

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Monday, May 18, 2015
PROPOSED EXECUTIVE/CLOSED SESSION 6:30-7:00 P.M.
Regular Meeting: 6:30 P.M.
VILLAGE JUSTICE COURTROOM
350 North Main Street
Port Chester, New York
AGENDA**

TIME: 6:30 P.M. to 7:00 P.M.

I	PROPOSED MOTION FOR EXECUTIVE SESSION	ACTION
1	Marshals	

TIME: 7:00 P.M.

II	AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:	ACTION
1	Public Hearing to consider the advisability of a local law repealing Section 1 of Local Law No. 11 of 2010 in order to facilitate the restoration of the parking or standing prohibition on Westchester Avenue in the vicinity of Fire Headquarters on Westchester Avenue. <u>Resolution</u>	
2	Public Hearing to consider adopting a local law amending Chapter 270 of the Code of the Village of Port Chester with regard to sidewalk cafes.	
3	Public Hearing to consider the advisability of a public hearing to amend the Code of the Village of Port Chester, Chapter 319, Vehicles and Traffic, and Chapter 175, Fees, with regard to parking space obstruction permits.	
III	PUBLIC COMMENTS	ACTION
IV	REPORTS	ACTION
1	Annual Stormwater Report for 2014-15	
V	RESOLUTIONS	ACTION
	Administration	
1	Resolution that the Westmore News is hereby designated as the official newspaper of the Village of Port Chester.	
2	Prisoner Transportation.	
3	Retaining court translating and interpreting services.	
4	Retaining Court Reporter.	
5	PERMA Renewal.	
6	PMA – Third party administration of workers’ comp run-off claims.	

	Finance	
7	Bonding Resolutions (6): <i>7 - Environmental Compliance Resolution – Various Improvements</i> <i>7 - A - \$333,000 – Various Purposes, 5 years</i> <i>7 - B - \$725,500 – Various Purposes, 10 years</i> <i>7 - C - \$2,805,500 – Various Purposes, 15 years</i> <i>7 - D - \$100,000 – Fire Building Improvements, 25 years</i> <i>7 - E - \$2,907,000 – Sewer Improvement, 30 years</i>	
VI	REPORT FROM DIRECTOR PLANNING & DEVELOPMENT	ACTION
	<u>Resolutions</u>	
VII	DISCUSSIONS	ACTION
1	2016 Election	
2	Requesting NYS legislation for excessive off- the-tax-rolls properties.	
VIII	CORRESPONDENCE	ACTION
1	From the Beautification Commission proposing additional garbage bins thought the Village.	
2	From Howie Ravikoff regarding the Fire Zone on Westchester Avenue	
3	From Howie Ravikoff regarding removal of public parking on New Broad Street	
4	From Harry Howard Hook & Ladder Co. No. 1 on the election of Mario T. DiLonardo to membership	
5	From Harry Howard Hook & Ladder Co. No. 1 on the reinstatement of Marcos DeMelo	
6	From Carolee Brakewood to put up a banner to advertise Relay for Life of Port Chester – Rye Brook	
7	From the Park Commission regarding the dimensions of the Dog Park	
8	From Thomas Edison School requesting as in previous years the closure of Rectory Street.	
IX	PUBLIC COMMENTS AND BOARD COMMENTS	ACTION

TIME: _____

**PROPOSED MOTION
FOR
EXECUTIVE SESSION**

A LOCAL LAW REPEALING A PORTION OF LOCAL LAW NO. 11 of 2010 IN ORDER TO FACILITATE THE RESTORATION OF THE PARKING OR STANDING PROHIBITION ON WESTCHESTER AVENUE FROM GROVE STREET TO SMITH STREET

SECTION 1: The Fire Chief has brought to the attention of the Board of Trustees that there exists a significant public safety issue presented by vehicles parked or standing on Westchester Avenue in the immediate vicinity of Fire Headquarters hampering the ability of fire apparatus from freely ingress/egress the fire station. The purpose and intent of this local law is to repeal a portion of a prior local law on the matter and subsequently adopt new legislation to fully remedy the issue.

SECTION 2: Section 1 of Local Law No. 11 of 2010 amending Section 319-74 (Schedule XIII) “No Parking or Standing at any Time” to delete the location of the south side of Westchester Avenue from Grove Street to Smith Street is hereby repealed.

SECTION 3: This local law shall be effective immediately upon filing with the Secretary of State and at such date appropriate signage is put in place at the direction of the Village Manager.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby sets a public hearing on May 18, 2015 at or about 7:00 p.m. at the Port Chester Police Headquarters/Justice Court, 2nd Floor Courtroom, 350 North Main Street, Port Chester, to consider the advisability of a local law repealing Section 1 of Local Law No. 11 of 2010 in order to facilitate the restoration of the parking or standing prohibition on Westchester Avenue in the vicinity of Fire Headquarters on Westchester Avenue.

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: May 1, 2015

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

PROVIDING NEW PARKING REGULATIONS ON WESTCHESTER AVENUE
IN THE IMMEDIATE VICINITY OF FIRE HEADQUARTERS

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, it has been brought to the attention of the Board of Trustees that there exists a significant public safety issue presented by motor vehicles parked or standing on Westchester Avenue in the immediate vicinity of Fire Headquarters hampering the ability of fire apparatus from freely entering and exiting the fire station; and

WHEREAS, the Board of Trustees has received the favorable recommendation of the Traffic Commission to impose new parking restrictions on Westchester Avenue; and

WHEREAS, after discussion, the Board has determined to advance this subject for action. Now, therefore, be it

RESOLVED, the Code of the Village of Port Chester, Vehicles and Traffic, Section 319-74, Schedule XIII, No Parking or Standing at Any Time, pursuant to the provisions of Section 319-20 is amended as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
...		
ADD Westchester Avenue	South	From Grove Street to Smith Street
	North	From Poningo Street west 120 feet;

and be it

RESOLVED, the above regulations to take effect at such date as appropriate signage is put in place at the direction of the Village Manager.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

A LOCAL LAW AMENDING CHAPTER 270 OF THE CODE OF THE VILLAGE OF PORT CHESTER WITH REGARD TO SIDEWALK CAFES

SECTION 1: The purpose and intent of this local law is to provide greater incentives for the establishment of such sidewalk cafes so as to further promote commerce throughout the Village.

SECTION 2: The Code of the Village of Port Chester, Chapter 270, "Sidewalk Cafes", is hereby amended as follows:

Section 270-1. Location; purpose

The sidewalk café regulations as established in this chapter are intended to allow sidewalk cafes on public property accessory to [restaurants in locations in the C1 Neighborhood Retail District, C2 Central Business District and MUR Marina Redevelopment Project Urban Renewal District] a food service establishment where they are determined to be appropriate and to protect the public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- A. To provide adequate space for pedestrians on the sidewalk adjacent to sidewalk cafes to ensure access to adjacent commercial and retail uses.
- B. To promote sidewalk cafes as a useful and properly planned amenity that will attract business to the Village.
- C. To encourage the most desirable use of land and buildings, particularly in the retail shopping districts and thereby increase the Village's tax base.

Section 270-2. Definitions

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

FOOD SERVICE ESTABLISHMENT – A location where food is prepared and intended for individual portion service and that either the Westchester County Department of Health or New York Department of Agriculture and Markets regulates.

...

Section 270-3 Permit required; duration; renewal

A permit is required to operate a sidewalk café. The Office of the Village Clerk is authorized to issue an annual permit for the seasonal operation of a sidewalk café, provided that the application is complete and has been reviewed and approved by the Building Department as meeting all of the requirements of this chapter. A permit to operate a sidewalk café shall be valid from April 1[May 1] up to and including [October 31]December 1 of any calendar year. Permits shall be prominently displayed and posted in the inside of the front window of the [restaurant] food service establishment , or otherwise prominently displayed in the entry of the premises, for which a permit is issued The Police Department shall be provided a current listing of all licensees.

Section 270-4. Application for permit; compliance with standards.

A permit may only be issued upon the application of the owner, or tenant with the owner's consent, of a [restaurant (except fast food restaurants) as defined in Section 345-2 of the Code,] food service establishment which is located directly in front of the proposed sidewalk café and along the abutting facades on either side with the consent of the property owner and tenant of same [in the C1, C2 and MUR Zoning Districts], provided that the applicant complies with each of the following general standards:

[A.] The sidewalk abutting the property must be at least nine feet in width as measured from the building line to the curbline.]

[B.] A. There shall be a minimum clear distance of five feet, exclusive of the area occupied by the sidewalk café, free of all obstructions, such as trees, parking meters, utility poles, streetlights and Village benches or planters, in order to allow for adequate and safe pedestrian movement. This distance may be reduced to three feet in width for a distance not to exceed 25 feet in length.

[C.] B. No permanent or temporary structures may be affixed to the sidewalk area occupied by the sidewalk café, and the area may only be occupied by planters, benches or tables [no greater than 30 inches in width] of suitable dimension with chairs [adjacent to the exterior of the restaurant] for the convenience of the patrons of the café. The café shall be open except that it may be covered with a canvas cover or structural canopy of the [restaurant's] food service establishment's façade. Umbrellas are permitted provided that they are retractable, secured and do not obstruct pedestrians. Such benches, tables and chairs, and umbrellas must be removed and/or brought inside when the café is not in operation. No other appurtenances are permitted.

[D.] C. The applicant must provide for a suitable temporary, removable barrier, such as bollards with connecting rope or chain or railing, to physically separate patrons from pedestrian traffic, that must be brought inside when the café is not in operation, unless waived in the discretion of the Village Manager or his/her designee. The sidewalk café shall be otherwise unenclosed.

[E.] D. A clear and unobstructed means of egress must be provided and maintained from the [restaurant] food service establishment.

[F.] E. A [detailed scaled drawing], plan with measurements, showing the location of proposed planters, benches, tables and chairs on the sidewalk, together with a photograph of the area to be occupied by the sidewalk café and frontage of the [restaurant] food service establishment and along the abutting façade, if applicable, shall be submitted with the application.

[G.] F. Prior to the issuance of the permit, there shall be an agreement executed by the owner and tenant to defend and save harmless the Village, its officers and employees against any loss, liability or damages sustained by any person or to any property arising out of the operation of the café, together with a certificate of insurance issued to both the owner and tenant as insured and naming the Village, its officers and employees as an additional insured, in the minimum amount of \$1,000,000 each occurrence and \$2,000,000 dollars aggregate general liability insurance coverage as approved by the Village Attorney.

Section 270-5. Hours; food; alcoholic beverages; lighting; maintenance.

....

F. No signs or advertising of any kind are permitted at or about the sidewalk café, except for a single sign, such as a menu board, sandwich sign or similar display in size and location approved by the Building Inspector. No additional Village permit is required.

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

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, May 18, 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 Chapter 270 the Code of the Village of Port Chester with regard to sidewalk cafes.

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: May 1, 2015

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

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER
CHAPTER 319 “VEHICLES AND TRAFFIC” WITH REGARD TO PARKING SPACE
OBSTRUCTION PERMITS

SECTION 1: The Code of the Village of Port Chester, Chapter 319, Vehicles and Traffic, Section 319-34 is hereby amended as follows:

B. In the event that any work is done next to a parking meter space so that the parking meter space is [inoperative] obstructed for the parking of motor vehicles at the space reserved for parking, then in that event the person who is doing the work shall purchase from the Village Clerk Department a [cover] permit for the obstruction of said space for each day the [meter is covered] space is obstructed while the work progresses, at a cost as set forth in Chapter 175, Fees. [and said covers shall be removed immediately after the completion of the work.]

SECTION 2: The Code of the Village of Port Chester, Chapter 175, “Fees”, is hereby amended as follows:

License or Activity	Code Reference	Annual Fee
Parking [meter cover] <u>space</u> <u>obstruction permit</u> <u>(18 feet)</u>	319-34B	Single [\$6.50] <u>\$20</u> [Double \$13]

SECTION 3: This local law is effective immediately upon filing with the Secretary of State.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, May 18, 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 the advisability of a public hearing to amend the Code of the Village of Port Chester, Chapter 319, Vehicles and Traffic, and Chapter 175, Fees, with regard to parking space obstruction permits.

