

VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Monday, March 16, 2015
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.

I	PROPOSED MOTION FOR EXECUTIVE SESSION	ACTION
1	Rye Brook IMA Sewer Rent.	
2	Rye Town Dissolution.	
3	Consultation with Village Attorney regarding career fire fighters and the Port Chester Fire Department.	
4	Consultation with Chief of Police and Village Attorney regarding a particular person in the Police Department.	

TIME: 7:00 P.M.

II	AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:	ACTION
1	Public Hearing regarding a local law amending the code of the Village of Port Chester by adding a new chapter, Chapter 302, Towing and Booting.	
III	PUBLIC COMMENTS	ACTION
IV	DISCUSSIONS	ACTION
	To set a Workshop regarding Rye Town Dissolution	
V	REPORTS	ACTION
1	Report from National Development Council (NDC)	
VI	PRESENTATION	ACTION
1	Library Budget	
2	From Christopher Ameigh Administrative Aide to the Village Manager regarding new www.portchesterny.com home page.	
VII	RESOLUTIONS	ACTION
	Administration	
1	To modify the sewer improvement capital project.	
2	To set a Public Hearing to consider amending, Chapter 268, "Sewer Rents," of the code of the Village of Port Chester with regard to adjustments of Sewer Rent.	

3	Regarding the Approval of Taxi Company Dispatching Licenses (Chapter 295-20) for Coqui Taxi Corp., Luso-American Taxi, Inc., Port Chester Taxi, and Village Taxi Corp.	
	Appointment(s)	
4	Appointment of Chris Summa as a member of the Planning Commission.	
	Finance	
5	County CHIIPS grant	
VIII	CORRESPONDENCE	ACTION
1	From Putnam Engine & Hose, Company No.2, accepted the resignation of Alfredo Vargas Coyt.	
2	From Church of Our Lady of the Rosary request permission for a procession in the streets beginning 6:00 PM on Friday, April 3, 2015.	
3	From Thomas P. Bailey regarding public parking in Port Chester.	
4	From Linda Turturino regarding resignation from the Recreation Commission as of March 1, 2015.	
5	From H & H Property Corp regarding Sewer Rent Appeal for 211 Irving Avenue.	
6	From Poningo Properties regarding Sewer Rent Appeal for 46 Poningo Street for the period 12-29-14 to 2-25-15.	
7	From Poningo Properties regarding Sewer Rent Appeal for 46 Poningo Street for the period 2/4/15 to 2/25/15	
8	From Poningo Properties regarding Sewer Rent Appeal for 4 Bulkley Avenue.	
9	From New Broad Street LLC regarding Sewer Rent Appeal for 33 New Broad Street	
10	From 235 Holding Co. LLC regarding Sewer Rent Appeal for 235 Westchester Avenue.	
11	From Howie Ravikoff regarding towing and booting	
IX	MINUTES	
1	Minutes from January 20, 2015	
2	Minutes from January 22, 2015	
3	Minutes from February 9, 2015	
4	Minutes from February 17, 2015	
5	Minutes from March 2, 2015	
X	PUBLIC COMMENTS AND BOARD COMMENTS	ACTION

TIME: _____

**PROPOSED MOTION
FOR
EXECUTIVE SESSION**

AFFIDAVIT OF PUBLICATION
AND
NOTICE OF PUBLICATION RE

**A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER
BY ADDING A NEW CHAPTER, CHAPTER 302, TOWING AND BOOTING**

SECTION 1: The purpose and intent of this local law is to regulate the towing and booting of cars on private parking lots in the Village of Port Chester. It is hereby declared and found that the nonconsensual towing and booting of vehicles from parking lots that are on privately owned property, as defined in this chapter, in the Village of Port Chester involve matters affecting the public interest. Regulation of these commercial activities through a licensing process is necessary to establish a uniform and predictable system of business operations, balance the rights of private owners to manage and operate their property against the rights of consumers against unreasonable fees, and predatory and illicit practices. The Village is authorized to adopt this local law pursuant to Municipal Home Rule Law, Section 10(1)(ii)(a)(9-a) and Section 10(1)(ii)(a)(12) and General Business Law, Section 399-v.

SECTION 2: The section of the Code of the Village of Port Chester is hereby amended by adding a new chapter, Chapter 302, entitled “Towing and Booting” and to read as follows:

Section 302-1 Purpose and Intent.

It is hereby declared and found that the nonconsensual towing and booting of vehicles from parking lots that are on privately owned property, as defined in this chapter, in the Village of Port Chester involve matters affecting the public interest. Regulation of these commercial activities through a licensing process is necessary to establish a uniform and predictable system of business operations, balance the rights of private owners to manage and operate their property against the rights of consumers against unreasonable fees and predatory and illicit practices. The Village is authorized to adopt this local law pursuant to Municipal Home Rule Law, Section 10(1)(ii)(a)(9-a) and Section 10(1)(ii)(a)(12) and General Business Law, Section 399-v.

Section 302-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

APPLICANT

An owner of a towing and/or booting service, seeking a towing/booting license under this chapter.

BOOT

Shall mean the utilization of a “boot” or other device which causes vehicles to be immobile or otherwise renders a vehicle immobile or inoperable.

BOOTER

The licensee who boots or immobilizes a motor vehicle.

BOOTING OR IMMOBILIZATION DEVICE

Any mechanism that is clamped, affixed or locked onto the wheel of a motor vehicle to prevent the wheel from rotating, thereby immobilizing the vehicle, or other similar mechanism that results in the immobilization of the vehicle.

HOOKUP

The steps and actions to be taken in order to totally secure and engage a vehicle for towing.

LICENSE

A certificate duly issued by the Village of Port Chester to allow the licensee to engage in booting and/or towing.

LICENSEE

An owner of a tow truck or booting company who is the holder of a valid license. This term shall also include said owner's employees or agents.

MULTI FAMILY DWELLINGS

Residences containing three or more dwelling units.

POLICE LIST

A listing of all licensees who have been authorized to boot and tow from privately-owned property within the Village of Port Chester.

PRIVATELY-OWNED PROPERTY

Real property owned by any individual, firm, association, joint venture, partnership, group, corporation or any legal entity or combination of entities whatsoever, and shall include, without limitation, shopping centers, parking lots, multi-family dwellings and land used for commercial purposes. This term shall include real property, where by agreement with another party, fee title is nominally with the Port Chester Industrial Development Agency, but the lessee is using for the any of the proceeding purposes. This term shall also include parking lots owned by or under the control of Port Chester Housing Authority. This term shall not include property improved by one or two family dwellings.

PROPERTY OWNER

The person who exercises dominion and control over a parcel of real property, including but not limited to the legal title holder, lessee, a resident manager, a property manager or other

agent who has legal authority to bind the owner. A person providing a towing or immobilization service may not be appointed as an agent for a property owner.

TOW

To haul, carry, pull along, or otherwise transport or remove a vehicle by means of another vehicle.

TRESPASS TOWING

The moving or removal of a motor vehicle, without consent of the vehicle's owner or operator, as authorized by this chapter, when that vehicle is parked on privately-owned property.

TOW TRUCK

A vehicle that is being used to tow another motor vehicle.

TOW TRUCK DRIVER

Any person that is operating a tow truck for the purposes of towing.

UNAUTHORIZED VEHICLE

A vehicle that is parked in violation of the posted parking lot rules on the privately-owned property.

Section 302-3 License required.

No person shall engage in trespass towing or booting on privately-owned property without first having obtained a towing/booting license from the Village of Port Chester as provided herein.

Section 302-4 License application requirements.

An applicant for a towing/booting license shall make application to the Chief of Police or his designee on a form provided by the Village which contains the following:

A. A statement of the name and address of the applicant, specifying, in the case of a partnership or an unincorporated association, each partner or member thereof, and in the case of a corporation, the location and address of the place of incorporation and principal place of business, as well as the name and address of each officer, director and stockholder with a controlling interest thereof.

B. A statement of the owner or lessee and address of all properties that will be used for the storage of towed vehicles in connection with the applicant's towing or booting business which location shall not exceed fifteen (15) miles from the subject privately owned property. All motor vehicles towed to such storage location(s) shall be able to be reclaimed by the vehicle's owner or

operator on a 24/7 basis. The applicant must provide certification from the municipal enforcement officer charged with the enforcement of buildings and land uses, that the storage location(s) to be used are in conformance with the applicable zoning and building codes.

C. A statement as to whether the applicant or any booter or tow truck driver under the applicant's employ or contract has, within the last five years, ever been convicted of a crime and, if so, the date, crime charged and sentence imposed. The applicant, and all booters and tow truck drivers under the applicant's employ or contract, shall submit to fingerprinting through the Police Department such fingerprints and fees shall be submitted in the form and manner as prescribed by the Division of Criminal Justice Services. The fee for such investigation shall be assumed by the applicant.

D. A statement whether the applicant has ever been denied a license or permit by any governmental agency or authority to operate a tow truck, towing business and/or booting business and also whether or not any such license or permit has been suspended or revoked and, if so, the date, the location and the circumstances thereof.

E. A copy of all current licenses or permits duly issued to the applicant which authorizes the operation of a tow truck or booting business.

F. A copy of all current licenses or permits duly issued to applicant or its employees and/or agents to operate a tow truck or boot.

G. An indication as to whether the application is for an initial license or a renewal.

H. A certificate of insurance evidencing proof of comprehensive general liability insurance in accordance with Village's standard insurance requirements and indemnification agreement, both approved by the Village Attorney.

I. Vehicle and tow truck ownership information for all vehicles to be used, including but not limited to make, model, year, color, vehicle identification number, license plate number, a copy of each registration, and a copy of all insurance information.

J. Copy of a duly executed contract between the licensee and the owner, lessee, managing agent or other person in control of the privately owned property that is the subject of the license. The contract shall at a minimum contain the following terms:

(i) The legal name, physical address and telephone number of the towing or immobilization service and the property owner requesting the towing or immobilization services;

(ii) The name of the real property owner and the name of any agent, site manager, lessee or other person in control of the real property and the address and/or legal description of the real property from which the vehicle(s) will be towed or at which the vehicle(s) will be immobilized;

(iii) The duration of the agreement. The contract must be in effect for the entire term of the license ;

(iv) The time of day that such towing or immobilization is authorized;

(v) The days of the week that such towing or immobilization is authorized;

(vi) An enumerated list of all fees to be charged to the vehicle owner/operator that shall not exceed the amounts set by the County in Chapter 863 of the consumer protection code;

(vii) The address and tax lot designation of the location where the vehicle will be towed/stored or immobilized. Said storage site shall not be more than fifteen (15) miles from where the tow originates; and

(viii) A statement stating that no payment or valuable consideration was given, or will be given, from applicant to owner for the right to engage in booting and towing from the property owner's property.

(ix) The signature of both the property owner and the owner, or authorized representative of the towing or immobilization service, certifying that each has read and is in compliance with the applicable provisions of State and Local law.

(x) The contract shall also acknowledge that both parties shall be jointly and severally liable with the licensee to the Village of Port Chester for any violation by such licensee or his or her employees or agents of any of the provisions of this chapter or of any rules and regulations promulgated thereunder. The contract shall be in effect for the entire term of the license.

K. Photographs or proof of informational signage as provided for and in compliance in this chapter.

L. Any change(s) from the information provided in the application shall be disclosed to the Chief of Police on a form provided by the Village, within five days of such change(s).

Section 302-5 Application fee

An application fee, in the amount set forth in Chapter 175, shall accompany each application for a towing/booting license.

Section 302-6 No Soliciting

No applicant or licensee shall pay or rebate money, or solicit or offer the payment or rebate of money or other valuable consideration, to property owners for the right to engage in booting and towing from any property.

Section 302-7 Issuance of License

Upon receipt of a complete application, payment of the requisite fees, and results of the criminal history background check, the Chief of Police may issue a towing/booting license, such license shall be valid for a term of twenty-four months from issuance. A licensee may reapply for a renewed license provided that such application made and received within sixty days prior to expiration.

Section 302-8 Denial of Application

The Chief of Police is responsible for reviewing the criminal history record information disseminated by the Division of Criminal Justice Services and may deny an application, in the first instance or renewal, if it is determined that:

- A. The applicant is unfit and incapable of properly conducting a towing or booting business within the Village of Port Chester or does not conform to the provisions of this chapter; or
- B. The place where vehicles are towed for storage is in violation of any state or local law or regulation, including any zoning or building codes; or
- C. The applicant has made a false statement or misrepresentation in the application; or
- D. The applicant, or any booter or tow truck driver under the applicant's employ or contract has been convicted of a felony or any crime involving violence, dishonesty, deceit, or moral turpitude. If an applicant has been convicted of one of the above specified criminal activities, any decision regarding such applicant's fitness for a license shall be made upon consideration of New York State Correction Law §§701-703-b and §§751-753.

Section 302-9 Transfer or assignment.

A license issued hereunder shall not be transferred or assigned, and any attempt to transfer or assign, shall render such license void.

Section 302-10 Informational Signs.

A. No owner of privately owned property shall tow or boot, or cause to be towed or booted any motor vehicle, nor shall any licensee service such privately owned property, unless there is erected in plain view and maintained at each entrance to such property an informational sign with dimensions of four feet by four feet. All information on the sign must be legible at all times from the parking lot entrances.

B. Each sign must contain the following minimum information:

- (a) The rules of the parking lot, including but not limited to, a statement that the lot is for customers of the business(es) only, hours of operation, size and type of vehicles allowed, and a statement that a vehicle parked in violation of the listed rules shall be deemed an unauthorized vehicle. With respect to property held by the Port Chester Industrial Development Agency, such rules shall be consistent with any agreement with the Agency and/or the Village regarding said premises.
- (b) A statement containing a warning that unauthorized vehicles are subject to be towed or booted at the vehicle owner's expense.

(c) The words “tow away zone” must be included on the sign in not less than 4-inch high letters.

(d) The towing/booting and/or storage fee to be charged, which shall not exceed the fee amount authorized by the County of Westchester.

(e) The name, address and telephone number of the licensed towing/booting company, and how the car may be recovered or how the boot can be removed. The phone number of the Port Chester Police Department designated for receipt of calls with respect to towing or booting within this chapter.

C. The signs shall be on a white background, with black lettering that shall be of sufficient size so as to be capable of being read from the sidewalk or street adjacent to the entrance(s) to the parking lot.

D. No changes shall be made to any sign during the term of the license without the permission of the Police Chief or his designee.

E. All informational signs shall be kept in good condition.

Section 302-11 Towing of Vehicles.

A. No person shall engage in trespass towing, without having a current and valid towing/booting license as proscribed by this chapter.

B. No vehicle shall be towed, nor shall any licensee engage in trespass towing, without the direct request and authorization of the property owner, lessee, or agent, who must be present at the time of the trespass towing. Such authorization shall be documented and a written entry on a form prescribed by Police Department shall be made as soon as practicable. Such entry shall include the time, date, location, production year, manufacturer, and license plate number of the vehicle towed or booted. Furthermore said licensee shall maintain such form for a period of at least one year and deliver a copy of entries made during the preceding month to the Chief of Police or his representative by 7th day of the subsequent month. Said licensee shall make such records available for inspection, at any time, to any member of the Port Chester Police Department, or any other law enforcement agency having jurisdiction in the Village, upon request of such officer

C. Whenever a licensee engages in a trespass tow within the Village of Port Chester, said licensee shall notify the Port Chester Police Department immediately prior to any such tow. Such notification to the Police Department shall relate at a minimum the following information: the identification of the licensee and tow truck driver involved, the nature of the motor vehicle’s violation, the location of the storage site to which the vehicle will be towed, the time the vehicle will be towed or removed, the make, model, year, color, vehicle identification number (VIN) and license plate number of the vehicle.

D. Whenever a licensee is about to remove an unauthorized vehicle from a private parking lot but has not yet hooked up or engaged said vehicle to a towing truck, and said vehicle owner or operator appears seeking the return of the vehicle, said licensee shall immediately release custody and control of the vehicle to the owner or such other person authorized to operate the same without charging any fee whatsoever, provided only that said vehicle is immediately removed from the property.

E. In the event that a licensee is about to remove an unauthorized vehicle from private owned property and has hooked up, and engaged, said vehicle to a tow truck, but has not removed the vehicle from the premises, and said vehicle owner or operator appears seeking the return of the vehicle, said tow truck driver shall immediately release custody and control of the vehicle to the owner or operator, for the payment of a fee of \$15, and further provided that said vehicle is immediately removed from the premises by the owner or operator.

F. Whenever a licensee, engages in trespass towing, and removes an unattended motor vehicle from privately owned property to the storage location, said licensee shall provide at such site, on a twenty-four-hour-a-day basis an individual authorized to release the impounded vehicle. Said motor vehicle must be released within one hour, upon receipt the payment of the authorized towing and storage charges. Upon release, the licensee shall provide the owner of the impounded vehicle with a legible, numbered and signed receipt of payment. Such receipt shall state the name, business address, business telephone number and license number of the person who has towed such vehicle as such information appears on the license to engage in towing, and such receipt shall also include a telephone number for the office within the Police Department responsible for receiving complaints with respect to towing.

G. Upon request, the tow truck driver shall display to the owner or operator of such vehicle a valid towing/booting license issued by the Village of Port Chester pursuant to this chapter.

H. An owner, lessee, managing agent or other person in control of privately owned property who has entered into a contract with a person licensed pursuant to this section authorizing such licensee to tow motor vehicles parked on such property shall be jointly and severally liable for any violation by such licensee, or such licensee's employees or agents, of the provisions of this section, or of any rules promulgated pursuant there under.

I. No motor vehicle may be towed or removed if:

- (1) Such vehicle is occupied by a natural person, or live animal; or,
- (2) Such vehicle is an ambulance, police or fire vehicle, or other official Village or other governmental vehicle.

J. If any person has committed a violation of this section, or any rules promulgated pursuant to this section, such person shall be prohibited from collecting a fee or charge for their towing services, and any such unlawful charge collected shall be reimbursed to the vehicle's owner.

K. Whenever a licensee engages in trespass towing, all charges imposed for both towing and storage shall not exceed those authorized by the County of Westchester Consumer Protection Code.

L. The owner or person in control of a vehicle that has been towed, or hooked up but not removed from the premises, shall be allowed to pay any authorized charge(s), in cash or credit card.

Section 302-12 Booting of vehicles.

A. No person shall engage in booting, without having a current and valid towing/booting license as proscribed by this chapter, such license

B. No vehicle shall be booted or immobilized without the direct request and authorization of the property owner, lessee, or agent, who must be present at the time of the booting. Such authorization shall be documented and a written entry on a form prescribed by Police Department shall be made as soon as practicable. Such entry shall include the time, date, location, production year, manufacturer, and license plate number of the vehicle towed or booted. Furthermore said licensee shall maintain such form for a period of at least one year and deliver a copy of entries made during the preceding month to the Chief of Police or his representative by 7th day of the subsequent month. Said licensee shall make such records available for inspection, at any time, to any member of the Port Chester Police Department, or any other law enforcement agency having jurisdiction in the Village, upon request of such officer.

C. Whenever a licensee engages in booting or immobilization of vehicles within the Village of Port Chester, said licensee shall notify the Port Chester Police Department immediately prior. Such notification to the Police Department shall relate at a minimum the following information: the identification of the licensee and booter involved, the nature of the motor vehicle's violation, the location of the parking lot, the time the vehicle will be booted, the make, model, year, color, vehicle identification number (VIN) and license plate number of the vehicle.

D. A licensee may boot an unauthorized vehicle on privately owned property instead of towing it therefrom. The fee for such booting shall not exceed that authorized by the County of Westchester Consumer Protection Code.

E. Immediately after a vehicle is booted or immobilized, the licensee booting or immobilizing such vehicle, the owner of the property where the vehicle was immobilized, or an employee or agent of such person or owner, shall affix upon the window adjacent to the driver's seat of such vehicle, a sticker with a completely removable adhesive, measuring eight and one-half by eleven (8½ x 11) inches, containing a warning that any attempt to move the vehicle may result in damage to the vehicle and stating the name and business address of the licensee who immobilized such vehicle as well as a business telephone number, which must be available on a 24 hour basis 7 days a week, that will facilitate the dispatch of personnel responsible for removing the immobilization device

F. In the event that a licensee boots an unoccupied motor vehicle on privately owned real property, the licensee must remove the boot from the vehicle within 15 minutes after being paid the charge for same as prescribed by the parking lot's rules. Upon the removal of the booting device, said vehicle shall be immediately removed from the property by the owner or operator thereof.

G. Whenever a licensee has begun the process of booting an unauthorized vehicle on privately owned property but has not yet locked the boot onto the vehicle, and said vehicle owner or operator, arrives and makes demand for return and the owner or operator of the vehicle offers to remove the vehicle from the premises, said booter shall remove the boot from the improperly parked vehicle at no charge to the vehicle owner or operator.

H. Upon request, the booter shall display to the owner or operator of such vehicle a valid towing/booting license issued by the Village of Port Chester pursuant to this chapter.

I. An owner, lessee, managing agent or other person in control of privately owned property who has entered into a contract with a person licensed pursuant to this section authorizing such licensee to boot motor vehicles parked on such property shall be jointly and severally liable for any violation by such licensee or such licensee's employees or agents of the provisions of this section, or of any rules promulgated pursuant there under.

J. No motor vehicle may be booted if:

- (1) Such vehicle is occupied by a natural person, or live animal;
- (2) Such vehicle is parked in a fire lane, or in front of or immediately adjacent to a fire hydrant, fire connection or building emergency exit;
- (3) Such vehicle is an ambulance, police or fire vehicle, or other official Village or other governmental vehicle.
- (4) Such vehicle is parked in a space reserved for vehicles displaying a handicap permit.

K. No release or waiver purporting to limit or avoid liability for damages to a vehicle that has been booted shall be valid. In addition, any person who booted a vehicle, or other person authorized to accept payment of any charges for such booting, shall provide a signed receipt to the individual paying the booting charges at the time such charges are paid. Such receipt shall state the name, business address, business telephone number and license number of the person who has booted such vehicle as such information appears on the license to engage in booting, and such receipt shall also include a telephone number for the office within the Police Department responsible for receiving complaints with respect to booting.

L. If any person has committed a violation of this section, or any rules promulgated pursuant to this section, such person shall be prohibited from collecting a fee or charge for their booting services, and any such unlawful charge collected shall be reimbursed to the vehicle's owner

M. The owner or person in control of a vehicle that has been booted, shall be allowed to pay any authorized charge(s), in cash or credit card.

N. Tampering with a boot or immobilization device that is lawfully attached to a motor vehicle is prohibited.

O. Any vehicle that has been booted which has not been claimed within twenty-four (24) hours of booting, may be towed by the licensee who booted said vehicle.

Section 302-13 Penalties.

Any person who violates any of the provisions of this chapter shall be subject to a fine of not less than \$500 for the first violation \$1,000 for the second violation and \$1,500 for each violation thereafter per violation or imprisonment of less than 15 days. Each violation shall be considered a separate and distinct offense.

Section 302-14 License suspension/revocation.

A. Any license issued hereunder may be suspended or revoked by the Chief of Police upon the grounds that the licensee has been notified and charged with a violation of this chapter or any rule or regulation adopted hereunder.

B. Such notice shall become final unless the licensee makes application to appeal same to the Village Manager or his designee within five (5) days from receipt.

C. Any licensee whose license has been revoked shall not be eligible to file an application for a towing/booting license for a period of one year from the date of revocation.

Section 302-15 Regulations.

The Chief of Police is authorized to promulgate reasonable rules and regulations with regard to the administration and implementation of this local law.

Section 302-16 Enforcement.

A. The provisions of this chapter shall be enforced by the Police Department.

B. The Village Attorney is authorized to commence a civil action or special proceeding for an injunction upon any person(s) in violation of this chapter, and to take such action authorized in General Business Law §§ 399-v and 399-x.

C. Violators of this local will be referred to the Westchester County Department of Consumer Protection.

SECTION 3: SEVERABILITY

If any clause, sentence, paragraph or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy and in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of the State of New York.

PUBLIC COMMENTS

DISCUSSION

REPORTS

PRESENTATION

RESOLUTIONS



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Police Department

BOT Meeting Date: 3/16/2015

Item Type: Resolution

Sponsor's Name: Leonie Douglas, Village Treasurer

Description	Yes	No	Description	Yes	No
Fiscal Impact	x	<input type="checkbox"/>	Public Hearing Required		x <input type="checkbox"/>
Increase Sewer Improvement 13/14 Capital Project #5.8120.400.2013.132 by \$2 million B.A.N. issued on 2/24/15.			Strategic Plan Priority Area Quality of Life & Village Image		
	Yes	No			
Agreement	x	<input type="checkbox"/>	Manager Priorities		
Strategic Plan Related	<input type="checkbox"/>	x	Other		

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

To modify Sewer Improvement 13/14 Capital Project Budget

Summary

Background: The Village's consulting engineer has proposed an estimated \$2 million of work in the second year of a five-year capital program for the improvement of the Village's sanitary sewer system. Bond Anticipation Notes were issued on February 24, 2015. Therefore the Village Treasurer is requesting the Board's authorization to increase the Sewer Improvement 13/14 project budget from \$1,700,000 to \$3,700,000.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

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RESOLUTION
TO MODIFY SEWER IMPROVEMENT 13/14 CAPITAL PROJECT BUDGET

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

WHEREAS, the Village's consulting engineer has proposed an estimated \$2 million of work in the second year of a five-year capital program for the improvement of the Village's sanitary sewer system; and

WHEREAS, payment for this work was anticipated as part of bond anticipation notes issued on February 24, 2015; and

WHEREAS, the Village Treasurer has requested Board authorization to make the commensurate adjustments in the Capital Fund. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to increase the Sewer Improvement 13/14 Capital Project # 5.8120.400.2013.132 from a budget of \$1,700,000 to \$3,700,000, and modify as follows:

CAPTIAL FUND

Revenues Increase:

5.5.5731.2013.132	Bond Anticipation Notes	\$2,000,000.00
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Appropriation Increase:

5.8120.400.2013.132	Sewer Improvement 13/14	\$2,000,000.00
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Approved as to Form:

Anthony M. Cerreto, Village Attorney

**PUBLIC HEARING TO CONSIDER ADOPTING A LOCAL LAW AMENDING
CHAPTER 268, "SEWER RENT" ,OF THE CODE OF THE VILLAGE OF PORT
CHESTER WITH REGARD TO ADJUSTMENTS OF 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:

RESOLVED, that the Board of Trustees hereby schedules a public hearing on
Monday, April 6, 2015 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 the Code of the Village of Port Chester, Chapter 268,
"Sewer Rent" with regard to adjustments of sewer rent.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

A LOCAL LAW AMENDING CHAPTER 268, "SEWER RENTS", OF THE CODE OF THE VILLAGE OF PORT CHESTER WITH REGARD TO ADJUSTMENTS OF SEWER RENT

SECTION 1: Section 268-4 of the Code of the Village of Port Chester, entitled "Sewer rent basis; adjustments, changes" is hereby repealed and new provisions to be added in place and stead as follows:

...

B. Adjustment. A system user who maintains that the sewer rent should be adjusted for any given six-month period may make one application to the Village Manager for an adjustment for that period's sewer rent. Such application shall be in writing, and be supported by substantial evidence establishing that the amount of the system user's water consumption that actually was discharged into the sanitary system was less than the amount of water consumption used to calculate the system user's sewer rent. Proof shall be in the following form:

1. an engineering report from a professional engineer licensed in the State of New York;
2. data from a submeter whose operation has been inspected by the Village of Port Chester;
3. affidavits; or
4. Any other documentary evidence.

The system user has the burden of proof. The quantum and quality of proof is necessarily dependent on the amount of the adjustment sought.

If an adjustment is warranted, the system user shall receive the same in the form of a credit on the next bill following the Village Manager's determination. If a system user is aggrieved by said determination, said user may appeal to the Board of Trustees within fifteen (15) days of same.

All applications for an adjustment that are currently pending shall be heard and determined by this local law.

SECTION 2: This local law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION
TAXI DISPATCHING LICENSES**

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, Section 295-20, "Taxicabs", of the Village Code provides for the "Licensing of company dispatching" subject to the approval of the Village Board of Trustees; and

WHEREAS, Coqui Taxi, Luso American Taxi, P.C. Taxi, and Village Taxi have timely submitted applications for a dispatching license to the Village Clerk's Office for the approval by the Board of Trustees as provided by in Section 295-20 (C); and

WHEREAS, these applications have been reviewed by the Village Clerk who has favorably recommended their approval. Now, therefore be it,

RESOLVED, that the Board of Trustees hereby approves the applications submitted by Coqui Taxi, Luso American Taxi, PC Taxi and Village Taxi and directs the Village Clerk to issue a license for company dispatching to each respective applicant, with said license to expire on March 31, 2016 as provided by the Village Code.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

Received
MAR 3 2015

Village Clerk

Received

3 2015

Clerk
CHESTER

APPLICATION FOR LICENSE OF COMPANY DISPATCHING

CHAPTER 295-20

1. Name Dolores GONZALEZ SS# [REDACTED]
 2. Address 21 GILBERT PL D.O.B [REDACTED]
PORTCHESTER NY 10573 Phone 914-879-9498
 3. Business Name COQUITAXI CORP Phone 914-939-1229
 Address 35 N MAIN ST PORTCHESTER

4. Firm _____ Partnership _____ Corporation XX

5. Are You Authorized to do Business in New York State yes

6. Names, Addresses & Social Security #'s of all Partners, Owners & Officers of the corporation or business & holders of 10% or more of the outstanding stock on indebtedness of such entity

Dolores GONZALEZ 21 GILBERT PL [REDACTED]
[REDACTED] [REDACTED]

7. Has the applicant, owner, partner, stockholder or any officer been convicted of a misdemeanor or felony? If so, state name and conviction

NO Conviction NONE

8. Location of dispatching headquarters 35 N. MAIN ST PORTCHESTER NY 10573

9. Has applicant ever been licensed under any provision of this Chapter of the Code of the Village of Port Chester or any similar law of any jurisdiction? Yes XX No _____

10. Has such licensed ever been rescinded or revoked? Yes _____ No XX

11. If yes, Cause _____

12. Does the applicant understand that it is unlawful for such person, firm or corporation to employ or dispatch drivers who are not properly licensed yes

13. Will the person, firm or corporation making this application employ any radio signal device in connection with relaying service requests to taxi cab drivers?

Yes XX No _____

14. If so, type of device WPH 2470 FR N 000347635 Signal & Frequency 451-900 mhz

The following must be submitted with this application:

1. Certificate of Liability Insurance for your business.
2. Copy of your FCC License.
3. Car List
4. Driver List

(OVER)

All licenses will expire on March 31st of each year.

The annual fee for such license is \$400.00 payable at time of issuance of license.

This license is not transferrable.

THE UNDERSIGNED APPLICANT HEREBY SWEARS THAT HE HAS READ AND UNDERSTANDS ALL OF THE ABOVE AND CERTIFIES TO ALL OF THE ABOVE. FALSE REPLIES TO ANY OF THE QUESTIONS HEREIN UNDER THE LAW CONSTITUTES PERJURY; SUCH FALSITY WILL RESULT IN REFUSAL OF LICENSE, OR IF PREVIOUSLY GRANTED IN REVOCATION OF SAME.

"It is a crime punishable as a CLASS A MISDEMEANOR to knowingly make false statements therein"

Dated 3-3-15

Dolores Ryzor
Applicant Signature

COJUI TAXI CORP
Corporate Name

Dolores GONZALEZ
Corporate Officer

State of New York)
County of Westchester) ss:

Dolores Gonzalez, being duly sworn, deposes and says that he is the individual making the foregoing application for a company dispatching license, that the answers to the foregoing questions and other statements contained therein are true.

