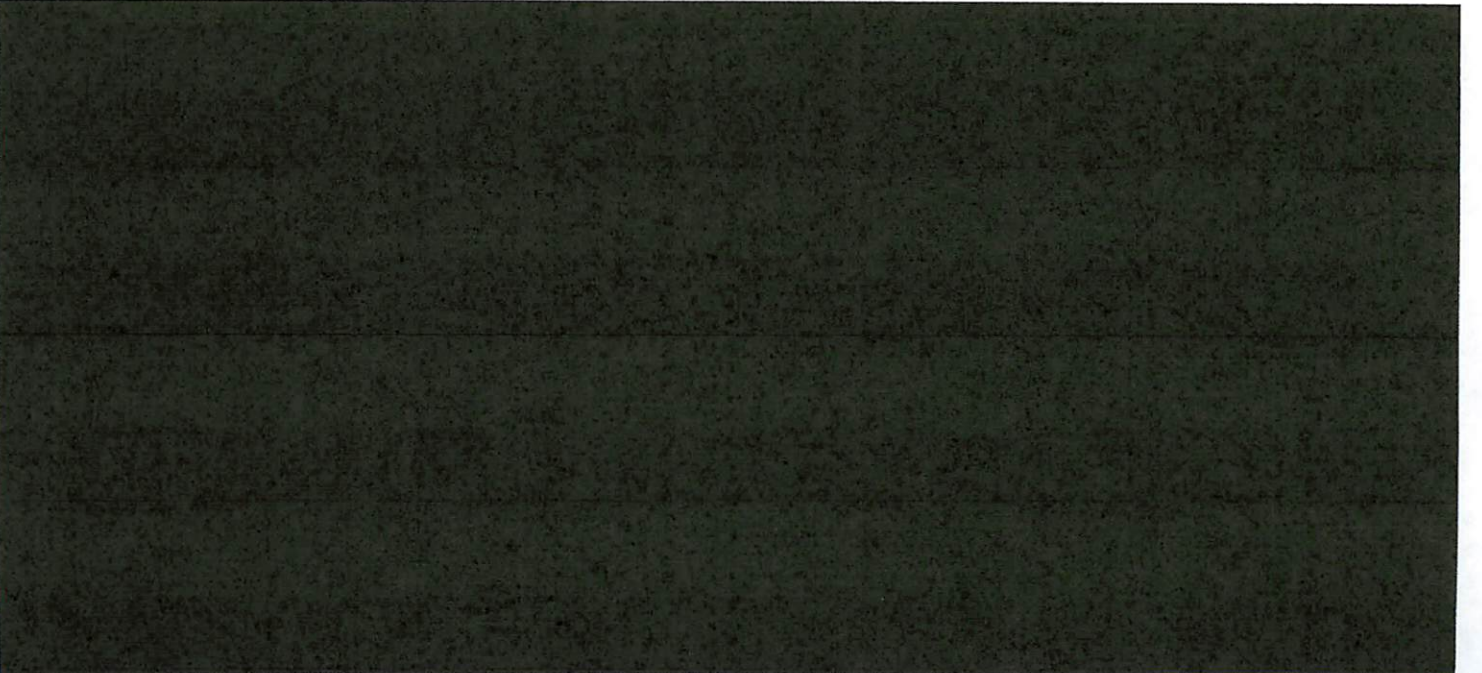
\$27.16

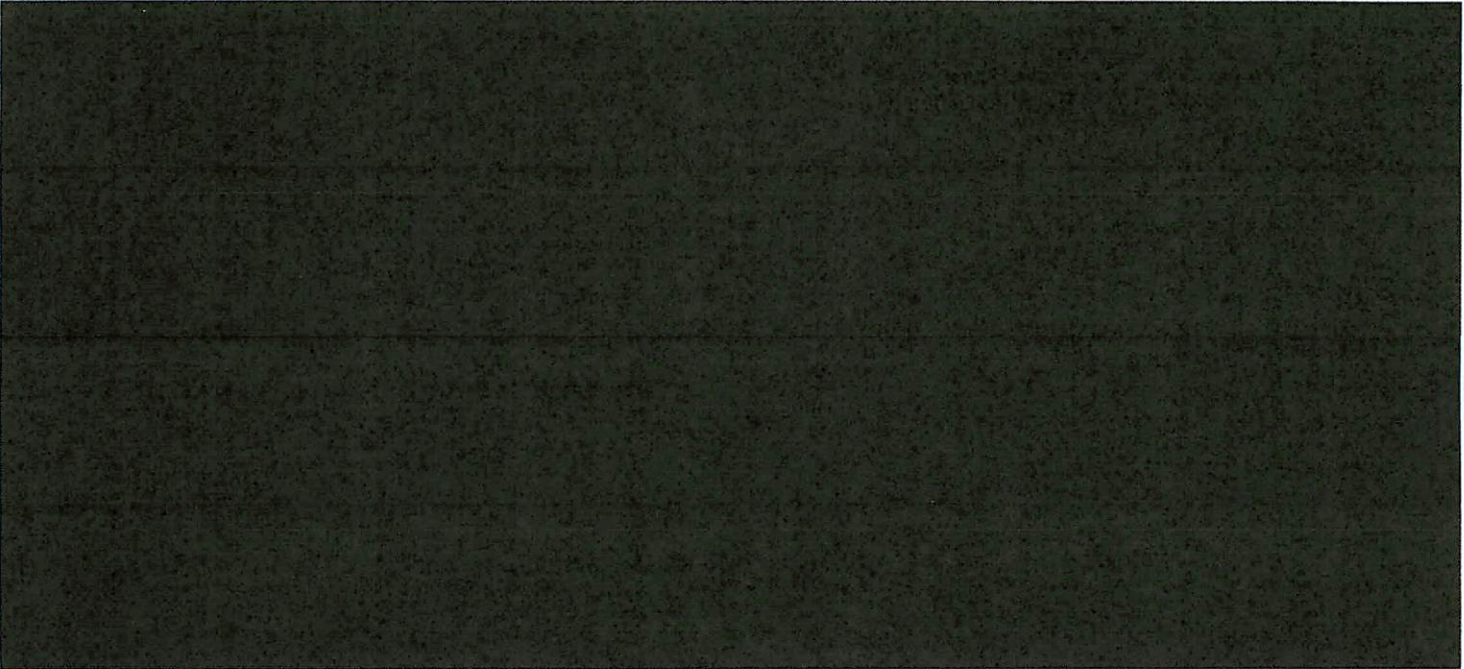
Notes:

Figures included to show rate calculation:

1 Cubic Foot = 7.4805 Gallons

1 Gallon = 0.1336 Cubic Feet





WATER

Reading on: 1/6/2014

Reading on: 7/1/2014

Dollars

4246940 Gallons

4598010 Gallons

Cubic Feet

351,070 Total Gallons

46931 Total Cubic Feet

jan
feb
mar
apr
may
jun
jul
aug
sept
oct
nov

\$1,539.25

32800

\$1,546.39

31400

\$3,085.64 TOTAL

64200

rate

\$0.0481

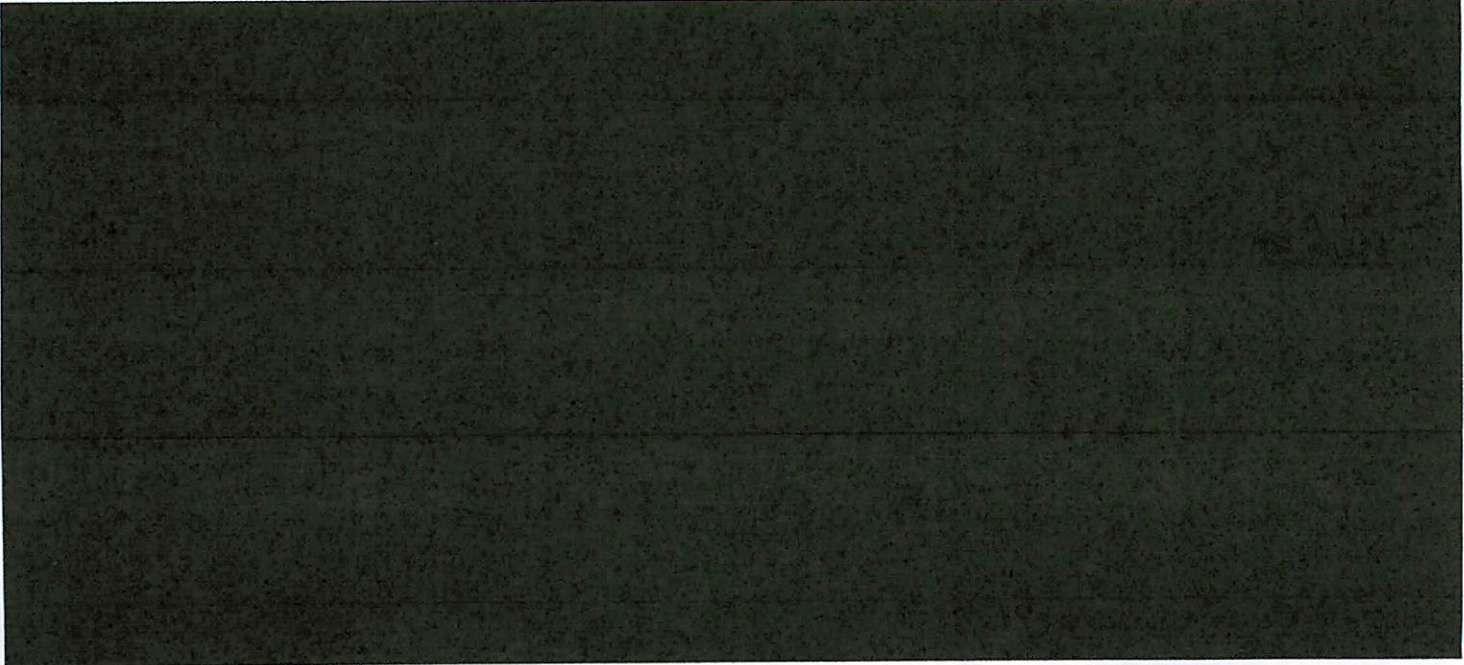
\$2,255.66

Notes:

Figures included to show rate calculation:

1 Cubic Foot = 7.4805 Gallons

1 Gallon = 0.1336 Cubic Feet





VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, NY 10573

Christopher D. Steers
Village Manager

(914) 939-2200
Fax: (914) 937-3169
E-mail: csteers@portchesterny.com

August 29, 2014

H&H Property Corp C/O M Ravikoff Associates
33 New Broad Street
Port Chester, NY 10573

To whom it may concern,

The Village received your Sewer Rent grievance complaint on 8/13/14. A copy of the document is attached.

The Village Board of Trustees (BOT) received your grievance on 8/18/14 and may make a determination based on your provided application and documentation at the next regularly scheduled BOT meeting on 9/3/14

You are welcome to attend to be heard.

Sincerely,

Christopher Ameigh
Administrative Aide to the Village Manager

**DETERMINATION ON APPEAL
WITH REGARD TO SEWER RENT**

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, H & H Property Corporation (hereafter the “applicant”) filed an appeal with the Village of Port Chester Board of Trustees with regard to the Sewer Rent charged for property located at 33 New Broad Street, Port Chester, and also designated as Section 142.30 , Block 2 and Lot 64 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 8/18/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 8/29/14 and by phone then about the applicant was advised that the matter would be considered at the Board meeting of 9/2/14 and that they would be welcome to be heard at that time; and

WHEREAS, said letter also provided a copy of Village staff’s report; and

WHEREAS, the applicant has been invited to appear on his/her/its’ behalf at this meeting; and

WHEREAS, in addition to the appeal and staff report, the Board has considered the following in its deliberations:

Documentation of water consumption history, a breakdown of tenant’s water consumption and description of non sewer related water use,

The Board is prepared to make a determination on the appeal. NOW, therefore, be it

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 77 CCFs be reduced from the bill in question on the grounds that it has been found that a significant portion of water consumed did not affect the PC Sewer System, and be it further

RESOLVED, that the applicant be notified of the Board’s determination with a certified copy of this resolution; and be it further

RESOLVED, if the appeal is granted, that the Village Manager is hereby directed to take all necessary and appropriate action with regard to this matter in order to effectuate timely and complete relief.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:



Village of Port Chester

Office of the Village manager

MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Christopher Ameigh

THROUGH: Christopher D Steers

DATE: August 29, 2014

RE: **H & H Property Corporation's Sewer Rent Grievance Report/Recommendation for 33 New Broad Street**

As directed the 8/18/14 BOT meeting, the Village Manager's office has prepared a report on the Sewer Rent Grievance of H & H Property Corporation of 33 New Broad Street, received on 8/13/14.

- Provided documentation showing water consumption by quarter between 6/1/13-7/7/14.
- Provided documentation of breakdown of water consumption by tenant.
- Provided account but not documentation of water uses which may not enter sewer system.
- Claims that 20% of water use in caterer's location is non sewer related are unsubstantiated, yet logical.
- Claims that 90% of water use in Bakery is non sewer related are unsubstantiated however precedent exists in sewer grievance report for 31 Pearl Street dated 8/29/14.
- Indicates a likely amount of approximately 60% of consumption on the property does not enter the sewer which is well above the 10% allowable grievance amount.

The Village Manager's Office recommends the maximum credit of 10% of the total Consumption between 6/1/13-7/7/14.

Original Consumption	775 CCF
Reduction	77 CCF
Original Fee	\$1,013.36
New Fee with Consumption Reduction	\$912.67

Water Bills for period 6/2013 thru 6/2014

PERIOD		USAGE CCF	GALLONS	Use % to Tot	
FROM	TO				
06/01/13	10/01/13	242	181,029	31.2%	
10/01/13	05/07/14	311	232,644	40.1%	
05/07/14	06/04/14	84	62,836	10.8%	
06/04/14	07/07/14	138	103,231	17.8%	
		775	579,740	100.0%	
<u>Break down by tenant</u>					
GB Bakery	1 year	285.26	213,389	35.1%	
Josam Food	1 year	255.36	191,023	31.5%	
Other tenant	1 year	271.3	202,946	33.4%	
				100.00%	
	Claimed exemption				
GB Bakery	90%	245.06	183,317	31.62%	water into industrial products by BE
Josam Food	20%	219.37	164,103	28.31%	Water into commercial products by JF
Remainder	N/A	310.57	232,320	40.07%	
		775.00	579,740	100.00%	



VILLAGE OF PORT CHESTER

Village Clerk

222 Grace Church Street, Port Chester, New York 1057

Phone (914) 939-5202 • Fax (914) 305-2560

www.portchesterny.com



TO: Mayor and Board of Trustees
c/o Village Clerk
Village of Port Chester
222 Grace Church Street
Port Chester, N.Y. 10573

APPEAL

In accordance with the provisions of Section 268-9 of the Village Code, ~~I~~
NEW BROAD ST LLC, residing at 33 New Broad St
_____, hereby make hereby make application and appeal
to the Board of Trustee for review with regard to the attached sewer rent bill dated 5.20.14,
6/5/14, 7/7/14 for the period from 6.1.13 to 7.7.14 for
service located at the property at 33 New Broad St. Port
Chester, New York, also designated as Section 142.30 Block 2 and
Lot 64 on the Tax Map of the Town of Rye.

(please attach a copy of the referred to Sewer Rent Bill)

The grounds of my appeal are as follows: (check appropriate box)

- That the amount of water consumption reflected on the attached Sewer Rent Bill is not correct. The Village will refer this matter to United Water Westchester, Inc. for their comment prior to hearing.
- That the fee amount in the attached Sewer Rent Bill should be adjusted because a significant portion of the water consumed during the period indicated on the attached Sewer Rent Bill was not discharged into the Village Sanitary Sewer System.

To claim a grievance under option 2. Include all evidence to support the degree and amount of water usage that is claimed to be applied for uses that do not result in discharges into the sanitary sewer system.

- Pools, supply a copy of the Certificate of Occupancy (available at the Port Chester Building Department), and documentation of the capacity of the pool.
 - Hot tubs/like kind, provide documentation of the make and model of your unit.

Howard Pollack

Signature of owner

914 934 2424

Phone # of Owner

7.23.14

Date

Note

- You may apply for only one billing period at a time.
- You have 30 days from the date of receipt of your bill to file a grievance.
- An incomplete application will be denied.

FOR VILLAGE USE ONLY

Date of Receipt: _____

Date of Referral to Staff: _____

Date of Report and Recommendation: _____ (copy annexed):

DETERMINATION

Upon review of the foregoing, the Board of Trustees of the Village of Port Chester hereby GRANTS /DENIES (circle one) the application and appeal of _____

New Broad Street, LLC

33 New Broad Street
Port Chester, NY 10573

Phone 914-934-2424

Fax 914-937-5186

Mayor and Board of Trustees
c/o Village Clerk
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Re: Appeal SEWER RENT, 33 New Broad St Port Chester NY

August 7, 2014

To Whom It May Concern,

33 New Broad Street is a commercial multi tenant building. There is 1 water meter monitored by United Water Westchester. As Landlords we have installed sub-meters including 1 each for the Beldotti Bakery (Good Bread Bakery) and Josam Foods (Matt Miller Culinary) among others. These sub-meters are monitored by the Landlord and used to measure their corresponding water usage.

Good Bread Bakery calculates that 90% of the water measured does not go back down the drain into the sewer system. See attachment. 90% of the water measured goes into their product and out the door. We present that we should pay only 10% of their use.

Josam Foods calculates 20% of the water measured does not go back down the drain in to the sewer system. See attachment. They site water content in cooked product that goes out the door. We present that we should pay only 80% of their use.

Using historical data Good Bread Bakery water use measures 14263 cubic feet in 6 months and 28526 cubic feet in 12 months.

Josam Foods water use measures 12767 cubic feet in 6 months and 25534 cubic feet in 12 months.

Total water usage measured by United Water Westchester for the entire building is 40596 cubic feet for 6 months and 81192 cubic feet for 12 months.

Total water measured minus Good Bread Bakery use minus Josam Foods use is as follows:

$81192 - 28526 - 25534 = 27132$

27132 cubic feet we should be billed for 100%

28526 we should be billed for 10% (2852)

25534 we should be billed for 80% (20427)

We present that we should be billed for $27132 + 2852 + 20427$ or 50411 cubic feet. This equates to 62% of the total water measured by United Water Westchester.

Billing date 5/20/2014 $\$718.91 \times 62\% = \445.72

Billing date 06/30/14 $\$109.67 \times 62\% = \67.99

Billing date 07/07/14 $\$184.78 \times 62\% = \114.56

We ask that a process should be enacted to keep these more accurate calculations in place moving forward for 1 year or more without having to submit a grievance application upon receipt of each and every bill saving all people, businesses, Village Boards and personnel substantial time.