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: May 8, 2015

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

PUBLIC COMMENTS

REPORTS

MS4 Annual Report Cover Page

MCC form for period ending March 9, 2 0 1 5

This cover page must be completed by the report preparer.
Joint reports require only one cover page.

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Choose one:

This report is being submitted on behalf of an individual MS4.

Fill in SPDES ID in upper right hand corner.

Name of MS4

V i l l a g e o f P o r t C h e s t e r

OR

This report is being submitted on behalf of a Single Entity

(Per Part II.E of GP-0-10-002)

Name of Single Entity

OR

This is a joint report being submitted on behalf of a coalition.

Provide SPDES ID of each permitted MS4 included in this report. Use page 2 if needed.

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MS4 Annual Report Cover Page

MCC form for period ending March 9, 2015

Provide SPDES ID of each permitted MS4 included in this report.

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MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2015

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Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for each of the following positions as indicated below:

- 1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
- 2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
- 3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
- 4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
- 5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- Principal Executive Officer/Chief Elected Official
- Duly Authorized Representative
- Local Stormwater Public Contact
- Stormwater Management Program (SWMP) Coordinator
- Report Preparer

First Name: D e n n i s MI: G Last Name: P i l l a

Title: M a y o r

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MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9,

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Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for ***each*** of the following positions as indicated below:

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
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A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- Principal Executive Officer/Chief Elected Official
- Duly Authorized Representative
- Local Stormwater Public Contact
- Stormwater Management Program (SWMP) Coordinator
- Report Preparer

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MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2015

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Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for each of the following positions as indicated below:

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- Principal Executive Officer/Chief Elected Official
- Duly Authorized Representative
- Local Stormwater Public Contact
- Stormwater Management Program (SWMP) Coordinator
- Report Preparer

First Name MI Last Name

Title

Address

City State Zip -

eMail

Phone County

MS4 Municipal Compliance Certification (MCC) Form

MCC form for period ending March 9, 2015

Name of MS4 Village of Port Chester

SPDES ID
N Y R 2 0 A 3 0 9

Section 3 - Partner Information

Did your MS4 work with partners/coalition to complete some or all permit requirements during this reporting period? Yes No

If Yes, complete information below.

Submit a separate sheet for each partner. Information provided in other formats will not be accepted. If your MS4 cooperated with a coalition, submit one sheet with the name of the coalition. It is not necessary to include a separate sheet for each MS4 in the coalition.

If No, proceed to Section 4 - Certification Statement.

Partner/Coalition Name

C n t y o f W e s t c h e s t e r P l a n n i n g D e p t

Partner/Coalition Name (con't.)

SPDES Partner ID - If applicable

Address

1 4 8 M a r t i n e A v e n u e

City

State

Zip

W h i t e P l a i n s N Y 1 0 6 0 1 -

eMail

c c a l @ w e s t c h e s t e r g o v . c o m

Phone

(9 1 4) 9 9 5 - 3 7 8 2

Legally Binding Agreement in accordance with GP-0-08-002 Part IV.G.? Yes No

What tasks/responsibilities are shared with this partner (e.g. MM1 School Programs or Multiple Tasks)?

- MM1 G e n e r a l S t o r m w a t e r I n f o r m a t i o n
- MM2
- MM3
- MM4
- MM5
- MM6

Additional tasks/responsibilities

- Watershed Improvement Strategy Best Management Practices required for MS4s in impaired watersheds included in GP-0-08-002 Part IX.

Empty text box for additional information.

MS4 Municipal Compliance Certification (MCC) Form

MCC form for period ending March 9, 2015

Name of MS4 Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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Section 3 - Partner Information

Did your MS4 work with partners/coalition to complete some or all permit requirements during this reporting period? Yes No

If Yes, complete information below.

Submit a separate sheet for each partner. Information provided in other formats will not be accepted. If your MS4 cooperated with a coalition, submit one sheet with the name of the coalition. It is not necessary to include a separate sheet for each MS4 in the coalition.

If No, proceed to Section 4 - Certification Statement.

Partner/Coalition Name

L o n g I s l a n d S o u n d W a t e r s h e d I n t e r

Partner/Coalition Name (con't.)

m u n i c i p a l C o u n c i l

SPDES Partner ID - If applicable

N Y R 2 0

Address

7 4 0 B o s t o n P o s t R o a d

City

M a m a r o n e c k

State

N Y

Zip

1 0 5 4 3 -

eMail

l i s w i c m a i l @ l i s w i c . o r g

Phone

(9 1 4) 3 8 1 - 7 8 4 5

Legally Binding Agreement in accordance with GP-0-08-002 Part IV.G.? Yes No

What tasks/responsibilities are shared with this partner (e.g. MM1 School Programs or Multiple Tasks)?

- MM1 G e n e r a l S t o r m w a t e r I n f o r m a t i o n
- MM2
- MM3
- MM4
- MM5
- MM6 E v a l u a t e S t o r m w a t e r U t i l i t y

Additional tasks/responsibilities

- Watershed Improvement Strategy Best Management Practices* required for MS4s in impaired watersheds included in GP-0-08-002 Part IX.

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9,

2	0	1	5
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Name of MS4

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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Section 4 - Certification Statement

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in GP-0-08-002 Part VI.J.

First Name

D	e	n	n	i	s														
---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--

MI

G

Last Name

P	i	l	l	a															
---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Title (Clearly print title of individual signing report)

M	a	y	o	r															
---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Signature

--

Date

		/			/				
--	--	---	--	--	---	--	--	--	--

Send completed form and any attachments to the DEC Central Office at:

MS4 Permit Coordinator
 Division of Water
 4th Floor
 625 Broadway
 Albany, New York 12233-3505

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

The Village Stormwater Consultant developed a Questionnaire for the public to respond to. The questionnaire is available on the Village website and in hard copy in the Public Works Department and Village Clerk's Office for pickup, completion and return. Information continues to be available at the kiosk in Village Hall and on the Village website.
--

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

No responses to questionnaire this reporting period. Information brochures continue to be available in hard copy at Village Hall and on the Village website.
--

C. How many times was this observation measured or evaluated in this reporting period?

			1
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*(ex.: samples/participants/events)***D. Has your MS4 made progress toward this Measurable Goal during this reporting period?**
 Yes No
E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?
 Yes No
F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue with availability of questionnaire. Continue with information on Village web page and hard copies at Village Hall.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID
N Y R 2 0 A 3 0 9

2. URL(s) con't.:

Please provide specific address(es) where notice(s) can be accessed - not home page.

URL

h t t p : / / w w w . p o r t c h e s t e r n y . c o m / p a g e s / P o r t C h e s t e r N Y B T r u s t A g /

URL

URL

URL

URL

URL

URL

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

SPDES ID

Name of MS4/Coalition

Village of Port Chester

NYR20A309

3. Where can the public access copies of this annual report, Stormwater Management Program SWMP) Plan and submit comments on those documents?

Enter address/contact info and select radio button to indicate which document is available and whether comments may be submitted at that location. Submit additional pages as needed.

MS4/Coalition Office Annual Report SWMP Plan Comments

Department

Village Manager

Address

222 Grace Church Street

City

Port Chester

Zip

NY

10573 -

Phone

(914) 939 - 2200

Library Annual Report SWMP Plan Comments

Address

City

Zip

-

Phone

() -

Other Annual Report SWMP Plan Comments

Address

City

Zip

-

Phone

() -

Web Page URL: Annual Report SWMP Plan Comments

http://www.portchester.ny.com/

Pages/PortChesterNYDPW/storm

Please provide specific address of page where report can be accessed - not home page.

eMail Comments

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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4.a. If this report was made available on the internet, what date was it posted?

Leave blank if this report was not posted on the internet.

		/			/				
--	--	---	--	--	---	--	--	--	--

4.b. For how many days was/will this report be posted?

3	6	5
---	---	---

If submitting a report for single MS4, answer 5.a.. If submitting a joint report, answer 5.b..

5.a. Was an Annual Report public meeting held in this reporting period?

Yes No

If Yes, what was the date of the meeting?

0	5	/	1	9	/	2	0	1	4
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If No, is one planned?

Yes No

5.b. Was an Annual Report public meeting held for all MS4s contributing to this report during this reporting period?

Yes No

If No, is one planned for each?

Yes No

6. Were comments received during this reporting period?

Yes No

If Yes, attach comments, responses and changes made to SWMP in response to comments to this report.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Questionnaire was developed and placed on website and in Village Offices. Information continues to invite public participation both in hard copy and on the website.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

No questionnaires were completed this reporting period. Public attends meeting when annual report is on Board of Trustees agenda.

C. How many times was this observation measured or evaluated in this reporting period?

			1
--	--	--	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue with questionnaire and information inviting public to participate in stormwater program.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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8. URL(s) con't.:

Please provide specific address of page where map(s) can be accessed - not home page

URL

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URL

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URL

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URL

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URL

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9. Has an IDDE law been adopted for each traditional MS4 and/or have IDDE procedures been approved for all non-traditional MS4s contributing to this report? Yes No

10. If Yes, has every traditional MS4 contributing to this report certified that this law is equivalent to the NYS Model IDDE Law? Yes No NT

11. What percent of staff in relevant positions and departments has received IDDE training?

2	5
---	---

 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Illicit Discharges Detected and Eliminated

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

3 illicit discharges have been detected this reporting period. 1 has been located and mitigated. Village continues to search for source of 2 other illicit discharges. Village continues to work with USEPA Region II in locating Illicit Discharges and mitigating same.

C. How many times was this observation measured or evaluated in this reporting period?

			1
--	--	--	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to inspect outfalls, respond to complaints of illicit discharges, locate and mitigate same. Continue to work with USEPA Region II and perform water quality sampling to locate Illicit Discharges.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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Minimum Control Measures 4 and 5.
Construction Site and Post-Construction Control

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

1a. Has each MS4 contributing to this report adopted a law, ordinance or other regulatory mechanism that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities? Yes No

1b. Has each Town, City and/or Village contributing to this report documented that the law is equivalent to a NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control through either an attorney certification or using the NYSDEC Gap Analysis Workbook? Yes No NT

If Yes, Towns, Cities and Villages provide date of equivalent NYS Sample Local Law.
 09/2004 03/2006 NT

2. Does your MS4/Coalition have a SWPPP review procedure in place? Yes No

3. How many Construction Stormwater Pollution Prevention Plans (SWPPPs) have been reviewed in this reporting period?

		0
--	--	---

4. Does your MS4/Coalition have a mechanism for receipt and consideration of public comments related to construction SWPPPs? Yes No NT

If Yes, how many public comments were received during this reporting period?

--	--	--

5. Does your MS4/Coalition provide education and training for contractors about the local SWPPP process? Yes No

6. Identify which of the following types of enforcement actions you used during the reporting period for construction activities, indicate the number of actions, or note those for which you do not have authority:

- Notices of Violation #

--	--	--	--	--

 No Authority
- Stop Work Orders #

--	--	--	--	--

 No Authority
- Criminal Actions #

--	--	--	--	--

 No Authority
- Termination of Contracts #

--	--	--	--	--

 No Authority
- Administrative Fines #

--	--	--	--	--

 No Authority
- Civil Penalties #

--	--	--	--	--

 No Authority
- Administrative Orders #

--	--	--	--	--

 No Authority
- Enforcement Actions or Sanctions #

--	--	--	--	--

 No Authority
- Other #

--	--	--	--	--

 No Authority

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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Minimum Control Measure 4. Construction Site Stormwater Runoff Control

The information in this section is being reported (check one):

- On behalf of an individual MS4
 On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

1. How many construction projects have been authorized for disturbances of one acre or more during this reporting period?

		0
--	--	---

2. How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period?

		1
--	--	---

3. What percent of active construction sites were inspected during this reporting period? NT

1	0	0
---	---	---

 %

4. What percent of active construction sites were inspected more than once? NT

1	0	0
---	---	---

 %

5. Do all inspectors working on behalf of the MS4s contributing to this report use the NYS Construction Stormwater Inspection Manual? Yes No NT

6. Does your MS4/Coalition provide public access to Stormwater Pollution Prevention Plans (SWPPPs) of construction projects that are subject to MS4 review and approval? Yes No NT

If your MS4 is Non-Traditional, are SWPPPs of construction projects made available for public review? Yes No

If Yes, use the following page to identify location(s) where SWPPPs can be accessed.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID
N Y R 2 0 A 3 0 9

6. con't.:

Submit additional pages as needed.