Sworn to before me this 3rd
day of March, 2015.

Hope B. Vespia
Notary Public

HOPE B. VESPIA
Notary Public, State of New York
No. 01VE5084028
Qualified in Westchester County
Commission Expires August 25, 2017



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/13/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Stone Transportation Agency One International Blvd. Suite 405 Mahwah NJ 07495	CONTACT NAME: Eve Vaccaro PHONE (A/C No. Ext): (877) 805-0009 E-MAIL ADDRESS: evaccaro@stonetransagency.com	FAX (A/C No.): (877) 674-6147
	INSURER(S) AFFORDING COVERAGE	
INSURED Coqui Taxi 21 Gilbert Place Apt. 1 Port Chester NY 10573	INSURER A: American Alternative Ins. Co. NAIC # 19720	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: CL1531306686 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR			D8A2CA0000133-01	3/1/2015	3/1/2016	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/POP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			D8A2CA0000133-01	3/1/2015	3/1/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 60,00 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ 10,00 PIP-Basic \$ 50,00
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			N/A			WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 The Village of Portchester, their board members, employees &/or volunteers are included as Additional Insured on a primary non-contributory basis and waiver of subrogation applies to all parties

CERTIFICATE HOLDER

Village of Portchester
 222 Grace Church Street
 Portchester, NY 10573

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
 Eve Vaccaro/DENISE



Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: COQUI TAXI CORP.

ATTN: DOLORES GONZALEZ
COQUI TAXI CORP.
35 NORTH MAIN STREET
PORT CHESTER, NY 10573

Call Sign WQKD680	File Number 0005205413
Radio Service IG - Industrial/Business Pool, Conventional	
Regulatory Status PMRS	
Frequency Coordination Number	

FCC Registration Number (FRN): 0018611178

Grant Date 04-13-2009	Effective Date 05-12-2012	Expiration Date 04-13-2019	Print Date 05-12-2012
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STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

- Loc. 1 Address:** 17-21 NORTH MAIN STREET
City: PORT CHESTER **County:** WESTCHESTER **State:** NY
Lat (NAD83): 41-00-01.8 N **Long (NAD83):** 073-39-46.5 W **ASR No.:** **Ground Elev:** 5.0
- Loc. 2 Area of Operation**
 Operating within a 32.0 km radius around fixed location 1
- Loc. 3 Area of Operation**
 Land Mobile Control Station meeting the 6.1 Meter Rule: WESTCHESTER county, NY

Antennas

Loc. No.	Ant. No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000463.45000000	FB2	1		11K2F3E	110.000	450.000	25.0	-8.0	04-13-2010
2	1	000463.45000000	MO	200		11K2F3E	110.000	110.000			04-13-2010
2	1	000468.45000000	MO	200		11K2F3E	110.000	110.000			04-13-2010
3	1	000468.45000000	FX1	1		11K2F3E	110.000	110.000			

Control Points

Control Pt. No. 1
Address: 33-35 NORTH MAIN ST.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

Licensee Name: COQUI TAXI CORP.

Call Sign: WQKD680

File Number: 0005205413

Print Date: 05-12-2012

City: PORT CHESTER

County: WESTCHESTER

State: NY

Telephone Number: (914)897-9498

Waivers/Conditions:

NONE


1581

COQUI TAXI CORPORATION
33-35 1/2 N. MAIN STREET
PORT CHESTER, NY 10573

1-1288-260

DATE 3-2-15

\$ 495.00

DOLLARS  Member FDIC

PAY TO THE ORDER OF Willise of Port Chester

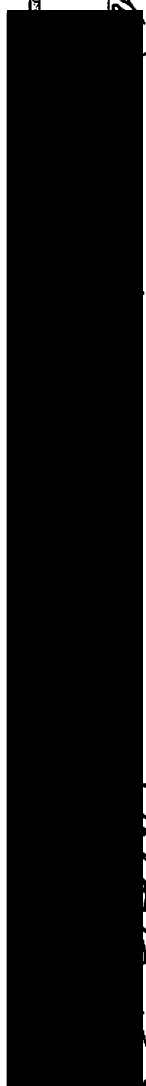
Four hundred ninety five Dollars



WACHOVIA

Wachovia Bank, a division of Wells Fargo Bank, N.A.

FOR DEPOSIT ONLY



Port Chester

MP

APPLICATION FOR LICENSE OF COMPANY DISPATCHING

CHAPTER 295-20

Received
MAR 6 2015
Village Clerk
VILLAGE OF PORT CHESTER

1. Name ZOLA B. IBARRA SS# [REDACTED]
2. Address 53 Tower Hill Dr D.O.B [REDACTED]
Portchester, NY. 10573 Phone (914) 939-7623
3. Business Name LUSD AMERICAN TAXI, INC Phone (914) 939-3838
Address 45 King St. Portchester, NY. 10573
4. Firm _____ Partnership _____ Corporation
5. Are You Authorized to do Business in New York State Yes
6. Names, Addresses & Social Security #'s of all Partners, Owners & Officers of the corporation or business & holders of 10% or more of the outstanding stock on indebtedness of such entity
LEOPOLDO M IBARRA 53 Tower Hill Dr [REDACTED]
IAN H. IBARRA 53 Tower Hill Dr [REDACTED]
7. Has the applicant, owner, partner, stockholder or any officer been convicted of a misdemeanor or felony? If so, state name and conviction
No Conviction _____
8. Location of dispatching headquarters 45 King St.
9. Has applicant ever been licensed under any provision of this Chapter of the Code of the Village of Port Chester or any similar law of any jurisdiction? Yes No _____
10. Has such licensed ever been rescinded or revoked? Yes _____ No
11. If yes, Cause X
12. Does the applicant understand that it is unlawful for such person, firm or corporation to employ or dispatch drivers who are not properly licensed Yes
13. Will the person, firm or corporation making this application employ any radio signal device in connection with relaying service requests to taxi cab drivers?
Yes No _____
14. If so, type of device Two ways Signal & Frequency WPEH 939/157.805

The following must be submitted with this application:

1. Certificate of Liability Insurance for your business.
2. Copy of your FCC License.
3. Car List
4. Driver List

(OVER)

All licenses will expire on March 31st of each year.

The annual fee for such license is \$400.00 payable at time of issuance of license.

This license is not transferrable.

THE UNDERSIGNED APPLICANT HEREBY SWEARS THAT HE HAS READ AND UNDERSTANDS ALL OF THE ABOVE AND CERTIFIES TO ALL OF THE ABOVE. FALSE REPLIES TO ANY OF THE QUESTIONS HEREIN UNDER THE LAW CONSTITUTES PERJURY; SUCH FALSITY WILL RESULT IN REFUSAL OF LICENSE, OR IF PREVIOUSLY GRANTED IN REVOCATION OF SAME.

"It is a crime punishable as a CLASS A MISDEMEANOR to knowingly make false statements therein"

Dated 03.06.2015

Joila B. Thourra
Applicant Signature

LUSO AMERICAN TAXI
Corporate Name

[Signature]
Corporate Officer

State of New York)
County of Westchester) ss:

Joila B. Thourra, being duly sworn, deposes and says that he is the individual making the foregoing application for a company dispatching license, that the answers to the foregoing questions and other statements contained therein are true.

Sworn to before me this 06
day of March, 2015.

[Signature]
Notary Public

CARMEN SANTOS
Notary Public, State of New York
No. 01SA6036554
Qualified in Westchester County
Commission Expires January 31, 2018



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
3/6/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER BERMUDEZ INSURANCE AGENCY INC 75 Gramatan Avenue Mount Vernon, NY 10550	CONTACT NAME: PHONE (A/C, No, Ext): (914) 664-1000	FAX (A/C, No): (914) 664-1004
	E-MAIL ADDRESS: BERMUDEZAGENCY@GMAIL.COM	
INSURED LUSO AMERICAN TAXI INC 44 KING ST PORT CHESTER, NY 10573	INSURER(S) AFFORDING COVERAGE	
	INSURER A: ATLANTIC CASUALTY INS CO	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		M044000193-2	11/29/2014	11/29/2015	EACH OCCURRENCE	\$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence)						\$ 50,000	
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 1,000,000
							PRODUCTS - COMP/OP AGG	\$ INCLUDED
								\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
THE VILLAGE OF PORTCHESTER, THEIR BOARD MEMBERS, EMPLOYEES&/OR VOLUNTEERS ARE INCLUDED AS ADDITIONAL INSURED ON A PRIMARY NON-CONTIBUTORY BASIS AND WAIVER OF SUBROGATION APPLIES.

CERTIFICATE HOLDER VILLAGE OF PORT CHESTER 222 GRACE CHURCH ST PORT CHESTER, NY 10573	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>[Signature]</i>
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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: LUSO AMERICAN TAXI INC

ATTN: LEOPOLDO M IBARRA
LUSO AMERICAN TAXI INC
45 KING ST.
PORT CHESTER, NY 10573

Call Sign WPEH939	File Number 0006186699
Radio Service IG - Industrial/Business Pool, Conventional	
Regulatory Status PMRS	
Frequency Coordination Number	

FCC Registration Number (FRN): 0008653123

Grant Date 03-11-2014	Effective Date 03-11-2014	Expiration Date 03-08-2024	Print Date 03-11-2014
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STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

Loc. 1 Address: 110 WESTCHESTER AVE
City: PORT CHESTER County: WESTCHESTER State: NY
Lat (NAD83): 41-00-02.4 N Long (NAD83): 073-39-52.5 W ASR No.: N/A Ground Elev: 9.0

Loc. 2 Area of Operation
Operating within a 40.0 km radius around fixed location 1

Antennas

Loc. No.	Ant. No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000151.8050000	FB	1		11K2F3E 20K0F3E	100.000	350.000	21.0	9.0	
2	1	000151.8050000	MO	10		11K2F3E 20K0F3E	100.000	100.000			

Control Points

Control Pt. No. 1
Address: 45 KING ST.
City: PORT CHESTER County: WESTCHESTER State: NY Telephone Number: (914)939-3838

Waivers/Conditions:

Beginning January 1, 2013, this station must operate on channels with a bandwidth of 12.5 kHz or less, or with equivalent efficiency.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

COMPANY NAME LUSO

CAR LIST

<u>CAR #</u>	<u>OWNER</u>	<u>MAKE AND YEAR</u>	<u>PLATE #</u>
02	LAURA BRITO	LINCOLN 2005	23042TX
07	LUIS GOYBURU	FORD 2009	16341TX
11	LYDA ESCOBAR	TOYOTA 2009	23324TX
14	MONICA MELENDEZ	FORD 2008	23043TX
20	ZOILA IBARRA	LINCOLN 2006	16366TX
21	LEOPOLDO IBARRA	LINCOLN 2007	13744TX
22	ERNESTO BARRETO	LINCOLN 2006	16316TX
24	ROSARIO CORREA	TOYOTA 2010	16670TX
25	CARLOS ESPEJO	FORD 2008	21702TX
26	STEPHEN NEILSEN	LINCOLN 2005	16301TX
27	ZOILA MOROCHO	LINCOLN 2007	11890TX
45	WILLIAM LOMBARDI	FORD 2007	23018TX
48	MARITZA RICARDO	NISSAN 2008	12223TX
52	ZSMENIA VELEZ	TOYOTA 2009	25883TX
54	JENNE VALDOVINOS	LINCOLN 2005	23986TX
53	IAN IBARRA	MERCURY 2007	23976TX
56	MOISES MOROCHO	LINCOLN 2006	20599TX
57	NARCISA MENDINABEITIA	CHRISLER 2006	20584TX
59	EVODIO GOMEZ	FORD 2007	18245TX
61	ANTONIO IBARRA	LINCOLN 2011	17312TX
67	ZULMA HERNANDEZ	LINCOLN 2007	18146TX
73	JESUS VERANO	LINCOLN 2011	23975TX
74	LIZ MOGROVEJO	FORD 2009	17957TX
29	PABLO QUEZADA	LINCOLN 2006	20549TX
62	ROSAURA AVENDAÑO	FORD 2007	17980TX
64	MARIBEL LORA	MERCURY 2006	20591TX

DISPATCH TAXI COMPANIES
DRIVERS LIST

Company Name: LUSO

Dated: 03 06 15

Driver Name:	Street Address:	City/State/Zip Code:	TLC License #	Exp. Date
ABOAL Daniel	25 Eldredge St	Pchester, NY. 10573	DP-02239-14	10.24.15
AVENDAÑO, Rosaura	140 Grace Church St	Pchester, NY. 10573	DP-01571-14	07.31.15
BARRETO, Ernesto	321 Midland Av	Pchester, NY. 10573	DP-01567-14	08.15.15
BELTRE, Gabriel	449 Ellendale Av	Pchester, NY. 10573	DP-01290-14	06.30.15
BRITO, Yane	Willet St	Pchester, NY. 10573	DP-01549-14	07.31.15
CORREA, Rosario	140 Grace Church St #2	Pchester, NY. 10573	DP-01552-14	07.31.15
ESCOBAR, Lyda	50 S. Main St. 1 E	Pchester, NY. 10573	DP-01474-14	07.31.15
ESPEJO, Carlos	140 Grace Church St 1 E	Pchester, NY. 10573	DP-01510-14	08.15.15
GAMEZ, Antonio	78 Grace Church St	Pchester, NY. 10573	DP-02669-14	10.31.15
GOMEZ, Erodio	3 Westview Av.	N. Salem, NY. 10560	DP-01611-14	08.15.15
GOYBURU, Luis	69 Spring St	Pchester, NY. 10573	DP-01628-14	08.15.15
HAIDER, Mohammad	78 Spring St.	Pchester, NY. 10573	DP-01524-14	07.31.15
IBARRA, Antonio	26 Steward Pl	Marhospac, NY.	DP-01612-14	08.15.15
IBARRA, Leopoldo	53 Tower Hill Dr	Pchester, NY. 10573	DP-01438-14	08.15.15
IBARRA, Lolita	53 Tower Hill Dr.	Pchester, NY. 10573	DP-01550-14	07.31.15
LOMBARDI, William	78 Grand St. #2	Pchester, NY. 10573	DP-00046-14	02.28.15
LORA, Maribel	211 Cleveland St	Pchester, NY. 10573	DP-01404-14	07.31.15
MADINABEITIA, Narcisa	16 Ridgenew Av	W. Plains, NY. 10606	DP-01717-14	08.15.15
MOGROVEJO, Liz	211 Cleveland St	Pchester, NY. 10573	DP-01703-14	07.31.15
MOROCHO, Moises	35 Marathon Pl	Pchester, NY. 10573	DP-01660-14	08.15.15
MELLENDEZ, Monica	27 Eldredge St	P. Chester, NY. 10573	DP-01672-14	07.31.15
NEILSEN, Deborah	257 Willett Av	Pchester, NY. 10573	DP-01577-14	07.31.15
NEILSEN, Stephen	257 Willett Av	Pchester, NY. 10573	DP-01566-14	07.31.15
QUEZADA, Pablo	264 King St -B3	Pchester, NY. 10573	DP-01787-14	07.31.15
QUEZADA, William	264 King St -B3	P. Chester, NY 10573	DP-01806-14	07.31.15

APPLICATION FOR LICENSE OF COMPANY DISPATCHING

CHAPTER 295-20

Received
MAY 11 2015
Village Clerk
VILLAGE OF PORT CHESTER

1. Name Jedra Vivanco Smol SS# [REDACTED]
2. Address 70 Parsling Av. D.O.B [REDACTED]
Stamford CT. 06905. Phone 203-981-6497
3. Business Name Port Chester Taxicab Phone 914-939-7775
Address _____

4. Firm _____ Partnership _____ Corporation Yes

5. Are You Authorized to do Business in New York State Yes

6. Names, Addresses & Social Security #'s of all Partners, Owners & Officers of the corporation or business & holders of 10% or more of the outstanding stock on indebtedness of such entity
None

7. Has the applicant, owner, partner, stockholder or any officer been convicted of a misdemeanor or felony? If so, state name and conviction
Conviction _____

8. Location of dispatching headquarters 26 N. Main St.

9. Has applicant ever been licensed under any provision of this Chapter of the Code of the Village of Port Chester or any similar law of any jurisdiction? Yes No _____

10. Has such licensed ever been rescinded or revoked? Yes _____ No

11. If yes, Cause N/A

12. Does the applicant understand that it is unlawful for such person, firm or corporation to employ or dispatch drivers who are not properly licensed _____

13. Will the person, firm or corporation making this application employ any radio signal device in connection with relaying service requests to taxi cab drivers?
Yes No _____

14. If so, type of device 0052227731 Signal & Frequency WPMW 368

The following must be submitted with this application:

- 1. Certificate of Liability Insurance for your business.
- 2. Copy of your FCC License.
- 3. Car List
- 4. Driver List

(OVER)

All licenses will expire on March 31st of each year.

The annual fee for such license is \$400.00 payable at time of issuance of license.

This license is not transferrable.

THE UNDERSIGNED APPLICANT HEREBY SWEARS THAT HE HAS READ AND UNDERSTANDS ALL OF THE ABOVE AND CERTIFIES TO ALL OF THE ABOVE. FALSE REPLIES TO ANY OF THE QUESTIONS HEREIN UNDER THE LAW CONSTITUTES PERJURY; SUCH FALSITY WILL RESULT IN REFUSAL OF LICENSE, OR IF PREVIOUSLY GRANTED IN REVOCATION OF SAME.

"It is a crime punsihable as a CLASS A MISDEMEANOR to knowingly make false statements therein"

Dated 11-3-15

Yochan Vivanco Small
Applicant Signature

Post Chester Taxi Corp.
Corporate Name

Corporate Officer

State of New York)
County of Westchester) ss:

Yochan Vivanco Small, being duly sworn, deposes and says that he is the individual making the foregoing application for a company dispatching license, that the answers to the foregoing questions and other statements contained therein are true.

Sworn to before me this 11
day of March, 2015.
March 11, 2015

[Signature]
Notary Public

CARMEN SANTOS
Notary Public, State of New York
No. 01SA6036554
Qualified in Westchester County
Commission Expires January 31, 2018



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/14/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

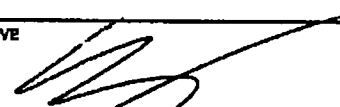
PRODUCER The Friendly Group Ltd 287 10th Avenue New York, NY 10001	CONTACT NAME: Chris C. PHONE (A.C. No. 212-947-9833) FAX (A.C. No. 212-643-1626) E-MAIL ADDRESS: chris@thefriendlygroup.com
	INSURER(S) AFFORDING COVERAGE
INSURED Village Tax Corp & Port Chester Tax 26 North Main Street Port Chester, NY 10573	INSURER A: United States Liability Ins Co NAIC # 25895
	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	CL1647505	04/08/2014	04/08/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ INCLUDED \$
	GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC						
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> Hired AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICE/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATUTORY LIMITS \$ OTHER \$ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 The Village of Port Chester, and its Board Officers, Employees and/or Volunteers are named as additional insured, subject to the terms, conditions and exclusions of the actual insurance policy at the time of issuance. Waiver of Subrogation applies.

CERTIFICATE HOLDER Village of Port Chester 222 Grace Church Street Port Chester, NY 10573	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	--



Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: PORTCHESTER TAXI CORP

ATTN: YODNA VIVANCO-SMALL
PORTCHESTER TAXI CORP
10 BROAD STREET
PORT CHESTER, NY 10573

Call Sign WPWM368	File Number 0005486865
Radio Service IG - Industrial/Business Pool, Conventional	
Regulatory Status PMRS	
Frequency Coordination Number	

FCC Registration Number (FRN): 0007689466

Grant Date 02-11-2013	Effective Date 02-11-2013	Expiration Date 12-18-2022	Print Date 02-12-2013
---------------------------------	-------------------------------------	--------------------------------------	---------------------------------

STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

- Loc. 1** Address: 20 N MAIN STREET
City: PORTCHESTER County: WESTCHESTER State: NY
Lat (NAD83): 41-00-02.8 N Long (NAD83): 073-39-49.6 W ASR No.: Ground Elev: 1.0
- Loc. 2** Area of operation
Operating within a 40.0 km radius around fixed location 1

Antennas

Loc No.	Ant No.	Frequencies (MHz)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	000160.15500000	FB	1		11K2F3E	50.000	199.000	6.1	-32.5	12-18-2003
2	1	000160.15500000	MO	20		11K2F3E 20K0F3E	25.000	25.000			12-18-2003

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

DRIVER LIST

COMAPANY NAME:

PORTCHETSER TAXI CORP

3/11/2015

DRIVE NAME	STREET ADDRESS	CITY/SATTE	ZIP CODE	TLC LICENSE#	EXP.DATE
AGUIRRE FRANCISCO	306 Midland Ave	Portchester	NY 10573	DP 00743-14 MID 636327855	3/31/2015
BORJAS DAVIS	62 Fox Island rd 2	Portchester	NY 10573	DP 02750-14 MID 859791939	8/31/2015
MARTINEZ MARIA	449 Ellenandale ave	Portchester	NY 10573	DP 01516-14 MID 382576748	7/31/2015
PINATELI MARCIA	245 King St	Portchester	NY 10573	DP01812-14 MID 412178276	8/31/2015
RUIZ DIAZNARVAEZ-ELVIO	11 Monrie pl	Portchester	NY 10573	DP 00150-15 MID 113285043	1/16/2016
VELASQUEZ MEJIA AMILCAR	114 Oak st	Portchester	NY 10573	DP01930-13 MID 269460539	2/28/2015
AGUILAR JUAN M	27 FOX ISLAND	Portchester	NY 10573	DP 01827-14 MID 327038657	8/31/2015
ARTEAGA CARLOS A	65 Wesley Ave	Portchester	NY 10541	DP 02896-14 67873542	12/14/2015
PRADO AURELIANO	519 Locust ave	Portchester	NY10801	DP0282514 MID 562714299	8/24/2015
HEIKH SAAD W	10 Beaumont Circle	Yonkers	NY 10710	DP01531-14 MID982909353	7/31/2015
CONTRERAS ANA E	248 S Regent st	Portchester	Ny10573	DP01697-14 MID828810796	7/31/2015
MARTINEZ EDUARDO	411 Westchester ave	Portchester	Ny10573	DP06473-14	3/15/2015

				MID979174014	
GARCES SANDRO	27 University Pl	Portchester	NY 10573	DP03663-14 MID757576264	12/16/2015
CACHO EDWIN	245 King St	Portchester	NY 10573	DP001813-14 MID 694258577	8/31/2015
JUAN PABLO LAMADRID	72 Franklyn Harrison NY 10	Harrison	NY 10528	DP00465-15 MID116024550	2/18/2016

NOTES

RECEIPT

DATE 3-12-15 NO. 025794

RECEIVED FROM PC Taxi Corp

ADDRESS _____

CO DISPATCHING LICENSE \$ 495.00

FOR _____

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	<input checked="" type="checkbox"/>
AMT. PAID		CHECK	<input type="checkbox"/>
BALANCE DUE		MONEY ORDER	<input type="checkbox"/>

BY [Signature]

APPLICATION FOR LICENSE OF COMPANY DISPATCHING

CHAPTER 295-20

Received
MAR 11 2015
Village Clerk
VILLAGE OF PORT CHESTER

1. Name Padro Montoya SS# [REDACTED]
2. Address 70 Pershing Av. D.O.B [REDACTED]
Stamford. CT. 06905 Phone 203-981-6627
3. Business Name Allega. Taxi Corp. Phone 914-937-4040
Address 26 N. Main St.
4. Firm _____ Partnership _____ Corporation Yes
5. Are You Authorized to do Business in New York State Yes.
6. Names, Addresses & Social Security #'s of all Partners, Owners & Officers of the corporation or business & holders of 10% or more of the outstanding stock on indebtedness of such entity
None.
7. Has the applicant, owner, partner, stockholder or any officer been convicted of a misdemeanor or felony? If so, state name and conviction
No. Conviction _____
8. Location of dispatching headquarters 26 N. Main St.
9. Has applicant ever been licensed under any provision of this Chapter of the Code of the Village of Port Chester or any similar law of any jurisdiction? Yes No _____
10. Has such licensed ever been rescinded or revoked? Yes _____ No
11. If yes, Cause N/A.
12. Does the applicant understand that it is unlawful for such person, firm or corporation to employ or dispatch drivers who are not properly licensed _____
13. Will the person, firm or corporation making this application employ any radio signal device in connection with relaying service requests to taxi cab drivers?
Yes No _____
14. If so, type of device 0008473902 Signal & Frequency KMCM 921

The following must be submitted with this application:

1. Certificate of Liability Insurance for your business.
2. Copy of your FCC License.
3. Car List
4. Driver List

(OVER)

All licenses will expire on March 31st of each year.

The annual fee for such license is \$400.00 payable at time of issuance of license.

This license is not transferrable.

THE UNDERSIGNED APPLICANT HEREBY SWEARS THAT HE HAS READ AND UNDERSTANDS ALL OF THE ABOVE AND CERTIFIES TO ALL OF THE ABOVE. FALSE REPLIES TO ANY OF THE QUESTIONS HEREIN UNDER THE LAW CONSTITUTES PERJURY; SUCH FALSITY WILL RESULT IN REFUSAL OF LICENSE, OR IF PREVIOUSLY GRANTED IN REVOCATION OF SAME.

"It is a crime punshable as a CLASS A MISDEMEANOR to knowingly make false statements therein"

Dated 11-3-15

Pedro Montoya
Applicant Signature

Village Taxi Corp.
Corporate Name

Corporate Officer

State of New York)
County of Westchester) ss:

Pedro Montoya, being duly sworn, deposes and says that he is the individual making the foregoing application for a company dispatching license, that the answers to the foregoing questions and other statements contained therein are true.

Sworn to before me this 11
day of March, 2015.

[Signature]
Notary Public

CARMEN SANTOS
Notary Public, State of New York
No. 01SA6036554
Qualified In Westchester County
Commission Expires January 31, 2018



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/14/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Friendly Group Ltd 287 10th Avenue New York, NY 10001	CONTACT NAME: Chris C. PHONE: (A.C. No. Ext): 212-947-9833 FAX: (A.C. No.): 212-643-1628 E-MAIL: ADDRESS: chris@thefriendlygroup.com
	INSURER(S) AFFORDING COVERAGE
INSURED Village Taxl Corp & Port Chester Taxl 26 North Main Street Port Chester, NY 10573	INSURER A: United States Liability Ins Co NAIC # 25895
	INSURER B:
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

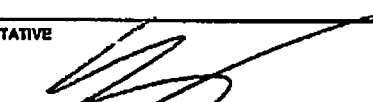
COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	CL1847505	04/08/2014	04/08/2015	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	<input type="checkbox"/> <input type="checkbox"/>				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	<input type="checkbox"/> <input type="checkbox"/>				EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICE/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A <input type="checkbox"/>				WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 The Village of Port Chester, and its Board Officers, Employees and/or Volunteers are named as additional insured, subject to the terms, conditions and exclusions of the actual insurance policy at the time of issuance. Waiver of Subrogation applies.

CERTIFICATE HOLDER **CANCELLATION**

Village of Port Chester 222 Grace Church Street Port Chester, NY 10573	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

Licensee: VILLAGE TAXI CORP

FCC Registration
Number (FRN): 0008473902

YODNA, VIVANCO-SMALL
VILLAGE TAXI CORP
216 N MAIN ST
PORT CHESTER NY 10573

Call Sign KNCN921	File Number 0002217953
Radio Service IG - Industrial/Business Pool, Conventional	
Regulatory Status PMRS	
Frequency Coordination Number	

Grant Date 07-09-2005	Effective Date 07-09-2005	Expiration Date 08-29-2015	Print Date 07-11-2005
--------------------------	------------------------------	-------------------------------	--------------------------

STATION TECHNICAL SPECIFICATIONS

Fixed Location Address or Mobile Area of Operation

Loc. 1
Address: 8 S MAIN ST
City: PORT CHESTER
County: WESTCHESTER
State: NY
Lat (NAD83): 41-0-4.4 N
Long (NAD83): 73-39-49.5 W
ASR No.: N/A
Ground Elev: 6.0

Loc. 2
Area of Operation
Operating within a 121.0 km radius around fixed location number 1.

Antennas

Loc. No.	Ant. No.	Frequencies (MHZ)	Sta. Cls.	No. Units	No. Pagers	Emission Designator	Output Power (watts)	ERP (watts)	Ant. Ht./Tp meters	Ant. AAT meters	Construct Deadline Date
1	1	151.68500	FB	1	0	20K0F3E	100.000	10.000	12.0	0.0	
2	1	151.68500	MO	28	0	20K0F3E	100.000				

Control Points

Control Address
Pt. No. 1
8 S MAIN ST PORT
City: CHESTER
County:
State: NY
Telephone Number (914) 937-4040

Conditions:
Pursuant to Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. Section 309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. Section 310(d). This license is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended. See 47 U.S.C. Section 606.

CAR LIST

COMAPANY NAME:

VILLAGE TAXI CORP

3/11/2015

CAR #	OWNER	MAKE	YEAR	PLATE
-------	-------	------	------	-------

1	FREDDY BRIONES	Lincoln CT	2011	16467 TX
49	Arturo Albaraz	Ford CVC	2005	17935 TX
16	MILTON CIRIACO	Mercury	2004	11544 TY
46	GUSTAVO OSTOS	Lincoln TC	2005	17475 TX
60	NELLY QUEZADA	Lincoln TC	2007	13732 TX
58	FAVIAN BRITO	Lincoln	2005	16348 TX
36	SEBASTIAN CERVANTES	Lincoln	2007	16429 Tx
9	JOHNATHAN P MORALES	Lincoln	2005	16576 TY
41	HENRY SALCEDO	Lincoln	2007	17956 TY
68	JOSE F OLIVERA	Toyota Ciena	2005	16400 TX
75	HECTOR HERRERA	Cron Victoria	2008	17291 TY
23	MARTHA TRUJILLO	Lincoln	2007	17678 TX

DRIVER LIST

COMAPANY NAME:

VILLAGE TAXI CORP

3/11/2015

DRIVE NAME	STREET ADDRESS	CITY/SATTE ZIP CODE	TLC LICENSE#	EXP.DATE
Julia Alvarez	211 Cleveland St 2Fl.	Portchester NY 10573	DP 01588-14 MID 500954976	7/31/2015
Eduardo Carrasco	211 Cleveland St 2Fl.	Portchester NY 10573	DP 01509-14 MID 679904613	7/31/2015
Ciceron Ciriaco	235 Locus Ave 1Fl	Portchester NY 10573	DP 01665-14 MID 219492862	7/31/2015
Milton Ciriaco	235 Locus Ave 1Fl	Portchester NY 10573	DPT00664-14-12 MID 327490659	5/31/2015
Johnathan P. Morales	35 Mataron Place	Portchester NY 10573	DP 001322-14 MID 819223265	8/15/2015
Favian Brito	437 Willett Ave #1	Portchester NY 10573	DP00136-19 MID 754679917	2/28/2015
Carlos Maldonado Romero	10 Broad St.	Portchester NY 10573	DP 02422-11 MID 367276586	10/31/2014
Gustavo C. Ostos	82 Piggott Rd.	Mahopac NY 10541	DP 0184-14 MID 717455884	8/31/2015
Sebastian Cervantes	636 Main St Apr 1	New Rochell NY10801	DP01514-19 MID 442153471	7/31/2015
Henry Salcedo	239 Seymour Rd	Portchester Ny10573	DP01568-14 MID217795458	7/31/2015
Jose F Olivera	135 Rectory #2	Portchester Ny10573	DP01688-14 MID248422266	8/15/2015

Hector Herrera	10 Edison Pl	Portchester Ny10573	DP01683-14 MID647848256	7/31/2015
Nelly Quezada	268 King ST	Portchester NY 10573	DP016385-14 MID447640589	7/31/2015
Freddy E Briones	22 Sands St Apt 1	Portchester NY 10573	DP01374-14 MID 942415697	7/31/2015
Martha Trujillo	86 Webster Av	Harrison NY 10528	DP01895-14 MID762648943	9/15/2015
Manuel Saavedra	86 Webster Av	Harrison NY 10528	DP01947-14 MID817306049	9/30/2015

NOTES

RECEIPT

DATE 3-12-15 NO. 025793

RECEIVED FROM VILLAGE TAXI CORP

ADDRESS _____

Co. DISPATCHING LICENSE \$ 495.00

FOR _____

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	<input checked="" type="checkbox"/>
AMT. PAID		CHECK	
BALANCE DUE		MONEY ORDER	

BY [Signature]

RESOLUTION

APPOINTMENT OF MEMBER TO PLANNING COMMISSION

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

RESOLVED, that CHRIS SUMMA, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester PLANNING COMMISSION, with said term expiring on 06/16/2016.