Sincerely,



Howie Ravikoff
M. Ravikoff Assoc.
Managing Agent
New Broad St LLC
33 New Broad Street
Port Chester, NY 10573

Beldotti Bakeries LLC
D/B/A Good Bread Bakery
33 New Broad St.
Port Chester, NY 10573
914-939-3900
914-939-2513 fax

July 2, 2014

To: Howard Ravikoff

Subject: Water/Sewer Charges

The new ordinance outlined by the Town Of Port Chester is not optimal for Good Bread Bakery. 75% of our water usage is used to manufacture our product and another 15% is used to generate steam for baking in our three ovens. Any condensate from the baking process is evaporated in condensate chambers, except for 1 to 2 gallons daily from the Bongard oven, which is collected in a bucket and disposed of in the sink. Therefore, approximately 90% of our water usage does not go to the sewer.

Jim Beldotti
Good Bread Bakery



*Matt Miller
Culinary Productions*

WE HAVE MOVED!
33 New Broad Street, Suite F
Port Chester, NY 10573

www.mmcparties.com

August 4, 2014

Howie Ravikoff
M. Ravikoff Associates, Inc.
33 New Broad Street
Port Chester, NY 10573

Dear Howie,

We are an off premise catering company. Twenty percent of the water that comes out of the faucet never goes down the drain. That water is used for cooking purposes (ie: cooking stock, gravy, mixing dough, etc).

Thank you,

Matt Miller



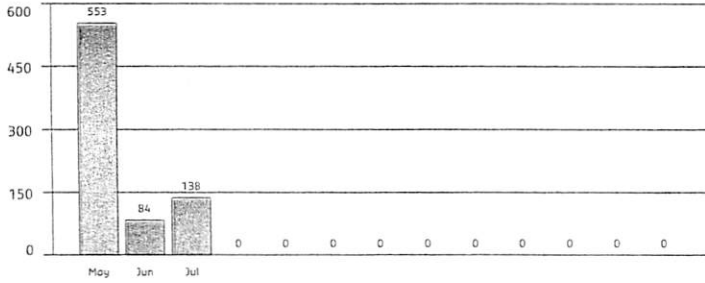
MMCP



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
 www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 08/05/2014

Billing Date:	07/07/14
Account Number:	07902425083708
Previous Balance	\$828.58
Payments Through 07/07/14 <i>THANK YOU</i>	\$828.58CR
Balance Forward	\$0.00
Current Charges Due 07/31/2014	\$184.78
TOTAL AMOUNT DUE	\$184.78

*PAY BY 08/01/2014 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: NEW BROAD STREET LLC

SERVICE ADDRESS: 33 NEW BROAD ST PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
60829333	06/04/14	07/07/14	33	00395	00533	138 <i>EQUIVALENT TO</i>	CCF	ACTUAL <i>103,224 GALLONS</i>	SWM

138.0000 @ \$1.338999 SEW RENT
 TOTAL CURRENT CHARGES

\$184.78
 \$184.78

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period.
 Effective June 1, 2014, the sewer rent changes from \$1.30002 to \$1.338999 per CCF.

0 0 0 0 RE 454464

PLEASE DETACH HERE AND RETURN THE BOTTOM PORTION WITH YOUR PAYMENT IN THE RETURN ENVELOPE PROVIDED

0751



AMOUNT 184.78

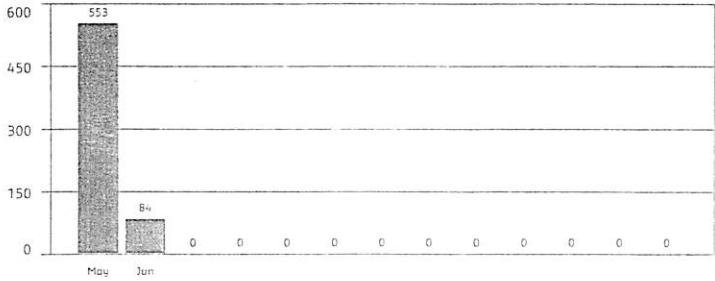
888



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
 www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 07/07/2014

Billing Date: 06/05/14
Account Number: 07902425083708

Previous Balance	\$718.91
Payments Through 06/05/14	\$0.00
Balance Forward	\$718.91
Current Charges Due 06/30/2014	\$109.67
TOTAL AMOUNT DUE	\$828.58

Past Due Balance may be subject to late charges, collection and/or termination.
 *PAY BY 07/01/2014 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: NEW BROAD STREET LLC

SERVICE ADDRESS: 33 NEW BROAD ST PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
60829333	05/07/14	06/04/14	28	00311	00395	84 CCF EQUIVALENT TO	CCF	ACTUAL 62,832 GALLONS	SWM

SEW RENT 72.0000 @ \$1.30002 \$93.60
 SEWER RENT 12.0000 @ \$1.338999 \$16.07
TOTAL CURRENT CHARGES \$109.67

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period.
 Effective June 1, 2014, the sewer rent changes from \$1.30002 to \$1.338999 per CCF.

0 0 0 RE 449089 PLEASE DETACH HERE AND RETURN THE BOTTOM PORTION WITH YOUR PAYMENT IN THE RETURN ENVELOPE PROVIDED. 079 079

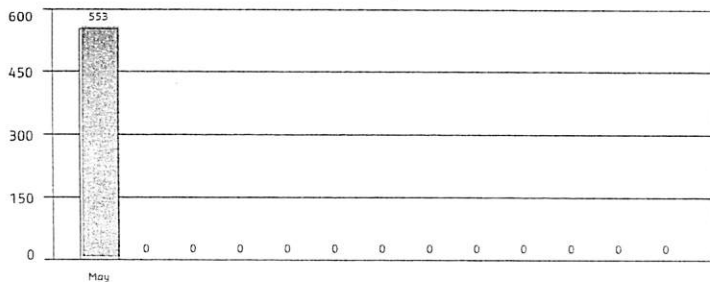
Amount \$109.67



VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

Village of Port Chester Sewer Rent
 Customer Service Center
 2525 Palmer Avenue
 New Rochelle, NY 10801
 Telephone: 888-876-1672
 www.unitedwater.com

USAGE HISTORY
 Usage in Hundreds of Cubic Feet



Next meter reading date: on or about 06/05/2014

Billing Date: 05/20/14
Account Number: 07902425083708

Previous Balance	\$0.00
Payments Through 05/20/14	\$0.00
Balance Forward	\$0.00
Current Charges Due 06/13/2014	\$718.91
TOTAL AMOUNT DUE	\$718.91

*PAY BY 06/16/2014 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: NEW BROAD STREET LLC

SERVICE ADDRESS: 33 NEW BROAD ST PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
60568305	06/01/13	10/01/13	122	02956	03198	242	CCF	PRORATED ACTUAL	SWM
60829333	10/01/13	05/07/14	218	00000	00311	311	CCF	METER CHANGE	SWM
						EQUIVALENT TO	413,644 GALLONS		

SEW RENT 553.0000 @ \$1.30002
 TOTAL CURRENT CHARGES

\$718.91
 \$718.91

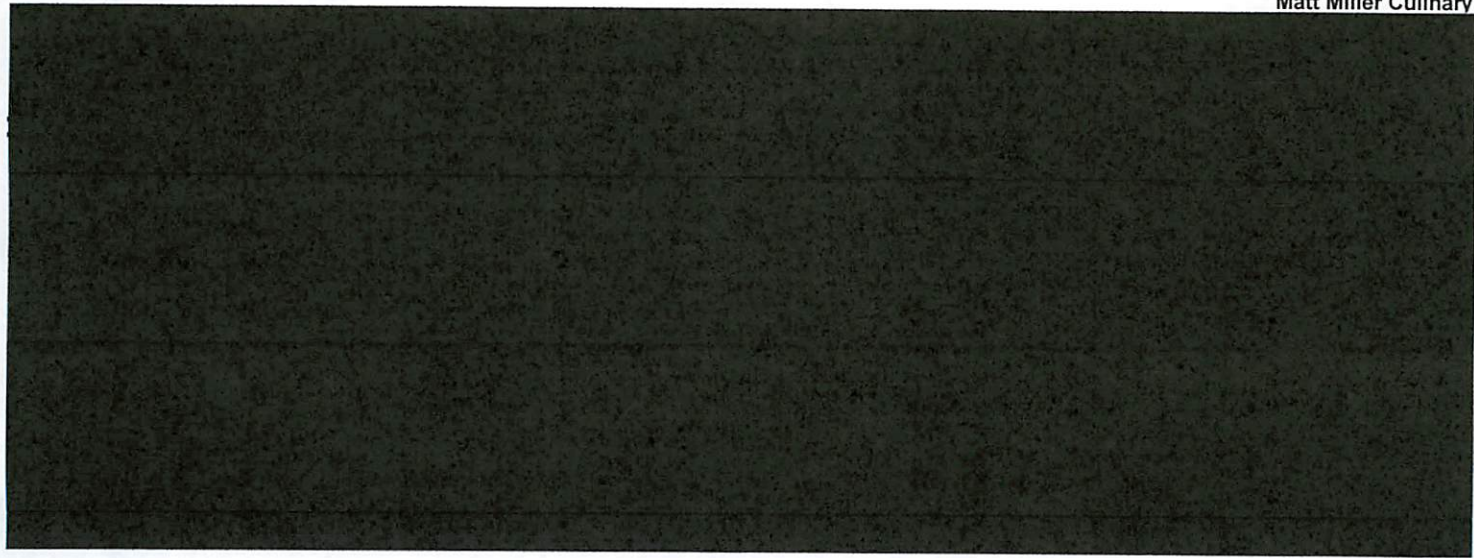
SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

SEWER RENT - User charges established by the Village of Port Chester for the use of the sanitary sewer system. Your sewer rent is based on the total water consumption for the period. This bill represents the total sewer rent due for this period based on your water usage reflected above. All future bills will be issued on the same date as your water bill.

91

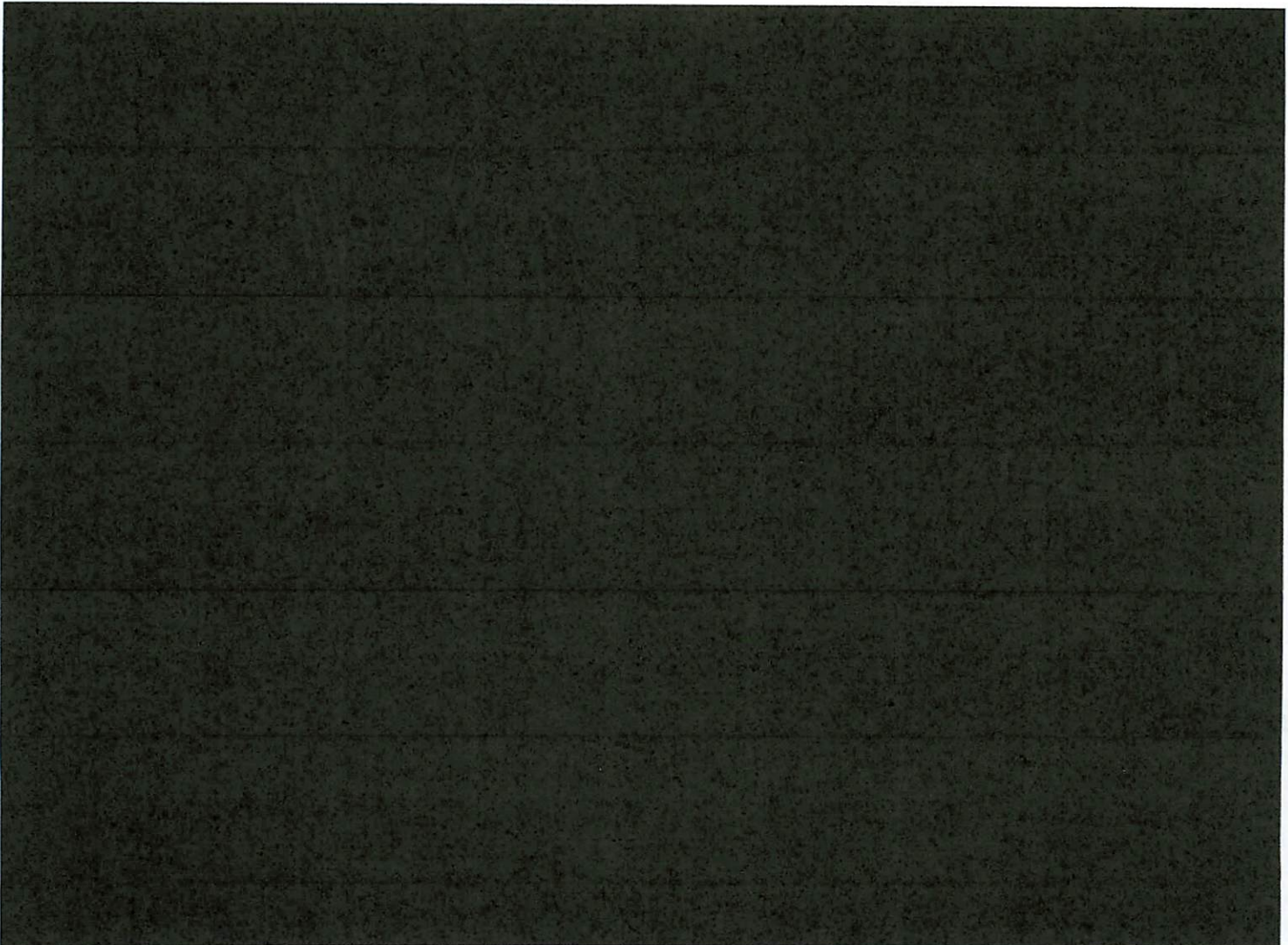
51693
 AMOUNT
 718.91

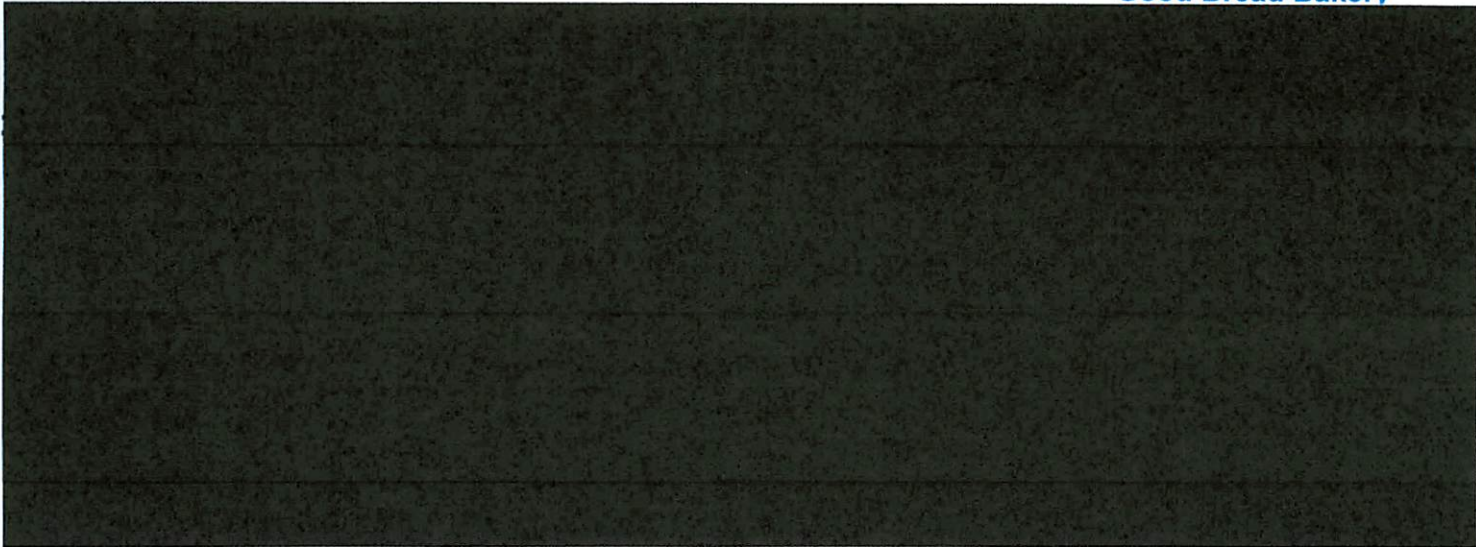


WATER (Submetered)

Old reading	1/2/2014	433623
New Reading	7/1/2014	446391

12768
Cubic Feet

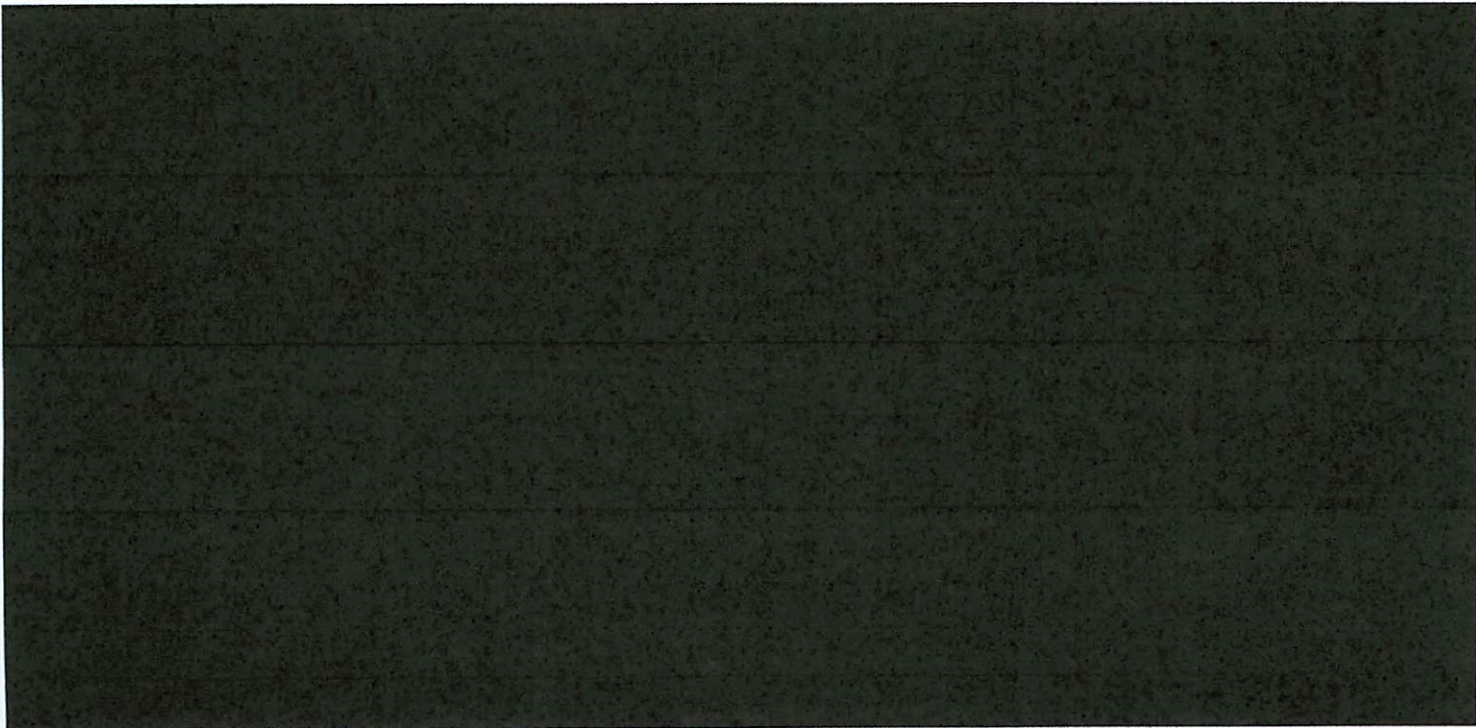




WATER (Submetered)

Old reading	1/2/2014	405043
New Reading	7/1/2014	419306

14263
Cubic Feet





VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, NY 10573

Christopher D. Steers
Village Manager

(914) 939-2200
Fax: (914) 937-3169
E-mail: csteers@portchesterny.com

August 29, 2014

H&H Property Corp C/O M Ravikoff Associates
33 New Broad Street
Port Chester, NY 10573

To whom it may concern,

The Village received your Sewer Rent grievance complaint on 8/13/14. A copy of the document is attached.