● MS4/Coalition Office

Department

B u i l d i n g D e p a r t m e n t

Address

2 2 2 G r a c e C h u r c h S t r e e t

City

P o r t C h e s t e r

Zip

N Y

1 0 5 7 3 -

Phone

(9 1 4) 9 3 9 - 5 2 0 3

○ Library

Address

City

Zip

-

Phone

() -

○ Other

Address

City

Zip

-

Phone

() -

○ Web Page URL(s): Please provide specific address where SWPPPs can be accessed - not home page.

URL

URL

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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7. Evaluating Progress Toward Measurable Goals MCM 4

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMP in this reporting period.

No new project starts over 1 acre

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

1 project under construction this reporting period

C. How many times was this observation measured or evaluated in this reporting period?

			1
--	--	--	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to administer and monitor projects over 1 acre in accordance with approved SWPPP's and local ordinance

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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4a. Are the MS4s contributing to this report involved in a regional/watershed wide planning effort?
 Yes No

4b. Does the MS4 have a banking and credit system for stormwater management practices?
 Yes No

4c. Do the SWMP Plans for each MS4 contributing to this report include a protocol for evaluation and approval of banking and credit of alternative siting of a stormwater management practice?
 Yes No

4d. How many stormwater management practices have been implemented as part of this system in this reporting period?

		0
--	--	---

5. What percent of municipal officials/MS4 staff responsible for program implementation attended training on Low Impace Development (LID), Better Site Design (BSD) and other Green Infrastructure principles in this reporting period?

		0
--	--	---

 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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6. Evaluating Progress Toward Measurable Goals MCM 5

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Number of Best Management Practices added to Inventory

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

None this reporting period

C. How many times was this observation measured or evaluated in this reporting period?

			1
--	--	--	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to add Best Management Practices to Inventory as they come on line. Continue to monitor inspection and maintenance of all Best Management Practices inventoried

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
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Minimum Control Measure 6. Stormwater Management for Municipal Operations

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

1. Choose/list each municipal operation/facility that contributes or may potentially contribute Pollutants of Concern to the MS4 system. For each operation/facility indicate whether the operation/facility has been addressed in the MS4's/Coalition's Stormwater Management Program(SWMP) Plan and whether a self-assessment has been performed during the reporting period. A self-assessment is performed to: 1) determine the sources of pollutants potentially generated by the permittee's operations and facilities; 2) evaluate the effectiveness of existing programs and 3) identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it's not done already.

<u>Operation/Activity/Facility</u>	<u>Addressed in SWMP?</u>	<u>Self-Assessment Operation/Activity/Facility performed within the past 3 years?</u>
Street Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Bridge Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Winter Road Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Salt Storage.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Solid Waste Management.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
New Municipal Construction and Land Disturbance..	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Right of Way Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Marine Operations.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
Hydrologic Habitat Modification.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Parks and Open Space.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Municipal Building.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Stormwater System Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Vehicle and Fleet Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
Other.....	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

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 If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
---	---	---	---	---	---	---	---	---

2. Provide the following information about municipal operations good housekeeping programs:

- Parking Lots Swept (Number of acres X Number of times swept) # Acres

		7	2	0
--	--	---	---	---
- Streets Swept (Number of miles X Number of times swept) # Miles

	1	6	5	0
--	---	---	---	---
- Catch Basins Inspected and Cleaned Where Necessary #

0	0	7	5	0
---	---	---	---	---
- Post Construction Control Stormwater Management Practices Inspected and Cleaned Where Necessary #

--	--	--	--	--
- Phosphorus Applied In Chemical Fertilizer # Lbs.

--	--	--	--	--
- Nitrogen Applied In Chemical Fertilizer # Lbs.

--	--	--	--	--
- Pesticide/Herbicide Applied (Number of acres to which pesticide/herbicide was applied X Number of times applied to the nearest tenth.) # Acres

					.	
--	--	--	--	--	---	--

3. How many stormwater management trainings have been provided to municipal employees during this reporting period?

				0
--	--	--	--	---

4. What was the date of the last training?

0	1
---	---

 /

2	1
---	---

 /

2	0	1	0
---	---	---	---

5. How many municipal employees have been trained in this reporting period?

		0
--	--	---

6. What percent of municipal employees in relevant positions and departments receive stormwater management training?

	2	5
--	---	---

 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

2	0	1	5
---	---	---	---

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
---	---	---	---	---	---	---	---	---

7. Evaluating Progress Toward Measurable Goals MCM 6

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Number of stormwater catch basins inspected and cleaned

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

750 CB's inspected and cleaned as needed this reporting period

C. How many times was this observation measured or evaluated in this reporting period?

			1
--	--	--	---

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue stormwater catch basin cleaning program and other infrastructure maintenance programs as per Village Stormwater Management Plan.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

Additional Watershed Improvement Strategy Best Management Practices

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

MS4s must answer the questions or check NA as indicated in the table below.

MS4 Description	Answer	Check NA	(POC)
NYC EOH Watershed			
Traditional Land Use	1,2,3,4,5,6,7a-d,8a,8b,9	10,11,12	Phosphorus
Traditional Non-Land Use	1,2,3,4,7a-d,8a,8b,9	5,10,11,12	Phosphorus
Non-Traditional	1,2,77a-d,8a,8b,9	3,4,5,10,11,12	Phosphorus
Onondaga Lake Watershed			
Traditional Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Non-Traditional	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Greenwood Lake Watershed			
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Oyster Bay			
Traditional Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Non-Traditional	1,4,7a-d,9	2,3,4,5,8a,8b,10,11,12	Pathogens
Peconic Estuary			
Traditional Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Traditional Non-Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Non-Traditional	1,4,7a-d,8a,9	2,3,4,5,8b,10,11,12	Pathogens and Nitrogen
Oscawana Lake Watershed			
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
LI 27 Embayments			
Traditional Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Non-Traditional	1,2,3,4,7a-d,9	5,6,8a,8b,10,11,12	Pathogens

1. Does your MS4/Coalition have an education program addressing impacts of phosphorus/nitrogen/pathogens on waterbodies? Yes No N/A

2. Has 100% of the MS4/Coalition conveyance system been mapped in GIS? Yes No N/A

If N/A, go to question 3.

If No, estimate what percentage of the conveyance system has been mapped so far. %

Estimate what percentage was mapped in this reporting period. %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

3. Does your MS4/Coalition have a Stormwater Conveyance System (infrastructure) Inspection and Maintenance Plan Program? Yes No N/A

4. Estimate the percentage of on-site wastewater treatment systems that have been inspected and maintained or rehabilitated as necessary in this reporting period? %

5. Has your MS4/Coalition developed a program that provides protection equivalent to the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001) to reduce pollutants in stormwater runoff from construction activities that disturb five thousand square feet or more? Yes No N/A

6. Has your MS4/Coalition developed a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre that provides equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001), including the New York State Stormwater Design Manual Enhanced Phosphorus Removal Standards? Yes No N/A

7a. Does your MS4/Coalition have a retrofitting program to reduce erosion or phosphorus/nitrogen/pathogen loading? Yes No N/A

7b. How many projects have been sited in this reporting period?

7c. What percent of the projects included in 7b have been completed in this reporting period? %

7d. What percent of projects planned in previous years have been completed? %
 No Projects Planned

8a. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper fertilizer application on municipally owned lands? Yes No N/A

8b. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper disposal of grass clippings and leaves from municipally owned lands? Yes No N/A

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

--	--	--	--

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

--

SPDES ID

--	--	--	--	--	--	--	--	--	--

- 9. **Has your MS4/Coalition developed and implemented a program of native planting?**
 Yes No N/A

- 10. **Has your MS4/Coalition enacted a local law prohibiting pet waste on municipal properties and prohibiting goose feeding?**
 Yes No N/A

- 11. **Does your MS4/Coalition have a pet waste bag program?**
 Yes No N/A

- 12. **Does your MS4/Coalition have a program to manage goose populations?**
 Yes No N/A

RESOLUTIONS

RESOLUTION

OFFICIAL NEWSPAPER OF THE VILLAGE OF PORT CHESTER

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

RESOLVED, that the Board hereby designates the Westmore News as the Official Newspaper of the Village of Port Chester for the ensuing official year; and be it further

RESOLVED, that the Board's April 7, 2015 resolution with regard to this subject be and is hereby rescinded.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Police Department

BOT Meeting Date: 5/18/2015

Item Type: Resolution

Sponsor's Name: Richard F. Conway, Chief Police

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

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

To renew an intermunicipal agreement (IMA) with the County of Westchester for reimbursement of expenses incurred in the transportation of prisoners to and from the Westchester County Department of Corrections facility in Valhalla, NY for the period of 1 January 2015 through 31 December 2016

Summary

Background: The Department is recommending the renewal of an IMA with the County of Westchester to reimburse the Village for costs incurred transporting prisoners to and from the Westchester County Department of Corrections facility in Valhalla NY as required by sections 500c and 500d of the New York State Corrections Law

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

RESOLUTION

AGREEMENT WITH WESTCHESTER COUNTY
PRISONER TRANSPORTATION

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

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

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

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

RESOLVED, that the Village Manager be authorized to execute an agreement in the form annexed with the County of Westchester with regard to reimbursement for prisoner transportation between the Village and the County Department of Correction for the period beginning January 1, 2015 and ending on December 31, 2016.

Approved as to Form:

Village Attorney, Anthony Cerreto



Robert P. Astorino
County Executive

Department of Correction

Kevin M. Cheverko
Commissioner

April 24, 2015

Mr. Janusz Richards
Village Manager
Village of Port Chester
222 Grace Church St.
Port Chester, New York 10573

Dear Mr. Richards,

Please find enclosed an original agreement between the Department of Correction and the Village of Port Chester to provide prisoner transportation between the Village of Port Chester and the Westchester County Jail for the term commencing January 1, 2015 and terminating December 31, 2016. Please remember to include a Certificate of Insurance (general liability and auto liability) naming Westchester County as additional insured. If you are self-insured, please provide a Self-Insured Employers Workers' Compensation Form (SI12) which certifies that compensation has been secured.

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

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

Sincerely,

Susan Gheevarghese
Assistant Director of Administrative Services

SSG/ms
Encl.

PRISONER TRANSPORTATION--ZONE RATE

THIS AGREEMENT, made this _____ day of _____, 2015

by and between:

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

(hereinafter referred to as the "County")

and

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

(hereinafter referred to as the "Municipality")

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

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

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

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

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

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

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

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

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

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

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

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

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

Reimbursement for mileage shall be at the rate of fifty-six cents (\$.56) per mile, or at the then current Internal Revenue Service mileage rate, multiplied by the mileage indicated in Appendix "A".

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

4. **TERM**: This Agreement shall commence on January 1, 2015 and shall terminate on December 31, 2016. The County may, upon thirty (30) days written notice to the Municipality, terminate this Agreement in whole or in part when it deems it to be in its best interest. In such event, the Municipality shall be compensated and the County shall be liable only for payment for services rendered prior to the effective date of termination.

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

The total aggregate cost to the County under this Agreement and the agreements with the other municipalities for zone rate prisoner transportation pursuant to the Resolution approved by the Board of Acquisition and Contract on April 2, 2015, shall not

exceed \$1,238,879. This Agreement shall be deemed executory only to the extent of the monies appropriated and available for the purpose of this Agreement and no liability on account hereof shall be incurred by the County beyond the amount of such monies.

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

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

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

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

IN WITNESS WHEREOF, the County and the Municipality have executed this Agreement on the _____ day of _____, 2015.

THE COUNTY OF WESTCHESTER

By: _____
Kevin M. Cheverko
Commissioner of Correction

By: _____
(Name)
(Title)

Approved by the Westchester County Board of Legislators by Act No 10 – 2015 on the 9th day of February, 2015.

Approved by the Board of Acquisition and Contract of the County of Westchester on the 2nd day of April, 2015.