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

Planning and Development Department

Village BOT Meeting Date: 3/16/2015

Item Type: Resolution

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

Sponsor's Name: Christopher N. Gomez, Director of Planning & Development

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

Westchester County Community Housing Infrastructure Investment Program (CHIIP)

Summary

Background: Westchester County has implemented its new Community Housing Infrastructure Investment Program (CHIIP) to substitute for the Community Development Block Grant Program (CDBG) formerly administered by the Westchester County Department of Planning. The Village has multiple projects that were previously selected for funding by the County under the 2011-2014 CDBG program that have not been implemented due to the County's current impasse with the United States Department of Housing and Urban Development (HUD).

Resolution Attached authorizes the Village Manager to apply for FY 2015 CHIIP funding (with 50% village match) for the following five projects:

<u>Project</u>	<u>CHIP Request</u>	<u>Village Share</u>	<u>Project Cost</u>
Sewer Pollution Elimination	\$150,000	\$150,000	\$300,000
Sidewalk Improvements	\$150,000	\$150,000	\$300,000
Streetscape Improvements	\$187,500	\$187,500	\$375,000
Sewer & Storm Drain Improvements	\$150,000	\$150,000	\$300,000
Sidewalk Improvements FY 12 -14	\$150,000	\$150,000	\$300,000

Proposed Action

Adoption of resolution

Attachments

Resolution

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO EXECUTE DOCUMENTS NECESSARY TO FACILITATE APPLICATION(S) TO THE WESTCHESTER COUNTY COMMUNITY HOUSING INFRASTRUCTURE INVESTMENT PROGRAM (CHIIP)

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, Westchester County has implemented its new Community Housing Infrastructure Investment Program (CHIIP) to substitute for the Community Development Block Grant Program (CDBG) formerly administered by the Westchester County Department of Planning; and

WHEREAS, for 2015, projects eligible for the County’s CHIIP financial support will be selected from those projects previously submitted by municipalities to the County under the CDBG Program and subsequently recommended for funding; and

WHEREAS, the Village of Port Chester has multiple projects that were previously selected for funding by the County under the 2011-2014 CDBG program that have not been implemented due to the County’s current impasse with the United States Department of Housing and Urban Development (HUD); and

WHEREAS, Village staff has met with representatives of the County to identify projects eligible for 2015 CHIIP funding; and

WHEREAS, if such projects are awarded, the Village will be required to provide a 50% village matching share which would be the subject of further Board action to appropriate same. Now, therefore be it

RESOLVED, that the Village Manager is hereby directed and authorized to execute any and all documents pertaining to the application for FY2015 Westchester County Community Housing Infrastructure Investment Program (CHIIP) funding for the following five projects in the amounts listed below:

<u>Project</u>	<u>CHIIP Request</u>	<u>Village Share</u>	<u>Total Project Cost</u>
Sewer Pollution Elimination	\$150,000	\$150,000	\$300,000
Sidewalk Improvement	\$150,000	\$150,000	\$300,000
Streetscape Improvements	\$187,500	\$187,500	\$375,000
Sewer & Storm Drain Improvements	\$150,000	\$150,000	\$300,000
Sidewalk Improvements FY 12 -14	\$150,000	\$150,000	\$300,000

Approved as to Form:

Village Attorney, Anthony Cerreto

CORRESPONDENCE



PUTNAM ENGINE & HOSE CO., NO.2

Organized October 4, 1854

Incorporated May 17, 1954

P.O. Box 933, Port Chester, NY 10573

March 5, 2015

VIA EMAIL & REGULAR MAIL

VILLAGE OF PORT CHESTER

VILLAGE CLERK

222 Grace Church Street

Port Chester, NY 10573

JRichards@portchesterny.com

Attn: Janusz R. Richards

Dear Mr. Richards:

At of our March 2015 meeting, the Putnam Engine & Hose, Company No.2, accepted the resignation of the below member.

Alfredo Vargas Coyt
20 Sands Street
Port Chester, NY 10573

Sincerely yours,
PUTNAM ENGINE & HOSE COMPANY, No. 2

Frank Cervinka
Secretary

Enclosure

cc: President Robert Gerardi

Emailed VC for BOT Agenda

Church of Our Lady of the Rosary
22 Don Bosco Place
Port Chester, NY 10573

VILLAGE OF PORT CHESTER

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

MAR 11 2015

RECEIVED *M*

Honorable Mayor Pagano and Honorable Trustees:

On Good Friday, April 3, Our Lady of the Rosary and Corpus Christi parishioners as well as many other villagers, all join together in a public re-enactment of Jesus' Passion and Death, the Via Crucis. The participants will gather on the street in front of Our Lady of the Rosary Church at 5:30PM for a prayer service the Chaplet of Divine Mercy followed by a procession in the streets beginning 6:00PM with the reenactment of the passion and death to Corpus Christi parking lot..

We have reversed the path and will not use the Village Show mobile to close Don Bosco Place for hours as in the past years as to ease the pressure on Friday night traffic.

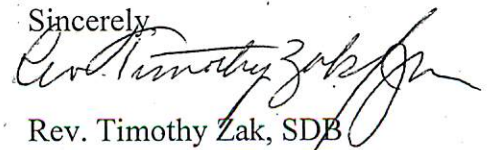
We respectfully request permission to follow the route traveling north on Don Bosco Place turning left onto Purdy Avenue to South Main Street, then right to East William Street to Pearl, left on Pearl right on William Street, left on South Regent Street to the Corpus Christi parking lot where it will terminate.

This event has been drawing close to one thousand people and we expect an equal or greater number to participate this year.

We respectfully request a police escort for this procession and a police presence at the closing service. The appropriate insurance certificate will be supplied to the Village Clerk's Office.

Thank you for your support in this matter and all the support the Board has extended to Our Lady of the Rosary in the past.

Sincerely,



Rev. Timothy Zak, SDB
Pastor

TZ: me
Cc: Christopher Steers, Manager
Mark Braccio, Police Sgt.
Edward Quinn, Fire Chief
Rocco Morabito, General Foreman
Scott Moore, E.M.S. Administrator

Emailed Mayor + BOT/VA/CGomez/vm/pm

Thomas P. Bailey

Port Chester, NY

February 25, 2015

*Mayor Neil J. Pagano
Chris Steers, Village Manager
Anthony Ceretto, Village Attorney
Trustee Gregory K. Adams
Trustee Daniel Brakewood
Trustee Gene Ceccarelli
Trustee Joseph D. Kenner
Trustee Luis A. Marino
Trustee Saverio L. Terenzi
Chris Gomez, Dir. Of Planning
Peter Miley, Code Enforcement Dir.*

VILLAGE OF PORT CHESTER

MAR - 2 2015

RECEIVED

M

Hon. Mayor Pagano
222 Grace Church Street
Port Chester, NY 10573

Dear Mr. Pagano, Mr. Steers, Mr. Ceretto, Mr. Gomez, Mr. Miley, and esteemed members of the Board of Trustees:

At a recent BOT meeting I was not surprised when again the subject of public parking in Port Chester came to the forefront. Reluctantly I have become very knowledgeable about downtown parking lately.

Rather than commissioning yet another study, I'd like to propose something that would be of great benefit to the Village of Port Chester and the downtown businesses thereof.

Port Chester has in recent years become a dream destination for diners, but it is a poor place for parkers. The Village's own two parking studies commissioned several years ago, oft-cited by The Capitol Theatre in recent times, demonstrates that there is ample parking (1297 available spaces at all times) within a short distance of the downtown crossing of Westchester Avenue and Main Street.

Yet those public spaces are scattered, dimly (if at all) lit, and difficult to find. Furthermore, and crucially, there are essentially no street signs providing direction to places where the public may park.

The solution, or at least one solution that would make an enormous difference, is simple:

1. "Appropriate" and utilize the severely underutilized second story (the MTA level) of the G&S parking structure for free public parking from (say) 5pm - 4am nightly.
2. Brighten up (via paint and lighting) this structure to enhance the safety and the perception thereof. Install security cameras and have PCPD be aware of activities going on there.
3. Post signage on major roadways indicating "PORT CHESTER VILLAGE CENTER - FREE PUBLIC PARKING"

4. Watch visitors drive there, park for free, walk to nearby businesses on the waterfront and Main Street, and spend money.

I first heard this idea when Village Engineer Dolph Rotfeld mentioned that on the busiest parking day in recent Port Chester history, only 6-8 cars were parked on level two of that lot. I take credit only for attempting to remind you of his very good idea.

Of course there are details to be worked out with G&S and the MTA, but why consider constructing more parking, when there is ample parking space being wasted during the times that Port Chester could most use them?

This would help promote the business expansion of the waterfront area, Main Street on both sides of Westchester Ave, and the rough area around the old driving school.

I urge you to implement this suggestion. All people need is a little bit of direction, along with a feeling of relative security. Tell them that they can park free in Port Chester. Direct them there. And they'll explore the downtown without worrying about parking. I know you'll see more and more people take advantage of it. Let's utilize what is already here before we throw more money away – money that can buy signs and lights and cameras and bring more business to downtown Port Chester.

I thank you for listening.

Respectfully submitted,



Tom Bailey, Port Chester NY

From: [REDACTED]
To: [REDACTED]
Subject: FW: Recreation Commission resignation
Date: Tuesday, March 3, 2015 11:09:15 AM

Heather Krakowski

Heather Krakowski
Recreation Supervisor
Port Chester Recreation
222 Grace Church Street
Port Chester, NY 10573
(914) 305-2572

From: Linda Turturino [REDACTED]
Sent: Tuesday, March 03, 2015 10:57 AM
To: Pagano, Neil (Mayor); Terenzi, Saverio (Trustee); Adams, Gregory (Trustee); Brakewood, Daniel (Trustee); Kenner, Joseph Trustee / IDA; Ceccarelli, Gene (Trustee); Marino, Luis (Trustee)
Cc: Krakowski, Heather; Kim.Morabito@pepsico.com
Subject: Recreation Commission resignation

Good Morning everyone,

I sent a letter snail mail to the Mayor's office the end of January that I was resigning from the Recreation Commission as of March 1, 2015. That letter never arrived . Please accept this at this late date.

I will continue to serve on the Entertainment Committee for the concerts in the park, downtown Port Chester and PC Day. I enjoy the people on that committee and I love organizing and event planning.

I wish the Village of Port Chester all the best and look forward to continue working with the Village .

Regards,

Linda Turturino
94 Birch St
Port Chester, NY 10573

Received
MAR 12 2015
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, 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 2-25-15 for the period from 12/24/14 to 2/25/15 for service located at the property at 211 J.P.V. 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)

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 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.

W. D. P. Mull

Signature of owner

914 934 2424

Phone # of Owner

3/10/15

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 _____

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

March 10, 2015

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 site 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 2/25/15 $\$337.43 \times 31\% = \104.60

We ask for a \$232.82 credit.

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 and we ask that it be retroactive to the inception of the law.

Sincerely,



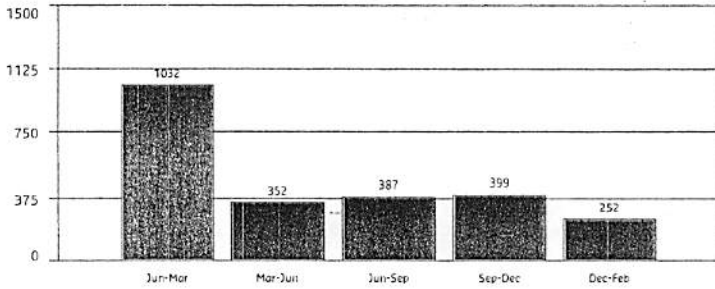
Howie Ravikoff
M. Ravikoff Assoc.
Managing Agent
H&H Property Corp
211 Irving Avenue
Port Chester, NY 10573



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 03/26/2015

Billing Date: 02/25/15
Account Number: 07908055938844

Previous Balance	\$537.65
Payments Through 02/25/15 <i>THANK YOU</i>	\$537.65CR
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$337.43
TOTAL AMOUNT DUE	\$337.43

*PAY BY 03/24/2015 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	12/29/14	02/25/15	58	2003	2255	252 EQUIVALENT TO	CCF	PRORATED ACTUAL 188,496 GALLONS	SWQ

252.0000 @ \$1.338999 SEW RENT
TOTAL CURRENT CHARGES

\$337.43
\$337.43

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

Due to a change in the meter reading schedule, this bill has been pro-rated. In the future, Water will be billed monthly. Sewer will continue to be billed quarterly.
 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.
 Sewer Rent Lien Notice
 Please be advised that if your account has any delinquent sewer rent as of April 1, 2015 it will be placed on your 2015-2016 Village property tax bill to be paid to the Town of Rye Tax Office and treated as property taxes owed.
 Your first bill after April 1st will reflect the removal of any delinquent amount.
 Any payment for such delinquent amount that is received by United Water between April 1 and June 1, 2015 will be applied as a credit on your account for future Sewer Rent billings.
 Effective June 1, 2014, the sewer rent changes from \$1.30002 to \$1.338999 per CCF.

0 0 RE 405912

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

079
079



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

Temp - Return Service Requested

SERVICE ADDRESS: 211 IRVING AVE
 PORT CHESTER NY

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

001278

AUTO**SCH 5-DIGIT 10573 1278 T5:5 1278 1 AV 0.378
 H & H PROPERTIES
 33 NEW BROAD ST
 PORT CHESTER NY 10573-4632



Account Number:	07908055938844
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$337.43
TOTAL AMOUNT DUE	\$337.43
<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

0790805593884400000033743000000003

Received
MAR 12 2015
Village Clerk
VILLAGE OF PORT CHESTER

C-6



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, Pomino Properties Inc, residing at 90 W RAVIKOFF ASSOC, 33 New Broad St, hereby make application and appeal to the Board of Trustees for review with regard to the attached sewer rent bill dated 2-25-15 for the period from 12/29/14 to 2/25/15 for service located at the property at 46 Pomino Port Chester, New York, also designated as Section 147-22 Block 1 and Lot 52 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 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.

- 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.

See attached

W. J. P. Maff

Signature of owner

914 434 2424

Phone # of Owner

3/10/15

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 _____

Poningo Properties, 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, 46 Poningo St Port Chester NY

March 10, 2015

To Whom It May Concern,

46 Poningo St is a mixed use multi tenant building. There are 2 water meters monitored by United Water Westchester.

As Landlords we have 1 meter. As Tenant and owner of a traditional laundry matt, Wash N Dry aka Robinson Ent, has 1 meter direct billed by United.

Wash N Dry calculates that on average 4.89% of the water measured does not go back down the drain into the sewer system. See attachment.

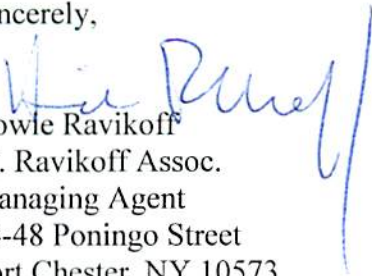
We present that we should be billed for 4.89% less than what we have been billed for.

Billing date 2/25/15 \$235.66 x (4.89%) = \$11.52

We ask for a credit of \$11.52

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 and we ask that it be retroactive to the inception of the law.

Sincerely,

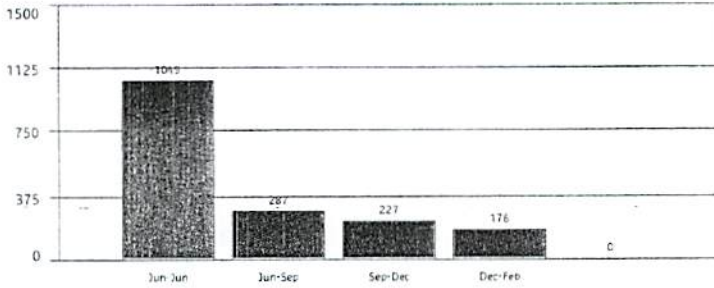

Howie Ravikoff
M. Ravikoff Assoc.
Managing Agent
44-48 Poningo Street
Port Chester, NY 10573



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 03/26/2015

Billing Date: 02/25/15
Account Number: 07908322220569

Previous Balance	\$335.27
Payments Through 02/25/15 <i>THANK YOU</i>	\$335.27CR
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$235.66
TOTAL AMOUNT DUE	\$235.66

*PAY BY 03/24/2015 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: M RAVIKOFF REALTY

SERVICE ADDRESS: 46 PONINGO ST PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
52388244	12/29/14	02/25/15	58	2057	2233	176 EQUIVALENT TO	CCF 131,648 GALLONS	PRORATED ACTUAL	SWQ

176.0000 @ \$1.338999 SEW RENT \$235.66
 TOTAL CURRENT CHARGES \$235.66

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

Due to a change in the meter reading schedule, this bill has been pro-rated. In the future, Water will be billed monthly. Sewer will continue to be billed quarterly.
Sewer Rent Lien Notice
 Please be advised that if your account has any delinquent sewer rent as of April 1, 2015 it will be placed on your 2015-2016 Village property tax bill to be paid to the Town of Rye Tax Office and treated as property taxes owed.
 Your first bill after April 1st will reflect the removal of any delinquent amount.
 Any payment for such delinquent amount that is received by United Water between April 1 and June 1, 2015 will be applied as a credit on your account for future Sewer Rent billings.

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: 46 PONINGO ST
 PORT CHESTER NY

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

001279

AUTO**SCH 5-DIGIT 10573 1279 T5:5 1279 1 AV 0.378
 M RAVIKOFF REALTY
 MARVIN RAVIKOFF
 33 NEW BROAD ST STE 4
 PORT CHESTER NY 10573-4651



0790832222056900000023566000000002

Account Number: 07908322220569

Balance Forward \$0.00

Current Charges Due 03/23/2015 \$235.66

TOTAL AMOUNT DUE \$235.66

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

Received
-MAR 12 2015
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

C-07

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, DOMINIC PROPERTIES, residing at 90 M RAVIKOFF ASSOC.
133 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 2-25-15 for the period from 2/4/15 to 2/25/15 for service located at the property at 46 POWING ST. Port Chester, New York, also designated as Section 147-72 Block 1 and Lot 52 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.

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.

See ATTACHED

Handwritten Signature
Signature of owner

914 9342424
Phone # of Owner

3/10/15
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 _____

Poningo Properties, 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, 46 Poningo St Port Chester NY

March 10, 2015

To Whom It May Concern,

46 Poningo St is a mixed use multi tenant building. There are 2 water meters monitored by United Water Westchester.

As Landlords we have 1 meter. As Tenant and owner of a traditional laundry matt, Wash N Dry aka Robinson Ent, has 1 meter direct billed by United.

Wash N Dry calculates that on average 4.89% of the water measured does not go back down the drain into the sewer system. See attachment.

We present that we should be billed for 4.89% less than what we have been billed for.

Carrying this conclusion forward to our current bill:

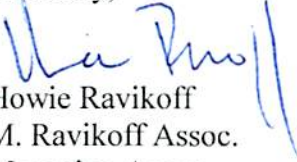
Billing date 02/25/2015 $\$109.90 \times 4.89\% = \5.37

We ask for a credit of \$5.37

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.

We encourage the Board to adopt and amendment to this law allowing for 100% of the sewer rent to be recouped and this amendment should be retroactive.

Sincerely,



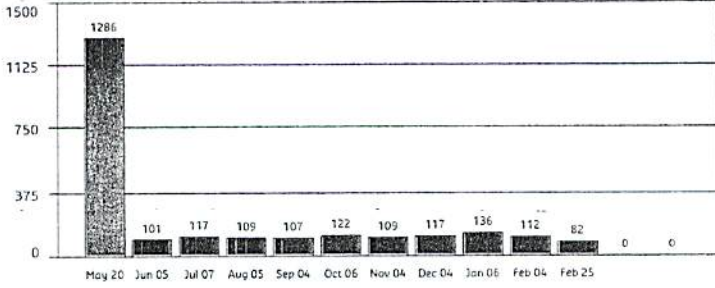
Howie Ravikoff
M. Ravikoff Assoc.
Managing Agent
44-48 Poningo Street
Port Chester, NY 10573



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 03/26/2015

Billing Date:	02/25/15
Account Number:	07901410924842
Previous Balance	\$149.97
Payments Through 02/25/15 <i>THANK YOU</i>	\$149.97CR
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$109.80
TOTAL AMOUNT DUE	\$109.80

*PAY BY 03/24/2015 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: M. RAVIKOFF ASSOC., INC.

SERVICE ADDRESS: 46 PONINGO ST PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
50829218	02/04/15	02/25/15	21	02081	02163	82 EQUIVALENT TO	CCF	PRORATED ACTUAL 61,336 GALLONS	SWM

82.0000 @ \$1.338999 SEW RENT \$109.80
 TOTAL CURRENT CHARGES \$109.80

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

Due to a change in the meter reading schedule, this bill has been pro-rated. In the future, Water will be billed monthly. Sewer will continue to be billed quarterly.
 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.
 Sewer Rent Lien Notice
 Please be advised that if your account has any delinquent sewer rent as of April 1, 2015 it will be placed on your 2015-2016 Village property tax bill to be paid to the Town of Rye Tax Office and treated as property taxes owed.
 Your first bill after April 1st will reflect the removal of any delinquent amount.
 Any payment for such delinquent amount that is received by United Water between April 1 and June 1, 2015 will be applied as a credit on your account for future Sewer Rent billings.
 Effective June 1, 2014, the sewer rent changes from \$1.30002 to \$1.338999 per CCF.

0 0 RE 496912

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

079
079



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

Temp - Return Service Requested

SERVICE ADDRESS: 46 PONINGO ST
 PORT CHESTER NY

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

001274

AUTO**SCH 5-DIGIT 10573 1274 T5:5 1274 1 AV 0:378
 M. RAVIKOFF ASSOC., INC.
 33 NEW BROAD ST STE 4
 PORT CHESTER NY 10573-4651



Account Number:	07901410924842
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$109.80
TOTAL AMOUNT DUE	\$109.80
<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

0790141092484200000010980000000007

Received
MAR 12 2015
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

c-08

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, Pomiryo Properties residing at 90 W RAVIKOFF #350C, 33 New Bond St, hereby make hereby make application and appeal to the Board of Trustee for review with regard to the attached sewer rent bill dated 2-25-15 for the period from 12/24/14 to 2/25/15 for service located at the property at 4 Boulevar Port Chester, New York, also designated as Section 142-22 Block 1 and Lot 52 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 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.

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.

See ATTACHED

Handwritten Signature

Signature of owner

914 934 2424

Phone # of Owner

3/10/15

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 _____

Poningo Properties, 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, 4 Bulkley Avenue Port Chester NY

March 10, 2015

To Whom It May Concern,

4 Bulkley Avenue is a commercial multi-tenant building. There is 1 water meter monitored by United Water Westchester.

1 Tenant, Big Eddy Enterprises aka Fish Window Cleaning calculates that 140 gallons of water per week do not go down the drain, or 560 gallons per month.

Using historical monthly average total gallon is 6,732
 $560/6732 = 8\%$

We present that we should be given an 8% credit.
Billing date 2/25/15 $\$17.41 \times .08 = \1.39 credit

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 and we ask that it be retroactive to the inception of the law.

Sincerely,



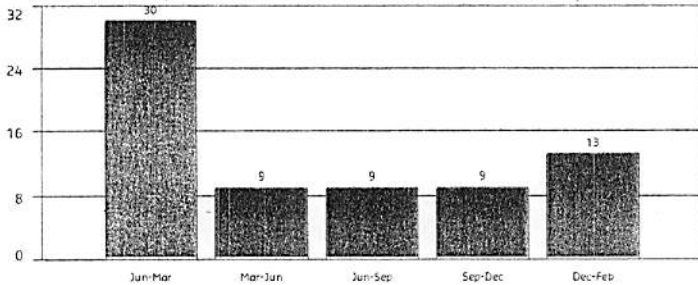
Howie Ravikoff
M. Ravikoff Assoc.
Managing Agent
44-48 Poningo Street
Port Chester, NY 10573



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 03/26/2015

Billing Date: 02/25/15
 Account Number: 07901394182814

Previous Balance	\$12.17
Payments Through 02/25/15 <i>THANK YOU</i>	\$12.17CR
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$17.41
TOTAL AMOUNT DUE	\$17.41

*PAY BY 03/24/2015 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: M RAVIKOFF REALTY

SERVICE ADDRESS: 4 BULKLEY AVE PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
49021034	12/29/14	02/25/15	58	0431	0444	13 EQUIVALENT TO	CCF 9,724 GALLONS	PRORATED ACTUAL	SWQ

13.0000 @ \$1.338999 SEW RENT
 TOTAL CURRENT CHARGES

\$17.41
 \$17.41

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

Due to a change in the meter reading schedule, this bill has been pro-rated. In the future, Water will be billed monthly. Sewer will continue to be billed quarterly.
 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.
 Sewer Rent Lien Notice
 Please be advised that if your account has any delinquent sewer rent as of April 1, 2015 it will be placed on your 2015-2016 Village property tax bill to be paid to the Town of Rye Tax Office and treated as property taxes owed.
 Your first bill after April 1st will reflect the removal of any delinquent amount.
 Any payment for such delinquent amount that is received by United Water between April 1 and June 1, 2015 will be applied as a credit on your account for future Sewer Rent billings.
 Effective June 1, 2014, the sewer rent changes from \$1.30002 to \$1.338999 per CCF.

0 0 RE 465912 PLEASE DETACH HERE AND RETURN THE BOTTOM PORTION WITH YOUR PAYMENT IN THE RETURN ENVELOPE PROVIDED. 079 079



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

Temp - Return Service Requested

SERVICE ADDRESS: 4 BULKLEY AVE
 PORT CHESTER NY

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

001273

AUTO**SCH 5-DIGIT 10573 1273 T5:5 1273 1 AV 0.378
 M RAVIKOFF REALTY
 33 NEW BROAD ST STE 4
 PORT CHESTER NY 10573-4651



Account Number:	07901394182814
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$17.41
TOTAL AMOUNT DUE	\$17.41
<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

0790139418281400000001741000000008

Received
MAR 12 2015
Village Clerk
VILLAGE OF PORT CHESTER

C-09



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 40 in RAVINPT 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 2-25-15 for the period from 2/4/15 to 2/25/15 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)

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 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.

- 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.

See attached

W. J. P. P. P.

Signature of owner

914 934 2424

Phone # of Owner

3/10/15

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

March 10, 2015

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.

Carrying these result forward to our current bill:

Billing date 02/25/2015 $\$44.19 \times 62\% = \27.39

We ask for a \$16.80 credit

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.

We encourage the Board to adopt and amendment to this law allowing for 100% of the sewer rent to be recouped and this amendment should be retroactive.

Sincerely,



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

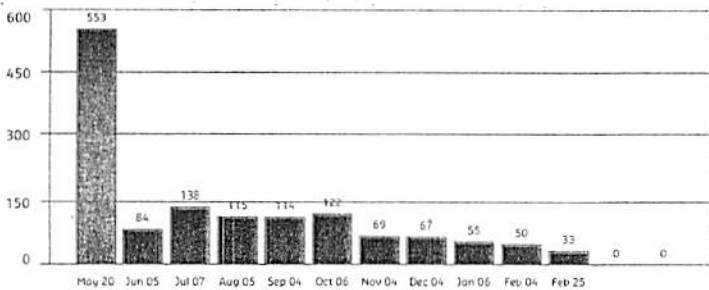


VILLAGE OF PORT CHESTER SEWER RENT
 Serviced by United Water Westchester

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 03/26/2015

Billing Date: 02/25/15
 Account Number: 07902425083708

Previous Balance	\$66.95
Payments Through 02/25/15 <i>THANK YOU</i>	\$66.95CR
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$44.19
TOTAL AMOUNT DUE	\$44.19

*PAY BY 03/24/2015 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	02/04/15	02/25/15	21	01125	01158	33 EQUIVALENT TO	CCF	PRORATED ACTUAL 24,684 GALLONS	SWM

33.0000 @ \$1.338999 SEW RENT \$44.19
 TOTAL CURRENT CHARGES \$44.19

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

Due to a change in the meter reading schedule, this bill has been pro-rated. In the future, Water will be billed monthly. Sewer will continue to be billed quarterly.

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.

Sewer Rent Lien Notice

Please be advised that if your account has any delinquent sewer rent as of April 1, 2015 it will be placed on your 2015-2016 Village property tax bill to be paid to the Town of Rye Tax Office and treated as property taxes owed.

Your first bill after April 1st will reflect the removal of any delinquent amount.

Any payment for such delinquent amount that is received by United Water between April 1 and June 1, 2015 will be applied as a credit on your account for future Sewer Rent billings.

Effective June 1, 2014, the sewer rent changes from \$1.30002 to \$1.338999 per CCF.

0 0 RE 406012

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

079
079



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

Temp - Return Service Requested

SERVICE ADDRESS: 33 NEW BROAD ST
 PORT CHESTER NY

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

001275



AUTO**SCH 5-DIGIT 10573 1275 T5:5 1275 1 AV 0.378
 NEW BROAD STREET LLC
 M RAVIKOFF ASSOC
 33 NEW BROAD ST
 PORT CHESTER NY 10573-4632



07902425083708000000004419000000008

Account Number: 07902425083708

Balance Forward \$0.00

Current Charges Due 03/23/2015 \$44.19

TOTAL AMOUNT DUE \$44.19

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

Received
MAR 12 2015
Village Clerk
VILLAGE OF PORT CHESTER

C-10



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, 235 HOLDING CO LLC, residing at 46 IN RAVIKOFF ASSOC
33 NEW BRAD ST, hereby make hereby make application and appeal to the Board of Trustee for review with regard to the attached sewer rent bill dated 2.25.15 for the period from 1/6/15 to 2/25/15 for service located at the property at 235 WEST CHESTER AVE Port Chester, New York, also designated as Section 142.22 Block 1 and Lot 22 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 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.

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.

See ATTACHED

235 Holding Company, 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

March 10, 2014

To Whom It May Concern,

233-237 Westchester Avenue is a mixed use multi tenant building. There is 1 water meter monitored by United Water Westchester. As Landlords we have installed sub-meters including 1 for La Boutique Salon. These sub-meters are monitored by the Landlord and used to measure their corresponding water usage.

La boutique Salon calculates that 3% of the water measured does not go back down the drain into the sewer system.

On average, total water measured by United Water Westchester for the entire building is 6394 cubic feet per month. On average, total water measured for La Boutique is 270 cubic feet per month.

Total water measured minus La Boutique:
 $6394 - 270 = 6124$

6124 cubic feet we should be billed for 100%
270 we should be billed for 97% (261)

We present that we should be billed for $6124 + 261$ or 6385.9 cubic feet.
This equates to 99% of the total water measured by United Water Westchester.