The Village Board of Trustees (BOT) received your grievance on 8/18/14 and may make a determination based on your provided application and documentation at the next regularly scheduled BOT meeting on 9/3/14

You are welcome to attend to be heard.

Sincerely,

Christopher Ameigh
Administrative Aide to the Village Manager



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

AGENDA MEMO

Department: Office of the Village Attorney

BOT Meeting Date: 9/2/2014

Item Type: Resolution Setting Public Hearing

Sponsor's Name: Anthony (Tony) Cerreto, Village Attorney

Description	Yes	No	Description	Yes	No
Fiscal Impact	x	<input type="checkbox"/>	Public Hearing Required	x	
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
	Yes	No	N/A		
Agreement	<input type="checkbox"/>	x	Manager Priorities		
Strategic Plan Related	<input type="checkbox"/>	x	Code Enforcement		

Agenda Heading Title
(Will appear on the Agenda as indicated below)

Setting a public hearing to consider the advisability of adopting a local law further modifying the amnesty period of the Permit Amnesty Program.

Summary

Background:

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. The amnesty period has been successively modified since original enactment with the last period to expire on September 30, 2014.

At the last meeting, the Board directed that a local law be prepared that would extend the amnesty period for one year, i.e. to September 30, 2015.

The matter requires referral to the Planning Commission for study and report.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Proposed Local Law

**SETTING A PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF
ADOPTING A 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 Board of Trustees hereby schedules a public hearing on,
Monday, October 6, 2014 at 7:00 p.m. or as soon thereafter at the Port Chester Justice
Court, 2nd Floor Courtroom, 350 North Main Street, Port Chester, New York, to consider
the advisability of adopting a local law further modifying the amnesty period of the
Permit Amnesty Program so that it shall be deemed to expire on September 30, 2015.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

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 which period has been extended with the last extension being to September 30, 2014.

SECTION 2: Amnesty Period

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 September 30, 2015.

SECTION 3: Effective Date

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

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, October 6, at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider adopting a local law further modifying the amnesty period of the permit amnesty program.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website www.portchesterny.com.

Date: September 5, 2014

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



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Attorney

BOT Meeting Date: 9/2/2014

Item Type: Resolution

Sponsor's Name: Anthony (Tony) Cerreto, Village Attorney

Description	Yes	No	Description	Yes	No
Fiscal Impact		<input type="checkbox"/> x	Public Hearing Required		x
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
	Yes	No	N/A		
Agreement	<input type="checkbox"/> x		Manager Priorities		
Strategic Plan Related	<input type="checkbox"/>	x	N/A		

Agenda Heading Title
(Will appear on the Agenda as indicated below)

Participation by the Village of Port Chester in the Westchester County Fire Mutual Aid Plan

Summary

Background:

Pursuant to State County Law, the County of Westchester has established a Fire Mutual Aid Plan which provides a written protocol for the cooperation and coordination of firefighting resources throughout the County.

The County Commissioner of Emergency Services which is charged to administer and execute the Plan has made request on the Village of Port Chester to participate in the Plan. The Village was advised that the overwhelming number of municipalities in the County participate in the Plan and that there was a significant value to the formalized participation and cooperation of municipalities through the County which is already performing primary and mutual aid dispatching services for the Village ("60 Control").

The Village of Rye Brook has most recently adopted a resolution that would participate in the Plan subject to Port Chester doing likewise.

State General Municipal Law, Section 209, governs the liability of municipalities for “calls for assistance”, or mutual aid. The Plan does not change those obligations. The Village Manager has requested that the Fire Chief attend the meeting for this item.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Proposed Resolution
Westchester County Fire Mutual Aid Plan

**PARTICIPATION BY THE VILLAGE OF PORT CHESTER IN THE
WESTCHESTER COUNTY FIRE MUTUAL AID PLAN**

On motion of TRUSTEE _____, 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 desires to become a participant in the Westchester County Fire Mutual Aid Plan (the "Plan"); and

WHEREAS, to do so, the Board of Trustees is required to adopt a resolution approving the Village's participation in the Plan, and file said resolution with the Westchester County Commissioner of Emergency Services. Now, therefore, be it

RESOLVED, that the Board of Trustees approves participation by its' Fire Department in the Plan, as amended from time to time, and further certifies to Westchester County, through its Commissioner of Emergency Services, that the Village shall comply with the provisions of the Plan; and be it further

RESOLVED, that there are no resolutions in effect that restrict outside service and training by the Village's Fire Department; and be it further

RESOLVED that there are currently no limitations, conditions or restrictions on the Fire Department from providing prompt assistance, and the County Commissioner of Emergency Services shall be notified in writing if any such limitations are imposed subsequent to the adoption of this Resolution; and be it further

RESOLVED, that the Fire Department shall respond to all calls for assistance from another Fire Agency through the Westchester County Emergency Communications Center a/k/a "60 Control"; and be it further

RESOLVED, that the Village of Port Chester hereby acknowledges and accepts its' financial responsibility pursuant to applicable law; and be it further

RESOLVED, that a copy of this resolution shall be filed with the Westchester County Commissioner of Emergency Services approving participation of the Fire Department in the Plan.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

Robert P. Astorino
County Executive

Department of Emergency Services

John M. Cullen
Commissioner

Jennifer M. Wacha
Deputy Commissioner

September 17, 2013

Chief Kevin McMinn
Port Chester Fire Department
209 Westchester Avenue
Port Chester, NY 10573

Dear Chief McMinn:

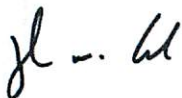
On February 26, 2013 and May 3, 2013 my office sent to you via E-mail and USPS mail the newly approved Westchester County Fire Mutual Aid Plan dated September 27, 2012. In that letter we asked that you read review, sign and return the agreement if you which to take part in the plan. To date we have not heard back from you.

The 2012 County MAP amends and restates previous County Mutual Aid Plans, and lends itself to a much more streamlined document than its predecessor. This new version contains updated language, references to the laws and standards by which Mutual Aid in the state of New York is governed and addresses best practices. The plan was updated by my office with direction from the Westchester County Law Department, and input from local Fire Chiefs. Prior to submitting the plan to the OFPC, this version was approved by the Westchester County Fire Advisory Board.

Attached please find a copy of the 2012 County MAP for your review and consideration. Note that while your jurisdiction may have previously participated in the County's Mutual Aid Plan, it is the goal of this office to have each jurisdiction evidence its renewed commitment to participating in the provision of mutual aid by adopting the form of resolution provided. (Please see Appendix V to the 2012 County MAP). All duly adopted resolutions should be returned to my office located at 4 Dana Road, Valhalla, NY 10595.

Thank you in advance for your cooperation and assistance.

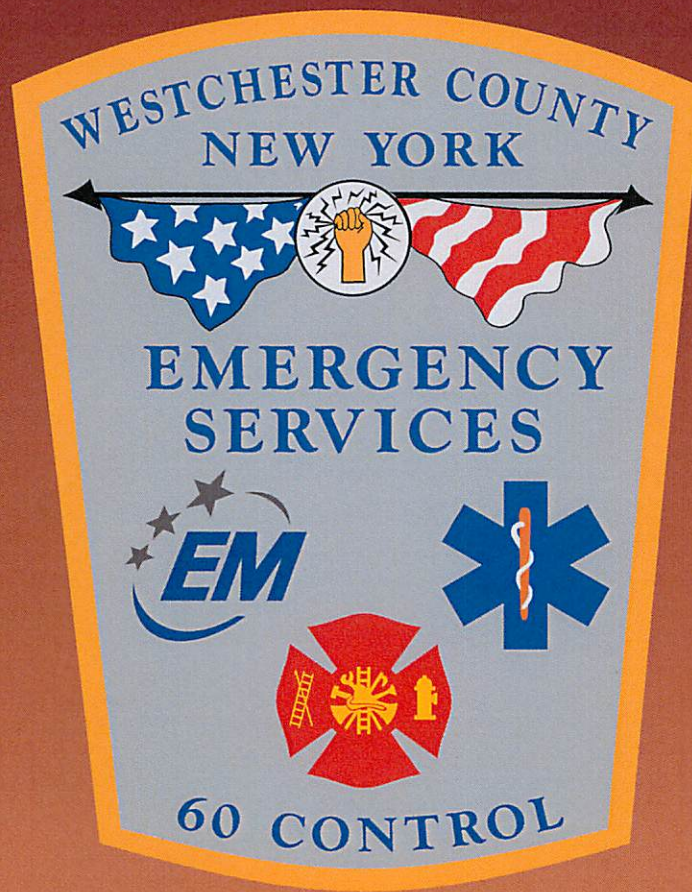
Sincerely,



John M. Cullen
Commissioner



Westchester County Fire Mutual Aid Plan



Draft: September 27, 2012
Adopted: December 19, 2012



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- II. Administration**
- III. Fire Advisory Board**
- IV. National Incident Management System (NIMS)**
- V. Definitions**
- VI. Fire Agencies in Westchester County**
- VII. Participation**
- VIII. Automatic Mutual Aid**
- IX. A. Plan Participation-Membership
B. Withdrawal from Plan**
- X. Complaints**
- XI. Mutual Aid Coordinators**
- XII. State Institutions**
- XIII. Federal Agencies**
- XIV. Adjacent Counties**
- XV. State Fire Mobilization and Mutual Aid Plan**
- XVI. Coordination with Other Emergency Services**



Westchester County Fire Mutual Aid Plan

XVII. Operations

- 1. Inventory**
- 2. Standard Hose Thread**
- 3. Accountability / Credentialing**
- 4. Notification of Presence of Hazardous Materials/Reporting**
- 5. NFPA, OSHA and PESH**

XVIII. Special Units – Westchester County

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- 2. Westchester County Hazardous Materials Response Team**
- 3. Westchester County Technical Rescue Team**

XIX. Liability

XX. Amending the Plan

Appendix I. WCDES Commissioner

Appendix II. Westchester County Department of Emergency Services Battalion Districts

Appendix III. Communications

Appendix IV. State/Federal Agency Resolution Form

Appendix V. Municipality Resolution Form

Appendix VI. ICS Forms – Sample Forms

Appendix VII. Basic ICS Operational Guidelines –Geographical Areas Of Operation



Westchester County Fire Mutual Aid Plan

I. Purpose

The purpose of the Westchester County Fire Mutual Aid Plan (the "Plan") is to define the format, structure, policy and procedure to facilitate organized, supervised, coordinated, cooperative and reciprocal assistance in which fire personnel, equipment and the physical facilities of participating Fire Agencies are utilized to supply aid and protection to other participating Fire Agencies, for the benefit of the municipalities located in Westchester County, in cases of fire or other emergencies. It is the objective of this Plan to foster cooperation and coordination of firefighting resources throughout the County of Westchester.

This Plan shall amend and restate any previous Westchester County Fire Mutual Aid Plans in their entirety.

It is expected that Plan participants shall first expend and exhaust all of their own resources prior to placing a Mutual Aid request. Mutual Aid is intended to be reserved for extreme circumstances. It is not intended to be routine, nor should it become abusive or an unreasonable burden to the Fire Agencies providing assistance.

II. Administration

The Commissioner of the Westchester County Department of Emergency Services ("WCDES") or his designee (the "Commissioner"), as the Chief Administrative Fire Officer, shall be responsible for the administration and execution of the Plan pursuant to New York State County Law §225-a, and as authorized pursuant to §193.02 of the Laws of Westchester County.

III. Fire Advisory Board

The Westchester County Fire Advisory Board ("FAB") members are appointed by the County Executive and sworn in as public officers by the Westchester County Clerk. The FAB is tasked with advising and making recommendations to the County Executive through the Westchester County Department of Emergency Services on fire matters and issues, including those related to the administration of this Plan. Membership configuration of the FAB is set forth in the Section 193.03 of the Laws of Westchester County. The Commissioner may confer with the FAB to resolve issues associated with the administration of the Plan.

IV. National Incident Management System

Operations conducted by Fire Agencies associated with response under this Plan shall be conducted in compliance with the National Incident Management System ("NIMS"). All fire personnel responding pursuant to this Plan shall be trained to the appropriate Incident Command System (ICS) levels appropriate for their position as recommended by the United States Department of Homeland Security. See sample forms attached in Appendices VI and VII.



Westchester County Fire Mutual Aid Plan

V. Definitions

“Battalion” shall refer to ten geographical areas designated by WCDES. Each Battalion shall contain approximately four to eight fire departments. One Deputy Fire Coordinator is assigned to each Battalion by the WCDES Commissioner. Each Deputy Fire Coordinator shall respond to events and fires requiring Mutual Aid assistance in the departments within their assigned Battalion. In addition, they may be called to another Battalion to provide assistance or coverage for a Deputy Fire Coordinator who is not available to respond. The Deputy Fire Coordinators serve as the WCDES liaison to the local fire department. At the request of the on-scene fire chief, or Incident Commander, the Deputy Fire Coordinator shall secure and coordinate additional resources from assisting agencies to successfully manage the fire or other emergency situation.

“Fire Agencies” shall, for the purposes of this Plan, include Fire Departments, Fire Companies, Fire Districts (incorporated and unincorporated), and shall also include any firefighting unit as may be defined or described in Section 209 of the New York State General Municipal Law (“General Municipal Law”).

“Mutual Aid” or “Fire Mutual Aid” shall refer to the organized, supervised, coordinated, cooperative, reciprocal assistance in which personnel, equipment and the physical facilities of participating Fire Agencies, regardless of type or size, are utilized for fire and other emergencies in the County of Westchester.

“Chief” or “Fire Commissioner” shall refer to the individual in charge of the operations of a particular Fire Agency.

“Incident Commander” shall refer to the individual responsible for incident activities, including the development of strategies and tactics as well as the requesting and release of Mutual Aid resources. The Incident Commander has overall authority and responsibility for incident operations.

VI. Fire Agencies In Westchester County

All Fire Agencies in Westchester County are eligible to fully participate in this Plan.

The following is a list of the County’s Fire Agencies:



Westchester County *Fire Mutual Aid Plan*

Archville	Montrose
Ardsley	Mount Kisco
Armonk	Mount Vernon
Banksville	New Rochelle
Bedford Hills	North White Plains
Bedford Village	Ossining
Briarcliff Manor	Peekskill
Buchanan	Pelham
Continental Village	Pelham Manor
Chappaqua	Pleasantville
Croton Falls	Pocantico Hills
Croton on Hudson	Port Chester
Dobbs Ferry	Pound Ridge
Eastchester	Purchase
Elmsford	Scarsdale
Fairview	Sleepy Hollow
Goldens Bridge	Somers
Greenville	South Salem
Harrison	Rye
Hartsdale	Rye Brook
Hastings	Tarrytown
Hawthorne	Thornwood
Irvington	Valhalla
Katonah	Verplanck
Larchmont	Vista
Mamaroneck Town	West Harrison
Mamaroneck Village	White Plains
Millwood	Yonkers
Mohegan	Yorktown Heights

The following entities may also receive aid and support under this Plan:

- ❖ Sing-Sing Correctional Facility
- ❖ Bedford Hills Correctional Facility
- ❖ MTA/Metro-North Railroad
- ❖ Indian Point Energy Center
- ❖ Grasslands Fire Brigade
- ❖ Westchester County Airport Aircraft Firefighting Units

Other entities in Westchester, including state and federal institutions, are eligible to participate in this Plan to the extent allowed by law by filing a resolution in the form attached hereto as Appendix



Westchester County Fire Mutual Aid Plan

IV. *(For instance, the Franklin D. Roosevelt Veterans Administration Hospital in Montrose, is a federal agency).*

VII. Participation

Each Fire Agency participating in this Plan ("Participants") shall make a good faith effort to respond to each call for assistance received from The Westchester County Emergency Communications Center a/k/a "60 Control" ("60 Control").

All requests for Mutual Aid must be coordinated through the County's 60 Control.

Unless there are extenuating circumstances, requests for Mutual Aid should not be made directly from one Fire Agency to another. It is recognized, however, that circumstances may require a Fire Agency to make a Mutual Aid request directly to another Fire Agency. In those situations 60 Control shall be notified as soon as possible of such a request and provide all information to 60 Control required as if it were a request placed with 60 Control for Mutual Aid.

A Fire Agency may decline to respond to a request based on unit unavailability.

A Plan Participant may deem certain apparatus unavailable for Mutual Aid response. In such instances, prior written notification of that restriction must be made to 60 Control when becoming a Plan Participant. *(For example, a Fire Agency may have special equipment that is restricted to the jurisdiction, e.g. aerial ladder, heavy rescue equipment or equipment that has highway clearance, weight or distance limitations, etc.)*

A Plan Participant providing Mutual Aid to a requesting Fire Agency shall commit its equipment and manpower to the requesting Fire Agency until released by the Incident Commander.

Further, it is agreed and understood that during Mutual Aid events:

- The Incident Commander of the requesting Fire Agency retains command of all fire resources assigned to the event until such time as command is transferred or terminated.
- A Fire Agency requesting Mutual Aid to stand by in its headquarters/stations shall provide at least one firefighter at each station to facilitate station access and to serve as a guide for subsequent alarms in a requesting department's jurisdiction.
- It is the obligation of the Incident Commander to release Fire Agencies providing Mutual Aid as promptly as possible.



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- Mutual Aid responders shall refer all media requests for information to the Incident Commander, without comment.

Note: Should a Fire Agency respond to an incident and determine the location of the incident is actually outside of its jurisdiction that Fire Agency shall:

- Notify 60 Control of the actual or correct incident location and direct 60 Control to notify the Fire Agency having authority for the correct location.
- Take appropriate action to control the incident.

VIII. Automatic Aid

“Automatic Aid” shall mean the pre-arranged assignment of specific apparatus from one or more jurisdictions to individual locations or alarms of a certain nature in the requesting jurisdiction.

Automatic Aid shall not be used to supplement a requesting Fire Agency’s inadequate staffing or equipment inventory shortfalls, unless otherwise agreed to by the parties involved.