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

Approved as to form and
manner of execution:

Approved as to form and
manner of execution:

Assistant County Attorney
The County of Westchester
K/I/dcr/Zone Rate Agmt. 15

MUNICIPALITY'S ACKNOWLEDGEMENT

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

On this _____ day of _____, 2015, before me personally came
_____, to me known, and known to me to be the
_____ of _____,
the municipal corporation described in and which executed the within instrument, who being by me
duly sworn did depose and say that he, the said _____ resides at

and that he is _____ of said municipal corporation.

Notary Public County

CERTIFICATE OF AUTHORITY
(Municipality)

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

(Name of Municipality)

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

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

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

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

(Town Board, Village Board, City Council)

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

(Signature)

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

On this _____ day of _____, 2015, before me personally came _____
_____ whose signature appears above, to me known, and know to be the
_____ of _____,
(title)

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

Notary Public County

APPENDIX A

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

(Effective Term: January 1, 2015 through December 31, 2016)

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

ZONE #1 (1 - 10 Miles)

Reimbursed Rate Per Round Trip:	(1/1/15 – 12/31/15)	\$192.96
	(1/1/15 – 12/31/16)	\$197.78

Plus mileage reimbursed at \$.56 (or the then current IRS mileage rate) times distance.

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

ZONE #2 (11 - 20 Miles)

Reimbursed Rate Per Round Trip:	(1/1/15 – 12/31/15)	\$202.62
	(1/1/16 – 12/31/16)	\$207.69

Plus mileage reimbursed at \$.56 (or the then current IRS mileage rate) times distance.

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

ZONE #3 (21 - 30 Miles)

Reimbursed Rate Per Round Trip: (1/1/15 – 12/31/15) \$212.25
(1/1/16 – 12/31/16) \$217.55

Plus mileage reimbursed at \$.56 (or the then current IRS mileage rate) times distance.

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

ZONE #4 (31 - 40 Miles)

Reimbursed Rate Per Round Trip: ((1/1/15 – 12/31/15) \$221.93
(1/1/16 – 12/31/16) \$227.48

Plus mileage reimbursed at \$.56 (or the then current IRS mileage rate) times distance.

Pelham Manor, Village	35 Miles
-----------------------	----------

SCHEDULE "B"

STANDARD INSURANCE PROVISIONS (MUNICIPALITY)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Justice Court

BOT Meeting Date: 5/18/2015

Item Type: Resolution

Sponsor's Name: Regina Hill, Court Clerk

Description	Yes	No	Description	Yes	No
Fiscal Impact	x	<input type="checkbox"/>	Public Hearing Required	<input type="checkbox"/>	x
Funding Source: Account #: 1110-407			BID #		
			Strategic Plan Priority Area		
			N/A		
Agreement	x	<input type="checkbox"/>	Manager Priorities		
Strategic Plan Related	<input type="checkbox"/>	x	N/A		

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

Retaining Spanish Interpreting Services

Summary

Background:

The Spanish Interpreter has been providing Interpreting services at the court since 1999. The Village court is obligated to provide Interpreting Services for Defendants. The Spanish Interpreter provides services at the court as needed pursuant to the schedule established by the court. Judge Sisca and Judge Troy have recommended Olga Hurtado to provide these services.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments
Proposed Agreement

RETAINING COURT SPANISH TRANSLATING AND INTERPRETING SERVICES

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, New York's local Justice Courts have an obligation to provide language services to Limited English Proficient Individuals ("LEP"); and

WHEREAS, the Village has retained Olga Hurtado for a number of years to provide Spanish translating and interpreting services; and

WHEREAS, Ms. Hurtado has submitted a proposal dated May 3, 2015 that would maintain her current rates for a renewal agreement for the period June 1, 2015 through May 31, 2017. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with Olga Hurtado, 170 Elm Street, New Rochelle, New York 10805, to provide court Spanish translating and interpreting services on a per diem basis for the period June 1, 2015 through May 31, 2017, compensation to be \$225 per diem for day-time court sessions and \$150 per diem for evening court sessions.

APPROVED:

Anthony M. Cerreto, Village Attorney

AGREEMENT

This Agreement, made the ____ day of May, 2015, by and between VILLAGE OF PORT CHESTER, (hereinafter referred to as "Village"), a municipal corporation with an office at 222 Grace Church Street, Port Chester, New York, and OLGA HURTADO, (hereinafter referred to as "Contractor"), 170 Elm Street, New Rochelle, New York 10805.

WHEREAS, New York's local Justice Courts have an obligation to provide language services to Limited English Proficient Individuals ("LEP"); and

WHEREAS, the Village has retained the Contractor for a number of years to provide such services; and

WHEREAS, the parties desire to renew their most recent agreement which expires on May 31, 2016. Now, therefore, the parties do mutually agree as follows:

1. This is a contract for professional services.
2. The services to be provided will be Spanish translating and interpreting.
3. The services to the Justice Court will be provided on an "as needed" basis for the Port Chester Justice Court pursuant to the schedule for court sessions as established by the Court.
4. The compensation to be paid to the Contractor shall be a flat rate of \$225 per diem for day-time court sessions and \$150 per diem for evening court sessions. Contractor shall work until the conclusion of the calendar.
5. The Contractor may not assign this Agreement or make any substitutions without reasonable notice and the prior consent of the Court Clerk and the presiding judge.
6. This Agreement shall be for a term commencing June 1, 2015 and ending on the 31st day of May, 2017 subject, however, to the right of either party to terminate this Agreement at any time on sixty (60) days written notice to the other at the address shown above.
7. In performing these services, it is mutually agreed and understood that the Contractor shall be and all times is acting and performing same as an independent contractor. Nothing in this Agreement is intended to create an employer/employee relationship, or to allow the Village to exercise control or direction over the manner or method by which the Contractor performs the services which are the subject of this Agreement.
8. Notices to be provided to the other shall be delivered by first-class mail to the addresses below:

To the Village:

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

To the Contractor:

Olga Hurtado
170 Elm Street
New Rochelle, New York 10805

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

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

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

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

VILLAGE OF PORT CHESTER

By: _____
Christopher D. Steers
Village Manager

OLGA HURTADO

By: _____
OLGA HURTADO



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Justice Court

BOT Meeting Date: 5/18/2015

Item Type: Resolution

Sponsor's Name: Regina Hill, Court Clerk

Description	Yes	No	Description	Yes	No
Fiscal Impact	x	<input type="checkbox"/>	Public Hearing Required	<input type="checkbox"/>	x
Funding Source:			BID #		
Account #: 1110:408			Strategic Plan Priority Area		
	Yes	No	N/A		
Agreement	x	<input type="checkbox"/>	Manager Priorities		
Strategic Plan Related	<input type="checkbox"/>	x	N/A		

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

Retaining Court Reporting Services

Summary

Background:

The Court Reporter has been providing Stenographic services at the court since 1993. She provides Reporting services at the court as needed pursuant to the schedule established by the court. Judge Sisca and Judge Troy recommend the use of a Court Reporter for Criminal and Small Claims court sessions. Judge Sisca and Judge Troy have recommended Gail Letizia for these services.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments
Proposed Agreement

RESOLUTION
AUTHORIZING RENEWAL AGREEMENT FOR COURT REPORTER

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

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

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

WHEREAS, the justices of the Justice Court recommends such renewal. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement with Gail Letizia, P.O. Box 588, Bronxville, New York, as Court Reporter for the Justice Court for a term of two years, commencing on June 1, 2015 and ending on May 31, 2017, compensation to be as provided in the fee proposal dated May 2, 2015, as follows, day-time court session \$225 per day, with any session running past 5:00 p.m. an additional \$50 per hour, and evening court session at \$150.00 per evening until 10:00 p.m. with any session past 10:00 p.m. an additional \$150.00.

Approved as to Form:

Anthony M. Cerreto
Village Attorney

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

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

May 1, 2015

Dear Mr. Steers:

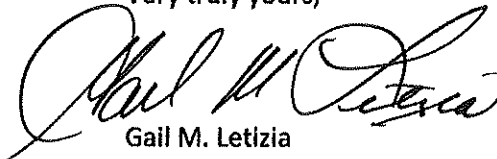
It has come to my attention that my contract with the Village of Port Chester as Court Stenographer is due for renewal.

I have been employed with the Village since 1993. My contract expires on May 31st, 2015. With your approval I would like to continue my contract for another one (1) year at the same rates:

Monday, Thursday, Friday @ \$225.00 per day, starting time 9:00 a.m. until 5:00 p.m. Any session running past 5:00 p.m. an additional \$50 per hour will be charged. Wednesday night Small Claims session @ \$150.00 per night until 10:00 p.m. Any session running past 10:00 p.m. an additional \$150.00 will be charged.

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

Very truly yours,



Gail M. Letizia

Cc: Regina Hill, Court Clerk

AGREEMENT

THIS AGREEMENT, made the ____ day of May 2015 by and between VILLAGE OF PORT CHESTER, (hereinafter referred to as "Village "), a municipal corporation with an office at 222 Grace Church Street, Port Chester, New York, and GAIL LETIZIA, 16 Saxon Woods Park Drive, White Plains, New York 10605, (hereinafter referred to as "Contractor "), party of the second part.

WITNESSETH:

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

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

1. This is a contract for professional services.
2. The services will be provided on an "as needed" basis for the Justice Court pursuant to the schedule for court sessions as established by the Court.
3. The compensation to be paid to the Contractor shall be a flat rate of \$225 per diem for day-time court sessions with an additional \$50/hour after 5:00 p.m. and a flat rate of \$150 per diem for evening sessions with an additional \$150 flat rate after 10:00 p.m.
4. The Contractor will make herself available to the Court on reasonable notice for pre-trial conferences and jury trials or other such additional proceedings at a flat rate of \$225 per diem.
5. The Contractor may not make any substitutions without reasonable notice and the prior consent of the Court Clerk and the presiding judge.
6. This agreement shall be for a term commencing on June 1, 2015 and ending on the 31st day of May, 2017, subject, however, to the right of either party to terminate this agreement at any time on thirty (30) days written notice to the other at the address shown above.
7. In performing these services, it is mutually agreed and understood that the Contractor shall be and all times acting and performing same as an independent contractor. Nothing in this agreement is intended to create an employer /employee relationship, or to allow the Village exercise control or direction over the manner or method by which the Contractor performs the services which are the subject of this agreement.
8. The Contractor agrees to defend, hold harmless and indemnify the Village from any claims of negligence or wrongful act of the Contractor substituted reporter arising out of the performance of the services.
9. This agreement is personal to the Contractor and shall not be assigned.

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

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

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

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

Approved as to Form:

Anthony M. Cerreto, Village Attorney

VILLAGE OF PORT CHESTER

By _____
Christopher D. Steers,
Village Manager

GAIL LETIZIA



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Choose a Department

BOT Meeting Date: 5/18/2015

Item Type: Resolution

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

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

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

AUTHORIZING RENEWAL WITH PERMA WITH REGARD TO VILLAGE'S WORKERS' COMPENSATION PROGRAM FOR 2015-2017

Summary

Background:

The Village is a member of the Public Employer Risk Management Association, Inc. (PERMA), a workers' compensation program for local governments and other public employers and entities in New York. Through the Village's broker, and at the PERMA provided a fee proposal for 2015-2017 to continue providing "first dollar" coverage. PERMA will continue to reimburse the Village for up to \$15,000 for contracted loss-control services.

Resolution

That the Board of Trustees adopt the Resolution

Attachments

Quotation

AUTHORIZING RENEWAL AGREEMENT WITH PERMA WITH REGARD TO
VILLAGE'S WORKERS COMPENSATION PROGRAM FOR 2015-2017

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 is a member of the Public Employer Risk Management Association, Inc. (PERMA), a workers' compensation program for local governments and other public employers and entities in New York; and

WHEREAS, through the Village's broker, the Spain Agency, PERMA has provided a fee proposal for 2015-2017 to continue providing "first-dollar" coverage; and

WHEREAS, as part of its proposal, PERMA will continue to reimburse the Village up to \$15,000 per year for contracted loss control service which has enabled the Village to maintain compliance with federal and state-mandated safety programs; and

WHEREAS, as part of the Fiscal Year 2015-2016 budget process, the Village Manager received a quote from PERMA dated April 13, 2015 and recommended a renewal of the agreement with PERMA on such terms; and

WHEREAS, PERMA has since provided an endorsement consistent with this quotation. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to execute an agreement with the Public Employer Risk Management Association to continue to provide "first dollar" workers compensation coverage for 2015-2017, with a total two-year contract cost of \$2,642.969 as provided for in the annexed quotation dated April 13, 2015.