We request a 1% credit.

Carrying this forward, we request a 1% credit for our current bill:

Billing date 2/25/15 \$262.44 x 1% = \$2.62

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.

We encourage the Board to adopt an amendment to this law allowing for 100% of the sewer rent to be recouped and this amendment should be retroactive.

Sincerely,



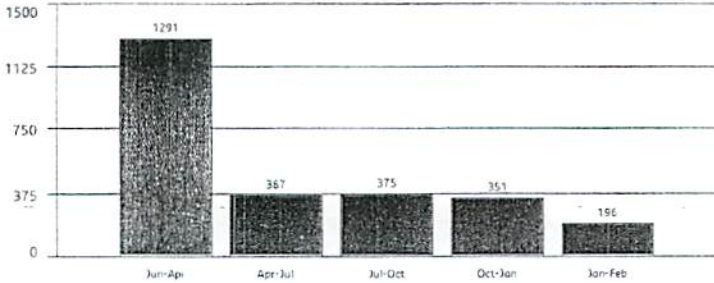
Howie Ravikoff
M. Ravikoff Assoc.
Managing Agent
235 Holding Co., LLC
33 New Broad Street
Port Chester, NY 10573



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 03/26/2015

Billing Date:	02/25/15
Account Number:	07902829716069
Previous Balance	\$469.99
Payments Through 02/25/15 <i>THANK YOU</i>	\$469.99CR
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$262.44
TOTAL AMOUNT DUE	\$262.44

*PAY BY 03/24/2015 TO AVOID A 1% LATE PAYMENT CHARGE

SERVICE TO: 235 HOLDING CO LLC

SERVICE ADDRESS: 235 WESTCHESTER AVE PORT CHESTER NY

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
52625556	01/06/15	02/25/15	50	3109	3305	196 EQUIVALENT TO	CCF 146.608 GALLONS	PRORATED ACTUAL	SWQ

196.0000 @ \$1.338999 SEW RENT \$262.44
 TOTAL CURRENT CHARGES \$262.44

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

IMPORTANT MESSAGES

Due to a change in the meter reading schedule, this bill has been pro-rated. In the future, Water will be billed monthly. Sewer will continue to be billed quarterly.
 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.
 Sewer Rent Lien Notice
 Please be advised that if your account has any delinquent sewer rent as of April 1, 2015 it will be placed on your 2015-2016 Village property tax bill to be paid to the Town of Rye Tax Office and treated as property taxes owed.
 Your first bill after April 1st will reflect the removal of any delinquent amount.
 Any payment for such delinquent amount that is received by United Water between April 1 and June 1, 2015 will be applied as a credit on your account for future Sewer Rent billings.
 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

079
079



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

Temp - Return Service Requested

SERVICE ADDRESS: 235 WESTCHESTER AVE
 PORT CHESTER NY

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

001277

AUTO**SCH 5-DIGIT 10573 1277 T5:5 1277 1 AV 0.378
 235 HOLDING CO LLC
 C/O M RAVIKOFF ASSOC. INC
 33 NEW BROAD ST
 PORT CHESTER NY 10573-4632



0790282971606900000026244000000007

Account Number:	07902829716069
Balance Forward	\$0.00
Current Charges Due 03/23/2015	\$262.44
TOTAL AMOUNT DUE	\$262.44
<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

Received

MAR 12 2015

Village Clerk
VILLAGE OF PORT CHESTER

M. Ravikoff Assoc. Inc.

33 New Broad Street
Port Chester, NY 10573

C-11

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

March 12, 2015

Dear Mr. Mayor and Board of Trustees,

Re: towing and booting

Here we go again; decent idea, bad proposed execution. Ok, you want to protect the public. Great. You have a problem in the downtown area, glad to know you want to solve it.

I hear Mr Didden and other members of the public speak and I understand and I respect the problems they face downtown. If this proposal satisfies their concerns, great. Limit it to the downtown.

You are yet again not considering the full application of your proposal. STOP IGNORING THE WHOLE VILLAGE. The proposed law does not take into consideration the rest of the Village. We own several commercial properties that do not fall under the consideration or discussion thus far. We have parking lots where the abuse by Port Chester residents and nearby business owners is rampant. The abusers are not out of town patrons.

The proposed law will force me to use a tow company, and force me to be present. If you do so, you will be actively supporting abuse of my private lot.

STOP IGNORING THE SMALL BUSINESS OWNER.

Why are you constantly forcing me to hire someone to do my work? Don't take away the small business owner's right to take care of things on his own. Do I really have to fight you to police my own property? You are infringing on my rights to protect my property.

Can I boot a car parked in my lot that does not belong in my private lot?

Can I put a sticker on a car that does not belong??

Don't take away my right to protect my own private property.

Let's not forget this problem starts when someone parks their car in a lot where they have no right to park.

Sincerely,

A handwritten signature in blue ink, appearing to read "Howie Ravikoff". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

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

MINUTES

MEETING HELD JANUARY 20, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, January 20, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Saverio Terenzi, Luis Marino, Joseph Kenner and Gene Ceccarelli.

It should be noted that Trustee Kenner arrived at 6:07 p.m. and Trustee Brakewood arrived at 6:23 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 7:00 p.m.); Chief of Police, Richard Conway; Village Engineer, Dolph Rotfeld (arrived at 7:00 p.m.); Christopher Ameigh Administrative Aide to the Village Manager; Building Inspector and Director of Code Enforcement Peter Miley (arrived at 7:00 p.m.); Ed Brancati, Human Resources; Heather Krakowski, Recreation Supervisor (arrived at 7:00 p.m.); Edward Quinn, Village Fire Chief - Chief Engineer; Michael De Vittorio, 1st Assistant Fire Chief; Enrico Castarella, 2nd Assistant Fire Chief and Attorney Terry O'Neil (via telephone).

On motion of TRUSTEE ADAMS, seconded by TRUSTEE TERENZI, the meeting was declared opened at 6:04 p.m.

ROLL CALL

AYES: Trustees Adams, Terenzi, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood and Kenner.

DATE: January 20, 2015

MOTION FOR EXECUTIVE SESSION

At 6:05 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS, the Board adjourned into an executive session for the purpose of Interviewing Dwayne Edwards as a candidate for the Ethics Board and discussion involving collective bargaining negotiations between the Village and Port Chester Professional Firefighters Association Local 1971 and with regard to the employment status with regard to particular career fire fighters.

ROLL CALL

AYES: Trustees Adams, Terenzi, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood and Kenner.

DATE: January 20, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager; Ed Brancati, Human Resources; Edward Quinn,

Village Fire Chief - Chief Engineer; Michael De Vittorio, 1st Assistant Fire Chief; Enrico Castarella, 2nd Assistant Fire Chief and Attorney Terry O'Neil (via telephone).

It should be noted that at 6:23 p.m., Village Manager, Christopher Steers stepped outside the room during consultations with Terry O'Neil Labor Attorney.

No action was taken in executive session.

At 6:56 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

PRESENTATION OF NEW POLICE APPOINTMENT

Promotion of Sergeant Anthony C. Scarlato to a Police Lieutenant with the Village of Port Chester



(From Left) Lieutenant Anthony C. Scarlato, Police Chief Richard F. Conway and Mayor Neil J. Pagano

WORKSHOP

Village Manager Chris Steers commented there are two items, the Sewer Rent and Storm Drains. He showed a PowerPoint presentation to show what we are working on with the Sewer Rent and Storm Drain systems. We have some numbers from the Village Engineer. We will talk about the appeals process and how we are doing on our collections and the issues we are looking at going forward. He would like to have further discussions on the Sewer Rent program and the budget specifically for that fund during our workshops. As part of this report he requested a special meeting to discuss where we are with the six month numbers and what the projections look like. We can get into more detail at that meeting. Chris Ameigh ran through the presentation and Dolph can answer any questions. After the presentation he will go over the dollars and cents.

(Chris Ameigh gave a PowerPoint presentation on PC Sanitary Sewer and Storm Sewer System over the past year showing what areas has been done and what areas need to still be worked on.)

Trustee Brakewood commented on whether there must be a certain temperature at which this work should be done. Dolph replied no it does not.

Village Manager Steers handed out a summary of expenditures where we are to date. We are on projection to hit that \$50MM, just a projection, for the amount of work that needs to be done. The estimated consumption for last year was about \$1,300M. The actual consumption was about \$1MM. The amount of money billed so far is \$1.9MM. Based on the figures, Trustee Terenzi said that this comes to a \$300,000 shortfall based on the amount that was estimated and the amount consumed. He did not think we had enough information to have the rate go up.

Trustee Brakewood questioned the \$374,000. Is that just what people haven't paid or is it the difference between the actual and estimated consumption? Village Manager Steers commented this is on a calculated billing. Mayor Pagano asked if these were places like schools, the county, the housing authority and Rye Brook, Those numbers are in the \$374,000. Trustee Brakewood asked for a list of the properties that have never paid. Village Manager Steers commented we are asking United Water to provide us with a more usable fashion.

Village Manager Steers commented there is a lag in the payments. The appeals amount to less than \$3,000. The bill for the schools is \$3,500 per quarter. Trustee Terenzi said this could be expanded to a seven year program if all the work is not done in five years. There was about \$6,900 that came in the end of last year that will be credited to this year.

Dolph said the Village of Port Chester uses the sewer on Comly Avenue, which is in Rye Brook. The pump station comes back into Port Chester. Mayor Pagano commented on Dolph's report. He would like to slow down and not be so aggressive in the repair work. Trustee Terenzi said this is a five year project. He commented what we spend is a capital item. Our budget is another item.

Trustee Ceccarelli commented it is an administrative burden to get into the appeals process when the law doesn't require it. With large companies they should get a meter to avoid an enormous amount of billing. Village Manager Steers commented he would favor that route rather than the 10%. Mayor Pagano commented appeals should be made once a year, not with every billing.

Trustee Brakewood commented that we do not have a water district or a municipal water department that we control, so whatever we do we have to do with United Water. Attorney Cerreto commented that we are the only municipality with an appeal adjustment process. We are the only municipality that requires the public to appeal each billing, which is cumbersome to both the staff and the public. We need to focus on the administrative processes. He would recommend that we have some criteria. It is unfair to the Village as well as property owners to not know how to follow an appeal if you want to go beyond 10%.

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

PUBLIC HEARING - - Local Law amending the code of the Village of Port Chester - Sewer Rent Section 268-4 adjustments and appeals.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the public hearing was declared **re-open**.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

PUBLIC COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any comments regarding this public hearing.

Comments were made by:

Ms. Goldie Solomon commented we need to know what the adjustments and appeals are before you amend the code. What good is a public hearing on amending the local law when we don't even know what the adjustments and appeals are?

Mr. Howie Ravikoff commented on the he is happy we are revisiting this amendment. The majority of us are in between those with big businesses and homeowners. We are business people. You cannot measure water going down the drain. Also, the United Water meters measuring water going into a building are inaccurate. That is where the 10% adjustment comes in. Who will pay for the measuring device to be installed? The water company owns the line and the meter to measure the water. To file a grievance he will need to hire an engineer. To recoup those dollars would take years, if not decades. He can have his business owners sign a notarized affidavit saying what they are putting down the drain. The 10% cap is ridiculous. There should not be a 10% cap.

Mr. Richard Abel commented that there is no proposed law at this time. Village Attorney Cerreto commented that there was one that was tabled until tonight's hearing for discussion purposes. He referred to the question of eliminating the appeal process. He does believe there should be an administrative appeal process. Every appeal should not come to the Board. It should be dealt with administration; and if you are not satisfied there should be an appeal before the Board.

Attorney Cerreto commented the public hearing should be closed with direction to staff to make some changes. We should have a further workshop to discuss these changes. If the Board is comfortable with an affidavit as opposed to an engineering report, we can require that level of proof. Mayor Pagano said there needs to be some way to figure an adjustment to special users.

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the public hearing was declared close.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

PUBLIC COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any public comments.

Comments were made by:

Ms. Goldie Solomon commented on Martin Luther King Day. We are a great Village. We have too many nonprofits and municipal properties off the tax role. We have a diverse community. We have a wonderful police department, fire department, Emits and department of public works.

Mr. Richard Abel commented on the negotiating with Rye Brook on sewer rent. Are they going to be paying their full rate? Trustee Terenzi commented they will be paying their full rate. Mr. Abel disagreed with Trustee Brakewood on a difference of only \$10; he feels it the amount doesn't matter. The law should be equal for all.

RESOLUTIONS

MAYOR PAGANO asked for a motion to consider an add-on resolution to appoint Dwayne Edwards as member of the Port Chester Board of Ethics.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the motion received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION (ADD-ON)

APPOINTMENT TO THE BOARD OF ETHICS

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

RESOLVED, that Dwayne Edwards residing in Port Chester, New York, be and is hereby appointed as member of the Port Chester Board of Ethics, effective immediately, to serve at the pleasure of the Board of Trustees.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #1

ESTABLISHING A DOG RUN IN ABENDROTH PARK

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

WHEREAS, the Village received significant Community Development Block Grant funding through the Westchester County Consortium for making capital improvements to the upper portion of Abendroth Park resulting in a new pavilion, two playgrounds and parking area; and

WHEREAS, following a presentation by the Port Chester Dog Park Group (PCDPG) , the Board of Trustees adopted a resolution on May 6, 2013 that granted conceptual approval of a dog run in this area subject to a number of conditions; and

WHEREAS, the PCDPG embarked on a fund-raising campaign raising a substantial amount of donor funding towards the dog run; and

WHEREAS, the Board adopted a local law that provided for the opportunity of a dog run in designated areas in the Village's parks; and

WHEREAS, with the Board's support by resolution adopted on May 5, 2014, the PCDPG was successful in obtaining an award in the amount of \$25,000 from the PetSafe Bark for your Park Dog Park Contest; and

WHEREAS, the Board of Trustees has since received input from PCDPG, Park Commission and staff regarding the appropriate layout of the dog run and desires to maintain a safe distance between the pre-existing multi-generational programming and the area to be designated for the run; and

WHEREAS, rough measurements have been made and reviewed by all parties for the purpose of establishing the final layout of the dog run. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby designates the area in the upper portion of Abendroth Park to be established as a dog run to provide a much-needed recreational amenity to dogs and their handlers; and be it further

RESOLVED, that the Board's action presumes final professional design and site planning work as required for competitive bidding and construction of fencing and other improvements in connection with the Dog Park Group with key specific details for the guidance of said design to be as follows:

- Fencing for the dog run shall be installed at a distance of 60 feet from the existing playgrounds with the exception for the necessary fenced entrance area to pass from north to south from the west side of the pavilion to a point 60 feet south of the western playground and running parallel to the existing western park boundary fence and with a width of 15 feet maintained throughout for the pathway.
- Fencing for the dog run shall maintain a distance of 60 feet from the property lines of all residential homeowners to the north east of the playground.
- Fencing for the dog run shall maintain a distance of at least 115 feet from the existing soccer field.

and be it further

RESOLVED, that the Board hereby classifies this action as an Unlisted Action and makes a determination of non-significance under the State Environmental Quality Review Act (SEQRA) as set forth in the annexed negative declaration.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #2 (TABLED)

**ACCEPTING THE DONATION OF \$25,000 FROM PETS SAFE FOR USE IN
CONSTRUCTION OF THE DOG RUN IN ABENDROTH PARK**

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

WHEREAS, by resolution adopted on May 6, 2013, the Board of Trustees granted conceptual approval to a dog run in the upper portion of Abendroth Park subject to a number of conditions; and

WHEREAS, the PetSafe Bark for your Park Dog Park Contest was established to foster the creation and construction of dog parks and runs across the country; and

WHEREAS, the Port Chester Dog Park Group was successful in obtaining an award in the amount of \$25,000 from this contest; and

WHEREAS, the Board has reviewed the conditions of the Pet Safe Bark for Your Park Dog Park Contest, finding no point of contention therein. Now, therefore, be it

RESOLVED, that upon receipt the Board of Trustees hereby accepts the donation of \$25,000 from the Pet Safe Bark for your Park Dog Park Contest and agrees to abide by the conditions thereof.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, to TABLE resolution number 2 - Accepting the Donation of \$25,000 from PETS SAFE for Use in Construction of the Dog Run in Abendroth Park.

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #3

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE
RADAR SPEED SIGNS WITH DATA COLLECTION SOFTWARE**

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase two Safe Place 100 Radar Seed Signs with data collection software from Traffic Logix Corp., 3 Harriett Lane, Spring Valley, New York 10977 to assist in traffic calming efforts on village streets around the schools. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2014-15 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$(6,168.00)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$6,168.00
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Appropriations:

001-3120-0200	Police Service Equipment	\$6,168.00
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Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #4

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE
ID CARD SYSTEM**

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase a Fargo DTC4500e ID card system from ID Wholesaler, 7003 West Lake Street, St. Louis Park, MN 55426. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2014-15 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695 Deferred Revenue Police DEA \$(6,101.95)

Revenues:

001-0001-2613 Use of Deferred DEA Revenue \$6,101.95

Appropriations:

001-3120-0200 Police Service Equipment \$6,101.95

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #5

ACCEPTANCE OF COURT AUDIT FOR FY 2013-14

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

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective governing boards; and

WHEREAS, the State of New York Chief Administrative Judge has requested a copy of the Village of Port Chester's most recent examination and audit of the Port Chester Justice Court's records and a copy of the Board of Trustees' resolution acknowledging that the required examination and audit was conducted, together with a copy of the audit; and

WHEREAS, the Village has retained Drescher Malecki LLP, Buffalo, New York, as independent auditors; and

WHEREAS, the Board of Trustees was presented with the Village's audit for the Fiscal Year 2013-14, including the Justice Court, and that same has been reviewed and is in order. Now, therefore, be it

RESOLVED, that the Village Board of Trustees acknowledges that the required audit was conducted of the Port Chester Justice Court for the fiscal year ending May 31, 2014 and hereby accepts said audit; and be it further

RESOLVED, that a certified copy of this resolution together with a copy of the audit for the aforesaid year be provided to the New York State Office of Court Administration pursuant to Section 2019-a of the Uniform Justice Court Act.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

REPORT OF THE VILLAGE MANAGER

Mr. Steers reported to the Board on:

INITIATIVES /PRI ORITIES:

Strategic Planning: Strategic Actions (Opportunity Areas #1 Downtown TOD, #2 Down town: Municipal Center, #3 Waterfront Redevelopment / Revitalization, #4 Fox Island, #5 United Hospital Site Redevelopment).

- 1) **Opportunity Areas #1:** CI Neighborhood Retail Zoning Analysis: medical, dental office use Preliminary analysis regarding a potential zoning text change to permit medical in the CI Neighborhood Retail District either as-of- right or by special exception permit subject to existing special exception criteria as defined in §345-61U.

This action is considered a Type I Action under SEQRA regulations and requires a determination of significance from the Board of Trustees prior to final approval. Presentation to Board of Trustees completed December 2014, January 2015. Referral to Planning Commission to consider pending draft local law, January 2015.

- 2) **Opportunity Area #1, 5:** Urbanomics presented its findings related to the School Children Generation Mitigation Formula to BOT, December 2014. Again, the Base Formula has been drafted and vetted. The BOT asked for an evaluation of the unit mix of all of the current developments

in the pipeline to be added to the report. This evaluation is being completed.

Further, Tina Lund from Urbanomics had follow up conversations with stake holders to address any remaining concerns. Mrs. Lund spoke with both Richard Hymen and Maura McAward regarding the study. They each had questions and suggestions for minor revisions to clarify and further explain the text. The latter were mostly from Mura McAward and touched on topics that Trustee Brakewood brought up. Per Mrs. Lund none of the comments/suggestions change the actual content of the study, but will possibly head off some of the criticism.

- **Richard:** thinks the Mariner's dens should only be counted as bed rooms for those with windows. (Probably a fair assumption.)
 - o Footnote about the senior units at United Hospital.
 - o He also wants the additional projects in the pipeline to be added.
- Maura's questions were primarily so she could respond to comments from Trustee Brakewood and his wife:
 - o Why did we "choose" to group PC with the surrounding area?-she gets it well enough now to explain the PUMA concept to others.
 - o Questions about Port Chester/Yonkers comparison-different demographic groups, different housing choices.
 - o Wants a disclaimer on immigration in the text, even if it's only to say that the data aren't available and the retention rates are the closest thing we have to address that. Also a note that federal immigration policy in the next several years continues to be an unknown.
 - o Question about the number of kids at United Hospital's site: she was hearing references to the build out number and wanted to be able to counter. Also suggested a note that the developments in the pipeline are market rate and as such follow those conditions.

The final report will be completed and incorporate the comments / suggestions as described.

- 3) **Opportunity Area #2:** As you are aware N OC has been engaged by the BOT to begin phase three of the Municipal Center feasibility study. Current status:

Activity #1 Site Investigation - Phase I

- *Federal, state & local records review of environmental database*

- *Evaluation of adjacent parcels and historical usage*
- *Preparation of written report on site investigation*
- *Phase I ESA report according ASTM -1527 Standard*
- *Identify any environmental concerns for Phase 2 review*

To date NDC has have received two site access agreements from Mr. Numme and Mr. Wiessman. NDC has reconfigured the geo-tech boring plan to conform to these two sites as well as the areas under Village control. There was a need for NDC to commission a title search on Weismann's property which they should have in hand next week. Preliminarily the search has confirmed that Weismann owns an 8.5 foot strip of land across DeMarcos parcel.

Once the title search is in hand NDC will commission a survey so that DeMarco cannot claim that our equipment is entering his land.

- 4) **Opportunity Area #3:** Bulkhead; the contract for the bulkhead design grant award in the amount of \$225,000 has been executed. Again, the methodology is to design the bulkhead in two phases, Phase 1 being the first Activity Node and temporary "shoring" up of the vinyl area; Phase 2 being the complete steal replacement and partial bridging of the cove. This approach allows us to first make progress toward re-activation of the waterfront as planned and it also gives us time to build potential funding resources from grants, districts, and/or parking revenues without stalling the entire capital improvement project.

The Grant kick-off meeting between DOS and Staff held was completed 1/14/15. Final draft of the RFP attached.

- 5) **Opportunity Area #5:** Redevelopment of the former United Hospital Site (Starwood). The Mixed-use redevelopment proposal for the former United Hospital site located within the Village's PM U Planned Mixed Use District to permit: 500 "Millennial" housing units, 240 age- restricted housing units, an approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.

Preliminary DEIS submitted by Applicant December 31, 2014. Village consultants and staff reviewing for completeness for BOT to accept document as complete per adopted scope in February/March.

We request that any BOT comments to be given to Staff by February 2, 2015.

2015-2016 Budget Process: Budget development for the coming fiscal year has been initiated. Department budget worksheets have been distributed. Meetings with department

heads will begin early next month.

I would request that the BOT schedule a workshop between January 26th -30th, in order to discuss 6 month revenues/expenses and projections for year end.

Sewer Rent: The program continues with revenue collections being steady and sewer work moving forward. As anticipated implementation and billing processes continue to be refined. Data is being updated as needed: specifically relating to removal of any non-sewer users from the billing system. Further the following program exceptions are being evaluated and addressed:

- **Westchester County:** The County has informed us that they are not using our system: apparently any water utilized is discharged to the holding tanks on site. Once this is appropriately verified they will be removed from the system.
- **School Board:** Staff has been in discussions with school board counsel relating to the sewer rent billing. The most reasonable disposition of same would be a letter of understanding stating that the services each party provides to the other more than fairly compensates each party for any expense or obligations relating thereto.
- **Housing Authority:** Staff has been in discussions with representatives regarding the sewer rent-billing. Further Discussion with BOT may be required due to limited options.
- **Rye Brook:** staff is finalizing the details relating to the proposed IMA; pending final numbers.
- **City of Rye and Greenwich:** City of Rye being billed. Status with Greenwich is pending.

Property Condition Study RFP: Again, the RFP has been issued and interviews have been conducted by the BOT. At the recommendation of the Board, Staff has had subsequent discussions with the two final consultants for the neighborhood revitalization strategies RFP. Next step is a second interview with the two finalists now scheduled for the first meeting in February.

Negotiations:

- **UFFA:** Fire Department negotiations are ongoing. Some progress is being made. At this point I want to reconvene the entire negotiation subcommittee in order to continue the process to its conclusion. Mediation is still pending.
- **CSEA:** The CSEA has requested to begin negotiations prior to their current contract expiration in May. Negotiation meetings will be scheduled accordingly. I ask the Bot if

they would select a subcommittee to sit in on the negotiation team.

Information Technology: Update to be presented as part of this report at this meeting.

ACTIONS:

Payroll Services: At the last BOT meeting staff presented its recommendation for KVS/Sprain Brook to be selected as the vendor. Numerous benefits will be realized upon implementation of a managed payroll system including accountability, better reporting, and better management tools for monitoring time and leave. The BOT requested more detailed information and pricing for the potential implementation of biometric time keeping. KVS provided us with some contacts relating to same. As we stated, essentially any of the vendors that they have utilized in their product implementation can provide this service. There are however duplications in functionality already provided through the KVS/Sprain Brook platform that we would not need from a third party biometric vendor. As such we would need to pare down the products so that we would purchase only what was needed and that would seamlessly interface with KVS. Pricing etc... The BOT also requested that we further explore any implications to the further implementation of biometrics including any impacts on the organization specifically; overtime. Each concern will be will be discussed at the meeting as part of this report.

PROJECTS:

- 1) **Street Paving:** All street paving/Village sidewalk/curb work has been completed (some limited stripping remaining).

Note: issues relating to the prior year's street paving contract with ELQ have been resolved and the remediation work has been completed.

- 2) **Town of Rye Move:** the project is close to completion. Staff has been meeting with the Towns project manager, GC, and Architect to finalize a punch list of items to be completed I order to obtain final inspections and CO. Note there is a proposed change of direction relating to the electrical service.

It appears to be more cost effective to simply include the utility cost as part of the rent. Once we have a firm number the lease will be amended to include the appropriate increase for the electricity usage.

- 3) **350 North Main Street:** The proposed capital improvements to the building continue to move forward. RFPs have been received relating to the Brick Work. All responses have been rejected and this part of the project is being re-bid. Expected completion date March 2015.

DEPARTMENT UPDATES:

Justice Court

- Assisted the Judge on the Bench during court sessions on Mondays, Thursdays and Fridays

- Assisted the judge at Traffic Night Court on December 9
- Assisted Judge Sisca and Judge Troy on December 10th for Pre-Jury Trial Conferences
- Processed Criminal Disposition Reports (CDRs) after court
- Completed court paperwork after court sessions
- Update excel spreadsheets with Bail disbursements from court
- Electronically transmitted 220 Criminal Dispositions Reports (CDRs) to New York State Division of Criminal Justices Services since December 9, 2014
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 12/31/14 - \$71,648.73
- Prepared December 2014 Monthly Report to the N.Y. State Comptroller's Office- justice Court Fund for Judge Troy - \$71,067.70 to be reviewed and electronically submitted by judge Troy
- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 12/31/14 - \$138,267.11
- Prepared December 2014 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$137,397.55 to be reviewed and electronically submitted by Judge Sisca
- Reconciled Bail Account. Ending Bank Balance as of 12/31/14 - \$192,593.52
- Reconciled Tow Account. Ending Bank Balance as of 12/31/14 - \$1,075.00
- Prepared vouchers and Payroll to be sent to the Finance Department
- No Monthly Staff Meeting in December next staff meeting to be held on 1/21/15

Legal

- Board of Trustees: Prepared resolutions and local laws making changes to sewer rent and site plan procedures and booting and towing on private property. Reviewed final agenda and attended all meetings of the Board of Trustees. Conference calls with counsel, prepared memos to the Board and attended all meetings of Board of Trustees in capacity as Police Commissioners with regard to disciplinary matter against a member of the Police Department.

Prepared survey of Westchester County municipalities with sewer rent programs. Researched options for adjustment/appeal process. Developing legislative agenda for presentation to Board of Trustees,

- Litigation: At the request of the Justice Court, prepared and filed court papers against Empire Bonding and Insurance Co. to recover monies owed on forfeited bond. Consultations and review of court papers prepared by special counsel in Article 78 proceeding against Westchester County Board of Elections. Represented Building Inspector at his non-party examination before trial in a personal injury case.
- Code Enforcement: Provided Board with "White Paper" presenting policy options and recommended strategy with regard to distressed and abandoned properties. With Board authorization, began statutory process to take title to 23 Washington Street as an abandoned property under Article 19-A of the Real Property Actions and Proceedings Law.
- Contracts: Reviewed retainer agreement with AKRF and renewal agreements with Port Chester Youth Baseball League and Westchester County with regard to Organic Waste STOP-DWI program and Employee Assistance Program (EAP), BEi Agreement (NICE Systems Voice Recorder) for Police Department, and prepared extension agreement with Complus Data Innovations.
- Planning and Zoning: Attended October and November 2014 meetings and first January 2015 meeting. Provided opinion to Planning Commission regarding oaths and conditional site plan approval to the Capitol Theater. Prepared findings of fact and attended November and December 2014 and January 2015 meetings. Attended weekly staff planning and Board subcommittee meetings, telephone conference calls and meetings with AKRF and special counsel regarding the Starwood development project. Attended planning meetings with applicant/counsel on proposed and pending projects.
- Meetings: Meetings and conference calls with regard to the following matters: Clay Art Center (additional services); National Development Council (Municipal Center), Chief of Police (benefits package), Port Chester Housing Authority (security, tenant complaints, sewer rent), United Water Westchester (sewer rent billing), Metro-North (all outstanding issues), Knute Numme and Allan Weissman (Municipal Center), Village Hall tenant meeting (parking and security issues), Village staff (entertainment licensing, police auxiliary, court scheduling, court translation services, baseball league and soccer agreements, Con Edison street openings), Port Chester Dog Park Group and Petsafe (dog run in Abendroth Park. Consultations with Manager and Labor Counsel on several personnel matters.
- Other Boards and Commissions: Attended meetings of Beautification Commission, Board of Ethics, Park Commission, Port Chester Industrial Development Agency and Traffic Commission.

- Other: Attended Pace University Land Use Law Center Corporation Counsel Roundtable and Mayor's Roundtable meetings.

Police Department:

- **Training:** On December 19th, 4 Probationary Police Officers: PO Arroyo, PO Ferraro, PO Fiumara, and PO J. Roman, graduated from the 138th session of the Westchester Zone 3 Basic Recruit Training Course. This 20 week course of study *covers* such areas as legal issues, street encounters, car stops, first aid and physical fitness. On December 5th, Police Officers J. Garcia and Sal Baldo successfully completed High Intensity Drug Trafficking Area (HIDTA) training at the NYPD Rodman's Neck Training Facility. This 1week course of study covers both the legal and tactical aspects of street encounters.
- **Evidence:** Work has been completed on the evidence facility construction project in the annex building. During the month security doors and a chain link fence partition were installed. The partition separates the actual storage a room and evidence work section which includes space to dry, package, and label evidence.
- **Equipment:** Each of the Department's 21 patrol *vehicles* was outfitted with upgraded medical gear. First aid bags containing state of the art medical supplies developed on the battlefields of Afghanistan and Iraq were put together with assistance of Paladin Center. They were purchased with drug forfeiture funds. The kits include; Quick Clot hemostat, Combat Action Tourniquets, and Israeli Combat Dressings, as well as conventional first aid supplies. Members of the Department completed an 8 hour course of study in the use and application the upgraded medical kits in November.
- **Robbery Suspects Arrested:** Shortly after mid night on December 28th Police Officer Michael Giandurco and Probationary Police Officer Vincent Fiumara responded to a report of a knifepoint robbery at King and Chestnut Streets. The 21 year old female victim was at Police headquarters with a knife wound to her neck. Acting on limited information, Police Officers Giandurco and Fiumara stopped and identified several subjects who fit the general description. They developed further probable cause after interviewing the victim at Greenwich Hospital and determined that three of the subjects they had stopped were indeed the perpetrators. These subjects were located and arrested. The officers recovered the knife, and property taken from the victim on the suspects. All three were charges with robbery in the first degree.
- **Bank Robbery Suspect Arrested:** On Tuesday December 30, Detectives made an arrest for the December 22 robbery of Chase Bank on North Main Street. The suspect, a Mount Vernon resident, is accused of passing a not to a teller announcing a robbery,

then fleeing the bank on foot with approximately \$1,700 in US currency. Detectives used video footage to track the suspect's movements. After exiting the bank, he walked to the MTA train station and hailed a taxi. A trip sheet indicated that the suspect was driven to the White Plains train station. Working with the MTA Police, Detectives were able to obtain video footage of the suspect entering a train. From there, the suspect's identity was determined through a combination of camera footage and old fashioned Detective work. The suspect was charged with robbery in the third degree a D felony he faces a maximum of 7 years in prison.