Where a Participant is responding to a call for assistance pursuant to Automatic Aid, then Participant must notify 60 Control of its status.

Any pre-planned and/or Automatic Aid responses to a particular structure, area, scenario or district shall be submitted in writing to 60 Control. Plan Participants with Mutual Aid pre-plans and/or Automatic Aid responses are required to immediately notify 60 Control in writing when changes are made to those response protocols.

IX. A. Plan Participation-Membership

Any duly established Fire Agency may become a Plan Participant by filing with the Commissioner; a resolution, local law or ordinance, as jurisdictionally appropriate, which has been duly adopted by its governing body. The resolution form is attached hereto as Appendix V. The resolution shall provide the following:

- (i) affirm the Fire Agency’s intent to participate in the Plan and to comply with its provisions;
- (ii) state that there are no resolutions in effect that would restrict the Fire Agency from providing outside service and training;



Westchester County *Fire Mutual Aid Plan*

- (iii) state there are currently no limitations, conditions or restrictions on the Fire Agency from providing prompt assistance, and the Commissioner of Emergency Services shall be notified in writing if any such limitations are imposed subsequent to the adoption of the Resolution;
- (iv) state that the Fire Agency shall respond to all calls for assistance from another Fire Agency through 60 Control;
- (v) affirm that the Fire Agency's governing body acknowledges and accepts financial responsibility pursuant to applicable law.

B. Withdrawal From Plan

Should a participating Fire Agency's ability to provide assistance outside its service area pursuant to Section 209 of the General Municipal Law be restricted, written notice of such restriction(s) shall be filed with the Commissioner within five (5) days of the adoption of the resolution restricting outside assistance. Withdrawal from the Plan shall become effective on the date noted in the resolution. Withdrawal from the Plan may result in the suspension of Mutual Aid privileges to that Fire Agency. A Participant withdrawing from the Plan, upon the effective withdrawal date, shall surrender and return to WCDES all County-owned equipment.

Pursuant to the New York State Fire Mobilization and Mutual Aid Plan ("State Plan"), any signatory to a county fire mutual aid plan submitted to the New York State Office for Fire Prevention and Control ("OFPC") for inclusion in the State Plan is automatically a signatory to the State Plan. WCDES will notify the OFPC of the withdrawal of a Plan Participant.

Withdrawal from the Plan shall continue in effect until amended or repealed by the adoption of a subsequent resolution, local law or ordinance as set forth in Section 209 of the General Municipal Law.

X. Complaints

Mutual Aid complaints of any nature, including abuse of the Mutual Aid Plan, should be addressed in writing to the Commissioner for review, investigation and possible referral to the Westchester County Fire Advisory Board.

XI. Mutual Aid Coordinators

The Commissioner of WCDES shall appoint and supervise Mutual Aid Coordinators, a/k/a Deputy Fire Coordinators, and assign them to a Battalion or other assignment, to assist with the implementation of the Plan. Mutual Aid Coordinators shall serve at the pleasure of the Commissioner for a term of three (3) years and may be removed at any time. Mutual Aid



Westchester County *Fire Mutual Aid Plan*

Coordinators may be reappointed by the Commissioner in the month of December of the third year of a term. Concerns about a Mutual Aid Coordinator's performance shall be addressed to the Commissioner at the request of the majority of the highest ranking active Chiefs within a designated Battalion. Such request must be made in writing and signed by each of the Chiefs requesting the review.

Duties of Mutual Aid Coordinators include, but are not limited to:

- Represent the Commissioner at fire scenes and other emergencies. Attend monthly Coordinator meetings with the Commissioner or his designee.
- Meet with the Chief of each Fire Agency in their assigned Battalion at least quarterly in order to develop and improve interdepartmental relationships.
- Inform the Incident Commander of available Mutual Aid resources. Assist in the coordination, e.g. requesting, assignment, etc., of Mutual Aid for the Chief in charge of the incident.
- Mutual Aid Coordinators upon arrival at a scene/incident shall immediately report to the Incident Commander. At no time shall the Mutual Aid Coordinator initiate or assume command of an incident.
- Assist their Battalion Fire Agencies with arranging training, drills and other activities when requested.
- Promote enthusiasm and assist in the development of programs with, and for the Fire Agencies in their Battalion.
- Maintain awareness of and report all proposed drills, programs and associated activities amongst the Fire Agencies within their Battalion to the Commissioner and other Chiefs.
- Work with the WCDES training division to assist Fire Agencies to coordinate training as needed.
- Inform the Commissioner of any situations or problems in their Battalion that might arise in connection with Mutual Aid.
- Maintain records of the Mutual Aid Coordinator's activities in their Battalion and provide a written report to the Commissioner at the monthly meeting.
- Report all accidents, damage to equipment or injuries to personnel within the Battalion occurring during provision of Mutual Aid to the Commissioner as soon as possible.



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- Maintain an updated list of all equipment, special supplies, and Chiefs within their Battalion. This list is to be updated yearly (or more frequently if significant changes occur) and forwarded to the Commissioner to assist 60 Control in updating the master list.
- Assist the Commissioner when the State Plan is activated.
- Coordinate with the Chiefs within the Battalion, Battalion-wide training.

XII. State Institutions

Should a state institution request assistance from a Fire Agency, the Fire Agency's ranking officer shall participate in, or establish, a command that will include the institution's liaison. Additional requests for Mutual Aid shall be the responsibility of the officer in charge. Reimbursement for firefighting costs incurred while fighting such fire are governed by Section 54-e of the New York State Finance Law.

XIII. Federal Property

Fire Agencies that engage in fighting a fire on a property under the jurisdiction of the United States may file a claim for reimbursement for the amount of direct expenses and losses incurred by such fire service under 15 U.S.C. §2210.

XIV. Adjacent Counties

Mutual Aid provided to, or received from Putnam, Rockland, and Orange Counties shall be authorized by their county fire coordinators (or designees) and coordinated through their respective county fire communications centers with 60 Control. Mutual Aid provided to and received from the City of New York shall be requested by/through 60 Control.

Extent and limit of participation with county of Fairfield, Connecticut. There is no formal agreement with Fairfield County. Local reciprocal assistance, if any, must be in accordance with Article 14-G and Section 209 of the General Municipal Law. All requests for assistance must be routed through 60 Control. Those Fire Agencies willing to provide Mutual Aid services across state lines should assure that proper insurance coverage for both personnel and equipment is in place and should indicate their availability to respond in writing to 60 Control.



Westchester County *Fire Mutual Aid Plan*

XV. State Fire Mobilization and Mutual Aid Plan

In accordance with General Municipal Law Section 209-e and 9 NYCRR Part 205, the New York State Fire Mobilization and Mutual Aid Plan was established to provide for the mobilization of personnel and equipment of fire departments whenever: (i) the Governor determines that the public interest so requires; (ii) a municipality determines assistance is required; and (iii) a regional fire administrator determines that assistance, in addition to that provided for under the local fire mutual aid plan, is required.

The Commissioner shall, upon the State's request under the State Plan, commit County resources to other counties throughout the New York State.

The Commissioner may, after utilizing all available assistance from within the County, pursuant to General Municipal Law Section 209-e, contact the OFPC to request activation of the State Plan.

Liability for outside aid provided pursuant to activation of the State Plan is governed by Section 209-e and 209-g of the General Municipal Law.

XVI. Coordination with Other Emergency Services

The Commissioner shall develop agreements with appropriate emergency and public service organizations. Resource information on Police, EMS, Utilities, Hospitals, Departments of Public Works, local industries and state and federal agencies capabilities and resources shall be maintained at the EOC and/or 60 Control. Requests for these services shall be routed through 60 Control.

XVII. Operations

1. Inventory

60 Control shall maintain a record of fire equipment, as well as a list of Chiefs or Fire Commissioners, as jurisdictionally appropriate, for each Fire Agency throughout Westchester County.

Fire Agencies in Westchester County, shall, routinely and as often as warranted, update their lists of fire equipment/apparatus, Chiefs or Fire Commissioners, as jurisdictionally appropriate, contacts etc., on forms provided by 60 Control or by providing electronically a list of equipment/apparatus which list must contain all elements of county supplied forms. Such information shall be provided to 60 Control by May 15th of each year

Fire Agencies must also submit their mutual aid run cards and "Greater Alarm" Plans, as well as all other forms, to 60 Control.



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2. Standard Hose Thread

All apparatus and equipment of the Fire Agencies participating in the Plan shall be equipped with “standard” hose threads as defined by the National Bureau of Standards or have sufficient adapters to permit interconnection with “National Standard” threads. (See General Municipal Law Section 209-e.)

3. Accountability / Credentialing

Fire Agencies supplying Mutual Aid shall ensure that their assigned personnel are properly credentialed when responding to a request for assistance pursuant to this Plan. Incident Commanders shall maintain accountability for all personnel operating under their command.

4. Notification of Presence of Hazardous Materials/Reporting

General Municipal Law §209-u provides in part that the Fire Chief for each fire department, fire company, etc., that has notice of the presence of Hazardous Materials in their jurisdiction, is required by law to send a copy of the report to the office of the County Fire Coordinator. In addition, General Municipal Law §204-f requires the County to develop a plan for fire service response to hazardous materials incidents and file that plan with the Office of Fire Prevention and Control for approval. As such, Fire Agencies need to send copies of the reports to 60 Control.

5. NFPA , OSHA and PESH

The FAB recommends that Plan Participants comply with the standards set forth by the National Fire Protection Association (NFPA), Occupational Safety and Health Administration (OSHA), NYS Public Employees Safety and Health (PESH).

XVIII. Special Units – Westchester County

1. Arson Task Force

The Arson Task Force is a cooperative effort with membership consisting of fire and police agencies, prosecution personnel and staff from the Department of Emergency Services. The Arson Task Force program mission includes: raising public awareness, reviewing and creating programs for training firefighters and police personnel in fire investigation and in matters related to fire cause and origin (C&O) determination. Plan Participants may call for a response by the C&O team anytime they wish to determine the cause and origin of a fire or if it is believed that the fire may be suspicious in nature. Requests for C&O team response should be placed through 60 Control.

2. Westchester County Hazardous Materials Response Team

The WCDES Special Operations Division includes a Hazardous Materials Response Team (“County HAZMAT Team”). This highly trained, well equipped team is available to assist Plan Participants by providing an organized, coordinated response to contain, manage, identify and mitigate incidents involving materials and substances posing potential injury or death to



Westchester County Fire Mutual Aid Plan

the general public and to public safety responders. The County HAZMAT Team is available to respond to a request for assistance from any Plan Participant, other emergency services entity, or through the State Plan. Any request for a County HAZMAT Team response shall be placed through 60 Control.

3. Westchester County Technical Rescue Team

The WCDES Special Operations Division includes a Technical Rescue Team (“County Technical Rescue Team”). This specialized team is an elite technical rescue team that is available to assist Plan Participants by providing an organized, coordinated response to situations requiring intricate rescues. The County Technical Rescue Team utilizes unique equipment, tools and materials to affect these rescues. Team expertise includes, high, medium and low angle rope rescue, confined space rescue, heavy machinery entrapment, high/medium angle rescue, structural collapses, swift water rescue, trench rescue and wilderness search & rescue capabilities.

The County Technical Rescue Team is available to respond to a request for assistance from any Plan Participant, other emergency services entity, or through the State Plan. Any request for a response from the County Technical Rescue Team shall be placed through 60 Control.

XIX. Liability

It is understood and agreed by each Fire Agency participating in this Plan that liability arising from the provision or receipt of Mutual Aid pursuant to this Plan shall be governed by applicable laws including, but not limited to General Municipal Law Section 209.

XX. Amending the Plan

Amendments to this Plan may be made from time to time at the sole discretion of the Commissioner. The Plan amendment procedure is as follows:

- Proposed amendments may be submitted in writing to the Commissioner by Plan Participants for review and possible inclusion in a future amendment/revision to the Plan.
- Proposed amendments shall be reviewed by the Commissioner and forwarded to the FAB for review and comment.
- After consultation with the FAB, the Commissioner may then submit the proposed amendments to the OFPC for review and submission.
- Once approved by OFPC, the Commissioner shall notify FAB.
- Plan Participants shall be notified through their Chiefs of any amendments to the Plan.



Westchester County Fire Mutual Aid Plan

APPENDIX I

WCDES Commissioner

The Commissioner, or his designated County Fire Coordinator, shall have the following duties and responsibilities as it pertains to the Mutual Aid Plan:

- Administer the Westchester County Fire Mutual Aid Plan as outlined in the statutes and the Plan.
- Respond to and/or dispatch Mutual Aid Coordinators, a/k/a Deputy Fire Coordinators, to the scene of a fire or other emergency requiring Mutual Aid, specialized equipment or technical assistance.
- The County Fire Coordinator and/or Mutual Aid Coordinators shall provide scene assistance, liaison with Local, County, State and Federal agencies; fill other functions as requested by the Incident Commander, Chief or officer in charge.
- Administer the New York State Fire Training Program for Westchester County.
- Administer and supervise operation of the Westchester County Fire Training Center and all training programs for the benefit of the County fire services.
- Serve as liaison officer between the fire service of Westchester County and the OFPC, the Executive branch of County Government and the FAB. Administer and participate in the New York State Fire Reporting System.
- Administer the Arson Control Plan for Westchester County and oversee the overall operation of the Westchester County Fire Investigation Unit as approved by the FAB and Westchester County Arson Task Force.
- Administer the Hazardous Material Control Plan for Westchester County and oversee the overall operation of the Westchester County Hazardous Materials Response Team.
- Administer the Westchester County Technical Rescue Team and oversee the overall operation of the Westchester County Technical Rescue Team.
- Develop and administer all-Hazard plans in which the services of firefighters may be utilized.
- Act as liaison between the fire service and other emergency services agencies.



Westchester County Fire Mutual Aid Plan

- Administer and oversee the Grasslands Fire Brigade.
- Assure the coordination of Fire Agencies during a County or state-declared emergency.

Succession of Authority

- For purposes of this Plan, the Commissioner, acting as Fire Coordinator, shall designate in writing the order in which the Deputy Commissioner or WCDES staff (including Mutual Aid Coordinators/Deputy Fire Coordinators) shall serve in his absence.

Vacancy In The Position Of Commissioner:

The Westchester County Executive shall designate an acting Commissioner to perform the duties of Commissioner until a permanent successor is appointed by the County Executive and approved by the Westchester County Legislature.



APPENDIX II

Westchester County Department of Emergency Services
Battalion Districts

Battalion 10

Coverage Area

Peekskill Fire Department
Buchanan Fire Department
Verplanck Fire Department
Montrose Fire Department
Franklin D. Roosevelt VA Hospital Fire
Department
Croton Fire Department

Battalion 11

Coverage Area

Hawthorne Fire Department
Thornwood Fire Department
Pleasantville Fire Department
Valhalla Fire Department
Grasslands Fire Department

Battalion 14

Coverage Area

Tarrytown Fire Department
Dobbs Ferry Fire Department
Irvington Fire Department
Hastings Fire Department
Ardsley Fire Department
Fairview Fire Department
Hartsdale Fire Department
Elmsford Fire Department

Battalion 16

Coverage Area

Mount Kisco Fire Department
Chappaqua Fire Department
Banksville Fire Department
Armonk Fire Department
Bedford Fire Department
Bedford Hills Fire Department
Katonah Fire Department

Battalion 12

Coverage Area

Ossining Fire Department
Briarcliff Fire Department
Archville Fire Department
Pocantico Hills Fire Department
Sleepy Hollow Fire Department

Battalion 13

Coverage Area

Somers Fire Department
Croton Falls Fire Department
South Salem Fire Department
Golden's Bridge Fire Department
Pound Ridge Fire Department
Vista Fire Department

Battalion 15

Coverage Area

Port Chester Fire Department
Rye Fire Department
Town of Mamaroneck Fire Department
Village of Mamaroneck Fire Department
Larchmont Fire Department
Harrison Fire Department

Battalion 17

Coverage Area

Continental Village Fire Department
Lake Mohegan Fire Department
Yorktown Fire Department
Millwood Fire Department



Westchester County Fire Mutual Aid Plan

Battalion 18

Coverage Area

Pelham Manor Fire Department
Pelham Fire Department
Greenville Fire Department
Yonkers Fire Department
Mt. Vernon Fire Department
New Rochelle Fire Department
Eastchester Fire Department

Battalion 19

Coverage Area

North White Plains Fire Department
White Plains Fire Department
Scarsdale Fire Department
West Harrison Fire Department
Purchase Fire Department
Westchester County Airport

Car 24 - C&O

(North Battalion)

Arson Zone 4
Arson Zone 5

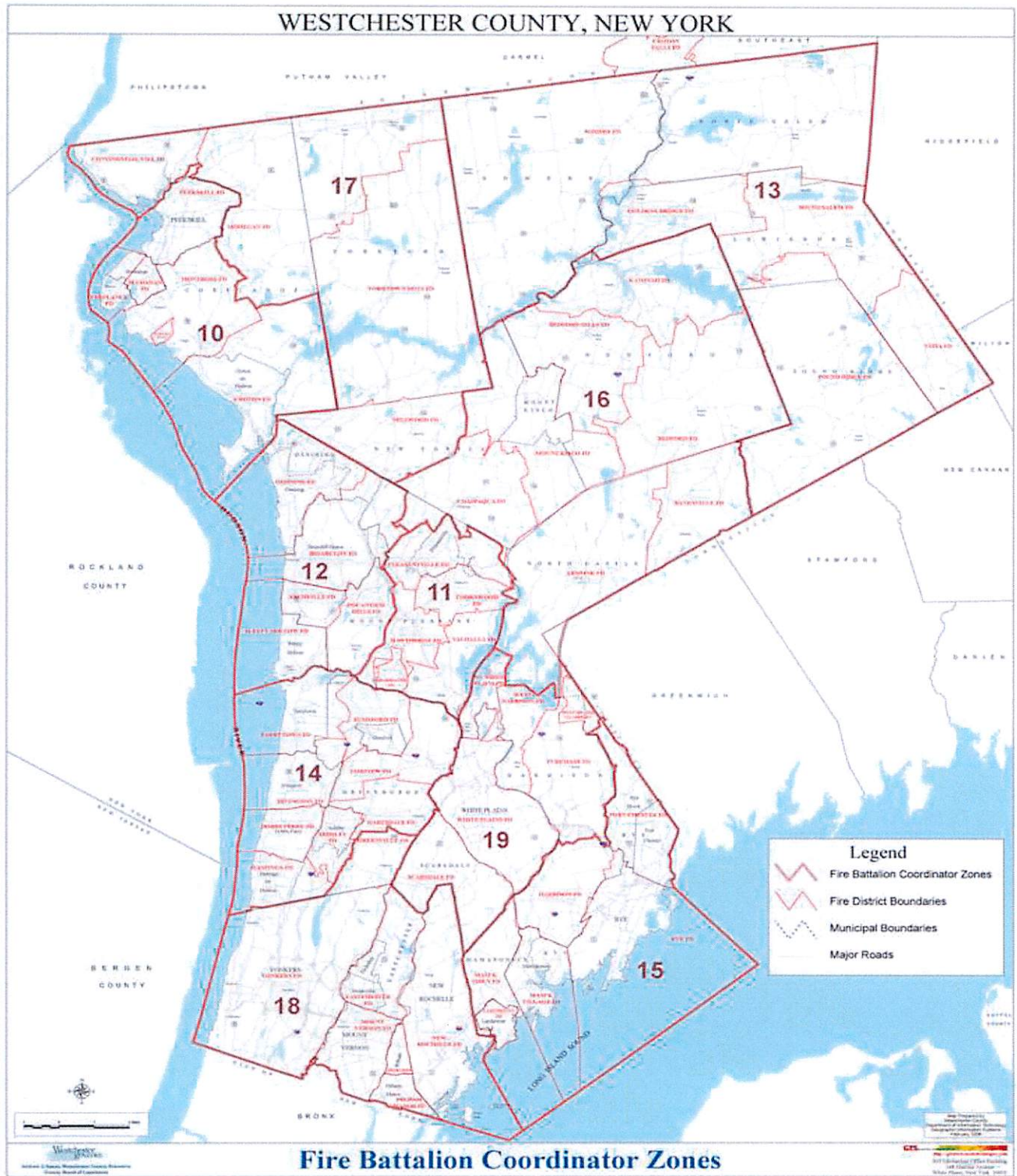
Car 25 - C&O

(South Battalion)

Arson Zone 1
Arson Zone 2
Arson Zone 3



Westchester County Fire Mutual Aid Plan





Appendix III

Communications

All Mutual Aid requests shall be managed by the WCDES Emergency Communications Center ("ECC" a/k/a "60 Control"). Requests can be placed via landline or radio. 60 Control shall dispatch "mutual aid" based on Computer Aided Dispatch (CAD) recommendations (programmed to reflect a department's mutual aid "run card") at the request of an Incident Commander or Mutual Aid Coordinator.