APPROVED:

Anthony M. Cerreto, Village Attorney

**THIS ENDORSEMENT CHANGES THE COVERAGE DOCUMENT
PLEASE READ IT CAREFULLY**

COVERAGE CHANGES

COVERAGE DOCUMENT NO. WC 0001191-09	EFFECTIVE DATE OF CHANGE: 06/01/2015	PERMA 9 CORNELL ROAD LATHAM, NY 12110
NAMED MEMBER Village of Port Chester 222 Grace Church Street Port Chester, NY 10573	AGENT/BROKER:10029-001 Spain Agency, Inc 625 Route 6 Mahopac, NY 10541	

CHANGES


It is hereby understood the following changes have been made to the coverage document:

Multiple Year Contract

First Year	6/1/2015 - 6/1/2016
Contribution:	\$1,290,601
NYS Workers' Compensation Assessment:	\$37,166
Total Contribution and Assessment:	\$1,327,767
2% credit, if pay in full	(\$25,812)
Total Contribution and Assessment, if pay in full:	\$1,301,955

Second Year	6/1/2016 - 6/1/2017
Contribution:	\$1,329,319
NYS Workers' Compensation Assessment:	\$38,281**
Total Contribution and Assessment:	\$1,367,600
2% credit, if pay in full	(\$26,586)
Total Contribution and Assessment, if pay in full:	\$1,341,014

The total cost of the multiple year contract comes to \$2,642,969 including the NYS assessment and the 2% pay in full credit. Please see terms and conditions in regards to the NYS WCB Assessments.


 Authorized Representative Signature



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Office of the Village Manager

Village BOT Meeting Date: May 18, 2015

Item Type: Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact	x		Public Hearing Required		x
Funding Source:			x		
Account #:			Strategic Plan Priority Area		
			Enhance Organization		
Agreement	x		Manager Priorities		
Strategic Plan Related		x	Choose a Manager Priority		

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

Heading Title
(Will appear as indicated below on Agenda)

RETAINER FOR RENEWAL OF THIRD-PARTY ADMINISTRATION SERVICES FOR FORMER VILLAGE'S SELF-INSURED WORKERS' COMPENSATION PROGRAM

Summary

The Village of Port Chester formerly had a self-insured workers compensation program which was administered by a third-party administrator (TPA).

PMA Management Corp. was the last TPA before the Village retained PERMA as its workers compensation carrier under a conventional insurance program.

PMA has been managing the "run-off", or those claims that were open as of the date of such change. Some have since been settled for a lump-sum under Section 32 of the Workers' Compensation Law.

The resolution authorizes a renewal of the agreement with PMA to continue administering those claims that have not been so settled. There is no change in the fee from last year for these services.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Renewal Agreement Proposal Claims Report

RESOLUTION

RETAINER FOR RENEWAL OF THIRD-PARTY ADMINISTRATION SERVICES
FOR FORMER VILLAGE'S SELF-INSURED WORKERS COMPENSATION
PROGRAM

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

WHEREAS, the Village of Port Chester formerly had a self-insured workers compensation program; and

WHEREAS, such program required the Village to retain a firm to provide third-party administration services ("TPA"); and

WHEREAS, PMA Management Corp. was the last TPA before the Village retained PERMA as its workers' compensation carrier under a conventional insurance program; and

WHEREAS, PMA has been managing the remainder of the "run-off" or claims that were open as of the date of such change; and

WHEREAS, the Village Manager recommends that PMA's agreement be renewed for the 2015-2016 Fiscal Year at the same rate of compensation. NOW, THEREFORE, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement with PMA Management Corp., 330 Fellowship Road, Suite 200, Mount Laurel, New Jersey 08054, to continue as Third Party Administrator for the remainder of the "run-off" claims with regard to the Village's former self-insured workers compensation program for the 2015-2016 Fiscal Year, compensation to be \$12,000 and as further provided in the agreement annexed hereto.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

AMENDMENT TO SERVICE AGREEMENT

THIS AMENDMENT is hereby made this 6th day of May 2015 to the Service Agreement (Agreement) commencing July 1, 2005 by and between PMA Management Corp. (PMAMC) and Village of Port Chester (Client). The parties hereby mutually agree and intend to be legally bound by amending the Agreement as follows:

1. TERM

Section 2 of the Agreement shall be amended to note the termination date of this Agreement shall be May 31, 2016.

2. TPA SERVICES

Section 3 of the Agreement shall be amended to note that PMAMC shall only provide TPA services for Client's Takeover Claims and no longer shall provide TPA services for non-takeover Qualified Claims. These claims shall be handled by PMAMC until May 31, 2016.

3. PAYMENT of CLAIMS SERVICES FEES

- a.** Section 10 of the Agreement shall be amended to note:
 - i.** During the period of June 1, 2015 through and including May 31, 2016, for services rendered under the Agreement, Client agrees to pay PMAMC a Flat Fee of Twelve Thousand Dollars (\$12,000), to be paid in twelve (12) equal monthly installments of One Thousand Dollars (\$1,000). Client further agrees to pay the initial installment at the inception of this Amendment and subsequent installments monthly thereafter.
- b.** Portions of Section 10 of the Agreement pertaining to any remaining time period of the Agreement after May 31, 2016 shall be null and void.
- c.** Portions of Section 10 of the Agreement pertaining to the time period of July 1, 2005 through and including August 31, 2007 shall remain unchanged.

4. MANAGED CARE FEES

For medical bill review and repricing services, Client shall pay a fee of twenty-five percent (25%) of the total savings resulting from use of PMAMC's Cost Containment Programs.

5. SECTION 111 REPORTING

- a.** Client understands and acknowledges that it is primarily responsible for the reporting requirements as set forth in Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007.
- b.** Client authorizes and PMAMC agrees to undertake Client's Section 111 reporting requirements as Client's Account Manager/Reporting Agent as it relates to Client's open claims being administered pursuant to the Agreement only.
- c.** PMAMC shall charge and Client shall pay a fee of \$6.00 per claim for any claim PMAMC needs to query pursuant to the Agreement.
- d.** Client acknowledges and agrees to provide PMAMC with complete, accurate, and timely data for Section 111 reporting purposes.
- e.** Conditioned on the aforementioned, PMAMC shall commence reporting of Client's data as directed by CMS, and shall continue for as long as PMAMC is contractually obligated to administer Client's claims.
- f.** Indemnification between the parties for Section 111 reporting shall be governed by the indemnification provisions of the Agreement. PMAMC shall not indemnify, and specifically disclaims liability for any failure of:
(1) Client to register as a RRE; (2) Client to execute any documents necessary to authorize PMAMC as its Account Manager/Reporting Agent; or (3) Client or its prior TPA to report Client's claims when they were first required to do so.

All other fees, terms, and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties have caused this Amendment to the Agreement to be executed by their duly authorized officers or representatives on the date first written above.

PMA MANAGEMENT CORP.

VILLAGE OF PORT CHESTER

BY: _____

BY: _____

TITLE: _____

TITLE: _____

Approved as to Form:

Village Attorney

THIRD PARTY ADMINISTRATION

Workers' Compensation

Renewal Proposal Presented to:

Village of Port Chester

PMA Management Corp. (PMAMC)
Third Party Risk Management Services. First-Rate Results.
330 Fellowship Road, Suite 200, Mount Laurel, NJ 08054
(856) 727-3121 • Fax (856) 727-3186 www.pmamc.com



Pricing Proposal

PMA Management Corp. offers a complete and comprehensive claims management program.

All Claims Handling Activities:

- Investigation
- Three Point Contact
- Action Planning
- Claims Processing
- Compensability Decisions
- Subrogation / SIF Investigation
- Excess Reporting & Recovery
- Fraud Prevention / SIU Capabilities
- Central Index Bureau
- National Insurance Crime Bureau
- Litigation Management
- Resolution Negotiation
- Check Issuance
- Payment Registers
- Claim Review Meetings
- Stewardship Meeting
- First Report of Injury Filed with State Agency
- Customized Claim Handling Instructions
- Account Management
- Quality Assurance Program Oversight
- Structured Settlements
- Reserve Advisories
- Pre-Settlement Advisories
- Patriot Act Compliance
- Office of Federal Asset Control Compliance
- EDI with State as Required
- 1099 Reports
- Claim Acknowledgements
- Settlement Authority

PMA's Managed Care:

- Medical Bill Review
- Complex Bill Review
- Out of Network Bill Review
- PPO & Specialty Network Access
- PPO Radius Listing & Mapping to Locations
- Pharmaceutical Benefit Management
- Case Management

Loss Adjustment Expenses

The Village of Port Chester is responsible for the payment of all Loss Adjustment Expenses including but not limited to:

- Independent Medical Exams
- Medical Bill Review
- Complex Bill Review
- Out of Network Bill Review
- PPO Network Access Fees



- Private Investigators
- Independent Appraisers
- Medicare Section 111 Reporting Fees
- Attorney Fees
- Expert Witnesses
- Records Reproduction
- Legal Fees other than Attorney fees
- Utilization Review Expenses
- Case Management Expenses

PMA Management Corp. will provide comprehensive Life of Contract Third Party Administration Services for all run-off claims on a life of contract basis for the period of 6/1/15 through 5/31/16 for the flat annual fees listed below:

	<u>Year 1</u>
<u>Contract Type:</u>	
Life of Contract Flat Fee	\$12,000
<u>Bundled Services:</u>	
Claims Handling	Included
Annual Admin Fee	Included
<u>Unbundled Services:</u>	
Telephonic / On-Site Case Management, per hour:	\$95
Risk Control, per hour:	\$125
Custom, IS reporting, per hour	\$95
Cost Containment fee, % of all savings:	25%

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

(Environmental Compliance Resolution – Various Improvements)

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on May____, 2015 at _:___ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

* * * * *

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

**ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS
AND DETERMINATIONS**

WHEREAS, _____, the Village Engineer (the “Engineer”), has, at the request of the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, reviewed plans and cost estimates for various Village improvements as described in five (5) serial bond resolutions to be adopted by the Board of Trustees subsequent to the adoption of this resolution (each object or purpose or component of such various Village improvements, separately, or in any combination thereof, or in the aggregate, the “Project”) and said plans and costs estimates have been filed in the office of the Village Clerk and are on file for public inspection, as may be applicable; and

WHEREAS, the Village has determined that upon the examination of an environmental assessment form (“EAF”) prepared by the Engineer, that all components the Project are “Type II” or “unlisted” actions, as those terms are defined in 6 NYCRR §617.2, and therefore the Village caused the EAF to be prepared and filed with the Village Clerk, as may be applicable; and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project in its entirety is \$6,871,000 and that the costs of the Project, in whole or in part, as authorized by the Board of Trustees of the Village, are to be financed by the issuance of serial bonds of the Village pursuant to the Local Finance Law and, if deemed advisable, by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project, as aforesaid, are to be paid in part from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“SEQRA”) regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF PORT CHESTER, NEW YORK, as follows:

Section 1. The Village, by and through its Board of Trustees, declares and designates itself to be the “lead agency” as that term is defined in 6 NYCRR §617.2(u), with respect to the continuing environmental review of the Project.

Section 2. It is hereby determined that the Project as aforesaid, is a “Type II”, as that term is defined in 6 NYCRR §617.2(aj).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review is necessary or required.

Section 4. No hearing as set forth in 6 NYCRR §617.9(a)(4) is required in making the determinations contained herein with respect to the costs of the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7(c) upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project: does not require segmentation for adequate environmental compliance analysis, includes no unanticipated or unidentified adverse effects which should be anticipated with respect thereto, and is precluded from further review under the Environmental Conservation Law.

Section 6. It is hereby determined that for purposes of the SEQRA regulations the bond resolutions referred hereinabove to be adopted by the Board of Trustees under the Local Finance Law to finance the Project shall not be or be deemed to be an “action”, as that term is defined in 6 NYCRR §617.2(b), until its effectiveness following the estoppel period prescribed in §82.00 of the Local Finance Law.

Section 7. Taking into account the criteria set forth in 6 NYCRR §617, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 8. The Village shall include a true copy of this resolution in the file maintained, readily accessible to the public, in the office of the Village Clerk, containing the EAF.