- **Detective Bureau:** During the month of December 2014, the Bureau closed out 21 cases and made 19 arrests. Detectives were assigned 24 new cases. Included in the arrests were:
 - 4- felony drug charges
 - 1- misdemeanor drug charge
 - 3-non-drug felony charges
 - 2-non-drug misdemeanors

During the month of December, Detectives seized the following:

- \$2,615. US currency
- 1- 1988 Coachman recreational vehicle
- 20- small bags of cocaine/crack
- 31-small bags of marijuana
- 3-large (8oz) bags of marijuana
- 5-bags of PCP
- **General:** In December 2014, the Department:
 1. Responded to 1693 calls for service, up 9% from November
 2. Issued 3461 parking tickets, down 18% from November
 3. Issued 292 traffic tickets, down 26% from November
 4. Made 147 arrests, down 3% from November
 5. Conducted 149 directed patrols of; parks, abandoned buildings, public housing, and houses of worship

Public Works:

- Completed Street Paving and associated remediation work.
- Completed Marvin lot sidewalk improvement.

- Completed Village Hall sidewalk improvement.
- Constructed Village salt shed.
- Completed Pilgrim Drive Drainage.
- Worked on and completed the majority of Phase 1 of sewer lining.
- Cleaned 30 Storm Drains.
- Removed 24 tree stumps.
- Trimmed 9 Trees.
- Replaced 3 defective manholes.
- Repaired various potholes.
- General day to day activities.

Senior Center / Nutrition:

- (January thru December) Meals served: 24,611
- 37 Home Bound Seniors received their meals at home, per day Monday-Friday
- Dec. 2nd-Holiday Arts & Crafts-Gingerbread House Contest-Winners will be announced 12/22
- Dec. 3rd-Hearing Screenings and Information Seminar 11a.m.
- Dec. 5th-Friday Christmas Movie & Popcorn
- Dec. 5th-Christmas Show at Westchester Dinner Theatre
- Dec. 10th-Trip to Yonkers Casino
- Dec. 12th-Holiday Shopping Market
- Dec. 13th-Holiday Night Party
- Dec. 15th-Trip to Kmart in White Plains
- Dec. 17th-Hanukah Luncheon
- Dec. 19th-Friday Christmas Movie & Popcorn
- Dec. 22nd-Hot Chocolate & Caroling
- Dec. 24th-Breakfast with Mrs. Claus
- Dec. 30th-New Year's Eve Luncheon

Senior Center Calendar:

- Nov. 19-CSEA U n ion Meeting-Annual Dinner Meeting
- December 2-Police Dept. Training --1/2 room all day

- Meeting held with Scott Moore, C. Steers, regarding defibrillator use and first aid training.
- December 10-Recreation meeting, Park Commission meeting,
- December 17th-Oral History Dinner and awards
- December 14th-PBA Children's Christmas Party
- 122 seniors attended the Christmas Party on 12/13, a DJ and gifts for each senior were paid for from the additional money received from Freehold Productions. (\$650)

Building / Code Enforcement Department: See Building Inspector/ Code Enforcement Director's report attached.

Planning and Development: See Planning and Development Director's reports attached.

Recreation: See Recreation Supervisor's report attached.

Achievements

- Christopher Gomez has been appointed to the Westchester Municipal Planning Federation (WMPF) Board of Directors.
- Village Manager has been recertified as a Floodplain Manager by the National Association State Floodplain Managers.
- The Village has received the Distinguished Budget Presentation Award from the Government Finance Officers Association for 2014.

REPORT OF THE BUILDING INSPECTOR

RESOLUTION

January 2015

Code Enforcement, Overcrowding-Illegal
Occupancy, Court-Case Update, and Vacant and
Distressed Property Report

Annual Report

PART I: CODE ENFORCEMENT FUNCTIONS

PERFORMANCE BY THE CODE ENFORCEMENT DEPARTMENT IN ALL CATEGORIES REMAINS AT A VERY HIGH LEVEL.

In the last Board of Trustee meeting, the Mayor and Trustees were provided with a white-paper report titled: DISTRESSED AND VACANT PROPERTIES, this report was created by the Village Attorney and his assistant David Kenny. The report provided good information and

insight about the evolution and operations of the Code Enforcement Department including the revised and subsequently enacted local law(s) thereby providing the necessary tools that the Code Enforcement Department needed to perform their job effectively and to obtain desired results. In addition, as the report indicated, Code Enforcement continues to work collaboratively with the Police, Fire and the Department of Public Works by communicating and sharing information through a referral process; this system has led to the discovery of multiple illegal dwellings and has also enhanced the department's ability to achieve many levels of compliance in many areas and sections of the State and Village code.

CODE ENFORCEMENT DEPARTMENT FUNCTIONS

The primary responsibilities of the Code Enforcement Department include:

- Conducting fire inspections and specialized testing of fire-safety equipment
- Reducing with a goal of eliminating overcrowded/ illegal occupancies
- Responding to a myriad of resident "quality of life" complaints.

Code enforcement is guided by the enforcement of the New York State mandated Uniform Building and Fire Code, Property Maintenance Code, and the Village Code. In addition to the department's core functions, the responsibility of the Code Enforcement Department has expanded to also include:

- Facilitating Court Cases
- Monitoring Vacant/ Distressed Properties and locating owners or responsible entities

PART II: PERFORMANCE

THE RESULTS ARE SUBSTANTIAL

Court Cases

Currently, there are [106] pending court cases in Village Justice Court. The number of court cases continues to fluctuate as new Court Appearance Tickets are served and others are settled.

Over the last two years, the Village Justice Court has become more efficient. Disposition of cases has been substantially reduced whereas in the past, the time of disposition in 2011 and

2012 in some cases, have taken up to [500] days or more. Today, most cases are disposed of in [90] days or less. This time period incorporates service of the court appearance tickets and given the fact that it can take [30] or more days to be on the court docket, date of disposition is actually less. For example: A court appearance ticket served today on January 14, 2015 will be first heard in court on the next available date of February 20, 2015.

One of the main reasons that the time of disposition has lessened, is the implementation and introduction of the stipulation. The stipulation is an agreement between the justice court (the prosecutor) and the defendant. The fine is negotiated and a time period of compliance is set; defendant agrees and executes similar to any contract. If non-payment or a failure to comply with the code within the agreed upon time period, the contract is essentially breached and the defendant is placed back on the court docket and may be subject to trial and additional fines.

Service

It's imperative that proper service of any court appearance ticket (CAT) is rendered in accordance with the law. To assist with facilitating proper service, the Code Enforcement Department secured three process servers that render service on the villages' behalf outside the village boundary lines. In addition, to ensure that services has been rendered to the "actual owner or entity," the Code Enforcement Department has secured three separate title companies to ensure that service is provided to the "actual" owner or entity of any given property.

In sum, results of the stipulation of agreement, use of process servers outside boundary lines, and the assistance provided by title companies to identify the actual owner of a property has resulted in greater efficiency and the results speak for themselves. The data below represent two full calendar years however, differ slightly from the last presentation that concentrated on the fiscal year.

Results

Court Cases Closed in 2013: **41**

Court Cases Closed in 2014: **50**

Average number of days to disposition in 2013: **160**

Average number of days to disposition in 2014: **93**

Court Fines Collected

Those that choose to ignore the code may be subjected to heavy fines. A court appearance is the result of non-compliance by ignoring a notice of violation (NOV). All parties served are provided with a notice of violation and an abatement period that can be extended if there is open line of communication with the village. In short, the village is more than willing to work with property owners that are willing to comply. A notice of violation (NOV) cost the recipient nothing, court appearance tickets are only issued after an NOV has been ignored and the property owner shows no intent to work with the village. Those that chose not to work with the village have been fined. Below are the cumulative amounts of those parties fined as a result of showing no willingness to work with the village. The fines below represent a calendar year.

Total Amount of Court Fines Collected in 2013:	\$341,850.00
Total Amount of Court Fines Collected in 2014:	\$229,350.00

PART III: OVERCROWDED-ILLEGAL DWELLINGS

CODE ENFORCEMENT HAS MADE A SUBSTANTIAL IMPACT IN THE REDUCTION OF OVERCROWDED and ILLEGAL DWELLINGS

Eliminating overcrowded homes and illegal dwellings still remains Code Enforcement’s number one priority. Overcrowded and Illegal Dwellings are discovered in numerous ways, they include: Amnesty & standard municipal searches, State mandated fire inspections for multiple dwellings that contain three apartments or more, complaints received by neighbors, proactive inspections, and collaboration with Police, Fire and the Department of Public Works resulting in numerous referrals to the Code Enforcement Department; referrals are handled as a priority.

Decades of Neglect or Lack of Code Enforcement

There are [5448] properties located within the Village of Port Chester. Over [23] percent of the properties in the village have been discovered to contain an illegal dwelling or occupancy. This is the culmination of decades of no system or any willingness to enforce the code. The impact of this long-period of neglect or lack of effective code enforcement resulted in the staggering number of illegal dwellings identified throughout the village however, in the past four years, the number of overcrowded and illegal dwellings have been substantially lessened.

Combined, [1503] illegal occupancies have been discovered since 2012. In 2013, the result of ramping-up staff and multiple neighborhood sweeps netted the discovery of over [800] units in one year alone. In 2014, although statistics indicate a decline in the discovery of illegal dwellings (a good thing for the village) [376] illegal dwellings were still discovered. Multiple dwellings still remain the primary contributor to the illegal dwelling problem.

PART IV: VACANT AND DISTRESSED PROPERTIES

VACANT ABANDONED PROPERTIES REPRESENT A SMALL PERCENTAGE OF ALL THE PROPERTIES LOCATED WITHIN THE VILLAGE

There are approximately [32] “noticeable” vacant and distressed properties that are being monitored and enforced by the Department of Code Enforcement on a weekly basis. Prior to the New Year 2015, the list of vacant properties were monitored on a monthly basis. The properties that are identified on the list represent those properties that display more noticeable violations of the code and therefore, they are monitored more frequently.

The list provided herein identifies those properties and provides a brief summary of the last action taken. The entire list generated by Municipality and is comprised of 48 pages with a detailed time-line of continuous enforcement action rendered since the inception of the original vacant and distressed property list. The list of properties is not static, it is constantly changing as new properties are added and older properties are transferred to new owners, become complaint, and are removed from the list. The original list provided in June 2013 contained a number of properties that were foreclosed/ vacant and/or abandoned. For this reason, the updated list also contains those properties indicating those that have achieved compliance since the creation of the original list. Overall, the amount of vacant/ distressed properties in comparison to the amount of properties located within the village is relatively low. There are [5448] properties located in the Village of Port Chester, the [32] +/- vacant/ distressed properties represent 0.005% of all the properties in Port Chester, this calculates to 1/20th of 1 percent.

This list does include a number of properties that are in foreclosure. Code enforcement only discovers a foreclosure when a property is in violation and serving the owner is required. There are many properties in foreclosure where the bank has secured a management company to maintain the property and the bank continues to pay the taxes therefore going unnoticed. Part II: of the White-Paper Distressed and Vacant Properties beyond Code Enforcement illustrates the

difficulties code enforcement face by conventional methods of enforcement through village justice court. The report provides for five separate options that the village can commence for those properties that require action by a higher court. The report also indicates the extent of the process and the potential need for the village to conduct a village-wide property condition evaluation.

The Code Enforcement Department is prepared, receptive, and willing to engage and become an integral part of the additional steps required realizing that for some properties, compliance through convention methods can be a difficult and an arduous endeavor with limited results.

PART V: CODE STATISTICS

THE NUMBER OF COMPLAINTS, INSPECTIONS PERFORMED, AND NOTICE OF VIOLATIONS ISSUED INCLUDING COURT APPEARANCE TICKETS HAVE STEADILY INCREASED FISCAL AFTER FISCAL.

The work load of the code enforcement department continues to grow. Complaints have increased by 38% in the fiscal period 6/ 2013 thru 5/ 2014. In the first half of the fiscal period 6/2014 thru 12/2014, complaints received have already matched the total amount received in the total fiscal period 6/ 2012 thru 5/ 2013. The increase of complaints resulted in an increase of inspections, notice of violations, and court appearance tickets issued.

Code Enforcement Staff levels not including staff dedicated to fire-safety consist of:

(1) Sr. Code Enforcement Officer

- 20 hours a week is dedicated in facilitating court operations, assisting the prosecutor, and appearing on behalf of all CEO's eliminating the need for each CEO to be present.

(2) FT Code Enforcement Officers

(1) PT Code Enforcement Officer (17.5 hrs. a week)

Compliance

Compliance overall has increased. Comparing the number of notice of violations (NOVs) issued to the number of court appearance issued indicates the level of compliance. In the fiscal period 6/ 2012 thru 5/ 2013 there were [697] NOVs issued; only [28] court appearance tickets. In the fiscal period 6/2013 thru 5/2014, there were [883] NOVs issued; only [93] court appearance

tickets. Court appearance tickets are only issued in the event that there is no communication with the village and a violation is essentially ignored.

See Page 10: Fiscal Comparison

PART VI: FISCAL COMPARISON

The numbers below represent work load comparison from fiscal period 6-2012 thru the first half of the fiscal period that started on 6/1/2014.

Fiscal 6-2012 thru 5-2013

Complaints: 1367
 Inspections Performed: 2392
 Notice of Violations Issued: 697
 Court Appearance Tickets Issued: 28

Fiscal 6-2013 thru 5-2014

Complaints: 1869
 Inspections Performed: 3832
 Notice of Violations Issued: 883
 Court Appearance Tickets Issued: 93

Fiscal 6-2014 thru 12-2014

Complaints: 1317
 Inspections Performed: 3089
 Notice of Violations Issued: 574
 Court Appearance Tickets Issued: 55

The numbers represent “no shortage” of work.

Appendix A: Vacant & Distressed Properties List

Address	Street Name	Property Use	Owner Name	Notice of Violation	Court Appearance Ticket	Vacant Abandoned Distressed	Status
14	Breckenridge Ave	1 Family	John Walter Trust	NOV Issued		Vacant Abandoned	Private Investigator discovered owner deceased. In process of locating new owners.

47	Clark Pl	1 Family	Richard & Mary Young	NOV Issued		Vacant Abandoned Distressed	Private Investigator discovered owner deceased. In process of locating new owners. House maintained.
15	E. Broadway	2 Family	Peter Marzziotti			Vacant Abandoned Distressed	Working with PCBD. Building Permit Issued.
52	Eldridge St	2 Family	Frank Testa	NOV Issued	CAT Issued	Vacant Abandoned	Abandoned house demolished. Property being used unlawfully.
416	Elm St	1 Family	416 Elm Street Corp.	NOV Issued	CAT Issued	Vacant Abandoned	In VoPC Justice Court. Property Maintained.
169	Fairview Ave	1 Family	Edixon Galindo & Myra Rojas	NOV Issued	CAT Issued	Vacant Distressed	Unfit for Occupancy and Unsafe Structure notices posted. Unsafe structure removed.
99	Glen Ave	2 Family	Fernando Martinez			Vacant Distressed	Compliance obtained.
450	Glen Ave	1 Family	Craig & Paula Rysik			Vacant Abandoned Distressed	Occupied. Compliance obtained.
72	Glendale Pl	1 Family	Jeanette Anello	NOV Issued		Vacant Distressed	NOV issued.
78	Glendale Pl	2 Family	Charles & Rose Cumming	NOV Issued		Vacant Distressed	Private Investigator discovered owner deceased. In process of locating new owners.
100	Grandview Ave	2 Family	Vincent Straface			Vacant Abandoned Distressed	Under new ownership. Compliance obtained.
5	Haines Blvd	1 Family	Leon Sidor	NOV Issued		Vacant Distressed	Private Investigator discovered owner deceased. In process of locating new owners.
64	Halstead Ave	1 Family	Ireneusz & Barbara Bukanowski			Vacant Abandoned Distressed	Occupied. Compliance obtained.
81	Haseco Ave	1 Family	Juan Matute	NOV Issued		Vacant Distressed	Occupied. Maintained. NOV issued 12/16/14 for graffiti.
76	Inwood Ave	Commercial	Unknown	NOV Issued		Vacant Abandoned	NOV Posted. Previous owners (Century Maxim Construction) no longer have access to building. In process to locate new owners.
48	Irenhyl Ave	1 Family	Nalini Singh	NOV Issued	CAT Issued	Vacant Abandoned Distressed	In VoPC Justice Court. Partial compliance obtained.
167	Irving Ave	2 Family	Huguette Sinis	NOV Issued	CAT Issued	Vacant Distressed	Inspection conducted 1/8/15 - premises secure. Police referral 1/10/15 indicated break-in on property - premises insecure. In VoPC Justice Court. In process of filing with Westchester County Supreme Court.
62	Leicester St	2 Family	Anthony Casterella	NOV Issued	CAT Issued	Vacant	In VoPC Justice Court. Property maintenance issued present.

224	Locust Ave	2 Family	Zoila & Monserrate Flores	NOV Issued		Vacant	Occupied. Working with PCBD and PCCE. Compliance pending.
313	Locust Ave	2 Family	Town of Rye			Vacant Abandoned Distressed	Occupied. Compliance obtained.
61	Oak St	7 Family	Annette & William James	NOV Issued	CAT Issued	Vacant Distressed	In foreclosure. Underwent temporary support measures to eliminate hazards.
71	Oak St	2 Family	Aurora Loan Services LLC			Vacant Abandoned Distressed	Under new ownership. Compliance obtained.
3	Oakridge Dr	1 Family	Ann Glennon	NOV Issued	CAT Issued	Vacant Distressed	In VoPC Justice Court. Compliance obtained.
51	Purdy Ave	5 Family	Briga Realty Inc - Robert Capolongo	NOV Issued	CAT Issued	Vacant Abandoned	In VoPC Justice Court.
63	Purdy Ave	3 Family	Brunilda Cruz	NOV Issued	CAT Issued	Vacant Abandoned	In VoPC Justice Court. Under new ownership. Working with PCBD. Building Permit Issued.
30	Quintard Dr	1 Family	Jennifer & Eric Salinas	NOV Issued	CAT Issued	Vacant Abandoned Distressed	In VoPC Justice Court. Working with PCBD. Building permit issued.
31	Quintard Dr	1 Family	Edward Gerrity			Vacant	Original home demolished. New 1 Family residence under construction.
35	Riverdale Ave	1 Family	Lucy Cecere	NOV Issued		Vacant Distressed	In process of verifying owner. Reinspection by PCCE on 12/16/14 indicated property being maintained. PCCE will monitor property.
16	S. Main St	Commercial	Pierre & Huguette Sinis			Vacant	
59	Smith St	1 Family	SR Holdings I, LLC			Vacant	Under new ownership. Working with PCBD.
23	Washington St	2 Family	Charlotte Garcia	NOV Issued	CAT Issued	Vacant Abandoned Distressed	Unfit for Occupancy and Unsafe Structure notices posted. Filing in Westchester County Supreme Court
457	West St	3 Family	Natacha Saintil	NOV Issued		Vacant	Unfit for Occupancy notice posted. NOV service pending owner address verification.

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Appendix B: Overcrowded Illegal Dwellings
Overcrowding & Illegal Dwelling Update 2014

Total Properties Affected: 224

Total Unlawful Occupancies Discovered: 375

Several properties contain both unlawful attic and basement occupancies, a number of them also contain SRO's

Unlawful Occupancy Breakdown is as Follows:

- | | |
|-----------------------------------|-----|
| 1. Unlawful Basement Occupancy: | 89 |
| 2. Unlawful Attic Occupancy: | 39 |
| 3. Single Room Occupancy (SRO's): | 62 |
| 4. Additional Dwelling Units: | 185 |

2014 Compliance Obtained

- | | |
|-------------------------------------|-------|
| Full Compliance Achieved: | 21.0% |
| Compliance in Process: | 15.2% |
| No Compliance to Date: | 63.8% |
| Properties Part of Amnesty Program: | 24% |

71 Notice of Violations were issued (32%) as a result of failing to comply.

2014 OC/IDW Distribution by Use

Number of Properties

- | | |
|--------------------------------|-----------------------|
| 1 & 2 Family: | (93) Represents: 42% |
| Multiple Dwelling (3 or more): | (119) Represents: 53% |
| Mixed Use: | (12) Represents: 5% |

Overcrowding & Illegal Dwelling Update 2013

Total Properties Affected: 305

Total Unlawful Occupancies Discovered: 822

Several properties contain both unlawful attic and basement occupancies, a number of them also contain SRO's

Unlawful Occupancy Breakdown is as Follows:

- 1. Unlawful Basement Occupancy: 240
- 2. Unlawful Attic Occupancy: 98
- 3. Single Room Occupancy (SRO's): 213
- 4. Additional Dwelling Units: 271

2013 Compliance Obtained

- Full Compliance Achieved: 24.3%
- Compliance in Process: 52.1%
- No Compliance to Date: 23.6%
- Properties Part of Amnesty Program: 9%

168 Notice of Violations were issued (55%) as a result of failing to comply.

2013 OC/IDW Distribution by Use

Number of Properties

- 1 & 2 Family: (114) Represents: 37%
- Multiple Dwelling (3 or more): (163) Represents: 53%
- Mixed Use: (28) Represents: 9%

CORRESPONDENCES

Mayor Pagano asked for a motion to combine correspondence number 1, 2, 3, 7, 8, and 9 to refer the correspondence to staff without objection.

There being no objection TRUSTEE CECCARELLI, made a motion, seconded by TRUSTEE MARINO, to combine correspondence number 1, 2, 3, 7, 8, and 9 for the Board to refer the correspondence to staff without objection.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015.

From Poningo Properties LLC regarding Sewer Rent Appeal for 46 Poningo Street for 9-29-14 to 12-29-14.

The Board referred the correspondence to staff without objection.

From Poningo Properties LLC regarding Sewer Rent Appeal for 4 Bulkley Avenue.

The Board referred the correspondence to staff without objection.

From H & H Property Corp. regarding Sewer Rent Appeal for 211 Irving Avenue.

The Board referred the correspondence to staff without objection.

From Sheila M. Rogan on her resignation from the Planning Commission

The Board duly noted the correspondence.

From the Tamarack Tower Foundation requesting to hang 4 banners around the Village and place a sign at Messina Park from May 7, 2015 through June 7 2015 regarding “A Taste of Port Chester.”

The Board referred the correspondence to staff without objection.

From Howie Ravikoff regarding Sewer Rent law review

The Board referred the correspondence to staff without objection.

From Poningo Properties LLC regarding Sewer Rent Appeal for 46 Poningo Street for 12-3-14 to 1-5-15.

The Board referred the correspondence to staff without objection.

From New Broad St LLC regarding Sewer Rent Appeal for 33 New Broad Street.

The Board referred the correspondence to staff without objection.

From 235 Holding Co. LLC regarding Sewer Rent Appeal for 235 Westchester Avenue.

The Board referred the correspondence to staff without objection.

REPORTS

Village Treasurer, Leonie Douglas provided the Board with six month Revenues and Expenses Comparison Control Report.

PUBLIC COMMENTS AND BOARD COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any public comments.

Public (none)

Board

Trustee Adams commented the Port Chester Committee for Better Government is having a meeting at Mt. Zion on February 28th at 10:00 A.M. They are requesting the Police Chief, Mayor and Village Manager for the purpose of working better with the Village. He commented on the traffic light at the Post Road and South Regent Street. The pedestrian crosswalks should be painted to increase the visibility because if people are wearing dark clothing after sundown they are hard to see. At the next meeting or two meetings we should discuss additional municipal parking. There are not available parking spaces on the weekend. Trustee Adams requested the Village Clerk to have the Boards and Commissions chairpersons come to the Board to discuss their commission duties.

Trustee Marino commented on the light at Poningo and Irving.

Trustee Ceccarelli commented on road construction. When the repair crews come out they generally leave debris after they finish their repair. Village Manager Steers commented we should have someone from DPW come out to follow up after the contractors leave. The improvement process at Westchester Avenue is still a mess.

Trustee Ceccarelli questioned the lines on Westchester Avenue at the Capital Theater. The business people do not have space for their customers to park.

Mayor Pagano commented the staff, Trustee Terenzi and he have a meeting at the County Executive's Office on Monday regarding the \$5MM allocation. The Village has turned in projects early on and we want to see how much money we can recoup. Trustee Terenzi commented we are not coming out of this meeting without getting some help. We are going to be looking for between \$500,000 and \$1MM.

At 10:45 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the meeting was closed.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD JANUARY 22, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Thursday, January 22, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Joseph Kenner, Luis Marino and Gene Ceccarelli.

It should be noted that Trustee Kenner arrived at 6:36 p.m. and Trustee Brakewood arrived at 6:46 p.m. and that Trustee Saverio Terenzi was absent.

Also present were: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Ed Brancati, Human Resources; member of Port Chester Police Department; Attorney Anthony Piscionere, (representing a member of Port Chester Police Department); Attorney Terry O'Neil and Attorney Emily E. Harper, Labor Councils.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the meeting was declared opened at 6:31 p.m.

ROLL CALL

AYES: Trustees Adams, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood, Terenzi and Kenner.

DATE: January 22, 2015

RESOLUTIONS

RESOLUTION #1

RETAINER AND COMPENSATION OF HEARING OFFICER FOR SECTION 75 CIVIL SERVICE LAW DISCIPLINARY PROCEEDINGS

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

WHEREAS, employees holding certain positions are entitled to the protections of Section 75 of the Civil Service Law, either by law or by virtue of their applicable collective bargaining agreement, including written charges and a hearing, prior to removal or otherwise subjected to disciplinary penalty for incompetency or misconduct; and

WHEREAS, the hearing upon such charges shall be held by the officer or body having the power to remove the person or by a deputy or other such person designated by such officer or body who would then make a recommendation to the removal authority on such charges; and

WHEREAS, although other written proposals were received and reviewed, the Village Attorney recommends the retention of Attorney Robert Ponzini based upon his extensive background and experience acting as an independent hearing officer. NOW, therefore, be it

RESOLVED, that the Village Manager be and hereby is authorized to retain Robert Ponzini, Esq., Gaines, Novick, Ponzini, Cossu & Venditti, LLP, 11 Martine Avenue, 8th Floor, White Plains, New York 10606, to act as Hearing Officer when so designated by the Manager involving disciplinary proceedings brought under Section 75 of the Civil Service Law, compensation to be: \$250/hour for attorneys and \$125/hour for paralegals and \$950 per diem for a full hearing between the hours of 10:00 a.m. through 4:00 p.m.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood, Terenzi and Kenner.

DATE: January 22, 2015.

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

The Board of Trustees proposed a motion for executive session regarding a particular personnel matter.

MOTION FOR EXECUTIVE SESSION

Executive Session #1 and #2

At 6:34 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the Board adjourned into an executive session to Consultation with Village Attorney regarding the continuation of the trial with regard to disciplinary charges brought against a member of the Port Chester Police Department and to continue conducting the trial with regard to disciplinary charges brought against a member of the Port Chester Police Department pursuant to the provisions of Section 5711-q of the Unconsolidated Laws of the State of New York..

ROLL CALL

AYES: Trustees Adams, Marino, Kenner, Ceccarelli and Mayor Pagano.

NOES: None.

ABSENT: Trustees Brakewood and Terenzi.

DATE: January 22, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; member of Port Chester Police Department; Attorney Anthony Piscionere, and Attorney Michael J. Konicoff (representing a member of Port Chester Police Department). Additionally, Attorney Terry O'Neil and Attorney Emily E. Harper, Labor Councils.

No action was taken in executive session.

At 8:43 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano.

NOES: None.

ABSENT: Trustee Terenzi.

DATE: January 22, 2015

At 8:43 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Terenzi.

DATE: January 22, 2015

At 8:43 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the meeting was closed.

ROLL CALL

AYES: Trustees Adams, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Terenzi.

DATE: January 22, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD FEBRUARY 9, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, February 9, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Joseph Kenner, Luis Marino and Gene Ceccarelli.

It should be noted that Trustee Saverio Terenzi was absent.

It should be noted that Trustee Marino arrived at 6:34 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; member of Port Chester Police Department; Attorney Anthony Piscionere, (representing a member of Port Chester Police Department); Attorney Terry O'Neil, Labor Council.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS the meeting was declared opened at 6:33 p.m.

ROLL CALL

AYES: Trustees Adams, Brakewood, Kenner, Ceccarelli and Mayor Pagano.

NOES: None.

ABSENT: Trustees Terenzi and Marino.

DATE: February 9, 2015

RESOLUTIONS

RESOLUTION #1

APPOINTMENT OF ELECTION INSPECTORS

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

RESOLVED, that the Election for the Village of Port Chester, New York has been called and will be held on the 18th day of March, 2015 between the hours of 7:00 A.M. and 9:00 P.M., and

BE IT FURTHER RESOLVED, that the following named are qualified Election Inspectors and are hereby appointed for said election; Teresa Acuna; Clotilde Aguilar; Tanya Aloia; Maria R Alvarez; Michelle E Barnett; Rita K Barnhart; Rosemarie Barone; Patricia Barr; Angelica G Barriga; Ignatius J Bonanno; Jeffery M Bonds; Evelyn M Brown; Silvio V Buccieri; Kathleen M Buckley; Eneida E Burton; Felix E Burton; Lucy M Cabrera; Patricia M Cabrera; Jorge E Caceres Sr; Eric J Chalcoff; Carrie E Chatman; Elvira M Clark; Ruth A Cohen; Beatrice T

Conetta; Leonor Correa; Betty J Craft; Arlene Cummings; Patricia Deschamps; Gerald E Donahue; Jennifer P Dooley; Dorothy C Dretzin; Antoinette R Farella; Annie E Federighi; Joseph W Federighi; Lisa M Ferraro; Theresa M Gentile; Juana Godinez ; Fernando Gomez; Francisco Gomez; Maria D Gomez-Barriga; Grudy Guzman-Mango; Blanca R Handal; Rose Horne; Diana M King; German M Latorre; Mildred Lemus-Oliveros; Roy Lespier; Stacey Lewin; Ethel Livingston; Melora Lucas; Paul R Lucas; Ann Marie Marino; Courtney Marino; Alex I Marriott; Bruce Marziani; Daniel Mccourt; Marlene E Medina; Nancy D Memale-Perez; Nicolle C Mendoza; Antonio A Moran; Lilian C Ochoa; Jeanette Palma; Maria L Pavon; Jose Rios; Dolores Rodriguez; Theresa Rodriguez; Joyce S Rytelewski; Teresa Sabatino; Jose R Trujillo; Esther Turner; Mario Velasquez; Jorge L Vides; John H Villa; Daniel L Williams; Mary R Young; Esperanza Zarate.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Brakewood, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Terenzi and Marino.