It shall be the responsibility of each fire agency to assure that 60 Control is supplied with the latest agency information pertaining to ladders, heavy rescue, FAST teams, etc.

To be compliant with NIMS requirements and to avoid confusion, all Mutual Aid radio communications shall utilize "Plain English", e.g., no 10-codes.

UHF Trunk Radio Communications

Responding Mutual Aid units and apparatus shall use the County's UHF trunk radio system to confirm response with 60 Control on the agency "home channel" assigned talk group. 60 Control will acknowledge the unit response and direct them to the talk group that incident communications are being conducted on. Responding equipment or apparatus shall contact the Incident Commander or designated officer for specific response information related to the incident (staging area, assignment, ground operations channel assignment, etc.).

On-Scene Communications

On-Scene communications shall be made through the on-scene Incident Commander (IC) or his designee, e.g., Operations Section, Communications Officer, Assistant Chief, Mutual Aid Coordinator, etc.

Scene communications shall be conducted utilizing the County eight (8) UHF, low power (short range) channels for ground operations. Each municipality has been assigned primary and secondary ground operation channels. Should additional channels be required to adequately manage incident scene communications, 60 Control will assign an available channel upon request of the IC. An Incident Commander may assign responding units to a specific channel or frequency for operations.



Westchester County Fire Mutual Aid Plan

UHF Ground Operations Channel Assignments

Department	Dept.	Fire 1	Fire 2	EMS 1	EMS 2	Avail.	Avail.	Avail.	Avail.
Yonkers	252	1	2	3	4	5	6	7	8
Port Chester/ Rye Brook	239/266	1	2	3	4	5	6	7	8
Irvington	220	1	2	3	4	5	6	7	8
Hawthorne	219	1	2	3	4	5	6	7	8
Bedford Hills	203	1	2	3	4	5	6	7	8
Somers	244	1	2	3	4	5	6	7	8
Mohegan Lake	226	1	2	3	4	5	6	7	8
Eastchester	210	2	3	4	5	6	7	8	1
Purchase	241	2	3	4	5	6	7	8	1
Dobbs Ferry	209	2	3	4	5	6	7	8	1
Armonk	202	2	3	4	5	6	7	8	1
Briarcliff Manor	205	2	3	4	5	6	7	8	1
Elmsford	211	2	3	4	5	6	7	8	1
Katonah	221	2	3	4	5	6	7	8	1
Verplanck	249	2	3	4	5	6	7	8	1
Pelham	235	3	4	5	6	7	8	1	2
Ardsey	201	3	4	5	6	7	8	1	2
Sleepy Hollow	231	3	4	5	6	7	8	1	2
Rye City	242	3	4	5	6	7	8	1	2
Ossining	233	3	4	5	6	7	8	1	2
Bedford Village	204	3	4	5	6	7	8	1	2
Croton on Hudson	208	3	4	5	6	7	8	1	2
Pelham Manor	236	4	5	6	7	8	1	2	3
Scarsdale	243	4	5	6	7	8	1	2	3
Pocantico Hills	238	4	5	6	7	8	1	2	3
Harrison	216	4	5	6	7	8	1	2	3
Millwood	225	4	5	6	7	8	1	2	3
Buchanan	255	4	5	6	7	8	1	2	3
South Salem	245	4	5	6	7	8	1	2	3
New Rochelle	230	5	6	7	8	1	2	3	4
Hastings on Hudson	218	5	6	7	8	1	2	3	4
North White Plains	232	5	6	7	8	1	2	3	4
Pleasantville	237	5	6	7	8	1	2	3	4
Banksville	258	5	6	7	8	1	2	3	4
Pound Ridge	240	5	6	7	8	1	2	3	4
Golden's Bridge	214	5	6	7	8	1	2	3	4
Franklin D. Roosevelt VA Hospital Fire Dept.	257	5	6	7	8	1	2	3	4
White Plains	251	6	7	8	1	2	3	4	5
Hartsdale	217	6	7	8	1	2	3	4	5
Tarrytown	246	6	7	8	1	2	3	4	5
Mamaroneck Town	223	6	7	8	1	2	3	4	5
Chappaqua	206	6	7	8	1	2	3	4	5
Croton Falls	207	6	7	8	1	2	3	4	5
Montrose	227	6	7	8	1	2	3	4	5
Greenville	215	7	8	1	2	3	4	5	6
Mount Vernon	229	7	8	1	2	3	4	5	6
Department	Dept.	Fire 1	Fire 2	EMS 1	EMS 2	Avail.	Avail.	Avail.	Avail.
Larchmont	222	7	8	1	2	3	4	5	6
Vista	256	7	8	1	2	3	4	5	6
Yorktown	253	7	8	1	2	3	4	5	6
Continental Village	213	7	8	1	2	3	4	5	6
Grasslands Brigade	254	7	8	1	2	3	4	5	6
Archville	263	7	8	1	2	3	4	5	6



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Department	Dept.	Fire 1	Fire 2	EMS 1	EMS 2	Avail.	Avail.	Avail.	Avail.
Fairview	212	8	1	2	3	4	5	6	7
West Harrison	250	8	1	2	3	4	5	6	7
Mamaroneck Village	224	8	1	2	3	4	5	6	7
Mt Kisco	228	8	1	2	3	4	5	6	7
Thornwood	247	8	1	2	3	4	5	6	7
Peekskill	234	8	1	2	3	4	5	6	7
Valhalla	248	8	1	2	3	4	5	6	7

F1	453.0375	PL100	F5	453.9625	PL100
F2	458.0375	PL100	F6	458.9625	PL100
F3	453.8875	PL100	F7	453.9875	PL100
F4	458.8875	PL100	F8	458.9875	PL100



Westchester County Fire Mutual Aid Plan

ZONE A-FIRE		ZONE B- EMS		ZONE C-Conventional		Zone D		ZONE E	
CH	TALK GROUP	CH	TALK GROUP	CH	TALK GROUP	CH		CH	
1	60-CONTROL	1	60-CONTROL	1	GRD OPS 1	1	U CALL 40	1	MED-A
2	60-FIRE 10	2	60-EMS-10	2	GRD OPS 2	2	U CALL 40D	2	MED-B
3	60-FIRE 11	3	60-EMS-11	3	GRD OPS 3	3	UTAC 41	3	MED-C
4	60-FIRE 12	4	60-EMS-12	4	GRD OPS 4	4	UTAC 41D	4	MED-D
5	60-FIRE 13	5	60-EMS-13	5	GRD OPS 5	5	UTAC 42	5	MED-1
6	60-FIRE 14	6	60-EMS-14	6	GRD OPS 6	6	UTAC 42D	6	MED-1D
7	60-FIRE 15	7	60-EMS-15	7	GRD OPS 7	7	UTAC 43	7	MED-2
8	60-FIRE 16	8	60-EMS-16	8	GRD OPS 8	8	UTAC 43D	8	MED-2D
9	60-FIRE 17	9	60-EMS-17			9	UTAC EMS	9	MED-3
10	60-FIRE 18	10	60-EMS-18			10	UTAC EMS-D	10	MED-3D
11	60-FIRE 19	11	60-EMS-19			11	UTAC 41 DIGI	11	MED-4
12	60-OPS1	12	60-OPS1			12	UTAC 42 DIGI	12	MED-4D
13	60-OPS2	13	60-OPS2			13	UTAC 43 DIGI	13	MED-5
14	60-OPS3	14	60-OPS3			14	UTAC EMS DIGI	14	MED-5D
15	60-OPS4	15	60-OPS4					15	MED-6
16	60-OPS5	16	60-OPS5					16	MED-6D
17	60-OPS6	17	60-OPS6					17	MED-7
18	60-OPS7	18	60-OPS7					18	MED-7D
19	60-OPS8	19	60-OPS8					19	MED-8
20	60-OPS9	20	60-OPS9					20	MED-8D
21	60-OPS10	21	60-OPS10					21	MED-9
22	TAC 1	22	TAC 1					22	MED-9D
23	TAC 2	23	TAC 2					23	MED-10
24	TAC 3	24	TAC 3					24	MED-10D
25	TAC 4	25	TAC 4					25	MED-12D
26	TAC 5	26	TAC 5					26	MED-22D
27	TAC 6	27	TAC 6					27	MED-32D
28	TAC 7	28	TAC 7					28	MED-42D
29	TAC 8	29	TAC 8					29	MED52D
30	TAC 9	30	TAC 9					30	MED-62D
31	TAC 10	31	TAC 10					31	MED-72D
		32	DOBBS FERRY					32	MED-82D
		33	HUDSON VALLEY					33	MED92D
		34	LAWRENCE					34	MED-102D
		35	MT VERNON						
		36	N WESTCHESTER						
		37	PHELPS						
		38	ST JOHNS						
		39	ST JOSEPHS						
		40	SOUND SHORE						
		41	WEST MED CNTR						
		42	WHITE PLAINS						



Westchester County Fire Mutual Aid Plan

APPENDIX V

WESTCHESTER COUNTY FIRE MUTUAL AID PLAN

Resolution by Municipality or Fire District Having Jurisdiction

_____ offered the following resolution and moved for its adoption:

RESOLVED, that _____ approves participation
(Agency Having Jurisdiction)
by the _____ in the
(Name of Fire Agency)

Westchester County Fire Mutual Aid Plan (“Plan”), as amended from time to time, and further certifies to Westchester County, through its Commissioner of Emergency Services, that it shall comply with the provisions of the Plan; and be it further

RESOLVED, that there are no resolutions in effect that restrict outside service and training by the named Fire Agency; and be it further

RESOLVED that there are currently no limitations, conditions or restrictions on the Fire Agency from providing prompt assistance, and the Commissioner of Emergency Services shall be notified in writing if any such limitations are imposed subsequent to the adoption of this Resolution; and be it further

RESOLVED, that the named Fire Agency shall respond to all calls for assistance from another Fire Agency through the Westchester County Emergency Communications Center a/k/a “60 Control”; and be it further

RESOLVED, that the _____ hereby acknowledges and
(Agency Having Jurisdiction)
accepts it’s financial responsibility pursuant to applicable law; and be it further

RESOLVED, that a copy of this resolution shall be filed with the Westchester County Commissioner of Emergency Services.



Westchester County Fire Mutual Aid Plan

RESOLUTION continued

M _____ seconded this resolution.

Voted: In Favor _____ Opposed _____ Abstained _____

(Date)

(Signed)

(Title)

Note:

Villages: Resolution to be adopted by the Board of Fire Commissioners; if any; if not, then by Local Law or ordinance of the Village Board.

Fire Districts: Resolution to be adopted by the Board of Fire Commissioners.

Towns: Resolution/Local Law/Ordinance to be adopted by the Town Board when fire department has their headquarters outside villages and/or Fire Districts are located in Fire Protection or Fire Alarm Districts.

Cities: Resolution to be adopted by the Board of Fire Commissioners; if any; if not, then by Local Law or ordinance of the City Board.



Westchester County Fire Mutual Aid Plan

APPENDIX IV

WESTCHESTER COUNTY FIRE MUTUAL AID PLAN

Resolution by State or Federal Agency

The _____ agrees to participate in the Westchester County Fire Mutual Aid Plan, as amended from time to time, and as allowed by Section _____ of the _____ Law (*indicate law authorizing such participation*). This named entity/institution will cooperate with the development and operation of plans for Mutual Aid in cases of fire or other emergencies and furnish aid to jurisdictions and geographical areas surrounding the facility as may be practical.

(Date)

(Authorized Signature)

(Title)



Westchester County Fire Mutual Aid Plan

Appendix VI- ICS Forms INCIDENT BRIEFING (ICS 201)

1. Incident Name:	2. Incident Number:	3. Date/Time Initiated: Date: _____ Time: _____
4. Map/Sketch (include sketch, showing the total area of operations, the incident site/area, impacted and threatened areas, overflight results, trajectories, impacted shorelines, or other graphics depicting situational status and resource assignment):		
5. Situation Summary and Health and Safety Briefing (for briefings or transfer of command): Recognize potential incident Health and Safety Hazards and develop necessary measures (remove hazard, provide personal protective equipment, warn people of the hazard) to protect responders from those hazards.		
6. Prepared by: Name: _____ Position/Title: _____ Signature: _____		
ICS 201, Page 1	Date/Time: _____	



Westchester County Fire Mutual Aid Plan

Incident Briefing (ICS 201)

1. Incident Name:	2. Incident Number:	3. Date/Time Initiated: Date: _____ Time: _____
-------------------	---------------------	--

9. Current Organization (fill in additional organization as appropriate):

```

graph TD
    IC[Incident Commander(s)] --- LO[Liaison Officer]
    IC --- SO[Safety Officer]
    IC --- PIO[Public Information Officer]
    IC --- PSC[Planning Section Chief]
    IC --- OSC[Operations Section Chief]
    IC --- FASC[Finance/Administration Section Chief]
    IC --- LSC[Logistics Section Chief]
  
```

6. Prepared by: Name: _____	Position/Title: _____	Signature: _____
ICS 201, Page 3	Date/Time: _____	



Westchester County Fire Mutual Aid Plan

ORGANIZATION ASSIGNMENT LIST (ICS 203)

1. Incident Name:		2. Operational Period:		Date From:	Date To:
				Time From:	Time To:
3. Incident Commander(s) and Command Staff:			7. Operations Section:		
IC/UCs		Chief			
		Deputy			
Deputy		Staging Area			
Safety Officer		Branch			
Public Info. Officer		Branch Director			
Liaison Officer		Deputy			
4. Agency/Organization Representatives:			Division/Group		
Agency/Organization	Name	Division/Group			
		Division/Group			
		Division/Group			
		Division/Group			
		Branch			
		Branch Director			
		Deputy			
5. Planning Section:			Division/Group		
Chief		Division/Group			
Deputy		Division/Group			
Resources Unit		Division/Group			
Situation Unit		Division/Group			
Documentation Unit		Branch			
Demobilization Unit		Branch Director			
Technical Specialists		Deputy			
		Division/Group			
		Division/Group			
		Division/Group			
6. Logistics Section:			Division/Group		
Chief		Division/Group			
Deputy		Air Operations Branch			
Support Branch		Air Ops Branch Dir.			
Director					
Supply Unit					
Facilities Unit		8. Finance/Administration Section:			
Ground Support Unit		Chief			
Service Branch		Deputy			
Director		Time Unit			
Communications Unit		Procurement Unit			
Medical Unit		Comp/Claims Unit			
Food Unit		Cost Unit			
9. Prepared by: Name: _____ Position/Title: _____ Signature: _____					
ICS 203		IAP Page _____		Date/Time: _____	

Incident Radio Communications Plan (ICS 205)

1. Incident Name:	2. Date/Time Prepared: Date: _____ Time: _____	3. Operational Period: Date From: _____ Date To: _____ Time From: _____ Time To: _____
--------------------------	---	---

4. Basic Radio Channel Use:										
Zone Grp.	Ch #	Function	Channel Name/Trunked Radio System Talkgroup	Assignment	RX Freq N or W	RX Tone/NAC	TX Freq N or W	TX Tone/NAC	Mode (A, D, or M)	Remarks

5. Special Instructions:

6. Prepared by (Communications Unit Leader): Name: _____ Signature: _____
ICS 205 IAP Page _____ Date/Time: _____



Westchester County Fire Mutual Aid Plan

Medical Plan (ICS 206)

1. Incident Name:	2. Operational Period: Date From:	Date To:
	Time From:	Time To:

3. Medical Aid Stations:			
Name	Location	Contact Number(s)/Frequency	Paramedics on Site?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

4. Transportation (indicate air or ground):			
Ambulance Service	Location	Contact Number(s)/Frequency	Level of Service
			<input type="checkbox"/> ALS <input type="checkbox"/> BLS
			<input type="checkbox"/> ALS <input type="checkbox"/> BLS
			<input type="checkbox"/> ALS <input type="checkbox"/> BLS
			<input type="checkbox"/> ALS <input type="checkbox"/> BLS

5. Hospitals:							
Hospital Name	Address, Latitude & Longitude if Helipad	Contact Number(s)/Frequency	Travel Time		Trauma Center	Burn Center	Helipad
			Air	Ground			
					<input type="checkbox"/> Yes Level: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes Level: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes Level: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes Level: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes Level: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

6. Special Medical Emergency Procedures:

Check box if aviation assets are utilized for rescue. If assets are used, coordinate with Air Operations.