Section 9. This resolution shall take effect immediately upon its adoption by the Board of Trustees of the Village.

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

1. A regular meeting of the Board of Trustees of the Village was duly held on May ____, 2015, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ____ day of May, 2015.

(SEAL)

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

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

(A - \$333,000 – Various Purposes, 5 years)

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on May _____, 2015 at ____ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

* * * * *

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

BOND RESOLUTION, DATED MAY _____, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$333,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, OF MOTOR VEHICLES, (II) THE ACQUISITION OF PARKING PAY STATIONS, AND (III) THE ACQUISITION AND INSTALLATION OF COMPUTER SOFTWARE INCIDENTAL TO A NEW COMPUTER ASSISTED INTEGRATED FINANCIAL MANAGEMENT AND ACCOUNTING SYSTEM.

WHEREAS, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition of motor vehicles (\$131,000), (ii) the acquisition of parking pay stations (\$100,000), and (iii) the acquisition and installation of computer software incidental to a new computer assisted integrated financial management and accounting system (\$102,000) in and for the Village, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$333,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$333,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

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

of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of motor vehicles, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$131,000 for which \$131,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

(b) The acquisition of parking pay stations, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$100,000 for which \$100,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 50 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(c) The acquisition and installation of computer software incidental to a new computer assisted integrated financial management and accounting system, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$102,000 for which \$102,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 81(b) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$333,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from (i) the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and/or bond anticipation notes

issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

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

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

commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

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

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

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

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

the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

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

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

1. A regular meeting of the Board of Trustees of the Village was duly held on May _____, 2015, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ____ day of May, 2015.

(SEAL)

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

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

ESTOPPEL NOTICE

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, on May _____, 2015. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: _____, 2015

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

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

(B - \$725,500 – Various Purposes, 10 years)

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on May____, 2015 at _:___ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

* * * * *

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

BOND RESOLUTION, DATED MAY____, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$725,500 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE PARKING AREAS, (II) THE ACQUISITION AND INSTALLATION OF POLICE AND FIRE ALARM SYSTEMS, SIGNAL SYSTEMS, AND ANY OTHER SYSTEM OF COMMUNICATION OR TRANSMISSION AND (III) THE ACQUISITION OF FIRE-FIGHTING APPARATUS.

WHEREAS, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition, construction and reconstruction of improvements to Village parking areas (\$250,000); (ii) the acquisition and installation of police and fire alarm systems, signal systems, and any other system of communication of transmission (\$38,000); and (iii) the acquisition of fire-fighting apparatus (\$437,500), including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$725,500, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$725,500, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated

maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition, construction and reconstruction of improvements to Village parking areas, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$250,000 for which \$250,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

(b) The acquisition and installation of police and fire alarm systems and signal systems, and any other system of communication or transmission, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$38,000 for which \$38,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 25 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from

the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(c) The acquisition of fire-fighting apparatus, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$437,500 for which \$437,500 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$725,500; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00,

inclusive, the power to authorize serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute on behalf of the Village all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

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

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

were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

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

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

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

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

Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

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

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

1. A regular meeting of the Board of Trustees of the Village was duly held on May ____, 2015, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ____ day of May, 2015.

(SEAL)

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

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, has on the ____ day of _____, 2015, duly adopted, pursuant to the Local Finance Law of New York, a bond resolution which:

(1) authorizes the Board of Trustees of the Village to finance the costs of (i) the acquisition, construction and reconstruction of improvements to Village parking areas (\$250,000); (ii) the acquisition of police and fire alarm systems and any other system of communication or transmission (\$38,000); and (iii) the acquisition of fire-fighting apparatus (\$437,500), and authorizes the issuance of up to \$725,500 aggregate principal amount of serial bonds of the Village to finance the costs of such purposes, and

(2) states the estimated maximum total costs of such acquisition, construction and reconstruction to be not in excess of \$725,500, states that such costs will be financed, in whole or in part, with the issuance of obligations authorized in such bond resolution and sets forth the plan of financing of the costs of such purposes, and

(3) determines the period of probable usefulness of the purposes to be ten (10) years, and

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

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

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

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

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

Dated: _____, 2015

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

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

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

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

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

2. On the ___ day of _____, 2015, he posted a form of Public Notice relative to the bond resolution relating to the financing of the costs of (i) the acquisition, construction and reconstruction of improvements to Village parking areas; (ii) the acquisition of police and fire alarm systems and any other system of communication or transmission; and (iii) the acquisition of fire-fighting apparatus, adopted by the Board of Trustees of the Village on May _____, 2015, a true copy of which is annexed hereto and made a part hereof, in the six (6) conspicuous places in the Village:

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

Sworn to before me this _____
day of _____, 2015

NOTARY PUBLIC

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

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

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

1. The Board of Trustees of the Village at a regular meeting thereof duly called and held on May __, 2015, adopted a bond resolution having the following title:

BOND RESOLUTION, DATED MAY____, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$725,500 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE PARKING AREAS, (II) THE ACQUISITION AND INSTALLATION OF POLICE AND FIRE ALARM SYSTEMS, SIGNAL SYSTEMS, AND ANY OTHER SYSTEM OF COMMUNICATION OR TRANSMISSION, AND (III) FIRE-FIGHTING APPARATUS.

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ____ day of _____, 2015.

(SEAL)

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

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

ESTOPPEL NOTICE

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, on May____, 2015. The effectiveness of such bond resolution was subject to a permissive referendum and notice thereof was given as prescribed by law. The period of time prescribed by law has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: _____, 2015

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

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

(C - \$2,805,500 – Various Purposes, 15 years)

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on May____, 2015 at _:___ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

* * * * *

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

BOND RESOLUTION, DATED MAY____, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$2,805,500 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ORIGINAL IMPROVEMENT OR EMBELLISHMENT OF VILLAGE DOG PARKS, (II) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION TO VILLAGE STREETS, INCLUDING IMPROVEMENTS TO SIDEWALKS, LANDSCAPES AND DRAINAGE, AND (III) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE.

WHEREAS, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the original improvement or embellishment of village dog parks (\$30,000); (ii) the acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes, and drainage (\$2,687,500); and (iii) the acquisition of machinery and apparatus for construction and maintenance (\$88,000), including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$2,805,500, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$2,805,500, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated

maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The original improvement or embellishment of Village dog parks, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$30,000 for which \$30,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

(b) The acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes and drainage, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$2,687,500 for which \$2,687,500 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years

computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(c) The acquisition of machinery and apparatus for construction and maintenance, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$88,000 for which \$88,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$2,805,500; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

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

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

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for

which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

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

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would

cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the

Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

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

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

1. A regular meeting of the Board of Trustees of the Village was duly held on May ____, 2015, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ____ day of May, 2015.

(SEAL)

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

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, has on the ____ day of May, 2015, duly adopted, pursuant to the Local Finance Law of New York, a bond resolution which:

(1) authorizes the Board of Trustees of the Village to finance the costs of (i) the original improvement or embellishment of village dog parks (\$30,000); (ii) the acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes and drainage (\$2,687,500); and (iii) the acquisition of machinery and apparatus for construction and maintenance (\$88,000) and authorizes the issuance of up to \$2,805,500 aggregate principal amount of serial bonds of the Village to finance the costs of such purposes, and

(2) states the estimated maximum total costs of such acquisition, construction and reconstruction to be not in excess of \$2,805,500, states that such costs will be financed, in whole or in part, with the issuance of obligations authorized in such bond resolution and sets forth the plan of financing of the costs of such purposes, and

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

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

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

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

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

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

Dated: _____, 2015

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

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

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

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

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

2. On the ___ day of _____, 2015, he posted a form of Public Notice relative to the bond resolution relating to the financing of the costs of (i) the original improvement or embellishment of village dog parks; (ii) the acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes and drainage; and (iii) the acquisition of machinery and apparatus for construction and maintenance, adopted by the Board of Trustees of the Village on May _____, 2015, a true copy of which is annexed hereto and made a part hereof, in the six (6) conspicuous places in the Village:

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

Sworn to before me this _____
day of _____, 2015

NOTARY PUBLIC

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

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

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

1. The Board of Trustees of the Village at a regular meeting thereof duly called and held on May____, 2015, adopted a bond resolution having the following title:

BOND RESOLUTION, DATED MAY____, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$2,805,500 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ORIGINAL IMPROVEMENT OR EMBELLISHMENT OF VILLAGE DOG PARKS, (II) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION TO VILLAGE STREETS, INCLUDING IMPROVEMENTS TO SIDEWALKS, LANDSCAPES AND DRAINAGE, AND (III) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE.

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ____ day of _____, 2015.

(SEAL)

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

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

ESTOPPEL NOTICE

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, on May____, 2015. The effectiveness of such bond resolution was subject to a permissive referendum and notice thereof was given as prescribed by law. The period of time prescribed by law has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: _____, 2015

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

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

(D - \$100,000 – Fire Building Improvements, 25 years)

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on May____, 2015 at _:___ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

* * * * *

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

BOND RESOLUTION, DATED MAY____, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$100,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE CONSTRUCTION OF AN ADDITION OR ADDITIONS TO OR THE RECONSTRUCTION OF A CLASS “A” BUILDING.

WHEREAS, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the construction of an addition or additions to or the reconstruction of a class “A” fire building, in and for the Village, and including the acquisition of any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$100,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$100,000, pursuant to the Local Finance Law, in order to finance the costs of the construction of an addition or additions to or the reconstruction of a class “A” building, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the “Project”).

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$100,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial

bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of twenty five (25) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

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

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

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

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

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

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

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

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

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

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

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

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

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

1. A regular meeting of the Board of Trustees of the Village was duly held on May ____, 2015, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ____ day of May, 2015.

(SEAL)

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

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, has on the ____ day of May, 2015, duly adopted, pursuant to the Local Finance Law of New York, a bond resolution which:

(1) authorizes the Board of Trustees of the Village to finance the costs of the construction of an addition or additions to or the reconstruction of a class “A” fire building, and including the acquisition of any equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto and authorizes the issuance of \$100,000 aggregate principal amount of serial bonds of the Village to finance such purposes, and

(2) states the estimated maximum total costs of such acquisition, construction and reconstruction to be not in excess of \$100,000, states that such costs will be financed, in whole or in part, with the issuance of obligations authorized in such bond resolution and sets forth the plan of financing of the costs of such purposes, and

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

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

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

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

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

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

Dated: _____, 2015

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

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

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

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

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

2. On the ___ day of _____, 2015, he posted a form of Public Notice relative to the bond resolution relating to the financing of the costs of the construction of an addition or additions to or the reconstruction of a class “A” building, adopted by the Board of Trustees of the Village on May_____, 2015, a true copy of which is annexed hereto and made a part hereof, in the six (6) conspicuous places in the Village:

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

Sworn to before me this _____
day of _____, 2015

NOTARY PUBLIC

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

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

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

1. The Board of Trustees of the Village at a regular meeting thereof duly called and held on May____, 2015, adopted a bond resolution having the following title:

**BOND RESOLUTION, DATED MAY __, 2015, AUTHORIZING THE
ISSUANCE OF UP TO \$100,000 AGGREGATE PRINCIPAL AMOUNT
SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF
WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL
FINANCE LAW, TO FINANCE THE COSTS OF THE CONSTRUCTION OF
AN ADDITION OR ADDITIONS TO OR THE RECONSTRUCTION OF A
CLASS “A” BUILDING.**

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ___ day of _____, 2015.

(SEAL)

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

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

ESTOPPEL NOTICE

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, on May____, 2015. The effectiveness of such bond resolution was subject to a permissive referendum and notice thereof was given as prescribed by law. The period of time prescribed by law has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: _____, 2015

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

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

(E - \$2,907,000 – Sewer Improvement, 30 years)

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on May___, 2015 at _:___ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

* * * * *

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

BOND RESOLUTION, DATED MAY____, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$2,907,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION OR RECONSTRUCTION OF OR ADDITION TO A SEWER SYSTEM.

WHEREAS, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction or reconstruction of or addition to a sewer system, in and for the Village, and including the acquisition of any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$2,907,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$2,907,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction or reconstruction of or addition to a sewer system, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the “Project”).