DATE: February 9, 2015.

RESOLUTION #2

PUBLIC HEARING TO CONSIDER ADOPTING A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER WITH A NEW CHAPTER, CHAPTER 302, TOWING AND BOOTING, THAT WOULD ESTABLISH LICENSING REQUIREMENTS ON THOSE WHO WISH TO BOOT OR TOW MOTOR VEHICLES FROM PRIVATE PROPERTY IN THE VILLAGE OF PORT CHESTER

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE BRAKEWOOD, 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, March 2, 2015 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 the Code of the Village of Port Chester with a new chapter, Chapter 302, Towing and Booting, that would establish licensing requirements on those who wish to boot or tow motor vehicles from private property in the Village of Port Chester.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Terenzi.

DATE: February 9, 2015.

RESOLUTION #3

**INTER-MUNICIPAL AGREEMENT WITH WESTCHESTER COUNTY
TO CONTINUE THE VILLAGE OF PORT CHESTER'S PARTICIPATION IN THE
ORGANIC YARD WASTE TRANSFER PROGRAM**

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

WHEREAS, the Village of Port Chester has been a participant in the County of Westchester's Organic Waste Transfer Program since it was established in 1998; and

WHEREAS, in consideration of a reduced tip fee, the Village operates a transfer site at the Department of Public Works facility on Fox Island Road making same available for non-host municipalities and local landscaping contractors on a fee basis; and

WHEREAS, the County has presented participating municipalities a new inter-municipal agreement with a term of April 1, 2013 to March 31, 2018; and

WHEREAS, since this involves an existing facility where no physical changes will occur, the project is classified as a Type II Action under Section 617.5(c)(20) of the SEQRA Regulations requiring no further environmental review. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to enter into an inter-municipal agreement with the County of Westchester to continue the Village of Port Chester's participation in the County's Organic Waste Transfer Program.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano
NOES: None.
ABSENT: Trustee Terenzi.

DATE: February 9, 2015.

RESOLUTION #4

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE
THREE RECERTIFIED LIFEPAK CR PLUS AED DEFIBRILLATORS**

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

WHEREAS, the Chief of Police is recommending the use of DEA Asset Forfeiture Funds to purchase three recertified Lifepak CR Plus AED defibrillators; and

WHEREAS, a quote was obtained in the amount of \$2,385.00 from Emergency Medical Products, 5000 Tuttle Crossing Blvd., Dublin, Ohio 43016. Now, therefore be it

RESOLVED, that the Board hereby authorizes the purchase of recertified Lifepak CR Plus AED's from Emergency Medical Products, 5000 Tuttle Crossing Blvd, Dublin, Ohio 43016 and for the Village Treasurer to modify the 2014-15 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$(2,385.00)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$2,385.00
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Appropriations:

001-3120-0220	Police Service Equipment	\$2,385.00
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Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano
NOES: None.
ABSENT: Trustee Terenzi.

DATE: February 9, 2015.

RESOLUTION #5

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE
ID CARD SYSTEM**

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

WHEREAS, the Chief of Police had recommended the use of DEA Asset Forfeiture Funds to purchase a Fargo DTC4500e ID card system to replace the Police Department’s current unserviceable and outdated system; and

WHEREAS, after Board approval, the Chief of Police obtained a lesser quote from another vendor, LSI, 2950 Brother Blvd., Suite 103, Bartlett, TN 38133; and

WHEREAS, such quote represents a savings of \$1,501.95 over the previous vendor. Now, therefore be it

RESOLVED, that the Board hereby authorizes the purchase of a Fargo DTC4500e ID card system from LSI, 2950 Brother Blvd., Suite 103, Bartlett, TN 38133 in the amount of \$4,600.00 and for the Village Treasurer to modify the 2014-15 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695 Deferred Revenue Police DEA \$(4,600.00)

Revenues:

001-0001-2613 Use of Deferred DEA Revenue \$4,600.00

Appropriations:

001-3120-0200 Police Service Equipment \$4,600.00

and be it further,

RESOLVED, that the Board’s resolution adopted on January 20, 2015 be and is hereby rescinded.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Terenzi.

DATE: February 9, 2015.

RESOLUTION #6

AGREEMENTS FOR SENIOR CITIZENS PROGRAMS

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

WHEREAS, the Village of Port Chester Nutrition Program for the Elderly requires food permits; and

WHEREAS, such services have been appropriated in the 2014 to 2015 Village Budget;

RESOLVED, that the Board of Trustees hereby authorizes the Village Manager to enter into the following agreement with regard to the Village of Port Chester Senior Citizens Programs;

The Westchester County Department of Health, Permit # 01-6620-B, Port Chester Senior Community Center Food Permit, expiration date: March 31, 2015.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Terenzi.

DATE: February 9, 2015.

MOTION FOR EXECUTIVE SESSION

Executive Session

At 6:38 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Board adjourned into an executive session to continue conducting the trial with

regard to disciplinary charges brought against a member of the Port Chester Police Department pursuant to the provisions of Section 5711-q of the Unconsolidated Laws of the State of New York.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Terenzi.

DATE: February 9, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; member of Port Chester Police Department; Attorney Anthony Piscionere, (representing a member of Port Chester Police Department); Attorney Terry O'Neil, Labor Council.

No action was taken in executive session.

At 8:56 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Terenzi.

DATE: February 9, 2015

At 9:09 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the meeting was closed.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Terenzi.

DATE: February 9, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD FEBRUARY 17, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday February 17, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Saverio Terenzi, Luis Marino, Joseph Kenner and Gene Ceccarelli.

It should be noted that Trustee Daniel Brakewood was absent.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 7:44 p.m.); Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jesica Youngblood; Heather Krakowski, Recreation Supervisor (arrived at 7:44 p.m.); Edward Quinn, Village Fire Chief - Chief Engineer and Ed Brancati, Human Resources.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE TERENCE the meeting was declared opened at 6:02 p.m.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

MOTION FOR EXECUTIVE SESSION

Executive Session #1

At 6:02 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE TERENCE, the Board adjourned into an executive session for the purpose of interviewing candidates regarding Property Condition Assessment and Neighborhood Revitalization Strategies RFP.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Planner Jesica Youngblood; Chief of Police,

Richard Conway; Director of Planning and Development Christopher Gomez and Ed Brancati, Human Resources.

No action was taken in executive session.

At 6:30 p.m., a motion to come out of executive session was made by TRUSTEE TERENZI, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

Executive Session #2

At 6:31 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI the Board adjourned into an executive session for the purpose Consultation with Village Attorney regarding the career fire fighters.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; Chief of Police, Richard Conway and Ed Brancati, Human Resources.

No action was taken in executive session.

At 7:04 p.m., a motion to come out of executive session was made by TRUSTEE TERENZI, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

Executive Session #1 (Continue)

At 7:06 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE TERENCE, the Board adjourned into an executive session for the purpose of interviewing candidates regarding Property Condition Assessment and Neighborhood Revitalization Strategies RFP.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; Village Planner Jesica Youngblood; Director of Planning and Development Christopher Gomez and Christopher Ameigh Administrative Aide to the Village Manager.

At 7:34 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

WORK SESSION

William J. Villanova - Zoning Commission Chairman read the following statement.

“Zoning Board of Appeals Public Statement

It appears to us that many people are not knowledgeable as to the procedures and processes required to bring a case before a zoning board, which are substantially similar in each and every municipality in the State, governed by New York State laws under the City, Town or Village Laws, respectively.

We believe that all of the applicants who appear before us receive a carefully considered, well researched and thought-out decision after all of the facts have been presented to us by testimony, in writing, and upon review of existing documentary evidence; and when

necessary, after legal interpretation of the relevant laws by our Village Attorney and Village staff and personal visits to the property.

It should be noted that the Village is part of each case, just as the applicant is, and very often documentary evidence, as well as testimony by the Building Inspector or other members of the Village staff, is necessary for complete presentation of all of the facts of each case. The Village Attorney is on hand to address any legal questions and issues as to procedure and permissible interpretations and determinations. We often seek input, studies and reports from other Village departments, such as Planning, Traffic, Police, Fire, and others to help us weigh the relative impacts that a request for a variance will have on the Village.

Each case brought before this Board for relief from the Village Code zoning requirements is different. Each stands on its own merits, facts, and circumstances. Each member of this Board spends substantial personal time reviewing not only the papers submitted by applicants and other residents, which are sometimes voluminous, but also visiting properties and listening to and often reviewing testimony and previous proceedings.

We apply the relevant Village Code sections and State Law to the evidence presented to us in all cases. We believe that each and every one of our decisions, although not always unanimous, is the proper decision for each case. Sometimes it is necessary for an applicant to return to the Zoning Board multiple times, especially in a complicated case, or where there is conflicting testimony which must be further expanded upon or verified, or where documents and evidence are lacking, thus giving the applicant and the public additional opportunities to make their case. There are no additional fees to be paid to the Village for return appearances before the Zoning Board.

A property owner may apply for a use variance to allow him to use his property in a way that is not in compliance with the requirements of the particular district in which the property is located, for example, a commercial use in a residential district. In such case the applicant must prove that:

- (1) the property is incapable of earning a reasonable return on initial investment if used for any of the allowed uses in the district;
- (2) the property is being affected by unique, or at least highly uncommon circumstances;
- (3) the variance, if granted, will not alter the essential character of the neighborhood; and
- (4) the hardship is not self-created

OR, a property owner may apply for an area variance, for example, to allow him to construct a building closer to a property line than is permitted in the district. In such case the Zoning Board considers:

- (1) whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the area variance;
- (2) whether the benefit sought by the applicant can be achieved by some method which will be feasible for the applicant to pursue but would not require a variance;

- (3) whether the requested area variance is substantial;
- (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) whether an alleged difficulty is self-created.

Oftentimes TV and Internet viewers and attendees at our meetings hear only the "Findings", which is the result of the many hours of work that go into making a case by the applicant and hearing the case by the Zoning Board. It may seem as if decisions are made off the cuff, when in reality there is significant study done by all sides, due deliberation by the Board, and determination of the legal and factual issues presented.

In many cases, applicants will return to the Zoning Board one or more times with such additional information, changes, and modifications which greatly benefit not only the applicant, but also the Village, resulting in a reduction of the number or size of the variances required. This brings the property into legal compliance with the least amount of impact on the Village. More often than not, the Zoning Board's efforts to actively engage the applicant results in a superior application, sometimes with a reduction or elimination of a variance request, that is beneficial for all concerned.

The Amnesty Program, sometimes mentioned at our hearings, it is frequently a quick way for many applicants to resolve their issues, which often are the result of missing documentation for their properties, thereby allowing them to avoid a Zoning Board determination altogether.

The Zoning Board is a quasi-judicial body. The purpose of the Zoning Board is to grant relief, where warranted, to a property owner who, for whatever reason, finds that the conditions of their property are outside of the requirements of the Zoning Code. We do not make laws; we apply existing laws to existing conditions. All of our decisions are subject to judicial review and we always undertake our duties with pride and professionalism.”

AWARD PRESENTATION

The following statement was read by Patty Jones prior to presentation of the award.

“Hello, my name is Patty Jones.

I am the Director of Fiscal Operations for the County of Westchester. I am also a board member of the NYS Government Finance Officers' Association, and chair of the downstate region council of the association. With me tonight is Dawn Donovan, Comptroller of the Town of Eastchester and the incoming president elect for the NYS Government Finance Officers' Association. We are here as a representatives to show our support of the fine work done by the village and to extend our congratulations.

I am honored to be here today on behalf of the government finance officers association of the US and Canada to present the distinguished budget presentation award to the Village of Port Chester.

The purpose of the distinguished budget presentation award is to encourage and assist governments to prepare budget documents of the highest quality for the benefit of citizens and

other parties with a vital interest in the budget process.

Over the past 31 years, this program has gained widespread recognition among public-sector budget professionals as an important indicator of a government's commitment to be accountable to its stakeholders.

To earn the distinguished budget presentation award, Port Chester had to substantially conform to the program's demanding criteria, which incorporate the guidelines of the National Advisory Council on state and local budgeting.

It was my great pleasure to present the village with their first award last year and it is an honor to be here again today to present Port Chester with their second distinguished budget award for the fiscal year beginning 2014.

The village's decision to continue to participate in this program is confirmation that Mayor Neil Pagano and the Board of Trustees supports and promotes the development of organizational goals and the allocation of resources through the budget process that are consistent with those goals combined with policies, and long-range plans.

The distinguished budget presentation award also reflects high levels of professionalism and commitment to the residents of the county on the part of Village Manager Christopher Steers, staff member Christopher Ameigh, and Village Treasurer Leonie Douglas. They are to be commended for the hard work that is required to prepare a budget document of this quality for you, the residents.

The government finance officers association hopes that the accomplishment of the village will encourage other local governments to strive for the same best practices in their own budget documents.

On behalf of the government finance officers association, it is my privilege, to present the distinguished budget presentation award to the village of Port Chester.

Congratulations!"



From Left (front row) Mayor Neil Pagano, Village Treasurer, Leonie Douglas, Comptroller of the Town of Eastchester, Dawn Donovan and Director of Fiscal Operations for the County of Westchester, Patty Jones. From Left (2nd row) Christopher Ameigh Administrative Aide to the Village Manager and Village Manager, Christopher Steers.

PUBLIC COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any public comments.

Comments were made by:

Public Comments

Mayor Pagano asked if there was anyone from the audience who would like to make any comments regarding this public hearing.

Comments were made by:

Ms. Goldie Solomon commented on February being Black History Month. She has been showing biographies. We have also honored our Presidents. Our taxes are too high. School taxes should only be for those who have children in school. She thanked the police, firemen, EMTs and DPW for all their work. The people of Port Chester need them.

Richard Kochanowicz commented on the Village Elections and wants to work on the election. The BOT are elected by the people and they should have a vote in projects such as the Municipal Center. The Amnesty Program should not have been brought into play. My original C.O. was approved and now I am told it is not good any more.

Mayor Pagano commented the Village Clerk is in charge of the election and he approved 74 inspectors at the last meeting. The Justice Department has specific rules regarding how many and who should be at each of the polling places.

Paul Cregan, secretary of Washington Engine & Hose Co., commented on the members of the fire department who had to put in their resignations as members of the fire department.

Because they were IAF members they were asked to resign from their membership as a volunteer. This was a pressure position. This is a loss to the fire department and the Village. Mayor Pagano commented that we are looking at the resignations of seven people who are very high quality volunteers. This is a loss to this Village. Trustee Terenzi said the hardball tactics played by the union are weighing upon us. We are going to take this into consideration when we evaluate going forward.

Jim Forest commented he cannot believe what is going on in the Village. The 2015 budget has 11 professional firefighters on the list and we only have five. One is in Afghanistan right now and one is suspended without pay. So they are trying to have three men cover all shifts. What happens when an early morning fire occurs and you don't have a man to respond? The contract with Rye Brook states that from 7 P.M. to 7 A.M. there is to be one career firefighter with one piece of apparatus. That engine responds to all of Port Chester during the night. Who is protecting Rye Brook?

Tom Ferguson commented one of the things that disturbs him. I just became aware of the situation with the professional firefighters. It concerns me that in the event of a major catastrophe we should hire the amount of people we have budgeted to make sure we have enough coverage. It would be a shame if a catastrophe happened and we didn't have coverage.

Todd Camisa of Greenburg, district VP for the state firefighter's organization. The BOT is putting itself and the residents at peril. You need trained interior firefighters in case of a catastrophe.

Richard Kochanowicz commented the BOT should all resign.

Brian Petersen, a career firefighter in Greenburg, asked when the questions raised tonight are going to be answered. Where is the money going; we allow for 11 and three are on duty. You receive funds from Rye Brook; where is the money going? Mayor Pagano answered that we are in negotiation with the union representatives currently so this is not up for discussion at this time.

Matt Guaranga of Rye Brook commented on why are there not two fire engines being allocated to Rye Brook (one stationed at Rye Brook and one stationed in Port Chester) to provide support.

Ms. Goldie Solomon commented on volunteering. She has great respect for volunteer firefighters.

Keith Morlino thanked the BOT for all they do. He commented on the municipal center and the police station. He wanted to clarify the facts to know what is going on. Currently we are now spending about \$400,000 yearly to repair the current police station and Grace Church Street. Village Manager Steers said it is closer to \$600,000. You have to weigh the pros and cons of the municipal center. Just to redo the current police facility would be \$20MM. Mayor Pagano commented it is still too early to make any decision. Mr. Morlino commented on parking during snow time. Some parking should be suspended.

Mr. John McDwyer, a professional firefighter, commented on the BOT's duty to the taxpayers that you are obligated to provide them with the basic services. The BOT is not in compliance of the fire contract with the Village and Rye Brook. You are down to three firefighters. You need to provide adequate protection. If you need to make temporary provisions, so be it.

Ray MaColsagel, a firefighter with the Town of Harrison, commented on the career firefighters. While the career men are at the Rye Brook firehouse you have no one in Port Chester.

Richard Abel commented on the work session. It was a report on the Zoning Board. He commented that we have Add-On Resolutions for tonight's meeting.

RESOLUTIONS

RESOLUTION #1

ADOPTION OF COMMENT ON THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT WITH REGARD TO THE PROPOSED ACTION OF PC406 BPR, LLC and PC 999 HIGH STREET CORP.

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

WHEREAS, on April 21, 2014, the Board of Trustees (herein referred to as "Village Board") adopted a resolution accepting the petition of PC406 BPR, LLC and PC 999 High Street Corp. (together, the "Applicant") for consideration of proposed zoning text and map amendments to the Village Code, Chapter 345 relating to a proposed Southern Gateway Mixed Use Overlay District or, in the alternative, to a text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62; and

WHEREAS, the Applicant seeks to develop 406-408 Boston Post Road and 999 High Street for a mixed multi-family residential and commercial use development, consisting of 500 dwelling units designed to appeal to "Millennial" or young, childless working professionals, together with 230 age-restricted dwelling units, as well as 90,000 square feet of retail space, an approximately 138-room hotel and between 100,000 and 200,000 square feet of market-based office space geared towards accommodating wellness and out-patient medical uses (the "Proposed Action"); and

WHEREAS, the Village Board is the designated Lead Agency under the State Environmental Quality Review (SEQR) Act of the State of New York; and

WHEREAS, the Village Board determined that the Proposed Action is a Type I Action pursuant to the SEQR and the regulations at 6 NYCRR Part 617 and issued a Positive Declaration that the Proposed Action may have a significant impact on the environmental, and required the Applicant to prepare an Environmental Impact Statement (EIS); and

WHEREAS, the Applicant had submitted a proposed Scoping Outline for the Draft Environmental Impact Statement (DEIS), which was circulated for public review and comment and was the subject of a public scoping session; and

WHEREAS, the Village Board adopted a Final Draft EIS Scoping Outline on August 18, 2014; and

WHEREAS, the Applicant submitted a preliminary DEIS on December 31, 2014 to the Village Clerk; and

WHEREAS, the Village Board's independent consultants retained, inter alia, to review the preliminary DEIS have provided the Village Board with a Completeness Review Memorandum, dated January 28, 2015, and annexed hereto as Exhibit A; and

WHEREAS, the Village Board has carefully considered the Completeness Review Memorandum; and

WHEREAS, members of the Village Board have comments on the preliminary DEIS in addition to those set forth in the Completeness Review Memorandum, some of which are included in the Memorandum from the Village Planning Director, dated February 11, 2015 annexed hereto as Exhibit B, and others of which may be articulated at the Village Board public meeting of February 17, 2015.

NOW THEREFORE BE IT RESOLVED THAT,

1. The Village Board hereby adopts the January 28, 2015 Completeness Review Memorandum annexed hereto as Exhibit A.
2. The Village Board hereby adopts the February 11, 2015, Memorandum setting forth comments of certain Board members on the preliminary DEIS annexed hereto as Exhibit B.
3. The Village Board hereby adopts and incorporates herein by reference additional comments made by members of the Village Board on the preliminary DEIS at the February 17, 2015 public meeting that were accepted by the Board.

Approved as to form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

RESOLUTION #2

REVOCABLE LICENSE AGREEMENT TO ACCOMMODATE

MATERIAL LIFT ELEVATOR AND VAULT FOR THE CAPITOL THEATRE

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

WHEREAS, Capital Enterprises, Inc. and Capitol Theatre LLC d/b/a The Capitol Theatre operates a theater performance venue on real property located at 149-151 Westchester Avenue, Port Chester, New York, also known and designated as Section 142.30, Block 2, Lots 19 and 20 on the Tax Map of the Town of Rye, New York, (the “Subject Premises”); and

WHEREAS, they propose to enlarge the opening and install a material lift elevator in space below the surface of the public sidewalk on Broad Street and rehabilitate a corresponding vault with access panel on Westchester Avenue that are both contiguous to and enter upon the subject premises; and

WHEREAS, such improvements have been reviewed and approved in the final site plan approval granted by the Planning Commission subject to, among other things, authorization for same in the form of a revocable license agreement from the Board of Trustees; and

WHEREAS, the attorney for the theatre and the Village Attorney have negotiated the terms of such license agreement and present same for the Board’s consideration. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a revocable license agreement with Capital Enterprises, Inc. and Capitol Theatre LLC d/b/a The Capital Theatre, 149-151 Westchester Avenue, Port Chester, New York, in the form annexed, for the use and occupancy of the area under the surface of the public sidewalks on Broad Street and Westchester Avenue so as to accommodate a material lift elevator and vault.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

RESOLUTION #3

REVOCABLE LICENSE AGREEMENT TO ACCOMMODATE STORM WATER RUN-OFF LINES, ETC., FOR NEW RESTAURANT AT 126 NORTH MAIN STREET

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

WHEREAS, Stratmar Equities, Inc. operates a retail/office building on real property located at 126 North Main Street, Port Chester, New York, also known and designated as Section 142.23, Block 1, Lot 33 on the Tax Map of the Town of Rye, New York, (the “Subject Premises”); and

WHEREAS, it has entered into a leasehold agreement with a restaurateur for the first floor and basement space of the Subject Premises with a New York domestic corporation known as Reese Willow LLC d/b/a “Rye House” for the operation of a restaurant/bar facility; and

WHEREAS, it proposes to extend and install storm water run-off lines, culverts, drains, connections and related appurtenances under the surface of the public sidewalk on North Main Street contiguous to the Subject Premises; and

WHEREAS, such improvements have been reviewed and approved in the final site plan approval granted by the Planning Commission subject to, among other things, authorization for same in the form of a revocable license agreement from the Board of Trustees; and

WHEREAS, the attorney for Stratmar Equities and the Village Attorney have negotiated the terms of such license agreement and present same for the Board’s consideration. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a revocable license agreement with Stratmar Equities Inc., 126 North Main Street, Port Chester, New York, in the form annexed, for the use and occupancy of the area under the surface of the public sidewalk and roadway so as to accommodate storm water run-off lines etc. for the new restaurant at said premises.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

RESOLUTION #4

AUTHORIZING AGREEMENT WITH SOUTH EAST CONSORTIUM FOR SPECIAL SERVICES, INC. TO PROVIDE A COLLECTIVE PROGRAM FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES AND SPECIAL NEEDS

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

WHEREAS, the South-East Consortium for Special Services, Inc. provides a special recreation program for citizens with developmental disabilities and special needs through a long-standing agreement with several municipalities in Westchester County; and

WHEREAS, the Village of Port Chester has been a party to this agreement which is up for renewal for calendar year 2015 at the same rate as the 2014 calendar year; and

WHEREAS, the program has successfully provided opportunities to our disadvantaged citizens. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to sign an Inter Agency Agreement with the South East Consortium for Special Services, Inc., with the City of Rye, the Towns of Eastchester, Mamaroneck, Pelham, the Village of Scarsdale, the Town-Village of Harrison, the Villages of Port Chester, Rye Brook and Mamaroneck, to provide a collective program for special recreation services for citizens with developmental disabilities and special needs for the calendar year of 2014; and be it further

RESOLVED, that the contribution in the amount of \$21,829.00 has been appropriated in General Fund line item #001-7310-0455.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

REPORT OF THE VILLAGE MANAGER

INITIATIVES/PRIORITIES:

- ❖ **Strategic Planning: Strategic Actions** (Opportunity Areas #1 Downtown TOD, #2 Downtown: Municipal Center, #3 Waterfront Redevelopment/Revitalization, #4 Fox Island, #5 United Hospital Site Redevelopment).

- 1) Opportunity Areas #1:** C1 Neighborhood Retail Zoning Analysis: medical, dental office use Preliminary analysis regarding a potential zoning text change to permit medical in the C1 Neighborhood Retail District either as-of-right or by special exception permit subject to existing special exception criteria as defined in §345-61U.

This action is considered a Type I Action under SEQRA regulations and requires a determination of significance from the Board of Trustees prior to final approval. Presentation to Board of Trustees completed December 2014, January 2015. Referral to Planning Commission to consider pending draft local law, February 2015.

- 2) Opportunity Area #2:** As you are aware NDC has been engaged by the BOT to begin phase three of the Municipal Center feasibility study. Current status:

Activity #1 Site Investigation – Phase I

- *Federal, state & local records review of environmental database*
- *Evaluation of adjacent parcels and historical usage*
- *Preparation of written report on site investigation*
- *Phase I ESA report according ASTM-1527 Standard*
- *Identify any environmental concerns for Phase 2 review*

NDC has incorporated a separate development entity to undertake the preliminary work as well as act as developer in the event the project proceeds. The Entity is named “Community Development Properties, Port Chester One, Inc.” (“CDP PC”). CDP PC has recently undertaken the following steps as part of the site investigation/geotech phase of the project:

- Negotiated & Contracted Site Access Agreements with several property owners
- Contracted with a Surveying firm to undertake a survey of some disputed property lines
- Contracted with a title search firm to review chain of title issues on a specific property
- Entered into a contract with a geotech boring firm

The next phase of activities involves the geotechnical investigation, including site borings. This process has been slowed due to a disputed property line. Now that the disputed property issue has been resolved and will be surveyed the geotech activities will be able to begin two to three weeks’ time, depending upon the ability of the survey firm to get on site within the next two weeks.

The issues around property access has been the single most difficult issue to resolve from a timing perspective. They have secured Site access to three properties on the proposed project site and have reconfigured the drilling schedule to accommodate the willing property owners (we have Weissman, Knume, and Man Chung Wong). They anticipate that once the survey is completed, the geotech firm will be on site drilling by the first week of March – provided that no weather issues arise.

- 3) Opportunity Area #3:** Bulkhead; the contract for the bulkhead design grant award in the amount of \$225,000 has been executed. Again, the methodology is to design the bulkhead in two phases, Phase 1 being the first Activity Node and temporary “shoring”

up of the vinyl area; Phase 2 being the complete steal replacement and partial bridging of the cove. This approach allows us to first make progress toward re-activation of the waterfront as planned and it also gives us time to build potential funding resources from grants, districts, and/or parking revenues without stalling the entire capital improvement project.

The Final RFP for design and construction plans + permits approved by DOS, January 2015. RFP publically released February 2015; deadline for response by March 2, 2015.

- 4) Opportunity Area #5: Redevelopment of the former United Hospital Site (Starwood).** The Mixed-use redevelopment proposal for the former United Hospital site located within the Village's PMU Planned Mixed Use District to permit: 500 "Millennial" housing units, 240 age-restricted housing units, an approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.

Preliminary DEIS submitted by Applicant December 31, 2014. Village consultants and staff reviewing for completeness for BOT to accept document as complete per adopted scope in February/March.

- ❖ **2015-2016 Budget Process:** Budget development for the coming fiscal year has been initiated. Department budget worksheets have been distributed. Met with all department heads. Working with finance on rolling stock, five year capital plan, and budget projections.

I request that the BOT schedule a workshop between, in order to discuss 6 month (now 8 months) revenues/expenses and projections for year end. (5 year operating trends base and current attached).

- ❖ **Property Condition Study RFP:** Again, the RFP has been issued and interviews have been conducted by the BOT. At the recommendation of the Board, Staff has had subsequent discussions with the two final consultants for the neighborhood revitalization strategies RFP. Second interview with the two finalists will be held at this meeting.

ACTIONS:

- **MTA:** Staff continues to discuss a possible settlement to the property maintenance violations issued to the MTA. The context is in the realm of better routine maintenance and possible beautification utilizing existing and potential funds in a collaborative manner between the Village and the MTA.
- **Grant Writing RFP:** The Village of Port Chester (hereinafter "Village") is seeking professional services from qualified consultants to assist the Village in researching and identifying potential grants, as well as providing general grant writing services associated with the completion and submission of grant applications, program administration, and delivery. A main focus of the grant writing need will be to fund the elements of the

Village's Strategic Plan for 2014-2016 which identifies and prioritizes key economic development projects throughout the Village. These projects each contain a summary of procedures, milestones and key deliverables. The availability and timing of grant funding is critical to the successful implementation of the plan, and is an important component to this RFP. All of the Village's departments, boards and commissions, and related entities such as the Port Chester Industrial Development Corporation and Port Chester Local Development Corporation will benefit from access to the consultant's expertise and technical assistance. The Initial RFP is proposed on a "**contingency basis**". Proposals must be received by the Village until 3:00 pm Eastern on Friday, February 27, 2015.

- **CBDG:** On Monday February 9th the Mayor, Deputy Mayor, Trustee Terenzi, and Staff met with Westchester County, George Oros and staff, to discuss the new County Housing Infrastructure Investment Program. The adopted 2015 Westchester County capital budget now has in it authorization for up to \$5 million to fund up to 50% of such local projects through CHIIP. For 2015, projects eligible for County financial support will be selected from those projects previously submitted by local governments to the County under the CDBG program and subsequently recommended for funding. Enclosed with this letter is a complete list of the eligible public infrastructure projects that you have proposed for your community. The deadline for identification of 2015 local projects and updated cost estimates will be Friday, March 13. Staff is updating the requested information including the associated cost estimates (attached is the letter from the County and the Village's initial list.)

DEPARTMENT UPDATES:

- **Treasures Office:** See attached BAN and Bond Ratings, and note bid results.
- **Police Department:**
 - **Training:** On January 23, Police officers Mike Giandurco and William Washington completed High Intensity Drug Trafficking Area, (HIDTA) training. This 40 hour course of study was held at the New York City Police Departments Rodman's Neck facility in the Bronx. Both officers received both classroom and hands on training in area such as; search warrants, surveillance, undercover operations and tactical street encounters.
 - **Evidence Project:** We have received approval to dispose of and/ or return evidence in 83 cases. Of those 83 cases, evidence was returned in 7 cases and 20 cases had the evidence disposed of. In each and every case there is documentation of the evidence being disposed or returned.
 - **Vehicles:**
 - In early January, the Department put into service its first 4 wheel drive vehicle dedicated exclusively to patrol (one is assigned to supervisors). A 2014 Ford Explorer was outfitted with radio, striping and emergency equipment by Cruisers in

Mamaroneck. The addition of the new RMP was quite timely as it went into service the day before a major snow event on January 19.

- The vehicle (car 54) replaced by the new Explorer was transformed into a stealth traffic enforcement car. Det. Richard Grall and Police Officer Sal Baldo came up with the idea of removing the overhead lights, push bar, and black and white markings of a traditional police car. Strobe lights were then hidden inconspicuously, and black reflective lettering was placed on the sides of the car. The last touch was a set of passenger license plates. The stealth car has allowed for more effective enforcement of traffic laws particularly in areas of concern such as school zones.