7. Prepared by (Medical Unit Leader): Name: _____ Signature: _____

8. Approved by (Safety Officer): Name: _____ Signature: _____

ICS 206 | IAP Page _____ | Date/Time: _____

INCIDENT ORGANIZATION CHART (ICS 207)

1. Incident Name:	2. Operational Period: Date From: _____ Time From: _____	Date To: _____ Time To: _____
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>3. Organization Chart</p> <pre> graph TD IC[Incident Commander(s)] --- LO[Liaison Officer] IC --- SO[Safety Officer] IC --- PIO[Public Information Officer] IC --- OSC[Operations Section Chief] IC --- PSC[Planning Section Chief] IC --- LSC[Logistics Section Chief] IC --- FASC[Finance/Admin Section Chief] OSC --- SAM[Staging Area Manager] OSC --- U1[] OSC --- U2[] OSC --- U3[] OSC --- U4[] PSC --- RUL[Resources Unit Ldr.] PSC --- SUL[Situation Unit Ldr.] PSC --- DUL[Documentation Unit Ldr.] PSC --- DUL2[Demobilization Unit Ldr.] PSC --- U5[] LSC --- SBD[Support Branch Dir.] LSC --- SUP[Supply Unit Ldr.] LSC --- FL[Facilities Unit Ldr.] LSC --- GSU[Ground Spt. Unit Ldr.] LSC --- SBD2[Service Branch Dir.] LSC --- CU[Comms Unit Ldr.] LSC --- MU[Medical Unit Ldr.] LSC --- FU[Food Unit Ldr.] FASC --- TUL[Time Unit Ldr.] FASC --- PUL[Procurement Unit Ldr.] FASC --- CCU[Comp./Claims Unit Ldr.] FASC --- CUL[Cost Unit Ldr.] FASC --- U6[] style U1 fill:none,stroke:none style U2 fill:none,stroke:none style U3 fill:none,stroke:none style U4 fill:none,stroke:none style U5 fill:none,stroke:none style U6 fill:none,stroke:none </pre> </div> </div>		
ICS 207	IAP Page ____	4. Prepared by: Name: _____ Position/Title: _____ Signature: _____ Date/Time: _____

Safety Message/Plan (ICS 208)

1. Incident Name:

2. Operational Period: Date From:
Time From:

Date To:
Time To:

3. Safety Message/Expanded Safety Message, Safety Plan, Site Safety Plan:

4. Site Safety Plan Required? Yes No
Approved Site Safety Plan(s) Located At:

5. Prepared by: Name: _____ Position/Title: _____ Signature: _____

ICS 208

IAP Page _____

Date/Time: _____



APPENDIX VII

DIVISIONS – BASIC ICS OPERATIONAL GUIDELINES

Divisions may be used to divide an incident into geographical areas of operation. Assigned Division Officers would be responsible for all operations within their Division's geographical area. Each Division Officer is responsible for the tactical deployment of the resources at his/her disposal and for communicating needs and progress to the IC. The IC determines strategic objectives and assigns available resources to the Divisions where they are most needed. When effective Divisions have been established, the IC can concentrate on overall strategy and resource allocation.

Safety of fire fighting personnel represents a major reason for establishing Divisions. Each Division Officer must maintain communication with assigned firefighters to control both their positions and function and must be constantly aware of the safety of their operations. Division Officers should work closely with the Safety Officers.

1. *COMMAND SHOULD BEGIN TO ASSIGN DIVISIONS BASED ON THE FOLLOWING FACTORS.*

- Any situation, which will eventually involve a number of areas, firefighters or functions beyond the capability of the IC to directly control.
- When mutual aid companies are requested.
- When firefighters are involved in dangerous or complex interior or exterior operations.
- When firefighters are operating from tactical positions over which the IC has little or no control.
- Any complex incident involving large numbers of personnel.
- Incidents covering large geographic areas.

2. *DIVISION GUIDELINES:*

It will be the ongoing responsibility of the Incident Commander to assign Divisions as required for effective control of the incident.



Westchester County Fire Mutual Aid Plan

Divisions assigned to specific geographic areas outside the building or incident will be designated by letter for the exterior of the building (*Division A, Division B, Division C, Division D, etc.*).

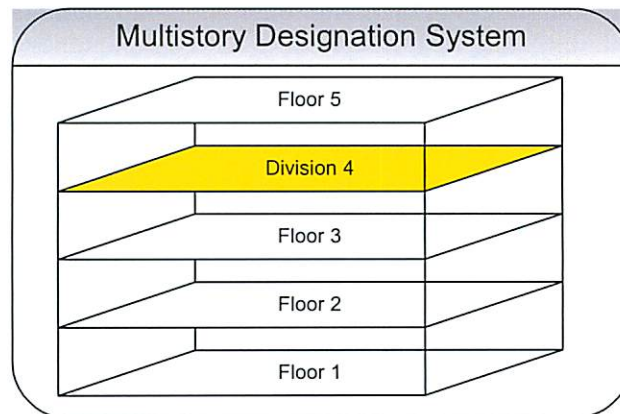


Other Division designations can be used as long as they are consistent with the ongoing operation.

In some cases landmarks may provide better designations for operating Divisions (*ROOF DIVISION, INTERIOR DIVISION, BASEMENT, etc.*).

DIVISIONS/SIDES can be used with irregular shaped structures. Each side or section will be named alphabetically starting with "A" on the address side of the structure.

In multi-story occupancies, Divisions will usually be indicated by floor numbers (*Second Floor will be Division 2; Fifth Floor will be Division 5, etc.*).





Westchester County Fire Mutual Aid Plan

Division Officers and the Command Post will use the Division designations in radio communication to avoid confusion. A Division Officer will receive an explanation of the overall strategy from the Incident Commander along with assigned resources. In some cases a Division Officer will be assigned to an area initially to evaluate and report on conditions and will advise the IC of needed tasks and resources. The assigned person will then proceed to the Division, evaluate conditions and assume overall responsibility for directing operations in that Division according to the overall plan as given to him/her by the IC.

The early establishment of Divisions provides an effective framework on which the operation can be built, eliminating or adding Divisions as the incident requires.

Division Officers will be responsible for and in control of all assigned functions within their Division. This requires each Division Officer to:

1. Monitor safety, accountability, and welfare of Division personnel.
2. Monitor work progress.
3. Redirect activities as necessary.
4. Coordinate with related activities.
5. Request additional resources as needed.
6. Provide status reports to the Incident Commander.

Each Division Officer will keep the Incident Commander and/or Operations Officer informed on the conditions in that Division through regular progress reports. The IC must be advised immediately of significant changes, particularly those involving ability or inability to complete the mission, hazardous conditions, accidents, collapse, etc. The IC allocates overall resources to Divisions and depends upon the Division Officer to advise on the resources required within their Divisions.

On a motion made by Trustee Epstein and seconded by Trustee Heiser, the following resolution was adopted.

RESOLUTION

**ADOPTING VILLAGE OF RYE BROOK'S
PARTICIPATION IN THE WESTCHESTER COUNTY
FIRE MUTUAL AID PLAN**

WHEREAS, the Village of Rye Brook (the "Village") desires to become a participant in the Westchester County Fire Mutual Aid Plan (the "Plan"); and

WHEREAS, to do so, the Village is required to adopt a Resolution approving its participation in the Plan, and file said Resolution with the Westchester County Commissioner of Emergency Services.

NOW, THEREFORE, BE IT RESOLVED, that subject to approval of the Plan by the Village of Port Chester who has a Fire Protection Agreement with the Village of Rye Brook, the Village of Rye Brook approves participation of its Fire Department in the Plan, as amended from time to time, and further certifies to Westchester County, through its Commissioner of Emergency Services, that the Village shall comply with the provisions of the Plan; and

BE IT FURTHER RESOLVED, there are no resolutions in effect that restrict outside service and training by the Village's Fire Department; and

BE IT FURTHER RESOLVED, that there are currently no limitations, conditions or restrictions on the Village's Fire Department from providing prompt assistance, and the Commissioner of Emergency Services shall be notified in writing if any such limitations are imposed subsequent to the adoption of this Resolution; and

BE IT FURTHER RESOLVED, that the Village's Fire Department shall respond to all calls for assistance from another Fire Agency through the Westchester County Emergency Communications Center a/k/a "60 Control;" and

BE IT FURTHER RESOLVED, that the Village hereby acknowledges and accepts it's financial responsibility pursuant to applicable law; and

BE IT FURTHER RESOLVED, that following approval of the Plan by the Village of Port Chester who has a Fire Protection Agreement with the Village of Rye Brook, a copy of this resolution shall be filed with the Westchester County Commissioner of Emergency Services approving participation of the Fire Department in the Plan

TRUSTEE EPSTEIN	AYE
TRUSTEE HEISER	AYE
TRUSTEE KLEIN	AYE
TRUSTEE REDNICK	AYE
MAYOR ROSENBERG	ABSENT

STATE OF NEW YORK
COUNTY OF WESTCHESTER
VILLAGE OF RYE BROOK } **SS:**

I hereby certify that this is the Resolution adopted by the Board of Trustees of the Village of Rye Brook which was duly passed by said Board on August 19, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Village of Rye Brook, this 26th day of August, 2014.


Christopher J. Bradbury, Village Clerk

On a motion made by Trustee Heiser and seconded by Trustee Klein, the following resolution was adopted.

RESOLUTION

CONSIDERING THE AUTHORIZATION OF A MASTER EQUIPMENT EXCHANGE AGREEMENT WITH THE VILLAGE OF PORT CHESTER.

WHEREAS, the Village of Rye Brook and the Village of Port Chester (the "Villages") have a long history of sharing services to improve local government efficiency; and

WHEREAS, the Villages desire to gain additional efficiencies and increase the opportunities to share equipment on an individual bases when such needs arise by having in place an existing Inter-municipal Agreement (IMA) that would establish a Master Equipment Exchange Agreement which would allow the Port Chester Village Manager and the Rye Brook Village Administrator to share equipment without the need for a separate IMA each time the need for such shared equipment arises; and

WHEREAS, the purpose of this IMA would be provide opportunities for greater efficiencies of operations and potential cost savings by allowing the Villages to borrow equipment in a more timely manner while still providing the appropriate protections to both Villages as a result of the use of such shared equipment; and

WHEREAS, an IMA has been prepared by both Villages that accomplishes these goals.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Rye Brook hereby authorizes the Mayor to sign an Inter-municipal Agreement (IMA) that would establish a Master Equipment Exchange Agreement between the Village of Rye Brook and the Village of Port Chester for the purpose of sharing equipment to gain greater efficiencies and cost savings; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Rye Brook hereby authorizes the Village Administrator to work with the Port Chester Village Manager to request or provide such equipment under the terms of the IMA.

TRUSTEE EPSTEIN	AYE
TRUSTEE HEISER	AYE
TRUSTEE KLEIN	AYE
TRUSTEE REDNICK	AYE
MAYOR ROSENBERG	ABSENT

STATE OF NEW YORK
COUNTY OF WESTCHESTER
VILLAGE OF RYE BROOK } **SS:**

I hereby certify that this is the Resolution adopted by the Board of Trustees of the Village of Rye Brook which was duly passed by said Board on August 19, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Village of Rye Brook, this 26th day of August, 2014.



Christopher J. Bradbury, Village Clerk

**RESOLUTION
APPOINTMENT OF PRESIDENT
(DEPUTY MAYOR)**

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 TRUSTEE GENE CECCARELLI, be and he hereby is designated as President of the Board of Trustees with the power to act as Mayor of the Village of Port Chester, New York, in case of the absence or sickness of the Mayor, in which event, he shall have all the powers, rights and privileges, and be subject to all the duties of the Mayor of the Village until recovery or return of said Mayor who shall have been absent or sick.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Department of Public Works

BOT Meeting Date: 9/2/2014

Item Type: Resolution

Sponsor's Name: Anthony (Tony) Cerreto, Village Attorney

Description	Yes	No	Description	Yes	No
Fiscal Impact	x		Public Hearing Required		x
Funding Source: See below			BID #2014-005		
Account #:			Strategic Plan Priority Area		
	Yes	No	N/A		
Agreement	<input type="checkbox"/>	x	Manager Priorities		
Strategic Plan Related	<input type="checkbox"/>	x	N/A		

Agenda Heading Title
(Will appear on the Agenda as indicated below)

Repurpose Resolution

Summary

Background:

This resolution sets the plate for Items 13A and 13B and Item 14 with regard to the Road Resurfacing Program for 2014.

The 2014-2015 Capital Budget authorized \$1,150,000 for street resurfacing. Due to the severity of the last winter, additional streets were recommended for inclusion in this year's resurfacing program. Using available CHIPS program funds and the balances from closing out all proposed related capital projects, the Village may undertake all of the recommended work.

One of the capital projects proposed to be closed out, i.e. parking lot improvements at 222 Grace Church Street in the amount of \$157,227.44, requires Board action before this amount can be applied. Bond counsel has advised that such action is necessary since the period of probable usefulness ("PPU") of a parking lot is different than for a

street, 10 years vs.15 years, respectively. A supermajority of the Board (5 members) is required to adopt this resolution; it is not subject to a permissive referendum as was the original bond resolution.

If the Board adopts this resolution, then Item 13A is in order and the bid award will include all of the streets recommended by staff. If the Board does not adopt this resolution, then Item 13B is in order and the streets designated as secondary streets would not be resurfaced as part of the bid.

Item No. 14 is the bid award to the low bidder.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Repurpose Resolution
List of Streets

VILLAGE OF PORT CHESTER, NEW YORK

REPURPOSE RESOLUTION

On motion of TRUSTEE _____, 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 (the "Village") issued \$475,000 principal amount general obligations on September 27, 2007 (the "Bonds") to finance the cost of the acquisition, construction and reconstruction of parking improvements in and for the Village pursuant to a \$475,000 aggregate principal amount serial bond resolution (the "2007 Resolution") adopted by the Board of Trustees on February 21, 2007 (the "Project"); and

WHEREAS, \$317,773 of the proceeds of the Bonds were spent on the Project; and

WHEREAS, the Village Board of Trustees has determined that Project has been completed; and

WHEREAS, \$157,227 of the proceeds of the Bonds issued by the Village remain unspent (the "2007 Unspent Proceeds"); and

WHEREAS, all of such proceeds have been invested at a yield less than the yield on the Bonds such that no arbitrage profit has been earned and no event which would constitute a material event under SEC Rule 15(c)(2)(12) has occurred.

WHEREAS, the Village Board of Trustees has directed that a portion of the 2007 Unspent Proceeds be applied to projects included in the adopted capital budget for Fiscal Year 2014 and a portion of the 2007 Unspent Proceeds be applied to the payment of the acquisition, construction and reconstruction of road improvements, including drainage improvements, in and for the Village; and

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Port Chester, New York, anything in the Code of the Village to the contrary notwithstanding, as follows:

1. **RESOLVED**, that pursuant to section 165.00(a) of the Local Finance Law and section 11 of the General Municipal Law, a portion of the proceeds originally in the amount of \$157,227 constituting obligations of the Village issued pursuant to a \$475,000 aggregate principal amount serial bond resolution adopted by the Board of Trustees on February 21, 2007, now unspent and not needed for the object or purpose stated therein, hereby shall be (A) (i) deposited in a single special account of the Village in a bank or trust company located and authorized to do business in New York, (ii) not at any time commingled with other funds of the Village, and (iii) expended and applied to the cost of the acquisition, construction and reconstruction of road improvements, including drainage improvements, such class of objects or purposes having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Laws, or (B) applied to debt service payable on serial bonds of the Village

maturing in 2014 and 2015. In connection with the issuance of said obligations, the Board of Trustees hereby ratifies, approves and confirms the powers delegated to the Village Treasurer, as chief fiscal officer of the Village, contained in said bond resolution.

2. **FURTHER RESOLVED**, that the maximum maturity of serial bonds authorized pursuant to the 2007 Resolution shall be not be in excess of ten (10) years.

3. **FURTHER RESOLVED**, that prior to the expenditure of said unspent proceeds, the Board of Trustees shall conduct applicable environmental compliance proceedings under the NYS Environmental Quality Review Act with respect to the environmental and climate change impact of said similar object or purpose.

4. **FURTHER RESOLVED**, this resolution will take effect upon its adoption by the Board of Trustees of the Village.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

**CLOSEOUT OF COMPLETED STREET PROJECTS & INCREASE
FY 2014-15 STREET RESURFACING PROJECT**

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 consulting engineer has recommended that streets that were severely damaged due to the harsh Winter be included in this year's street paving budget, and

WHEREAS, extra CHIPS funding of \$64,788.08 (\$214,788.08-\$150,000 was budgeted) is available from the Extreme Winter Recovery Appropriation, and

WHEREAS, the Village Treasurer is recommending the closing of various completed street paving projects, and that any remaining balance from said projects be applied to the Village's current street resurfacing project 5.5110.400.2014.141 to assist with this year's paving costs. Now, therefore, be it

RESOLVED, that the FY 2014-15 Street Resurfacing project be increased from \$1,150,000 to \$1,705,277.11 and the following projects in the Capital Fund be closed out, and that the Capital Fund be modified as follows:

<u>Project</u>	<u>Budget</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Balance</u>
005.5110.0400.2008.0074: Street Resurfacing-2008-/09	\$ 600,000.00	\$ 500,000.00	\$ 470,824.61	\$ 29,175.39
005.5110.0400.2010.0110: Road Resurfacing – 20010/11	\$1,301,505.92	\$1,371,261.10	\$1,067,174.90	\$304,086.20
005.1620.0400.2007.0070: Pkg Lot Impr-222 Grace Ch 07/08	\$ 477,000.00	\$ 477,000.00	\$ 319,772.56	\$157,227.44

\$ 29,175.39 **From:** Street Resurfacing -2008/09
005.5110.400.2008.74 **To:** Street Resurfacing-2014/15
005.5110.400.2014.0141
(Budget Increase from \$1,150,000 to \$1,179,175.39)

\$304,086.20 **From:** Road Resurfacing-2010/11
005.5110.0400.2009.0090 **To:** Street Resurfacing-2014/15
005.5110.0400.2014.0141
(Budget Increase from \$1,179,175.39 to \$1,483,261.59)

\$157,227.44 **From:** Pk'g Lot Imp-222 Grace Ch-2007/08
005.7110.0400.2006.0046 **To:** Street Resurfacing-2014/15
005.5110.0400.2014.0141
(Budget increase from \$1,483,261.59 to \$1,640,489.03)

\$ 64,788.08 **From:** Additional CHIPS Funding

To: Street Resurfacing-2014-15
005.5110.0400.2014.0141
(Budget increase from \$1,640,789.03
to \$1,705,277.11)

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Department of Public Works

BOT Meeting Date: 9/2/2014

Item Type: Resolution

Sponsor's Name: Rocky Morabito, DPW

Description	Yes	No	Description	Yes	No
Fiscal Impact	x		Public Hearing Required		x
Funding Source: See below			BID #2014-005		
Account #:			Strategic Plan Priority Area		
	Yes	No	N/A		
Agreement	x <input type="checkbox"/>		Manager Priorities		
Strategic Plan Related	<input type="checkbox"/>	x	N/A		

Agenda Heading Title
(Will appear on the Agenda as indicated below)

Awarding Bid for Road Resurfacing 2014

Summary

Background:

This work involves the Road Resurfacing Program for 2014.

The work was competitively bid in accordance with State Law requirements and the recommendation is that the award be made to the low bidder, Bilotta Construction Corp.

The 2014-2015 Capital Budget authorized \$1,150,000 for street resurfacing. Due to the severity of the last winter, additional streets were recommended for inclusion in this year's resurfacing program. Using available CHIPS program funds and the balances from closing out related capital projects, the Board may undertake all of the recommended work.