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$2,907,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of

such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of thirty (30) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

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

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

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

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

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

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance

proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier

prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

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

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

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

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

1. A regular meeting of the Board of Trustees of the Village was duly held on May ____, 2015, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ____ day of May, 2015.

(SEAL)

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

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, has on the ____ day of May, 2015, duly adopted, pursuant to the Local Finance Law of New York, a bond resolution which:

(1) authorizes the Board of Trustees of the Village to finance the costs of the acquisition, construction or reconstruction of or addition to a sewer system, and including the acquisition of any equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto and authorizes the issuance of \$2,907,000 aggregate principal amount of serial bonds of the Village to finance such purposes, and

(2) states the estimated maximum total costs of such acquisition, construction and reconstruction to be not in excess of \$2,907,000, states that such costs will be financed, in whole or in part, with the issuance of obligations authorized in such bond resolution and sets forth the plan of financing of the costs of such purposes, and

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

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

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

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

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

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

Dated: _____, 2015

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

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

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

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

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

2. On the ___ day of _____, 2015, he posted a form of Public Notice relative to the bond resolution relating to the financing of the costs of the acquisition, construction or reconstruction of or addition to a sewer system, adopted by the Board of Trustees of the Village on May_____, 2015, a true copy of which is annexed hereto and made a part hereof, in the six (6) conspicuous places in the Village:

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

Sworn to before me this _____
day of _____, 2015

NOTARY PUBLIC

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

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

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

1. The Board of Trustees of the Village at a regular meeting thereof duly called and held on May____, 2015, adopted a bond resolution having the following title:

**BOND RESOLUTION, DATED MAY __, 2015, AUTHORIZING THE
ISSUANCE OF UP TO \$2,907,000 AGGREGATE PRINCIPAL AMOUNT
SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF
WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL
FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION,
CONSTRUCTION OR RECONSTRUCTION OF OR ADDITION TO A
SEWER SYSTEM.**

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

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Village, this ___ day of _____, 2015.

(SEAL)

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

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

ESTOPPEL NOTICE

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, on May____, 2015. The effectiveness of such bond resolution was subject to a permissive referendum and notice thereof was given as prescribed by law. The period of time prescribed by law has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: _____, 2015

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

Village of Port Chester
 Capital Plan for FY 2015-16
 Financing Schedule
 B.A.N. to be Converted to Serial Bond

	Amount	PPU	section
DPW Trailer	50,000	15	28
Laserfiche Avante System - V. Clerk	27,000	5	81
P/R Conversion/Time Clock System	75,000	5	81
Radio Upgrade Base & Repeater-Police Dept	26,000	10	25
Recording System - Police Dept	12,000	10	25
2016 Ford Explorer - Police Dept	47,000	5	29
Scottmask - Fire Dept	37,500	10	27
Scott Packs - Fire Dept	400,000	10	27
Fire Buildings Improvement	100,000	25	12(a)(1)
Paystation Improvement	100,000	5	50
2016 Ford F250 Pick-up - DPW	34,000	5	29
2016 Ford F350 Pick-up - DPW	50,000	5	29
Brine Maker BP 200 - DPW	38,000	15	28
Street Resurfacing FY 2015-16 (NYS C.H.I.P.S. Funding - \$150,000)	1,550,000	15	20(c)
Sidewalk 50/50 Program	500,000	15	20(c)
Dog Park - Parks	30,000	15	19(c)
Columbus Parking Lighting	250,000	10	20(f)
Total FY 2015-16 General Fund Capital Projects	<u>3,326,500</u>		

2015 CHIIP Projects (50% WC Funding, 50% VOPC):

Sidewalk Improvement FY 2015-16	150,000	15	20(c)	
Sidewalk Improvement FY 2012-14	150,000	15	20(c)	
Streetscape Improvements	187,500	15	20(c)	
Sewer Polution Elimination	150,000	30		4
Sewer & Storm Drain Improvements-streets	<u>150,000</u>	15	20(c)	
2015 CHIIPS	<u>787,500</u>			
Sewer Improvement (3rd Year)	<u>2,757,000</u>	30		4
Grand Total of all Debt	6,871,000			

Prepared 5/7/15

REPORT
FROM DIRECTOR PLANNING & DEVELOPMENT



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Planning and Development Department

Village BOT Meeting Date: 5/18/2015

Item Type: Presentation

Description	Yes	No	Description	Yes	No
Fiscal Impact		X	Public Hearing Required		X
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
			Public Safety		
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 Hazard Mitigation Program

Summary

The Village of Port Chester is part of Westchester County's Hazard Mitigation Plan, a multi-jurisdictional effort to identify and assess vulnerabilities to a variety of natural and man-made hazards as well as include strategies to help minimize losses if disasters should occur. In addition to its value as a tool to make Westchester County and its local municipalities more resilient to hazards, the development of this document is also required under the Disaster Mitigation Act of 2000 to ensure eligibility for federal mitigation funding.

Each participating Westchester community has attended meetings regarding the draft plan's initiatives and has reviewed and provided comments to the draft plan. The draft plan is available for review and comment here <http://www.westchesterhmp.com/index.php?lang=en>.

Currently the draft plan is under review by the New York State Office of Emergency Management (NYS OEM) and the Federal Emergency Management Agency (FEMA) for

approval. It is anticipated that local legislative support will be required by resolution early Fall 2015.

Proposed Action

Voluntary review and comment to:

https://www.surveymonkey.com/r/WCHMP_PublicReview

Attachments

- Draft Plan (Section9.39, Port Chester)

9.39 Village of Port Chester

This section presents the jurisdictional annex for the Village of Port Chester.

9.39.1 Hazard Mitigation Plan Point of Contact

The following individuals have been identified as the hazard mitigation plan’s primary and alternate points of contact.

Primary Point of Contact	Alternate Point of Contact
Chris Ameigh, Assistant to the Village Manager 222 Grace Church Street, Port Chester, NY 10573 914-939-5200 cameigh@portchesterny.com	Jesica Youngblood, Planner 222 Grace Church Street, Port Chester, NY 10573 914-939-5200 jyoungblood@portchesterny.com

9.39.2 Municipal Profile

This section provides a summary of the community.

Population

According to the U.S. Census, the 2010 population for the Village of Port Chester was 28,967, with a very high population density of 12,427 persons per square mile. The population increased from the 2000 census (27,867).

Location

The Village of Port Chester is situated in southeastern Westchester County. The Village is bordered by the Village of Rye Brook to the north, the City of Rye to the southwest, and the Town of Greenwich, Connecticut to the northeast.

The Village of Port Chester is located within the Town of Rye, providing Port Chester residents with access to the Town’s two parks, Crawford Park (located within Rye Brook) and Rye Town Park (in Rye City along Long Island Sound). The Town of Rye assesses and collects taxes on behalf of Port Chester and the Port Chester-Rye Brook Union Free school district.

Brief History

Port Chester’s history began in 1640 as part of the history of Rye when land was purchased from Native American inhabitants. The first colonists to move into the area were settlers from Greenwich, Connecticut. In 1660 they negotiated a treaty with a Mohican chief for all the land along Long Island Sound between the Mamaroneck and Byram Rivers. It is supposed that the town was named after Rye, in Sussex, England, the former home of some of the settlers. The Town started as a small settlement on Manursing Island then developed Poningo Neck, which now is the business section of the City of Rye; and then Saw Pit, which now is Port Chester. Saw Pit was named for the saw-mill and boat building shop near the mouth of the Byram River where the community evolved. With its good harbor and growing shipbuilding industry, the port became a natural outlet for farm produce from the surrounding countryside.

During the Revolutionary War, Saw Pit was an important military outpost. Both armies vied for possession of the port, and the village was nearly destroyed in the crossfire. When the clamor of the Revolution settled, the area was rebuilt and its shipping and shipbuilding industries prospered. Before long it had become an

important steamboat stop, the eastern "port of Westchester." The name Port Chester was adopted in 1837. On May 4, 1868, Port Chester was incorporated as a village with specified limits within the Town of Rye.

The decline in agriculture and shipping came during the latter half of the 19th century, with the establishment of major railroads. Gradually the community changed from a port and trading center to a manufacturing center. Many well-known corporations had headquarters or production centers in the village, including Life Savers, Empire Brush Works, Arnold Bread, Fruit of the Loom and Russell Burdsall Nut & Bolt Co. During the 1970s, most of the factories began to move south or west and Port Chester struggled with a declining economic base.

Since then, Port Chester has revitalized itself with a growing retail and service economy. Port Chester's downtown "Restaurant Row" is renowned throughout the region, offering cuisine from around the world in dozens of top-rated establishments. "The Waterfront at Port Chester" retail center has brought a multiplex movie theater to the Byram River shore, Costco Shoppers Warehouse, Bed, Bath & Beyond, Super Stop & Shop, Marshall's and several other stores. Its commercial center serves Port Chester residents as well as residents of the Rye area and the west side of Greenwich, Connecticut.

Governing Body Format

Port Chester operates under the Mayor-Council form of municipal government. The Village board is comprised of the Mayor and six trustees who represent the governing and legislative body of the town. The Village Manager is appointed by the Village Board of Trustees. The Village Manager is the Chief Administrative Officer of Village government operations and is responsible to the Mayor and Board of Trustees for the administration of all Village affairs placed in the Manager's charge. The Village Manager exercises the administrative powers of the Village, including the appointment and dismissal of all the Village employees, except the Corporation Counsel and Village Clerk/Treasurer.

Growth/Development Trends

Port Chester is 2.4 square mile and largely built out. As described in the Village's adopted Comprehensive Plan and Strategic Plan, desirable (re)development locations surround the downtown-Port Chester train station area, Fox Island, the former United Hospital site, and other commercial corridors. Additionally, Port Chester has seen multi-family development within the downtown/train station area focused primarily on studios and one-bedrooms to help reduce additional impacts to infrastructure, the school district and transportation. The Village is currently undertaking a feasibility study for a new municipal center to house Village Staff, police, the court and ground-floor retail.

The following table summarizes recent residential/commercial development since 2005 and any known or anticipated major development that has been identified in the next five years within the municipality. Refer to the map in Section 9.39.8 of this annex which illustrates the hazard areas along with the location of new development.

Table 9.39-1. Growth and Development

Property or Development Name	Type (e.g. Res., Comm.)	Number of Units / Structures	Location (address and/or Parcel IDs)	Known Hazard Zones*	Description / Status
Recent Development					
None Reported					
Known or Anticipated Development					

Table 9.39-1. Growth and Development

Property or Development Name	Type (e.g. Res., Comm.)	Number of Units / Structures	Location (address and/or Parcel IDs)	Known Hazard Zones*	Description / Status
Former Hospital	Mixed Use	730	999 High St and 406 Boston Post Road	Steep slopes	Planning phase
Fox Island	Mixed Use	NA	Fox Island	Coastal A; LWRP Boundary; may become isolated during coastal flood events	Wharf-type development, mixed uses
Municipal Center	Municipal	NA	Downtown/Central Business District	None	Planning, feasibility
Existing Village Hall	Municipal	NA	222 Grace Church Street	None	Could be converted to a use compatible with the Senior Center
Retail "D"	Mixed Use – Residential and commercial	60+	Westchester Ave, Abendroth Ave, and North Main St	Flood zone; LWRP Boundary	Conceptual/ planning
Showboat	Restaurant	NA	Marina Parking Lot (end of Willett Avenue)	Flood zone; LWRP Boundary	Planning/design
The Castle	Mixed Use	100+	Willett Ave and Abendroth Place	None	Under construction
120 N Pearl Street	Residential	50	120 N Pearl Street	None	Planning
Willett Ave – MTA Bridge Replacement	Bridge	NA	Willett Ave	Flood zone	Planning
Sewer replacements	Sewers	NA	Various	Several flood zones	Under construction

* Only location-specific hazard zones or vulnerabilities identified.

Several of the potential areas of development are located in flood zones or in areas that can be isolated during floods. Development and redevelopment in flood zones will be inevitable in Port Chester, as the village is located along the Byram River estuary and Long Island Sound. The Village will vigorously enforce its flood damage prevention codes when approving new projects.