▪ **General:** In January 2015, the Department

- Responded to 1636 calls for service
- Issued 5312 parking tickets up 53% from December
- Issued 559 traffic tickets, up 91% from December
- Made 161 arrests, up 9% from December
- Conducted 166 directed patrols of, parks, abandoned buildings, public housing, and places of worship
- Conducted 19 compliance inspections of licensed liquor establishments

▪ **Detective Bureau:** For the Month of January 2015 the Detective Bureau closed out 16 cases with 12 by arrest. They have assigned the detective division 33 new cases in the month. The detective bureau had a total of 35 arrests. Including the following:

1. 5 Felony Drug Charges
2. 3 Misdemeanor Drug Charges
3. 10 Violation of Possession Charges
4. 1 Felonies (Non-Drug Related)
5. 1 Misdemeanors (Non-Drug Related)

Evidence Seized:

1. \$3,402.00 USC
2. 1992 Acura Integra
3. 276 Decks of Heroin
4. 4 zip lock bags of Cocaine/Crack
5. 19 zip lock bags of marijuana
6. 4 Large Bags of Marijuana
7. 23 Pills (assortment of Hydrocodone, Codeine, Floriact, P1, Zolpidem and Suboxone)

➤ **Justice Court**

- Assisted the Judge on the Bench during court sessions on Mondays, Thursdays and Fridays
- Assisted the Judge at Traffic Night Court on February 10
- Processed Criminal Disposition Reports (CDRs) after court

- Completed court paperwork after court sessions
- Update excel spreadsheets with Bail disbursements from court
- Electronically transmitted 310 Criminal Dispositions Reports (CDRs) to New York State Division of Criminal Justices Services since January 9, 2014
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 01/31/15 - \$78,878.03
- Prepared January 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Troy - \$77,642.00 to be reviewed and electronically submitted by Judge Troy
- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 01/31/15 - \$161,429.01
- Prepared January 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$160,209.45 to be reviewed and electronically submitted by Judge Sisca
- Reconciled Bail Account. Ending Bank Balance as of 01/31/15 - \$224,122.92
- Reconciled Tow Account. Ending Bank Balance as of 01/31/15 - \$1,590.00
- Prepared vouchers and Payroll to be sent to the Finance Department
- Monthly Staff meeting held on 1/21/15

➤ **Public Works:**

- Performed Snow removal (list attached).
- We have received three hundred tons of salt.
- Plowing, Brining, Sanding, Salting, continue as needed.
- Applied eight (8) tons of black top to repair pot holes.
- Performed eight (8) sewer jobs.
- Equipment repairs continue as needed.
- Completed Street Paving and associated remediation work.
- Completed Marvin lot sidewalk improvement.
- Completed Village Hall sidewalk improvement.
- Constructed Village salt shed.
- Completed Pilgrim Drive Drainage.
- Worked on and completed the majority of Phase 1 of sewer lining.
- Cleaned 30 Storm Drains.
- Removed 24 tree stumps.
- Trimmed 9 Trees.
- Replaced 3 defective manholes.
- Repaired various potholes.
- General day to day activities.

➤ **Senior Center / Nutrition:**

- 26,469 Meals served to date: (January-February)
- 37 Home Bound Seniors received their meals at home, per day Monday-Friday
- 60 seniors attend the Saturday Program.

Senior Center Calendar:

-
- Feb. 1—Super Bowl Party 6 p.m.
- Feb. 10th Arts & Crafts
- Feb. 13th Valentine's Day Party, DJ Anthony Radice 12-3 p.m.
- Feb. 17th Mardi Gras Celebration
- Feb. 19th Chinese New Year Celebration
- Sat. Feb. 21st Trip to Mohegan Sun Casino 8 a.m. to 6 pm.

Community Center Calendar:

- Feb 11th—Rec. Commission, Parks Commission, PCYBL, Beautification Commission
- Feb. 15th (Sunday) 9 a.m.-4 p.m. Consulado General De Guatemala mobile services to the Guatemala Community in Port Chester.

Snow Preparations:

Meals delivered to homebound seniors on Monday, Jan. 26, Feb. 2, & Feb. 9 in anticipation of storm that was forecast for Monday into Tuesday. This is our most frail and needy population. A hot meal with a cold sandwich was given to each senior. Also, an emergency meal was sent that consisted of: a can of beef stew, powdered milk, crackers, raisins, granola bars, and juice. We also supplied water and extra milk. Telephone messages are monitored for specific needs, seniors have been given written instructions that if they have an emergency to 911. If they need anything else, like food or shoveling to call the center, a message is on the machine with my cell phone number for them to call. Center was closed on 1/27 and 2/3 due to snow and ice.

GRANT FUNDING:

The fiscal year for Westchester County Grants is 1/1/14-12/31/2014. All reimbursement vouchers were sent to the Westchester County Dept. Senior Programs & Services in Jan. 2015.

- IIC1—center meals—17,985 reimbursement claimed--\$58,832.
- IIC2—homebound meals—2,487 reimbursement claimed--\$8,771.
- IIIB—transportation—1,347 units of transportation to doctor's and grocery store & 1,345 units of transportation to and from senior center reimbursement claimed--\$13,747.
- WIN—home delivered meal program—fiscal year—4/1/14-3/31/15 reimbursement claimed--\$21,314. 2,650 meals April 1 – Sept. 2014

All reimbursement vouchers met revenue claimed for 2014. We over served in each of the programs and claimed all monies due us.

We received 3 emails on the new website and the questions were answered. A question that the heat in the bus was not working was handled in the following manner: Rocky Morabito checked the heating unit, the driver was instructed to let the bus warm up before leaving. The

driver has been letting the bus warm up before leaving, but the bus is old, the freezing temperatures and the door being opened and closed all during the pickups still makes it cold.

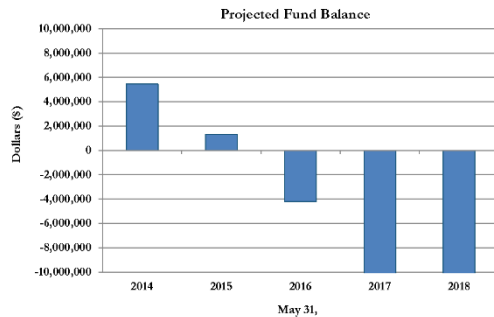
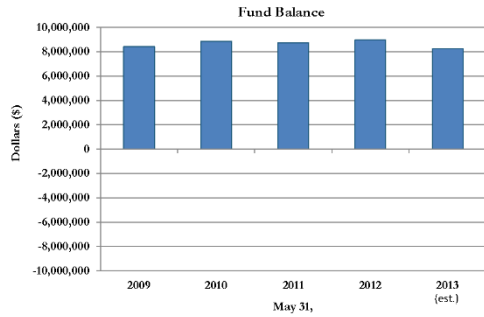
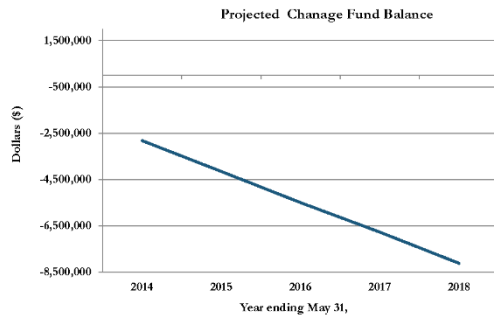
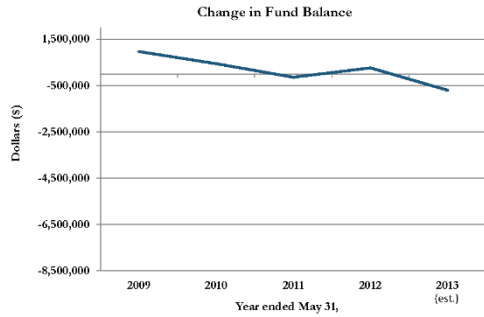
- **Building / Code Enforcement Department:** See Building Inspector/ Code Enforcement Director’s report attached.
- **Planning and Development:** See Planning and Development Director’s reports attached.
- **Recreation:** See Recreation Supervisor’s report attached.

❖ **Achievements**

- The Village was recognized in the Wall Street Journal on January 30th, 2015. Article Attached.



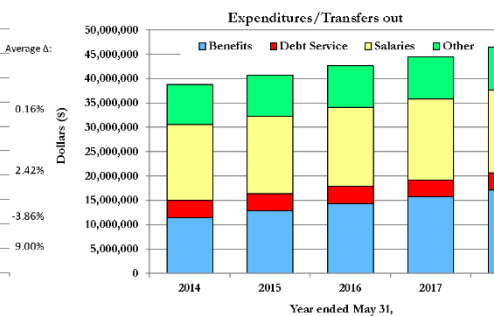
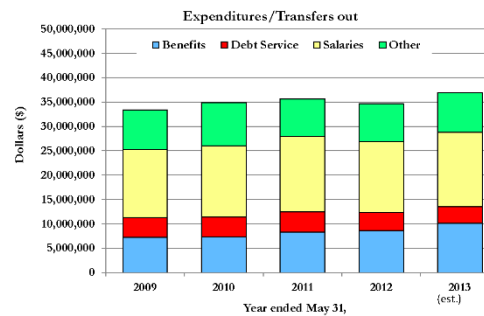
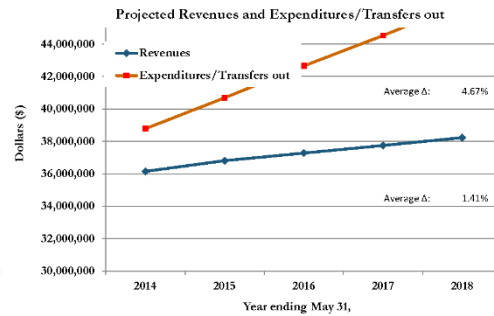
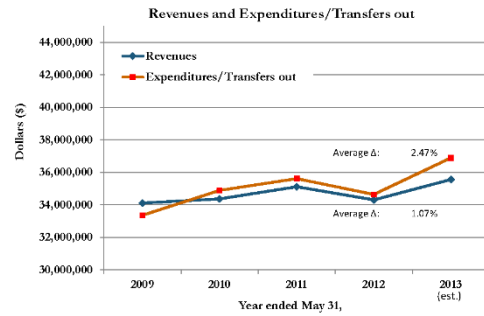
Village of Port Chester
5-year projections



** Confidential **

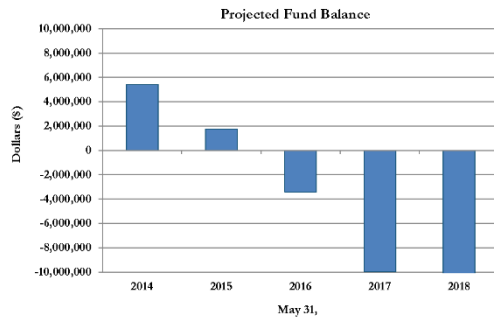
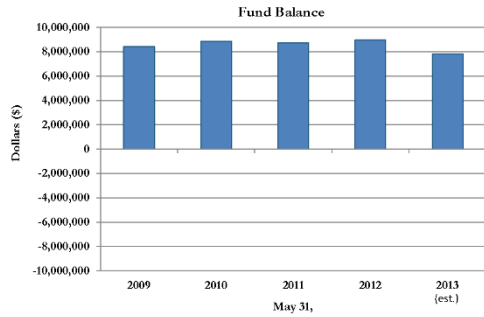
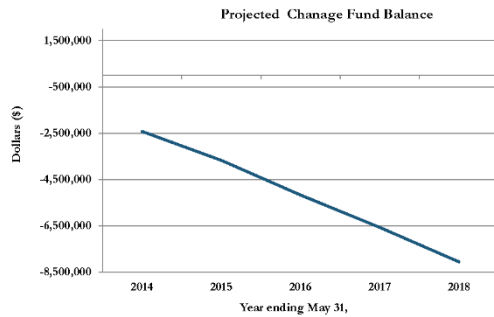
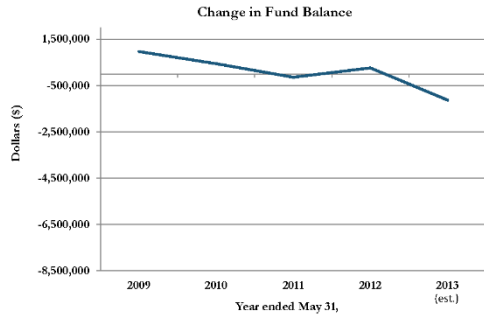
Village of Port Chester
5-year projections

Updated 2012-2013 5 Year Operating Trend



** Confidential **

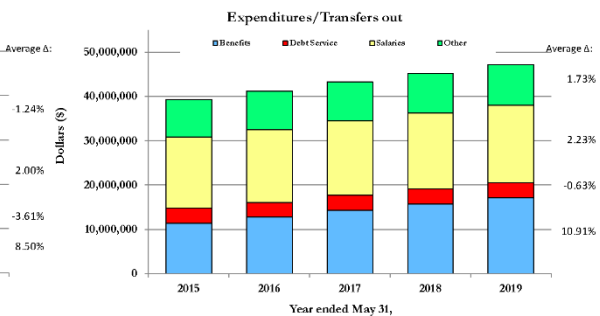
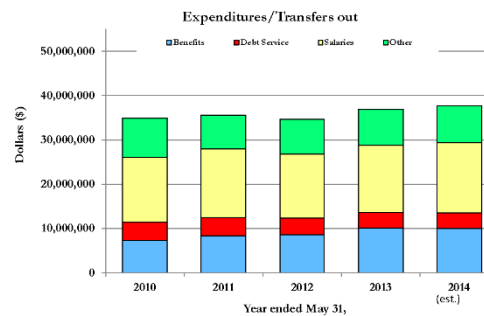
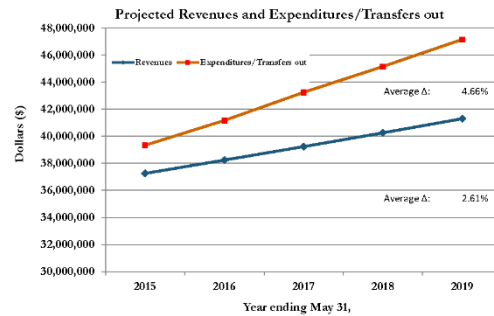
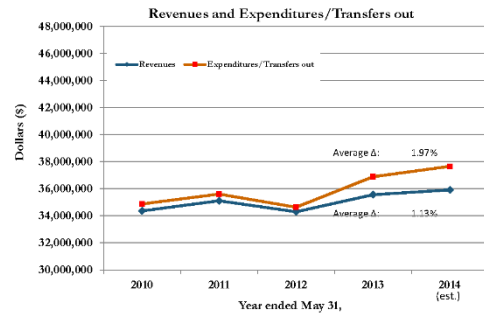
Village of Port Chester
5-year projections



** Confidential **

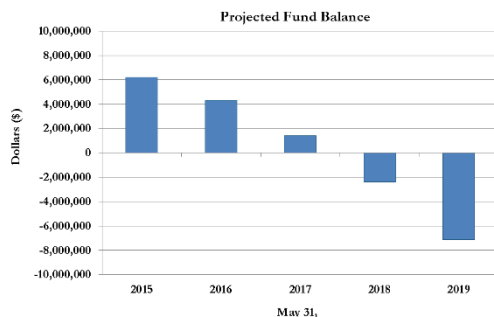
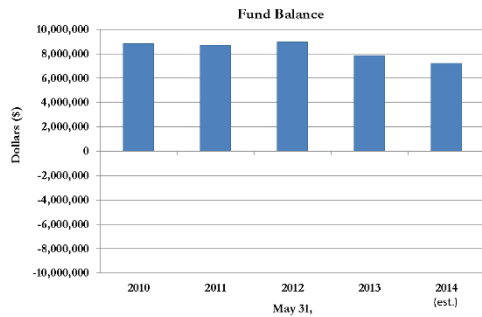
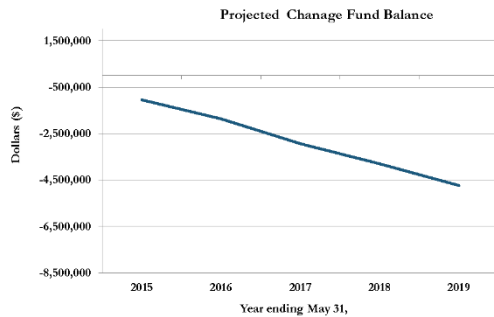
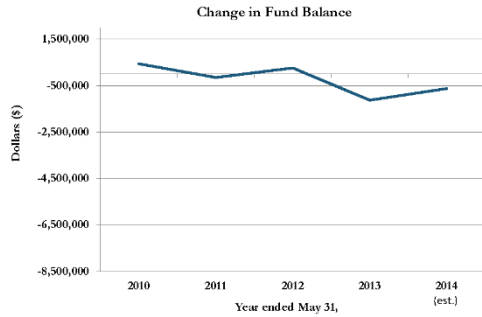
Village of Port Chester
5-year projections

Updated 2013-2014 5 Year Operating Trend



** Confidential **

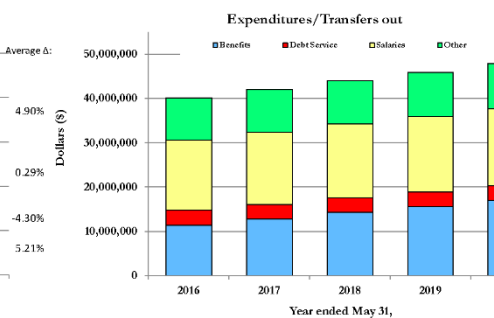
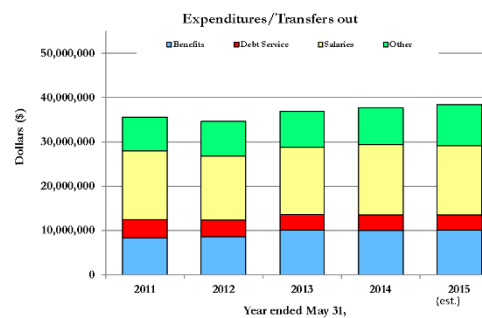
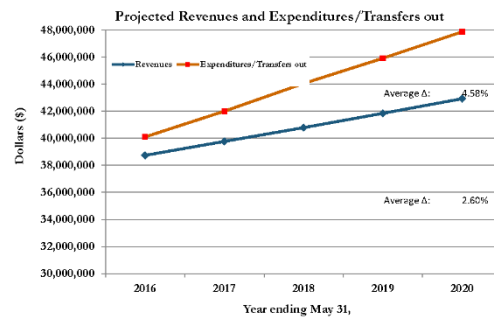
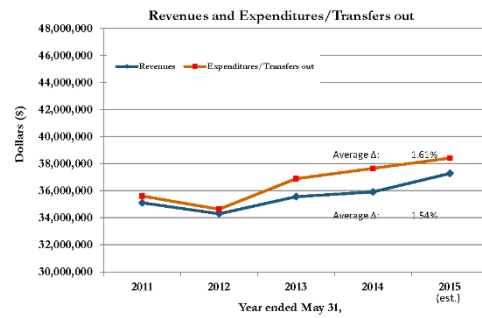
Village of Port Chester
5-year projections



** Confidential **

Village of Port Chester
5-year projections

CURRENT Projections updated February 2015



** Confidential **



Add-On Resolution #: 1

Mayor Pagano asked for a motion to add-on a resolution to Authorizing the Mayor to sign letter on behalf of the Board of Trustees to the Federal Transit Administration requesting that the Metropolitan Transportation Authority provide full accessibility for the disabled at the Port Chester railroad station.

There being no objection TRUSTEE KENNER, made a motion to Authorizing the Mayor to sign letter on behalf of the Board of Trustees to the Federal Transit Administration requesting that the Metropolitan Transportation Authority provide full accessibility for the disabled at the Port Chester railroad station, seconded by TRUSTEE MARINO, the motion received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood

DATE: February 17, 2015

RESOLUTION (ADD-ON)

AUTHORIZING THE MAYOR TO SIGN LETTER ON BEHALF OF THE BOARD OF TRUSTEES TO THE FEDERAL TRANSIT ADMINISTRATION REQUESTING THAT THE METROPOLITAN TRANSPORTATION AUTHORITY PROVIDE FULL ACCESSIBILITY FOR THE DISABLED AT THE PORT CHESTER RAILROAD STATION

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

WHEREAS, upon the complaint of the Village of Port Chester, the Federal Transit Administration (“FTA”) conducted an investigation and determined that the Port Chester Railroad Station is not in compliance with the Americans with Disabilities Act and other applicable federal law; and

WHEREAS, the Metropolitan Transportation Authority (“MTA”) responded to the FTA’s determination disputing the agency’s interpretation of the law, but nevertheless stating that it would begin planning and design work and seek to request the expense for an elevator at the north bound platform of the station to be included in its next five-year capital budget; and

WHEREAS, the Board of Trustees deems the MTA’s conditional response to be unacceptable and that it should instead use available contingency funds so that the construction work may proceed and be completed as soon as possible. NOW, therefore, be it

RESOLVED, that the Board of Trustees authorizes the Mayor to sign a letter, in the form annexed, on behalf of the Board of Trustees to the Federal Transit Administration requesting that the Metropolitan Transportation Authority provide full accessibility for the disabled at the Port Chester Railroad Station

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

UPDATE FROM THE BUILDING INSPECTOR

BUILDING DEPARTMENT

Workload in all areas continues to increase, staff continues to decrease.

Currently, the department is down 4 positions: 2 PT Assistant Building Inspectors (ABI)

(1) Office Assistant Automated Systems and (1) Office Assistant Automated Systems

“Spanish speaking.” Hiring list(s) have been requested prior to the New Year, still

waiting. Currently, there are no competent inspectors available for hire. ABI Positions

were offered to 2 people, both declined. The reasons given: PT pay is too low and both were offered a position in another municipality. New ABI hire (last on list) is to be terminated on 2/20/2015.

Tasks “not” being completed are as follows:

- Post scanning: new documents requiring scanning and indexing after the date of return regarding the contracted scanning.
- Review of documents for submission to files i.e. property files, code files
- Maintaining files for accuracy. Files require a review, update and maintenance to ensure accuracy for prior to public Municipality viewing.

January, usually the slowest of all months, turned out to be one of the most productive. Permits, consultations, inspections and revenues have all increased in comparison to the same time last year 2014.

January 2015

Stop Work Orders	5	\$1,346.00
Certificate of Occupancy	22	\$5,250.00
Building Permits	60	\$58,172.55
Plumbing Permits	27	\$3,990.00
Electrical Permits	22	\$2,250.00
Sign Permits	4	\$400.00
Tank Permit	10	\$560.00
Permit to Occupy Sidewalk	3	\$39,310.00
Temporary Certificate of Occupancy	8	\$3,400.00
Application for Amendment	0	
Searches	59	\$11,670.00
Foils	11	\$89.25
Consultations	94	
Inspections	105	
		\$126,437.80

CODE ENFORCEMENT

Staff levels are adequate, workload continues to increase.

Focus during the inclement weather was geared at assisting DPW. Coordination with DPW and Code resulted in the enforcing of the Village code with regard to placing snow in streets. Essentially, code trailed DPW via radio and responded to requests made by DPW to minimize the impact of snow being thrown into the street. The efforts and collaboration by both departments went extremely well.

January too, turned out to be a productive month. Inspections and revenues have all increased in comparison to the same time last year 2014.

January 2015	
Fire Safety Program	
Scheduled Fire Inspections Conducted	87
Fire Inspections Failed - NOV issued	38
Re-inspections Conducted	49
Certificates of Compliance Issued	31
Fees Collected	\$18,350
Request to Conduct Fire Inspection Notices Sent Out	110
NOV's For Failure To Respond to Fire Safety Renewal	41
Appearance Tickets Issued	0
Additional Inspections	
Sprinkler/Flow Inspections	0
Sprinklers - Hydrostatic Inspections	0
Fire Alarm Inspections	0
Kitchen Fire Suppression System Inspections	0
Court Inspections	3
Stop Work Order Issued	0
Fire/Police Referral Inspections	20
Unsafe/Unfit Structure Inspections	0
Knox Box Inspections	1

Fire Inspections	87
Re-inspections	49
Total Fire Inspections	136
Additional Inspections	24
Grand Total	160

January 2015	
Code Enforcement Program	
Complaints Received	112
Inspections Conducted (as a result of complaints)	255
Right of Entry Requests	1
Notice of Violations Issued	74
Illegal Dwelling, Overcrowding Complaints (IDW & OC)	1
Notice of Violations Issued re: (IDW & OC)	0
Appearance Tickets Issued	4
Stop Work Orders	3

Compliance Case Closed	60
Unfounded	7
Referred to PC Building Department	7
Referred to PC Police Department	1
Fire Safety Referral (from PCCE to FS)	0
Referred to PC DPW	5
Referred to Westchester County Department of Health	1
Referred to HUD	0
Referred to PCHA	0
January 2015	
Court Cases	
Number of Current Court Cases	182
Number of Current Court Cases Closed	3

OVER CROWDING-ILLEGAL DWELLINGS 2015

Identifying overcrowded/ illegal occupancies still remains as a top priority of code enforcement.

Unlawful Occupancy-Overcrowded Properties Breakdown 2015

Total located: **37**

Affecting **21** properties

- Unlawful Basement Occupancy: 11
- Unlawful Attic Occupancy: 10
- Single Room Occupancy (SRO's): 0
- Additional Dwelling Units: 16

Contributors

- 1 & 2 Family: (5) Represents: 24%
- Multiple Dwelling (3 or more): (14) Represents: 67%
- Mixed Use: (2) Represents: 10%

Multiple dwellings still remain the largest contributor to the illegal occupancies.

Amnesty Update

Amnesty applications continue to be submitted however, at a much slower, infrequent rate.

Below represents the total number of all applications submitted since inception and the number of consultations completed. Consultations are 54% complete.

Total Amnesty Applications Submitted:	733
Amnesty Reports Completed:	721
Percentage of Amnesty Reports Complete:	98%
Amnesty Consultations Completed:	394

Focus

During the month of February, the building department is in the process of addressing the backlog and returning a number of incomplete applications. Code enforcement has been instructed to perform a full file-review of all properties that each officer has inspected and the owner has failed to comply with an NOV.

In addition, code enforcement has been instructed to take another look at all files that contain a referral to the building department. Those owners that received a referral and have failed to schedule an appointment with the building department shall be issued a court appearance ticket.

During the middle of February through March, the Building and Code Enforcement Departments will focus on the remaining overcrowded and illegal occupancies throughout the Village. The departments will further evaluate properties by proactively canvassing certain locations and conduct a follow-up review of all standard searches that contain an illegal occupancy and have not scheduled a consultation in a timely manner. The Building Department continues to maintain and update a comprehensive list of all properties that have requested a municipal search. If the search indicated that there is a discrepancy in the number of dwelling units, it is duly noted and a notice to remedy is issued. The upcoming months shall include a review of those files and in the event there has been no communication with building or code, proper enforcement shall commence.

REPORT OF THE POLICE CHIEF

Chief Richard Conway commented on the College Avenue traffic situation. We've moved a traffic officer full time into doing traffic enforcement and taking him out of all of his other duties. We have the addition of a police car, increasing traffic violations this past month 91% over the previous month. We will be doing a second car next week. We are awaiting the delivery of two traffic speed signs. Weather permitting, we will get them set up in strategic locations.

DISCUSSIONS

Joseph Gianfrancesco from the Traffic Commission regarding safety issues on College Avenue

Joe Gianfrancesco, Chairman of the Traffic Commission, reviewed the Fire Chief's letter to the Traffic Commission regarding a safety issue getting in and out of fire headquarters. This cannot be handled by the Traffic Commission. However, the Chief submitted photos showing driveways at headquarters and opposite headquarters where people park because they are not marked out or hatched. There is one sign across from headquarters with a picture of a fire truck on it. You cannot put signage on the sidewalk because when the fire trucks pull up they overhang the sidewalk. The best way to deal with this is we recommend hatching out in big yellow hatch marks. The Village Code already states this is a fire zone so all we have to do is get it painted. Our recommendation is to paint hatch marks on both sides of the street. Since this is a County road we have to apply for a permit.

Regarding the tragedy on College Avenue, at our traffic meeting on January 15th we hashed out different ideas in dealing with the speed problem. Traffic humps are not a good idea in this area. We did a survey of the area to see what kinds of accidents are taking place. This is not a continuing problem. We did a car count and radar test. The Village has it covered with the school speed limit. Sgt. Barbara made arrangements on timing of the speed enforcement with Rye Brook. Enforcement and education are the best way to handle the speed problem. The speed signage is really poor at the schools.

Trustee Terenzi commented that Westchester Avenue from Broad Street to Pearl Street is not working. The lines are not there. People don't know they can make a left-hand turn. There is no parking in front of the Capital from Broad Street to Pearl Street. Someone put a line there and people think they can go into the stores. Joe Gianfrancesco commented the line was painted with a temporary paint. The spaces in front of the Capital were moved to Pearl Street.

Joe Gianfrancesco commented the Traffic Commission needs approval for the speed signs at the high school and the hatch marks at the fire house.

Additional municipal parking spaces – as requested by Trustee Adams

Trustee Adams commented this Village has a parking issue. The Village Hall lot is packed in the day time. When you park at the movie theater it can take up to half an hour to get out of the lot. He is approaching the Board to see if we can get some additional municipal parking. We have so many restaurants and the parking is inadequate. Mayor Pagano commented there are 2700 parking spaces in the Village. Village Manager Steers commented a study showed there was adequate parking. Trustee Terenzi commented that even when the Capital is packed they only need 225 spaces since 35% of the patrons come via train. Anthony Tyrone commented there are 2932 spaces within ½ mile of Liberty Square. The majority of those are public parking spaces. At any given time about 1300 spaces are empty. There is no direction for parking. He suggested brightening up the public spaces and publicizing. When restaurants come into the Village, parking should be a consideration. There is not a lack of parking; it is a lack of knowledge of parking. Village Manager Steers commented the Traffic Commission could expand their role to look at this but they would need the aid of a professional engineer.

Tax Certioraris

Trustee Terenzi commented that he had perused the numbers given by Village Treasurer Douglas. We only budgeted \$55,000. We were at \$120,000 and there is still \$50,000 in the pipeline. We should have a detailed bill from the Town. Attorney Cerreto said he had some conversations with Denise and with special counsel hired by the Town of Rye. After discussion the Board decided to have a work session at the Conference Room on March 3rd.

Participate with Westchester County regarding New York State Tax Freeze

Village Manager Steers commented the County is offering the opportunity for us to join in with them and other municipalities to submit as a group to the State relating to the tax free program. If the County makes the 1% and your municipality is not quite making the 1%, you still get the benefit of being under their umbrella. Leonie Douglas noted the 2013-2014 carryover that we use as a tax cap is \$41,895. The 1% percentage is \$225,510. The plan must show a 1% sustained savings of the property tax levy date of 2014-2015. The 1% savings must be achieved 2017, 2018 and 2019.

Add-On Resolution #: 2

Mayor Pagano asked for a motion to add-on a resolution to Participation with Westchester County in NYS Property Tax Freeze/Government Efficiency Plan.

There being no objection TRUSTEE CECCARELLI, made a motion to add-on a resolution to Participation with Westchester County in NYS Property Tax Freeze/Government Efficiency Plan, seconded by TRUSTEE MARINO, the motion **did not** received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: Trustee Terenzi.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015.

The motion to add-on a resolution was defeated and will be added to our next regularly scheduled meeting on March 2nd, 2015.

Add-On Resolution #: 3

Mayor Pagano asked for a motion to add-on a resolution to Support for the enactment of the Abandoned Property Neighborhood Relief Act to facilitate a state-wide effort to assist municipalities in their management of vacant and abandoned properties.

There being no objection TRUSTEE KENNER, made a motion to add-on a resolution to Support for the enactment of the Abandoned Property Neighborhood Relief Act to facilitate a state-wide effort to assist municipalities in their management of vacant and abandoned properties, seconded by TRUSTEE MARINO, the motion received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015.