A representative of the Village's consulting engineer, Dolph Rotfeld's office will be present at the meeting to answer any questions.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Bid Analysis Sheet

Recommendation Letter from Dolph Rotfeld

AWARDING BID FOR ROAD RESURFACING 2014

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 has advertised for bids for Road Resurfacing 2014 (Bid No. 2014-05); and

WHEREAS, the Village received three bids for this work; and

WHEREAS, the Village's consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept the low bid of Bilotta Construction Corp. with Alternate A which bid which meets all the specifications as set forth in the bid documents. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for Road Resurfacing 2014 to Bilotta Construction Corp., 296 Purchase Street, Rye, New York 10580 in the amount of \$1,553,647 and be it

FURTHER RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with the contractor; and be it

FURTHER RESOLVED, that the funding for said work be appropriated from FY 2014-15 Street Resurfacing Project 5.5110.400.2014.141 in the amount of \$1,441,154.50 and from Sidewalk/Curb Improvement Project 5.5110.400.2011.120 in the amount of \$112,492.50.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

Dolph Rotfeld Engineering, P.C.

CONSULTANTS & DESIGNERS

200 White Plains Road, Tarrytown, NY 10591 • (914) 631-8600

August 27, 2014

Mr. Chris Steers
Village Manager
222 Grace Church Street
Port Chester, N.Y. 10573

RE: 2014 Road Resurfacing
Bid No. 14-05
Port Chester, New York


Dear Mr. Steers:

On August 13, 2014, three bids were received for the above referenced project. The bidder with the apparent lowest base bid was Bilotta Construction Corp. of Rye, NY with a Base Bid Price of \$1,632,447. Alternate "A" of the contract represents a substitution of line item 51AWMA in the base bid. Considering the substitution of this line item with all received Alternate "A" bids, the bidder with the apparent lowest adjusted bid price is Bilotta Construction Corp. with an adjusted bid price of \$1,553,647. This number includes \$112,492.50 for the installation of concrete and asphalt curbing.

Alternate "A" is for the use of asphalt containing up to 10% Recycled Asphalt Pavement (RAP). The use of 10% RAP is an acceptable alternative to the "no RAP" requirement in the base bid. The 10% RAP is the same mix used in 2012 also by Bilotta Construction Corp. Currently, the NYSDOT uses up to 18% RAP in their asphalt mixes. This alternate was put in the bid contract to determine if there are financial savings to the Village; implementing Alternate "A" saves the Village \$78,800.

Having completed the road resurfacing contract satisfactorily in the Village of Port Chester in 2012, Bilotta Construction Corp. is familiar with the work that is required in this contract. This office has worked with Bilotta Construction Corp. on several previous projects and has found that their work is satisfactory. Bilotta Construction Corp. is qualified for this project. This office hereby recommends immediate award of the above referenced contract to Bilotta Construction Corp. so that the work can commence as soon as possible.

Sincerely,



Dolph Rotfeld, P.E., BCEE

C: A. Cerreto, Village Attorney
J. Richards, Village Clerk
L. Douglas, Village Treasurer

R. Morabito, Village DPW General Foreman
C. Summa, Village DPW Assistant General Foreman

VILLAGE OF PORT CHESTER

BID ANALYSIS SHEET

BID #14-05

BID FOR:	2014 ROAD RESURFACING BID NO. 14-05		
BID OPENING DATE:	Wednesday, August 13, 2014	TIME:	10:30 a.m.
BID PUBLICATION DATE:	Friday, July 25, 2014		
SPECIFICATIONS AVAILABLE:	Wednesday, July 30, 2014 at 10:30 a.m.		

Please Print Name and Address

BIDDER: <i>Bilotta Construction Corp</i>	
ADDRESS: <i>296 Purchase Street</i>	
ADDRESS:	
CITY: <i>Rye</i>	STATE: <i>NY</i> ZIP CODE: <i>10580</i>
E-MAIL: bilottacost@verizon.net	
PHONE #: <i>(914) 967-2944</i>	FAX #: <i>(914) 967-2946</i>
AMOUNT:	<i>1,632,447.00 / 735,204⁰⁰</i>

Please Print Name and Address

BIDDER: <i>Montesano Bros. Inc.</i>	
ADDRESS: <i>76 Plain Ave.</i>	
ADDRESS:	
CITY: <i>New Rochelle</i>	STATE: <i>NY</i> ZIP CODE: <i>10801</i>
E-MAIL: Fcooney@montesanobros.com	
PHONE #: <i>(914) 235-4800</i>	FAX #: <i>914-235-1048</i>
AMOUNT:	<i>2,258,731.00 / 965,300</i>

VILLAGE OF PORT CHESTER

BID ANALYSIS SHEET

Please Print Name and Address	
BIDDER: <i>ELQ Industries (Steve Mgeditchlan, Estimator)</i>	
ADDRESS: <i>567 Fifth Avenue</i>	
ADDRESS:	
CITY: <i>New Rochelle</i>	STATE: <i>NY</i> ZIP CODE: <i>10801</i>
E-MAIL: <i>smgrditchian@elqindustries.com</i>	
PHONE #: <i>(914) 654-1060 ext 114</i>	FAX #: <i>914-654-1307</i>
AMOUNT: <i>1,636,397.00 / 795,880.00</i>	

Please Print Name and Address	
BIDDER:	
ADDRESS:	
ADDRESS:	
CITY:	STATE: ZIP CODE:
E-MAIL:	
PHONE #:	FAX #:
AMOUNT:	

Please Print Name and Address	
BIDDER:	
ADDRESS:	
ADDRESS:	
CITY:	STATE: ZIP CODE:
E-MAIL:	
PHONE #:	FAX #:
AMOUNT:	

VILLAGE OF PORT CHESTER

BID ANALYSIS SHEET

The following were present at the opening of the bids:

Village Clerk:	<i>Jane R. Richards</i>
Deputy Village Clerk:	
Village Attorney	
Department Head:	
Other:	

2014-15 PAVING AREAS - PORT CHESTER

SHEET 1

FRANCIS LANE	39,156
EXCHANGE PLACE	29,777
TOURAIN AVENUE	28,730
GILBERT PLACE	5,140

ALTERNATIVE PAVING STREETS

(IF MONIES ARE AVAILABLE)

EDISON PLACE	14,428
SYLVAN ROAD	14,410
SLATER STREET	22,795
TOTAL APPROX.	51,633 S.F

SHEET 2

COLUMBUS AVENUE	28,775
FRANKLIN AVENUE	22,796
ELLEDALE AVENUE	21,941
LEICESTER STREET	11,704

SHEET 3

SUMMER STREET	16,048
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SHEET 4

HAINES BOULEVARD	45,247
S. REGENT STREET	62,798

SHEET 5

N. REGENT STREET	35,682
OAK STREET	52,835
READ STREET	8,499

SHEET 6

GRACE CHURCH STREET	71,357
UPLAND STREET	16,164

SHEET 7

BETSY BROWN ROAD	30,701
TOWNSEND STREET, DOCK SREET & MARTIN PLACE	27,667

SHEET 8

KING STREET	52,227
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TOTAL APPROX. 607,244 S.F



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Department of Public Works

BOT Meeting Date: 9/2/2014

Item Type: Resolution

Sponsor's Name: Rocky Morabito, DPW

Description	Yes	No	Description	Yes	No
Fiscal Impact	x		Public Hearing Required		x
Funding Source: Sewer Improvement 2013/2014 Account #: 5.8120.400.2013.132			BID #2014-02 Strategic Plan Priority Area N/A		
	Yes	No	Manager Priorities		
Agreement	x <input type="checkbox"/>		N/A		
Strategic Plan Related	<input type="checkbox"/>	x	N/A		

Agenda Heading Title
(Will appear on the Agenda as indicated below)

Awarding Bid for Pilgrim Drive Drainage Improvements

Summary

Background:

This will allow for the Village to replace the undersized and damaged storm drain on Pilgrim Drive. The lack of adequate drainage has been the subject of persistent neighborhood complaint. The work will be coordinated so that it is undertaken prior to scheduled paving on the street. The work was competitively bid in accordance with State Law requirements and there is sufficient funding in place.

A representative of the Village's consulting engineer, Dolph Rotfeld's office will be present at the meeting to answer any questions.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Bid Analysis Sheet

Recommendation Letter from Dolph Rotfeld

AWARDING BID FOR PILGRIM DRIVE DRAINAGE IMPROVEMENTS

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 has advertised for bids for Pilgrim Drive Drainage Improvements (Bid No. 2014-02); and

WHEREAS, the Village received eight bids for this work; and

WHEREAS, the Village's consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept the low bid of Con-Tech Construction Technology, Inc. which bid which meets all the specifications as set forth in the bid documents. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for Pilgrim Drive Drainage Improvements to Con-Tech Construction Technology, Inc., 28 Lakeview Drive, Yorktown Heights, New York 10598 in the amount of \$95,979.00, and be it

FURTHER RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with the contractor; and be it

FURTHER RESOLVED, that the funding for said work be appropriated from Sewer Improvement 13/14 Project account code 5.8120.400.2013.132.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

Dolph Rotfeld Engineering, P.C.
CONSULTANTS & DESIGNERS
200 White Plains Road, Tarrytown, NY 10591 * (914) 631-8600

July 31, 2014

Mr. Giuseppa Carino, President
Con-Tech Construction Technology, Inc.
28 Lakeview Drive
Yorktown Heights, NY 10598

Re: PILGRIM DRIVE DRAINAGE IMPROVEMENTS

Dear Mr. Carino:

Please be advised that the Village of Port Chester has authorized me to remove the following items from the Bid you submitted for Contract No. 14-oz on May 1, 2014.

To be eliminated:

Item 1M:	Miscellaneous Additional Work	=	\$ 5,000.00
Item 2M:	Miscellaneous Earth Excavation	=	294.00
Item 5R:	Rock Excavation-Trench (No Blasting)	=	4,100.00
Item 53RP	Furnish & Install Asphalt Trench Restoration	=	<u>10,725.00</u>
	Cost Reduction	=	\$20,119.00

The following will be an addition to the Contract.

Item 73 will now be placed to the elevation of the existing adjacent roadway and require an additional estimated amount of 23 cy of Controlled Density Backfill at \$120.00/cy. The additional amount of \$2,760.00 will be added to the total bid.

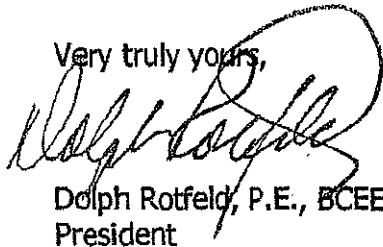
Therefore, your contract amount for all estimated quantities of the revised work to be done, as shown on the plans and in the specifications, will be \$78,620.00.

Dolph Rotfeld Engineering, P.C.

Mr. Giuseppe Carino
July 31, 2014 – Page 2

Please indicate your acceptance in the designated space below. We intend to award a contract to your firm on August 18, 2014. Please submit the necessary bonds and insurances as soon as possible so that we can proceed immediately after that date to sign a contract. Work on the project should start during the week of September 1, 2014.

Very truly yours,



Dolph Rotfeld, P.E., BCEE
President

Elimination of the above four items and addition of estimated quantity of Item 73 is acceptable.

Accepted by:



Title: President

Date: 08/01/14

VILLAGE OF PORT CHESTER

BID ANALYSIS SHEET

BID #:	2014-02
ITEM BID:	Pilgrim Drive Drainage Improvements
BID OPENING DATE	May 1, 2014 10:00 a.m.

Please Print Name and Address

BIDDER: <i>Vernon Hills Contracting Corp.</i>	
ADDRESS: <i>395 N. Macquesten Pkwy</i>	
ADDRESS:	
CITY: <i>Mount Vernon</i>	STATE: <i>NY</i> ZIP CODE: <i>10550</i>
E-MAIL:	
PHONE #: <i>914-667-1333</i>	FAX #: <i>914-667-1334</i>
AMOUNT	<i>104,796.50</i>

Please Print Name and Address

BIDDER: <i>Bilotta Construction Corp</i>	
ADDRESS: <i>296 Purchase Street</i>	
ADDRESS:	
CITY: <i>Rye</i>	NY 10580
E-MAIL:	
PHONE #:	FAX #:
AMOUNT	<i>125,921.00</i>

Please Print Name and Address

BIDDER: <i>ELQ Industries Inc.</i>	
ADDRESS: <i>567 Fifth Avenue</i>	
ADDRESS:	
CITY: <i>New Rochelle</i>	STATE: <i>NY</i> ZIP CODE: <i>10601</i>
E-MAIL:	
PHONE #:	FAX #:
AMOUNT	<i>134,610.00</i>

VILLAGE OF PORT CHESTER

BID ANALYSIS SHEET

Please Print Name and Address	
BIDDER: <i>Paladino Concrete Creations Corp.</i>	
ADDRESS: <i>315 N. Macquesten Pkwy</i>	
ADDRESS:	
CITY: <i>Mount Vernon</i>	STATE: <i>NY</i> ZIP CODE: <i>10550</i>
E-MAIL:	
PHONE #:	FAX #:
AMOUNT <i>133,425.00</i>	

Please Print Name and Address	
BIDDER: <i>LandVScape, Inc.</i>	
ADDRESS: <i>5 Dogwood Lane</i>	
ADDRESS:	
CITY: <i>Katonah</i>	STATE: <i>NY</i> ZIP CODE: <i>10536</i>
E-MAIL:	
PHONE #:	FAX #:
AMOUNT <i>178,750.00</i>	

Please Print Name and Address	
BIDDER: <i>Con-Tech Construction Technology Inc.</i>	
ADDRESS: <i>28 Lakeview Drive</i>	
ADDRESS:	
CITY: <i>Yorktown Heights</i>	STATE: <i>NY</i> ZIP CODE: <i>10598</i>
E-MAIL:	
PHONE #:	FAX #:
AMOUNT <i>95,979.00</i>	

VILLAGE OF PORT CHESTER

BID ANALYSIS SHEET

Please Print Name and Address	
BIDDER: <i>Joken Development Corp</i>	
ADDRESS: <i>9 Belway Place</i>	
ADDRESS:	
CITY: <i>White Plains</i>	STATE: <i>NY</i> ZIP CODE: <i>10601</i>
E-MAIL:	
PHONE #:	FAX #:
AMOUNT	<i>126,065.00</i>

Please Print Name and Address	
BIDDER: <i>Landi Contracting Inc.</i>	
ADDRESS: <i>13 Bradhurst Avenue</i>	
ADDRESS:	
CITY: <i>Hawthorne</i>	STATE: <i>NY</i> ZIP CODE: <i>10532</i>
E-MAIL:	
PHONE #:	FAX #:
AMOUNT	<i>129,950.00 * SEE PG C-3</i>

The following were present at the opening of the bids:

Village Clerk:	<i>Daniel R. Richards</i>
Deputy Village Clerk:	
Department Head:	
Other:	<i>ANTHONY CERRETO VILLAGE ATTORNEY</i>

Con-Tech Construction Technology Inc.



28 Lakeview Drive
Yorktown Heights, NY 10598
Phone: (914) 455-3100
Fax: (914) 962-4500

June 25, 2014

Mr. Dolph Rotfeld, PC
Dolph Rotfeld, PC
200 White Plains Rd
Tarrytown, NY 10591

Re: Pilgrim Drive Drainage

Mr. Rotfeld,

We are in receipt of your correspondence (as enclosed) regarding the referenced project. We are agreeable to all terms, with the exception of the project start date. The project bid on May 1, 2014. Due to the extended period of time since the bid date and the time it took for the start of discussions regarding the Village's intentions, the referenced start date does not fit with other work we have since scheduled. We are willing to hold our pricing as you reference and as we've discussed with a start in the late summer / fall.

Please advise if this is acceptable to the Village.

Thanks for your time.

Professionally,

A handwritten signature in black ink, appearing to read "D.J. Sadowski", written over a horizontal line.

D.J. Sadowski
Project Manager

**VILLAGE OF PORT CHESTER
 PILGRIM DRIVE DRAINAGE IMPROVEMENTS
 BID SHEET**

Note: Unit prices are to be written in both words and numbers.
 In case of any discrepancy those prices shown in words shall govern.
 All prices will be in dollars and cents.

Item No.	Quantity	Unit	Item with Unit Price Written in Words	Unit Price in Numbers	Extension: Est. Quantity Times Unit Price in Numbers
53RP	275	SY	Furnish & Install Asphalt Trench Restoration <u>THIRTY NINE</u>	<u>\$ 39.⁰⁰</u>	<u>\$ 10,725.⁰⁰</u>
			<u>¢ 00/100 SY</u>		
73	175	CY	Furnish & Install Control Density Backfill Material <u>ONE HUNDRED</u>	<u>\$ 120.⁰⁰</u>	<u>\$ 21,000.⁰⁰</u>
			<u>TWENTY ¢ 00/100 CY</u>		
102DI-N	2	EA	Install Precast Concrete Drain Inlet <u>TWO THOUSAND</u> <u>FOUR HUNDRED</u>	<u>\$ 2400.⁰⁰</u>	<u>\$ 4,800.⁰⁰</u>
			<u>¢ 00/100 EA</u>		
102DI-RR	3	EA	Remove Existing Drain Inlet and Install Precast Concrete Drain Inlet <u>TWO THOUSAND</u> <u>FIVE HUNDRED</u>	<u>\$ 2500.⁰⁰</u>	<u>\$ 7,500.⁰⁰</u>
			<u>¢ 00/100 EA</u>		
BID TOTAL					<u>\$ 95,979.⁰⁰</u>

quantities are greater, smaller or completely deleted. A change in the quantity of any item shall not be regarded as sufficient grounds for a change in the price of that item.

TOTAL BID (As per Special Conditions): *Total Bid for estimated quantities:

\$ 95,979.⁰⁰

(written in numbers)

NINETY FIVE THOUSAND, NINE HUNDRED SEVENTY NINE & ⁰⁰/₁₀₀
(written in words)

*The **TOTAL BID** shall be the sum of the extensions (unit price multiplied by estimated quantity, for each item). It is stated here only as a convenience for comparison of bids. If there are any errors in addition or multiplication, the unit prices for each item shall govern, and the bid comparison will be made on the basis of correct arithmetic applied to these unit prices. In case of a discrepancy between the unit price in words and the unit price in numbers, the unit price in words shall govern. The estimated quantities are not guaranteed, and are only for bid comparison purposes and final payment will be made for actual quantities regardless of the estimated quantities contained herein.

Con-Tech Construction Technology Inc Date: 05/01/14
(Legal Name of Bidder)

28 Lakeview Drive, Yortatown Hgts NY 10598
Address of Individual, Firm or Corporation

(914) 455-3100
Telephone Number of Individual, Firm or Corporation

By: Giuseppi Carino
(Authorized Signatory)
Giuseppi Carino, President

Corporate Seal
(If incorporated)

**VILLAGE OF PORT CHESTER
 PILGRIM DRIVE DRAINAGE IMPROVEMENTS
 BID SHEET**

Note: Unit prices are to be written in both words and numbers.
 In case of any discrepancy those prices shown in words shall govern.
 All prices will be in dollars and cents.