RESOLUTION (Add-On)

**SUPPORT FOR THE ENACTMENT OF THE ABANDONED PROPERTY
NEIGHBORHOOD RELIEF ACT TO FACILITATE A STATE-WIDE EFFORT TO ASSIST
MUNICIPALITIES IN THEIR MANAGEMENT OF VACANT AND ABANDONED
PROPERTIES**

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

WHEREAS, due to the ongoing national housing crisis, property owners are increasingly burdened with mortgages which exceeds the value of their homes; and

WHEREAS, as a result, owners abandon their properties with no intention to maintain or reoccupy their homes and typically are difficult if not impossible to locate; and

WHEREAS, although mortgagees and loan servicing companies may keep property taxes current, they do not typically assume any obligation to maintain the properties in conformance with state and local codes; and

WHEREAS, mortgagees and loan servicing companies are reluctant to complete the foreclosure process in an attempt to defeat municipal efforts to make them legally responsible; and

WHEREAS, abandoned residences become magnets for crime, are a hazard to emergency response services; creates urban blight, decreases property values for surrounding properties, are a drain on all village services and negatively impacts the quality of life for all residents of the Village; and

WHEREAS, notwithstanding the foregoing, current State Law does not allow for municipalities to require mortgagees and loan servicing companies to maintain property before a judgment of foreclosure is obtained; and

WHEREAS, at the instance of the State Attorney General, bills were introduced in both houses of the state legislature in the 2014 legislative session that were entitled “the New York

State Abandoned Property Neighborhood Relief Act” which would ameliorate the current problems by:

-imposing the duty on mortgagees and loan servicing companies to maintain vacant and abandoned properties in compliance with the State Property Maintenance Code and authorizes a municipality to bring suit in the event that they are in violation.

- requiring the State Attorney General to establish and maintain a state-wide vacant and abandoned property electronic registry imposing disclosure requirements on mortgagees and loan serving companies and a toll-free “hot line” to receive complaints from neighbors of vacant and abandoned properties.

-authorizing municipalities to intervene in any foreclosure action to request an injunction to assure the property is maintained in conformance with the Code and that the foreclosure action is timely prosecuted; and.

WHEREAS, these bills did not advance out their respective committees to the floor for full consideration; and.

WHEREAS, the Board of Trustees has been informed that these bills may be refiled and takes the earliest opportunity to call upon its state elected officials to assure passage of same this year for the benefit of the Village of Port Chester. Now, therefore, be it,

RESOLVED, that the Board of Trustees hereby calls upon State Senator George Latimer and Assemblyman Steve Otis co-sponsor bills in their respective houses that are based on “The New York State Abandoned Property Neighborhood Relief Act”, and to gather support for such important initiative on behalf of the Village of Port Chester to assure its enactment in the 2015 legislative session.

Approved as to form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

Add-On Resolution #: 4

Mayor Pagano asked for a motion to add-on a resolution to reappoint of a member Ronald Luiso as member of the PORT CHESTER ZONING BOARD OF APPEALS.

There being no objection TRUSTEE TERENCE, made a motion to add-on a resolution to reappoint of a member Ronald Luiso as member of the PORT CHESTER ZONING BOARD

OF APPEALS, seconded by TRUSTEE CECCARELLI, the motion received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015.

RESOLUTION (ADD-ON)

REAPPOINTMENT OF MEMBER TO ZONING BOARD OF APPEALS

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

RESOLVED, that RONALD LUISO residing in Port Chester, New York, be and is hereby reappointed as member of the PORT CHESTER ZONING BOARD OF APPEALS, effective immediately with said term to expire December 31, 2017.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

Add-On Resolution #: 5

Mayor Pagano asked for a motion to add-on a resolution to appoint GERARDO ESPINOZA as member to the PORT CHESTER ZONING BOARD OF APPEALS.

There being no objection TRUSTEE MARINO, made a motion to add-on a resolution to appoint GERARDO ESPINOZA as member to the PORT CHESTER ZONING BOARD OF APPEALS, seconded by TRUSTEE ADAMS, the motion received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015.

RESOLUTION (ADD-ON)

APPOINTMENT TO ZONING BOARD OF APPEALS

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

RESOLVED, that GERARDO ESPINOZA residing in Port Chester, New York, be and is hereby appointed as member of the PORT CHESTER ZONING BOARD OF APPEALS, effective immediately with said term to expire December 31, 2017.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

CORRESPONDENCES

Add-on correspondence (two)

During the correspondences section of the meeting, Mayor Pagano asked for a motion to add-on two correspondences to the Agenda.

There being no objection TRUSTEE MARINO, made a motion to add-on the two correspondences to the Agenda, seconded by TRUSTEE KENNER, the motion received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood

DATE: February 17, 2015

From Reliance Engine & House., Co. No. 1 on the expulsion of: Paul Romanchuck (ADD-ON correspondence)

The Board duly noted the correspondence.

*From Reliance Engine & House., Co. No. 1 on the resignations of: Daniel F. Hickman
(ADD-ON correspondence)*

The Board duly noted the correspondence.

From Clay Art Center respectfully requests use of the Beech Street municipal parking lot in front of the Clay Art Center building for this community event and the rental of Showmobile.

Add-on a Resolution

During the correspondences section of the meeting, Mayor Pagano asked for a motion to add-on a resolution to co-sponsor the Clay Art Center annual Spring Fest celebration.

There being no objection TRUSTEE MARINO, made a motion co-sponsor the Clay Art Center annual Spring Fest celebration, seconded by TRUSTEE KENNER, the motion received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood

DATE: February 17, 2015

RESOLUTION (ADD-ON)

TO CO-SPONSOR THE CLAY ART CENTER ANNUAL SPRING FEST CELEBRATION

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

RESOLVED, that the Village of Port Chester will co-sponsor the Clay Art Center annual Spring Fest Celebration.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

From Westchester County Leadership Prayer Breakfast regarding the nomination of Village Manager Christopher Steers as a new committee member.

The Board duly noted the correspondence.

From Robert P. Casey, Jr. and Roger Wicker United States Senators inviting Village Manager Christopher Steers to the 63rd Annual National Prayer Breakfast in Washington, D.C.

The Board duly noted the correspondence.

From Robert P. Casey, Jr. and Roger Wicker United States Senators inviting Village Treasure Leonie Douglas to the 63rd Annual National Prayer Breakfast in Washington, D.C.

The Board duly noted the correspondence.

From Harry Howard Hook & Ladder Co. No. 1 on the expulsion of Frank DiLeo.

The Board duly noted the correspondence.

From Harry Howard Hook & Ladder Co., No. 1 on the resignations of:

- A) *Marcos E. deMelo*
- B) *Timothy G. Hannigan*
- C) *Vincent R. Lyons*

The Board duly noted the correspondence.

From Washington Engine & Hose Co. No. 4 on the resignations of:

- A) *John Pugni*
- B) *James Smith and Peter J Zeale*

The Board duly noted the correspondence.

From Putnam Engine & Hose Co. No. 2 on the reinstatement of Eugene Sciavillo.

The Board duly noted the correspondence.

From Fire Patrol & Rescue Co. #1 on the election of Ryan Powers.

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the Board of Trustees accepted the election of **Ryan Powers** as a member to the Fire Patrol & Rescue Co. #1 with the Port Chester Fire Department.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

From Joseph Gianfrancesco and the Traffic Commission regarding safety at Fire Headquarters on Westchester Avenue

The Board referred the correspondence to staff without objection.

MINUTES

Minutes from December 15, 2014, January 5, 2015, January 7, 2015 and January 12, 2015.

Mayor Pagano asked for a motion to combine the minutes of *December 15, 2014, January 5, 2015, January 7, 2015 and January 12, 2015* of the agenda for the purpose of casting one vote for all minutes.

There being no objection TRUSTEE MARINO, made a motion, seconded by TRUSTEE KENNER to combine the minutes of *December 15, 2014, January 5, 2015, January 7, 2015 and January 12, 2015* of the agenda for the purpose of casting one vote for all the minutes.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the Board of Trustees accepted the minutes of *December 15, 2014, January 5, 2015, January 7, 2015 and January 12, 2015.*

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

PUBLIC COMMENTS AND BOARD COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any public comments.

Comments were made by:

Public (none)

Board

Trustee Adams commented that on Saturday, February 28th, there will be a Town Hall meeting at Mt. Zion at 10:00 A.M. He asked that with inclement weather the changes in garbage and recycling collections be posted. Village Manager Steers commented these are posted as quickly as possible.

Trustee Terenzi commented we are in the political season. Next year will be a very interesting and dynamic year. The United Hospital project is going to happen within the next 18 months. Everybody in the community is going to know what is happening with the municipal center. We are going to hone in on our five year financial projections. We have a lot of new restaurants coming on board.

Trustee Marino commented on the MTA maintaining their property, and also the cost of building a new Police Station and Court. Trustee Terenzi said the difference between just building the Police Station and building a municipal center will also include the value of the current Village Hall. He commented about the special parking stickers for the volunteer firemen. Village Manager Steers commented that there is a process to follow.

Trustee Ceccarelli commented on the parking stations. Chris Ameigh said that with the winter weather this has not been done this winter.

Mayor Pagano commented on an article in the Lifestyles section of the Journal News. He recognized village employee Jesica Youngblood on her appointment as Concert Master of the Westchester Symphony Orchestra.

MOTION FOR EXECUTIVE SESSION

Executive Session

At 10:33 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE TERENZI, the Board adjourned into an executive session discuss Port Chester Youth Baseball League (PCYBL) - Renewal Agreement.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas and Heather Krakowski, Recreation Supervisor.

No action was taken in executive session.

At 10:42 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

At 10:42 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the meeting was closed.

ROLL CALL

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Brakewood.

DATE: February 17, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD MARCH 2, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, March 2, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Saverio Terenzi, Joseph Kenner and Gene Ceccarelli.

It should be noted that Trustee Luis Marino was absent.

It should be noted that Trustee Kenner arrived at 6:20 p.m. and Trustee Brakewood arrived at 6:23 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto (via telephone); Village Treasurer, Leonie Douglas (arrived at 7:17 p.m.); Chief of Police, Richard Conway; Heather Krakowski, Recreation Supervisor; Director of Planning and Development Christopher Gomez and David Kenny, Law Student-Intern(arrived at 7:00 p.m.).

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE TERENCE, the meeting was declared opened at 6:02 p.m.

ROLL CALL

AYES: Trustees Adams, Terenzi, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood, Marino and Kenner.

DATE: March 2, 2015

MOTION FOR EXECUTIVE SESSION

At 6:03 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE TERENCE, the Board adjourned into an executive session regarding the items below:

Consultation with Village Attorney with regard to potential agreement with the Metropolitan Transportation Authority. (1)

Consultation with Village Manager and Village Attorney with regard to potential renewal agreement with Port Chester Youth Baseball League. (2)

Discussion with regard to selection of consultant to be retained in response to Request for Proposals for Property Condition Assessment and Neighborhood Revitalization Strategies Study. (3)

Consultation with Village Attorney regarding personnel matters regarding the career fire fighters. (4)

Consultation with Village Attorney regarding changes to the Sewer Rent Law. (5)

ROLL CALL

AYES: Trustees Adams, Terenzi, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood, Marino and Kenner.

DATE: March 2, 2015

Also present were: Village Clerk, Janusz R. Richards (item 1-5); Village Manager, Christopher Steers(item 1-5); Village Attorney, Anthony Cerreto (item 1-5) (via telephone); Chief of Police, Richard Conway(item 1-3); Heather Krakowski, Recreation Supervisor (item 1-2); Director of Planning and Development Christopher Gomez(item 1-5).

No action was taken in executive session.

At 6:48 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, seconded by TRUSTEE BRAKEWOOD, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Ceccarelli and Mayor Pagano.

NOES: None.

ABSENT: Trustee, Marino.

DATE: March 2, 2015

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

The following Public Notices were duly published in the Journal News and the Westmore News on February 13, 2015 certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, March 2, 2015 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 the Code of the Village of Port Chester with a new chapter, Chapter 302, Towing and Booting, that would establish licensing requirements on those who wish to boot or tow motor vehicles from private property in the Village of Port Chester.

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: February 13, 2015

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the public hearing was declared open.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Ceccarelli and Mayor Pagano.

NOES: None.

ABSENT: Trustee, Marino.

DATE: March 2, 2015

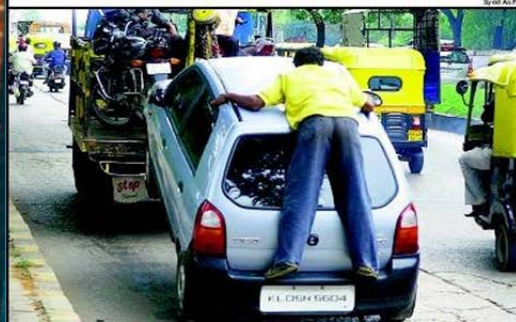
David Kenny made the following presentation:



Proposed Local Law Regulating Towing and Booting in Port Chester



PREDATORS BEWARE!



HISTORY OF COMPLAINTS OF ABUSE

- Residents and Consumers have complained about being extorted by nefarious Towers/Booters.
- Car owners are arbitrarily blocked in by tow truck drivers who demand exorbitant fees on the spot
- Such complaints have been documented by Police Logs, Letters to the editor, Blogs and Social Media.



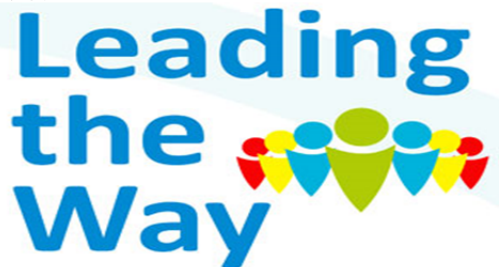
Black Eye on Port Chester

- Predatory booting and towing practices can create a black eye for Port Chester
- Consumers will not want to shop or dine in Port Chester if this business remains unregulated and the Village does not take steps to protect consumers from unprofessional Towing & Booters



THE NEED FOR LOCAL REGULATION

- County and State laws are ineffective and inadequate
- County sets fee limits and some other minor procedures, but does not go far enough to protect consumers and Village Police Dep't cannot enforce
- State Law only speaks very minimally to the Tow Truck Driver such as driver's license requirements
- The Board has taken the initiative to direct the Village Attorney to prepare a local law to address this issue.



Research and Investigation

- Conducted nationwide search on Booting and Towing practices and regulations to obtain best practices
- Studied Booting and Towing Regulations throughout Westchester County
- Consulted with Westchester County Municipalities.
- Fully engaged with Village Police Department and implemented their recommendations
- Consulted with the Village Manager on his experience in Florida, where this problem is notorious.



Who Is Affected By The Local Law

- **OWNERS!!!** of commercial and multi-family properties (3 dwelling units or more).
- Tow companies (Towers)/Booters.
- Those who violate parking lot rules.



Public Engagement

- Complied with the public notice requirements contained in state law (legal notice Journal News and Westmore News).
- Mailed a draft of the local law and notice to properties that have been subject to frequent complaints
- A full series of mailings to private property owners who may be subject to the local law (1,100+)
- The Board has discussed this issue in several public meetings
- A copy of the law was posted on the Village's website
- We received inquiries from property owners who received the mailing



What Does This Local Law Regulate

- Trespass Booting and Towing is the towing or booting of privately owned cars parking on privately owned property.
- This does not include breakdown tows.
- This law regulates how parking lot owners may police their parking lots, such as requiring the lots be used by customers only



Property Owner's Responsibilities

- The owner or his lessee or his agent must have a contract with the Tower/Booter, a sample contract will be available.
- Must have informational signs approved by PD.
- Must be the one to initiate the tow or boot by contacting their Tower/Booter.
- Must be present for tow or boot.
- Can be held jointly/severally liable for damage that Booter/Tower does to a car



Highlights of the Local Law

- Establishes a rigorous licensing procedure through the Chief of Police
- Provides for criminal history background check of key officers and employees to ensure professional and trustworthy people will be conducting towing and booting
- Sets up strong procedures to protect consumers against predatory booting and towing practices
- Charges are to be in accordance with County Law

Licensing Requirements

- Criminal history background checks (Fingerprints sent to DCJS)
- Insurance requirements
- Location of storage facility (within 15mi)
- Towers/Booters must be available 24/7
- Property owner and Tower/Booter must have a contract approved by Village
- Chief of Police administers issuing of license



Consumer Protections

- Informational signage requirements to put those wishing to park on notice.
- Police department intimately involved
- Fees cannot exceed county limit.
- All Booters and Towers must be able to accept cash or credit. No cash only requirements.
- Strong procedures Towers and Booters must follow



Towing Procedures

- Required to be licensed
- Property Owner, or agent, must have directly requested tow and be present.
- Written documentation (police log) and prior notification to PD
- Hook up is key:
 - If approached by car owner before hook up must let car go for no fee
 - If car is hooked up but not removed must unhook car and give to owner for \$15 only.
 - If towed away must release car with in 1 hour of receiving payment.

Towing Procedures continued

- Also cannot tow if a natural person or live animal is in the car.
- Any violation of the procedures set out or any section of this local law shall prohibit a Tower from collecting a fee, and any fee collected must be reimbursed



Booting Procedures

- Must also have license, maintain written record of bootings as proscribed by PD, and notify PD immediately before booting.
- Property owner or agent must have requested and be present for the booting
- Booted cars must place informational stickers on the cars as proscribed by this law. (8 1/2" x 11")
- Locking of boot is key
 - If car owner approaches before the boot is locked, the car must be returned for no fee.



Booting Procedure Continued

- Cars occupied by natural person or live animal cannot be booted. Also cars in handicap spaces or blocking fire hydrants cannot be booted
- Cannot have waiver for damage to car from boot. Property owner may be jointly liable for damage Booter does placing boot.
- However tampering with a Boot is prohibited
- Cars that have been booted for 24 hours can be towed.
- Any violation of these procedures bars Booter from collecting a fee and if a fee was already collected the car owner must be reimbursed

Enforcement

- The Police Department will be in control of enforcing this new local law and will be in charge of issuing the licenses
- The PD will also be routinely checking written logs of towers/booters.
- Violating this law prohibits the collection of a fee for towing and booting and is subject to fines (\$500 1st violation) or imprisonment of up to 15 days.
- Village Attorney may also take civil actions to enforce this law authorized in General Business law §§ 399-v & 399-x.

LAW ENFORCEMENT

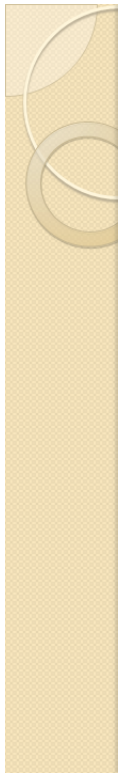


Enforcement Continued

- Licenses may also be suspended and revoked by Chief of Police (application for appeal made to Village Manager in writing).
- If a license is revoked cannot reapply until one year after revocation date.
- Chief of Police is authorized to write rules and regulations to help with enforcement
- Will report violators to Westchester County

Law Enforcement





BALANCE

Enforcement

In Conclusion

- This local law seeks to ensure that there are responsible and professional Towing and Booting.
- Property Owners have a reasonable method to effectively police their parking lots
- Consumers and Residents are protected from predatory towing and booting practices.



COMPREHENSIVE

Public Comments

Mayor Pagano asked if there was anyone from the audience who would like to make any comments regarding this public hearing.

Comments were made by:

Tom Bailey remarked on behalf of the Capitol Theater on booting and towing. He commented this is a well-written and well-drafted law. We support it.

Bart Didden commented as a property owner downtown, he supports this legislation. He complimented the legal staff. This legislation should be passed as soon as possible.

Richard Raffa who owns property on North Main Street, has signs in their parking lot designating for employees and patrons and the spaces are marked. People are inconsiderate and only think of themselves and refuse to move their vehicles.

Richard Abel questioned about abandoned vehicles in lots and private property. David Kenney commented if a lot has hours of use posted, and the car is in violation of the hours, it can be towed away. If you have a three family private property and a car is abandoned, you can have that car towed immediately.

Beatrice Conetta commented that booting and towing is the result of a terrible problem of not enough parking spaces. You are still expanding the building of condos so it will only get worse.

Mr. Schenarts of Star Towing commented on two problems. One is credit cards; you can put a stop on credit cards. You can't put a stop on cash. Secondly, if you tow or boot a car you must

have the lot owner there. David Kenny commented that they cannot designate the towing company to be the agent; this is a remedy for having someone spotting at a parking lot.

Mr. Mark Clanson, owner of 24-Hour Towing commented there is an ongoing parking problem in the Village. We are under contract with property owners. There is a Westchester County law that requires posting of signs with all the information including fees and cash rates so that you are not overcharged. Property owners of multi-family dwellings know they have a problem and that is why they hire you. Trustee Terenzi remarked we are going to be in-sync with the Westchester County laws.

Richard Abel commented the signage will be law. Do you have to take out a permit to put up a sign?

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE KENNER, the public hearing was adjourned to the March 16, 2015 meeting.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Ceccarelli and Mayor Pagano.

NOES: None.

ABSENT: Trustee, Marino.

DATE: March 2, 2015

PUBLIC COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any public comments.

Comments were made by:

Bart Didden spoke on behalf of the DeCresenzo family. They sent a letter to the Village Clerk regarding their home on Fawcett Street. Several years ago the Village put in a new sidewalk and replanted trees on the street. The tree has grown and the roots have gone through the sanitary sewer line and they are getting backups into the house. They need the consideration of the Village to remedy this problem. Mr. Didden requested that the DPW take a look at this.

Mr. Bernard Edelstine, attorney representing Dr. & Mrs. Paulemeni of 220 Westchester Avenue, commented on the changes in the C1 district. He fully supports the changes in the zoning.

Fire Chief Edward Quinn commented on what the Volunteers do for this Village. We have never let the Village down and have done everything the Village has asked us to do. What more do we have to do? We come out in force when the tones go off, we are highly trained. We are always ready to go. Mayor Pagano replied he couldn't be more proud of the volunteer ranks in the Village. As a volunteer he knows what it takes. Trustee Ciccarelli said thank you to the volunteers. Mayor Pagano said the Village needs both the volunteer and career firefighters.

John McGuire of the City of Rye Fire Department commented that two weeks ago our paid men were here and were not out of line. There is no need to apologize to the volunteers. It appears that the Trustees did take action on what needed to be done. Trustee Terenzi commented about the career firefighters not being volunteers.

Chip Manco, president of Greenburgh Firefighters, commented that the IAFF rules state that career firefighters do not volunteer where other career firefighters work. To deny that you might need career firefighters who will be there all the time is not right.

Joe Gaugliardi, retired career firefighter with the Village, commented Port Chester has always been a combination department. Every paid firefighter in the Village right now has been a volunteer. You have the money for 11 paid men, hire those guys.

First Assistant Engineer Michael De Vittorio commented on the last Board meeting. We are not a sidewalk volunteer department. Our men were upset that we had no backup as to what was said.

Beatrice Conetta commented it breaks her heart. We have had the best fire department with both career and volunteer firefighters working together. We need the paid men and we need the volunteers. Turn the other cheek and go forward and do the right thing.

Dom Cervi commented on the last Board meeting and those present who asked questions. Regarding the concerns about the rig in Rye Brook when it has to go on a call to Kohl's shopping center. Mr. Cervi remarked that we have two department 2-1/2 minutes away from Rye Brook. Brooksville and Washington E&H. If those departments are toned out the engines would be there in 2-1/2 minutes. In the 54 years he has been a volunteer he does not remember a firehouse ever being closed in this Village. Port Chester volunteers are all trained firefighters.

Beatrice Conetta commented on United Water going to monthly billing. The Water bill will be monthly but Sewer Rent is quarterly. We are now paying for municipal fire protection. This is an increase. Buy the building next to the police station and make that building the police station. He thanked Mayor Pagano for his two years in office.

RESOLUTIONS

RESOLUTION #1

SETTLEMENT OF TAX CERTIORARI PROCEEDINGS BROUGHT CHALLENGING A PROPERTY TAX ASSESSMENT

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

RESOLVED, that the Board of Trustees shall approve the proposed settlement of a tax certiorari proceeding challenging a property tax assessment which would involve a refund from the Village of Port Chester in excess of \$1,000.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Marino.

DATE: March 2, 2015

RESOLUTION #2

**PARTICIPATION WITH WESTCHESTER COUNTY IN NYS PROPERTY TAX
FREEZE/GOVERNMENT EFFICIENCY PLAN**

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

WHEREAS, a real property tax freeze was adopted by the 2014-15 NY State budget with the intent of encouraging the sharing of services among local governments and the implementation of efficiencies, and therefore be it

RESOLVED, that the Board of Trustees does hereby authorize the Village Manager to sign the application with Westchester County to participate in the County's shared service and efficiency plan.

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Marino.

DATE: March 2, 2015

RESOLUTION #3

**BUDGET AMENDMENT – USE OF DEA FUNDS FOR CAR RENTALS FOR
UNDERCOVER NARCOTICS OPERATIONS**

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to rent cars on a rotation basis for undercover narcotics operations from ELRAC, Inc., D/B/A Enterprise Car Rental, 131 Danbury Road, Wilton, CT 06897. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Manager to enter into a twelve month contract with ELRAC Inc., and be it also,

RESOLVED, that the Board of Trustees authorizes the Village Treasurer to modify the 2014-15 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$(6,600.00)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$6,600.00
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Appropriations:

001-3120-0422	Lease & Maintenance Contract	\$6,600.00
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ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Marino.

DATE: March 2, 2015

RESOLUTION #4

**RATIFICATION OF APPOINTMENT TO
EMERGENCY MEDICAL SERVICES COMMITTEE**

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

WHEREAS, the inter-municipal agreement, between the Village of Rye Brook, City of Rye and Village of Port Chester for emergency medical services provides for an Emergency Medical Services Committee; and

WHEREAS, the position of the Port Chester Community Representative on the Committee is vacant; and

WHEREAS, pursuant to Section 3A of the inter-municipal agreement, the community representatives shall be recommended by the contracted emergency services provider, the Port Chester-Rye-Rye Brook Volunteer Ambulance Corps (“Corps”) and thereafter ratified by joint resolution of the municipalities.; and

WHEREAS, by letter dated February 9, 2015 from Scott T. Moore, Administrator, the Corps has recommended John B. Colangelo, Esq. to fill the vacancy. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby ratifies the recommendation of John B. Colangelo, Esq. Port Chester, New York to be appointed to the Emergency Medical Services Committee to fill the balance of the unexpired term of David Byrnes to expire on June 30, 2016.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Marino.

DATE: March 2, 2015

REPORTS

Village Clerk Janusz Richards reported the Village Election is scheduled for Wednesday, March 18th.

DISCUSSIONS

CDBG Program. Trustees Adams, Ceccarelli, Terenzi and Village Manager Steers recently attended a meeting. Trustee Adams commented we received a letter from the Attorney General which does not address the original concerns made by the Village in 2011 through 2013 CDBG money. We should have our attorney write another letter using stronger language to get him to address what happened to Port Chester’s share of the money from 2011 through 2013. We are talking about \$1.6MM. Trustee Terenzi commented that the letter that came from Cuomo and Lowey did not address anything prior, but they are going to mirror exactly what the feds did. We put some pressure on our local officials at the County. We are monitoring the \$5MM very closely. Planning Director Gomez commented on the items we have been looking for the last three years. We are eligible for \$3.3 of the \$5MM. Trustee Ciccarelli commented that the meeting with the Chief of Staff of Westchester County was productive.

Mayor Pagano reported that Village Administrative Assistant Chris Ameigh is the proud father of a baby girl.

Village Planning Director Chris Gomez gave a presentation and commented on medical facilities in our C1 districts. A concept was presented to the Planning Commission at the February 23rd meeting. We would like to get this into a local law as early as the next meeting. There are two applications in front of the Boards. There is an existing medical use at 220 Westchester Avenue. They are trying to legalize the use. There is another tenant on Poningo who is seeking approval. The point of this local law change would permit medical and dental in the C1 district, but more specifically to combine what we have in the existing code. There is now no concern of x-rays in residential areas. The simplest thing is to combine the two uses and just call it medical and dental. We also have special criteria for this use on the books. There is a one parking space requirement for 400 square feet of medical office space. The only concern is that the Planning Commission respect the neighborhood character.

Chris Gomez commented we have many C1 districts throughout town. C1 makes perfect sense for a medical district. Maybe we should look at a map change. When we originally looked at this we looked at merging the C2 district and getting rid of the line. The next step, if the Board is in agreement with the concept, is a local law.

Trustee Adams had a concern with the medical waste. Trustee Brakewood questioned if we go with the change, these kinds of medical uses would become special exceptions. If you went with the map change in C2 it is still special exception. You have to comply with the changes. On parking we would implement a clear requirement. Trustee Brakewood commented we should take a look at the laws to be prepared if New York State legalizes the sale of marijuana.

CORRESPONDENCES

Mayor Pagano asked for a motion to combine correspondence 1 to 4 of the agenda for the purpose of casting one vote for all of the combine correspondences.

There being no objection TRUSTEE BRAKEWOOD, made a motion, seconded by TRUSTEE KENNER, to combine correspondence 1 to 4 of the agenda for the purpose of casting one vote for all the minutes.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Marino.

DATE: March 2, 2015

There being no objection TRUSTEE BRAKEWOOD, made a motion, seconded by TRUSTEE CECCARELLI, to refer correspondence 1 to 4 to staff without objection.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Marino.

DATE: March 2, 2015

From Poningo Properties Sewer Rent Appeal for 33 New Broad Street

The Board referred the correspondence to staff without objection.

From Poningo Properties Sewer Rent Appeal for 46 Poningo Street

The Board referred the correspondence to staff without objection.

From Howie Ravikoff Re: Parking Opposite Fire Headquarters

The Board referred the correspondence to staff without objection.

From Howard Ravikoff re: ETPA

The Board referred the correspondence to staff without objection.

PUBLIC COMMENTS AND BOARD COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any public comments.

Comments were made by:

Public

Brett Lyons commented on the opportunity for a Safer Grant. It is money available to Villages for hiring firefighters. There is a deadline which is this Friday. It is good for three years of salary for a number of firefighters. This is an opportunity for the Board to get staff at no cost for a certain amount of time.

Mr. Byron Gray, president of New Rochelle firefighters, mirrored what Brett said. A properly staffed fire staff is important to protect the public. People look up to you and it is important to have the proper firefighting staff. The Safer Grant has gotten New Rochelle through a few difficult times.

A member of the public commented on the C1 change. This is still with the Planning Board. The Planning Commission is waiting for a direction from the Board of Trustees. The steps now are for the Board of Trustees to get a draft of a local law from the Planning Commission, and that local law will receive a public hearing. It will then be presented to the Planning Commission before it can be adopted.

Board

Trustee Brakewood commented about the better zoning laws because it helps facilitate economic development. On our agenda we were going to re view the new Village website. People should check it out.

Trustee Terenzi commented on the professional way the Mayor has handled issues during his term. We have a lot of development going on. We have a good future for this Village due to the hard work of the Village officials and department heads.

Trustee Ceccarelli welcomed the Town of Rye moving into the Village offices. He thanked Mayor Pagano and Village Manager Steers for coordinating all that activity. He pointed out the memo from Tom Bailey from the Capital theater regarding the holiday parking in the MTA lot. It has been a pleasure to work with Mayor Pagano.

At 9:47 p.m., on motion of TRUSTEE TERENCE, seconded by TRUSTEE ADAMS, the meeting was closed.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Marino.

DATE: March 2, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

**PUBLIC COMMENTS
AND
BOARD COMMENTS**