Item No.	Quantity	Unit	Item with Unit Price Written in Words	Unit Price in Numbers	Extension: Est. Quantity Times Unit Price in Numbers
1M	1	LS	Miscellaneous Additional Work		
			<u>Five Thousand</u> LS	\$1	\$5,000
2M	10	CY	Miscellaneous Earth Excavation		
			<u>TWENTY NINE</u> \$ 40/100 CY	\$29. ⁴⁰	\$294. ⁰⁰
5R	20	CY	Rock Excavation - Trench (NO BLASTING)		
			<u>TWO HUNDRED</u> <u>FIVE \$⁰⁰/100</u> CY	\$205. ⁰⁰	\$4100. ⁰⁰
10-12"	710	LF	Remove Existing and Furnish & Install 12" HDPE Storm		
			<u>FIFTY NINE</u> \$ ⁰⁰ /100 LF	\$59. ⁰⁰	\$41,890. ⁰⁰
39	10	CY	Furnish & Install Crushed Stone or Gravel		
			<u>SIXTY SEVEN</u> \$ ⁰⁰ /100 CY	\$67. ⁰⁰	\$670. ⁰⁰



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Attorney

BOT Meeting Date: 9/2/2014

Item Type: Resolution Setting Public Hearing

Sponsor's Name: Anthony (Tony) Cerreto, Village Attorney

Description	Yes	No	Description	Yes	No
Fiscal Impact		x <input type="checkbox"/>	Public Hearing Required	x	
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
	Yes	No	N/A		
Agreement	<input type="checkbox"/>	x	Manager Priorities		
Strategic Plan Related	<input type="checkbox"/>	x	N/A		

Agenda Heading Title
(Will appear on the Agenda as indicated below)

Setting a public hearing to consider the advisability of adopting a local law to consider the advisability of adopting a local law to provide for a process for lot line adjustments.

Summary

Background:

As a result of discussions with the Planning Commission, Village planning staff and my office propose an alternative process for applications that merely move a lot line between lots and do not result in any new lots or violations of the Zoning Regulation. Currently, such matters require the expense and time of a full subdivision approval process through the Planning Commission and Board of Trustees. There are some matters that are awaiting the Board's action in this regard.

If adopted, the proposed draft local law would enable an applicant to obtain a lot line adjustment that would be administratively considered and approved by the Director of Planning and Development.

If an applicant does not satisfy the criteria set out, he or she would be required to go through the usual subdivision process.

State Law authorizes municipalities to define the meaning of subdivision in this manner so as to accommodate this alternative process. Local laws providing for a lot line adjustment are typical throughout the State.

This matter requires referral to the Planning Commission for study and report.

The proposed fee for such lot line adjustment would be the charge for an area variance, i.e. \$400.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Proposed Local Law

**SETTING A PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF
ADOPTING A LOCAL LAW TO PROVIDE FOR A PROCESS FOR LOT LINE
ADJUSTMENTS**

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 Board of Trustees hereby schedules a public hearing on Monday, October 6, 2014 at 7:00 p.m. or as soon thereafter at the Port Chester Justice Court, 2nd Floor Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law amending the Appendix to the Code of the Village of Port Chester A402 Land Subdivision Regulations to provide for a process for lot line adjustments.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

A LOCAL LAW AMENDING THE APPENDIX TO THE CODE OF THE VILLAGE
OF PORT CHESTER, A402 LAND SUBDIVISION REGULATIONS TO PROVIDE FOR A
PROCESS FOR LOT LINE ADJUSTMENTS

SECTION 1: Purpose and Intent

The Village Board of Trustees has acknowledged that is both necessary and desirable that land development in the Village proceed in an orderly and sound manner through the application of uniform land subdivision regulations. However, the Board finds that property owners should not be unduly burdened with complying with the full subdivision process where they seek only to make a lot line adjustment. Accordingly, it is the intent and purpose of this local law to clarify the distinction between a subdivision of land which is subject to the scrutiny, review and approval of the Village and a lot line adjustment which would be administratively considered and permitted upon satisfaction of appropriate standards.

SECTION 2: A402, Section 402-20, “Definitions” is hereby amended to read as follows:

LOT LINE ADJUSTMENT

The relocation or revision of the boundary line shared by two adjoining lots which will not create any additional or non-conforming lots and will not result in any violation of any area or dimensional requirement as described in Chapter 345.

...

SUBDIVISION

The division of any parcel of land into two or more lots, plots, sites or other division of land and shall include re-subdivision. This term shall not include a lot line adjustment.

...

SECTION 2: A402 is hereby amended by the addition of a new article, Article IX, “Lot Line Adjustment” to read as follows:

Section A402-23. Application; Determination and Recording

A person shall make an application for a Lot Line Adjustment under the provisions of this section shall file a an application on a form provided by the Office of Planning and Development with the requisite fee as set forth in Chapter 175, together with the following: items.

- a. A plat drawn to scale showing the lots affected by the proposed adjustment and all existing buildings and structures, location of existing sewage and stormwater utilities, easements, rights- of-way, and other land features. The plat must provide the existing lot lines and the location of the proposed new lot line, as well as the existing and new setback distances to any existing buildings and structures.

- b. A current survey sealed by a New York State licensed surveyor
- c. The proposed deed between the parties evidencing such lot line adjustment.

Upon submission of a complete application, the Director of Planning and Development shall make a determination to approve or disapprove same. Approval may be granted when the Director of Planning and Development determines that the proposed adjustment meets all requirements for a Lot Line Adjustment and that in his/her reasonable discretion finds that such adjustment would not result in any adverse physical or environmental impacts on the subject lots or the surrounding neighborhood. If the Lot Line Adjustment is granted, the applicant shall record the proposed deed with the Westchester County Clerk. The plan shall be signed and stamped by the Director of Planning and Development. The Village Manager or his designee is authorized to adopt rules and regulations to implement the provisions of this section.

SECTION 3: Severability

If any provision of this local law is held to be invalid or unenforceable in whole or in part, such invalidity or unenforceability shall attach only to such provision or part thereof and the remaining part of such provision and all other provisions hereof shall continue in full force and effect.

SECTION 4: Effective Date

This local law shall take effect immediately as provided by law and upon filing with the Secretary of State.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, October 6, 2014 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider authorizing the advisability of adopting a local law amending the Appendix to the Code of the Village of Port Chester A402 Land Subdivision Regulations to provide for a process for lot line adjustments.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website www.portchesterny.com.

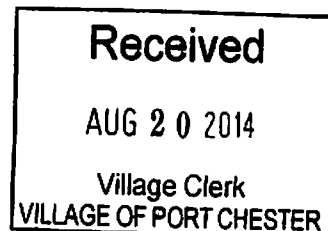
Date: September 5, 2014

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

DISCUSSION

CORRESPONDENCE

Parish Family of
CHURCH OF OUR LADY OF THE ROSARY
22 DON BOSCO PLACE
PORT CHESTER, NEW YORK 10573



August 22, 2014

Honorable Neil J. Pagano, Mayor
Honorable Members of the Village Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, New York 10573

Honorable Mayor Pagano and Trustees,

On Sunday, October 12, for the fifteenth consecutive year, the members of the Parish of Our Lady of the Rosary will join with other members of surrounding parishes to celebrate the feast of our patroness with an outdoor Mass. As in the past, we expect over 800 people to participate.

We respectfully request the use of Edgewood Park from 7:00AM until 2:00PM to facilitate set-up and break-down.

We also respectfully request permission to close Don Bosco Place from in front of the church to just past the Don Bosco Center building to assemble the procession and for its return from the park after the Mass. We would like to close the street from 9:00AM until 2:00PM or until all the parishioners disperse. To insure public safety, we would request DPW horses to barricade the street.

In addition, we are requesting a police escort for the procession which will leave from in front of the church at approximately 10:30AM, turn left onto Grace Church Street, travel up the hill and enter the park. After Mass, at about 12:30PM, we again request a police escort for the procession to return to Don Bosco Place. The procession will leave the park, turn right onto Grace Church Street and process down Grace Church Street to Don Bosco Place. We also request a lifting of parking enforcement around Edgewood Park during the Mass for the cars of parishioners who cannot walk there.

We greatly appreciate all the assistance you have afforded our endeavors in the past and look forward to a favorable response.

Sincerely,

A handwritten signature in black ink that reads "Fr. Tim Zak". The signature is written in a cursive style.

Rev. Timothy Zak, SDB
Pastor

TZ:me

cc: Christopher Steers, Village Manager
Mark Braccio, Traffic Sargeant
Rocco Morabito, General Foreman



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, NY 10573

Christopher D. Steers
Village Manager

(914) 939-2200
Fax: (914) 937-3169
E-mail: csteers@portchesterny.com

August 13, 2013

Reverend Tim Zak, SDB, Pastor
Church of Our Lady of the Rosary
22 Don Bosco Place
Port Chester, NY 10573

Dear Reverend Zak:

Please be advised that your request for use of Edgewood Park from 7:00am to 2:00pm on Sunday, October 6, 2013 to hold your outdoor mass has been granted. Also, your request to close a portion of Don Bosco Place from 9:00am to 2pm has also been granted.

In addition, we are also providing you with a police escort for your procession that will leave the church at approximately 10:30am, turning left onto Grace Church Street, travelling up the hill and entering the park and a police escort again at 12:30pm returning to Don Bosco Place. **Please submit a Certificate of Insurance naming the Village of Port Chester as an additional insured for this event.**

If you have any questions, please feel free to call Sergeant Charles Vaccaro of the Port Chester Police Department at (914) 939-6608.

The Department of Public Works, Police, Fire and the Port Chester/Rye/Rye Brook Emergency Medical Services have all been notified of this event.

Our best wishes for a successful event.

Very truly yours,

Christopher D. Steers
Village Manager

CDS:mtv

cc: Heather Krakowski, Recreation Leader
Joseph Krzeminski, Police Chief
Kevin McMinn, Fire Chief
Scott Moore, EMS Administrator
Rocky Morabito, General Foreman
Charles Vaccaro, Police Sergeant

7/24/13 emailed village clerk for BOT

C-14

Church of Our Lady of the Rosary

22 Don Bosco Place
Port Chester, NY 10573

VILLAGE OF PORT CHESTER

nty.

JUL 24 2013

RECEIVED

July 22, 2013

Honorable Neil Pagano, Mayor
Honorable Members of the Village Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, New York 10573

Honorable Mayor Pagano and Trustees,

On Sunday, October 6, 2013, for the 14th consecutive year, the members of the Parish of Our Lady of the Rosary will celebrate the feast of their patroness with an outdoor Mass. As in the past, we expect over 800 people to participate.

We respectfully request the use of Edgewood Park from 7:00AM until 2:00PM to facilitate set-up and break-down.

We also respectfully request permission to close Don Bosco Place from in front of the church to just past the Don Bosco Center building to assemble the procession from 9:00AM until 10:30AM until we leave for the Park. Also after our return from the park after the Mass from 12:30PM until 1:30PM or until all the parishioners disperse. To insure public safety, we would request DPW horses to barricade the street.

In addition, we are requesting a police escort for the procession which will leave from in front of the church at approximately 10:30AM, turn left onto Grace Church Street, travel up the hill and enter the park. After Mass, at about 12:30PM, we again request a police escort for the procession to return to Don Bosco Place. The procession will leave the park, turn right onto Grace Church Street and process down Grace Church Street to Don Bosco Place. We also request a lifting of parking enforcement around Edgewood Park during the Mass for the cars of parishioners who cannot walk there.

We greatly appreciate all the assistance you have afforded our endeavors in the past and look forward to a favorable response.

Sincerely,



Rev. Tim Zak, SDB
Pastor

TZ:me

cc: Christopher Steers, Village Manager ✓
Charles Vaccaro, Traffic Sargeant
Rocco Morabito, General Foreman



www.portchesterschools.org

Port Chester-Rye Union Free School District

113 Bowman Avenue
Port Chester, New York 10573
914.934.7913

Joseph G. Durney
District Director
Curriculum Office

August 26, 2014

Janusz Richards – Village Clerk
Christopher Steers - Village Manager
Village of Port Chester
222 Grace Church St.
Port Chester, NY 10573



As in the past, The Port Chester-Rye Union Free School District respectfully requests that on the evening of Friday October 10, 2014, the Port Chester Fire Department light tower rescue truck be available to the Port Chester High School for use at our annual homecoming activities. We request the truck be onsite between the hours of 6:45 p.m. and 11 p.m.

I thank you in advance for your anticipated cooperation and generous support of our programs. Please email mdecarlo@portchesterschools.org letting us know that our request has been granted.

Respectfully,

Mr. Joseph Durney
Director of Health, Physical Education and Athletics

Cc: Chief Robert Drought, 209 Westchester Ave, Port Chester, NY
PCRUFSD District Clerk
Dr. Edward Kliszus, Superintendent of Schools
Dr. Mitchell Combs, Principal PCHS

**TRAFFIC COMMISSION
Village of Port Chester**

August 27, 2014

Mayor Neil Pagano and the Board of Trustees
Village of Port Chester

Dear Mayor Pagano and the Board of Trustees:

At a recent meeting of the Traffic Commission Chris Ameigh spoke about the problem on South Regent Street before Boston Post Road.

At the Port Chester Apartments cars are unable to leave the driveway because of the traffic approaching the Post Road and cars who queue up from the traffic light and block the driveway. The Commission recommends that a DON'T BLOCK THE BOX SIGN and painted box be in the roadway. The box should be the length of the driveway and although yellow paint would be more noticeable, it should be painted white.

Very truly yours,

Joseph Gianfrancesco, Jr.

Joseph Gianfrancesco, Jr.
Chairman

TRAFFIC COMMISSION
Village of Port Chester, New York

August 27, 2014

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

Dear Mayor Pagano and the Board of Trustees:

At a recent meeting of the Traffic Commission one of the items discussed was handicap parking at the Bethesda Baptist Church on East William Street. The No Parking on New Broad Street exists because of the width of the roadway on the southbound side. There is parking on the north side with a two-hour limit. It was suggested by Sgt. Braccio that the best proposal would be on East William Street, a 20 foot space about 15 feet from the corner. It is across the street from the Church and if this was the spot chosen we should paint crosswalk lines at the same time. Chairman Gianfrancesco stated that the area is mixed use, not only residential parking and to create a handicap spot on the southbound side of New Broad Street would create site line problems. The Traffic Commission recommends to the Board for your approval a handicap parking space 15 feet west of New Broad Street across the street from the Church with a crosswalk marked across East William Street. (Attached photos show vehicle parked in proposed space.)

At the Commission meeting a representative of the Port Chester Rye Brook Public Library asked about additional parking for the library on Irving Avenue and parking enforcement in the Library parking lot. It was stated that handicap and fire zones can be enforced. After a discussion a motion was made and seconded to recommend the Board of Trustees to have the village attorney to add to this section of the Vehicle and Traffic Code regarding overnight parking in parking areas (Ref. Chapter 319-87D).

The Commission asks you to consider these recommendations.

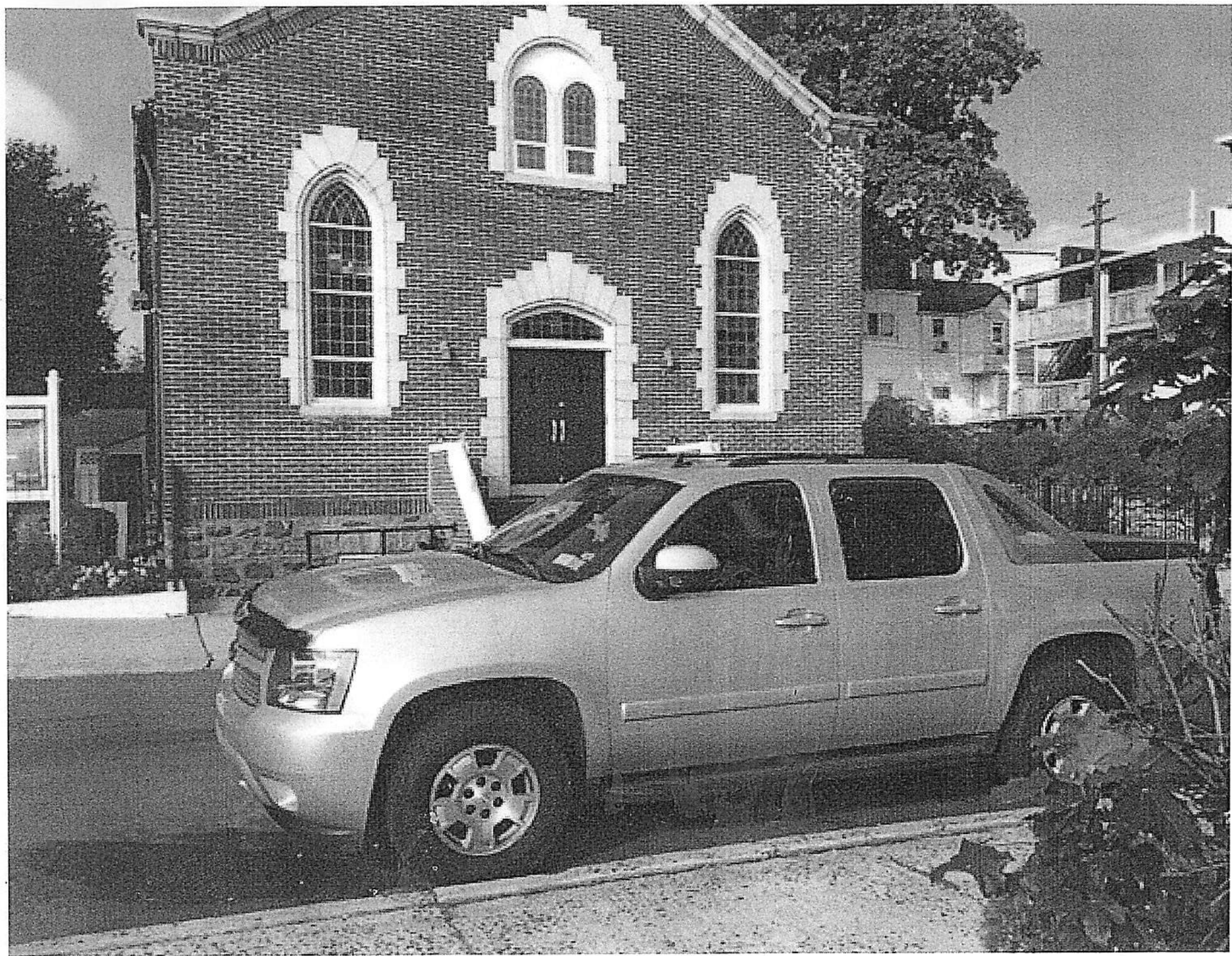
Very truly yours

Joseph Gianfrancesco, Jr.

Joseph Gianfrancesco, Jr.
Chairman

Enc.

cc: Village Manager
Village Attorney





**PUBLIC COMMENTS
AND
BOARD COMMENTS**