9.39.3 Natural Hazard Event History Specific to the Municipality

Westchester County has a history of natural and non-natural hazard events as detailed in Volume I, Section 5.0 of this plan. A summary of historical events is provided in each of the hazard profiles and includes a chronology of events that have affected the County and its municipalities. For the purpose of this plan update, events that have occurred in the County from 2005 to present were summarized to indicate the range and impact of hazard events in the community. Information regarding specific damages is included, if available, based on reference material or local sources. This information is presented in the table below. For details of these and additional events, refer to Volume I, Section 5.0 of this plan.

Table 9.39-2. Hazard Event History

Dates of Event	Event Type	FEMA Declaration # (If Applicable)	County Designated?	Summary of Damages/Losses
February 8-9, 2013	Severe Winter Storm and Snowstorm	DR-4111	No	No specific damages; heavy snow loads and snow management required.

Table 9.39-2. Hazard Event History

Dates of Event	Event Type	FEMA Declaration # (If Applicable)	County Designated?	Summary of Damages/Losses
October 27- November 8, 2012	Hurricane Sandy	DR-4085	Yes	Significant utility outages Village-wide; road closures along Main Street, Abendroth Avenue, King Street, Putnam Drive due to flooding; other streets for downed powerlines/trees. Bulkheads damaged along the Byram River. Village pump station (N Main St) damaged by lightning strike; Brooksville fire station (upper Willett Ave) damage to roof; wind damage to South End fire station on Grace Church St. In general, Village-wide small damage events due to wind, rain, downed trees and power lines. Significant flooding to buildings on Main Street. Evacuations were voluntary; shelters temporarily provided during event. Police and fire overtime, cost for clean-up and debris removal all covered by P.A. program.
August 26 - September 5, 2011	Hurricane Irene	DR-4020	Yes	Significant utility outages Village-wide; road closures along Main Street, Abendroth Avenue, King Street, Putnam Drive due to flooding; other streets for downed powerlines/trees. In general, Village-wide small damage events due to wind, rain, downed trees and power lines. Significant flooding to buildings on Main Street. Police and fire overtime, cost for clean-up and debris removal all covered by P.A. program.

Notes:

- EM Emergency Declaration (FEMA)
- FEMA Federal Emergency Management Agency
- DR Major Disaster Declaration (FEMA)
- IA Individual Assistance
- N/A Not applicable
- PA Public Assistance

9.39.4 Hazard Vulnerabilities and Ranking

The hazard profiles in Section 5.0 of this plan have detailed information regarding each plan participant’s vulnerability to the identified hazards. The following summarizes the hazard vulnerabilities and their ranking in the Village of Port Chester. For additional vulnerability information relevant to this jurisdiction, refer to Section 5.0.

Hazard Risk/Vulnerability Risk Ranking

The table below summarizes the hazard risk/vulnerability rankings of potential hazards for the Village of Port Chester.

Table 9.39-3. Hazard Risk/Vulnerability Risk Ranking

Hazard type	Estimate of Potential Dollar Losses to Structures Vulnerable to the Hazard ^{a, c}	Probability of Occurrence	Risk Ranking Score (Probability x Impact)	Hazard Ranking ^b
Earthquake	100-Year GBS: \$0 500-Year GBS: \$2,504,187 2,500-Year GBS: \$59,464,800	Occasional	24	Medium



Table 9.39-3. Hazard Risk/Vulnerability Risk Ranking

Hazard type	Estimate of Potential Dollar Losses to Structures Vulnerable to the Hazard ^{a, c}	Probability of Occurrence	Risk Ranking Score (Probability x Impact)	Hazard Ranking ^b
Extreme Temperature	Damage estimate not available	Frequent	21	Medium
Flood	1% Annual Chance: \$42,699,882	Frequent	36	High
Severe Storm	100-Year MRP: \$5,531,906 500-year MRP: \$29,013,374 Annualized: \$289,939	Frequent	48	High
Winter Storm	1% GBS: \$16,783,045 5% GBS: \$83,915,224	Frequent	51	High
Wildfire	Estimated Value in the WUI: \$2,252,112,154	Frequent	48	High
CBRN Incident	Damage estimate not available	Frequent	45	High
Cyber Attack	Damage estimate not available	Frequent	36	High

- a. Building damage ratio estimates based on FEMA 386-2 (August 2001)
 - b. The valuation of general building stock and loss estimates was based on the custom inventory developed for Westchester County and probabilistic modeling results and exposure analysis as discussed in Section 5.
 - c. The earthquake and hurricane wind hazards were evaluated by Census tract. The Census tracts do not exactly align with municipal boundaries; therefore, a total is reported for each Town inclusive of the Villages.
 - d. Frequent = Hazard event that is likely to occur within 25 years;
Occasional = Hazard event that is likely to occur within 100 years; and
Rare = Hazard event that is not likely to occur within 100 years
 - e. The estimated potential losses for Severe Storm are from the HAZUS-MH probabilistic hurricane wind model results. See footnote c.
- GBS = General building stock
MRP = Mean return period
RCV = Replacement cost value

National Flood Insurance Program (NFIP) Summary

The following table summarizes the NFIP statistics for Port Chester.

Table 9.39-4. NFIP Summary

Municipality	# Policies (1)	# Claims (Losses) (1)	Total Loss Payments (2)	# Rep. Loss Prop. (1)	# Severe Rep. Loss Prop. (1)	# Policies in 1% Flood Boundary (3)
Port Chester (V)	114	119	1107265.66	5	5	38

- Source: FEMA Region 2, 2014
- (1): Policies, claims, repetitive loss and severe repetitive loss statistics provided by FEMA Region 2, and are current as of March 31, 2014. Please note the total number of repetitive loss properties excludes the severe repetitive loss properties. The number of claims represents the number of claims closed by March 31, 2014.
 - (2): Information regarding total building and content losses was gathered from the claims file provided by FEMA Region 2.
 - (3): The policies inside and outside of the flood zones is based on the latitude and longitude provided by FEMA Region 2 in the policy file. FEMA noted that where there is more than one entry for a property, there may be more than one policy in force or more than one GIS possibility.

Critical Facilities

The table below presents HAZUS-MH estimates of the damage and loss of use to critical facilities in the community as a result of a 1- and 0.2-percent annual chance flood events.

Table 9.39-5. Potential Flood Losses to Critical Facilities **Tetra Tech to complete this table.**

Name	Type	Exposure	Potential Loss from 1% Flood Event	Potential Loss from 0.2% Flood Event
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		1% Event	0.2% Event	Percent Structure Damage	Percent Content Damage	Days to 100-Percent ⁽²⁾	Percent Structure Damage	Percent Content Damage	Days to 100-Percent ⁽²⁾
Village Hall	EOC								
Fire HQ	Fire								
Fire House	Fire								
Fire House	Fire								
Fire House	Fire								
Police Dept.	Police								
Port Chester High School	Regional Shelter for Rye Brook and Port Chester								
Senior Center	Potential Shelter								
Public Works	Public Works								
County WWTP	Sewer								
Senior housing at 50 South Main	Senior								
Senior housing at 999 High St	Senior								

Source: HAZUS-MH 2.1

Note: x = Facility located within the 0.2-percent annual chance flood boundary.

Please note it is assumed that wells have electrical equipment and openings are three-feet above grade.

(1) HAZUS-MH 2.1 provides a general indication of the maximum restoration time for 100% operations. Clearly, a great deal of effort is needed to quickly restore essential facilities to full functionality; therefore this will be an indication of the maximum downtime (HAZUS-MH 2.1 User Manual).

(2) In some cases, a facility may be located in the DFIRM flood hazard boundary; however HAZUS did not calculate potential loss. This may be because the depth of flooding does not amount to any damages to the structure according to the depth damage function used in HAZUS for that facility type.

Other Vulnerabilities Identified by Municipality

The Village of Port Chester is vulnerable to a variety of hazards. Village staff believes that the effects of coastal storms, coastal erosion, and floods present the highest risk in the village. Dam failure, extreme heat and cold, hailstorms, hurricanes/tropical storms/nor'easters, lightning, severe storms, and severe winter storms present a medium risk to the community. Other hazards such as wildfire, earthquake, and tornado reportedly present low or negligible risks to the community. The following specific information about vulnerabilities was identified by the municipality, including some with medium risk and some with low risk:

All Hazards

The Village would like to obtain generators for all critical facilities. First and foremost, a generator is desired for the Village Hall because it serves as the Emergency Operations Center (EOC).

Wind Events

The Village has discussed with ConEd the possibility of placing power lines underground. The village does not prefer that power lines are overhead. A business was temporarily shut down recently because a vehicle crashed into a pole. Although this was not a natural hazard event, minimizing these kinds of losses is desired. If the new Municipal Center is developed, the Village would bury power lines.

Wind damage has occurred at the Brooksville Fire House on Willett Avenue. This indicates that critical facilities in Port Chester may be vulnerable to future wind events associated with hurricanes, downbursts, tornadoes, nor'easters, etc.



Flooding

Flooding in Port Chester is generally divided into the uptown and downtown areas, with the uptown flooding related to drainage toward an unnamed stream known informally as Bulkley Brook and the downtown flooding closely related to drainage that discharges to tidal waters. In both areas, much of the flooding is caused by, or made worse from, poor or impeded drainage. Consider the following:

- The downtown area experiences drainage-related flooding when tides are high or storm surges are occurring, as well as during heavy rainfall.
- Much of the Byram River frontage is protected with bulkheads, and the bulkheads downstream from the “Gut” (a bend in the Byram River estuary) are failing. The Village has received a NYSDOS grant for design of bulkhead repairs. Bulkley Brook flows into the Gut through a culvert.
- Coastal flooding may impact homes on Harbor Drive.
- Frequent minor flooding occurs uptown in the Bulkley Brook watershed and storm sewershed. Areas of nuisance flooding include Betsy Brown Road, Glendale Place, and Barrett Lane. These areas are served by 1920s-vintage storm drainage systems and experience widespread ponding during storms. A study is needed to evaluate solutions for the flooding. Although properties are not suffering direct flood damage, sewage backups are occurring.

Detailed descriptions of areas with flood risk were provided to the County by the Village. These are listed below by watershed:

Bulkley Brook (tributary of Byram River extending from Rye Brook village line to the Gut)

Standing water to a depth of approximately one foot occurs in a low spot around a drain inlet in the back yard of a single-family residence at Upland Street and King Street. The standing water occurs during a two-year or greater storm event, about three or four times during the past decade. The cause may be a clogged or collapsed Village-owned pipe draining the inlet.

Betsy Brown Road is inundated to a depth of approximately six to eight inches due to undersized drainage structures or damaged pipes. The inundation begins after approximately two to three inches of rain and impacts approximately five single-family residences. The inundation lasts approximately one hour. This flooding may be closely related to shallow flooding that occurs in adjacent neighborhoods to the north in Rye Brook that drain toward the East Branch of Blind Brook.

During periods of heavy rain, stormwater runoff cannot be accommodated by the drainage structures along Barrett Lane. As a result, runoff overtops lip of private driveway, flows down driveway and gets into basement of a single-family residence. This area is near the drainage divide between Bulkley Brook and the Byram River.

Drains that are tributary to a large culvert back up and cause street flooding on Glendale Place when the culvert is filled and cannot evacuate. According to the Village, catch basins might be undersized and a trash grate at the outlet of the culvert has the ability to restrict flow. This conditions tends to cause the culvert to run full which prevents runoff from the previously mentioned catch basin from entering the culvert. Four single-family residences were impacted by some basement flooding during Hurricane Irene in 2011. About four to five inches of standing water are created that last up to two hours after rains stop during storms producing more than two to three inches of rainfall.

Byram River

The intersections of the New Haven Line railroad tracks/bridge, Willett Avenue and Marvin Place is a low point in the topography. A large tributary area accounting for up to three-quarters of the village's storm drain system combines at this location. Stormwater collects at this low point where subsurface drainage pipes are tidally-influenced. Therefore, ponding occurs at intersection of Willett Avenue and Marvin Place. The depth of inundation is approximately two to three inches and lasts for about an hour after storm events. The area is within a 500-year flood zone.

Road flooding and basement flooding impacts 10 to 12 commercial properties on Lower King Street. Flooding occurs when a large culvert is inundated with stormwater runoff and a rising tide in the Byram River combine to overwhelm the drainage infrastructure. High groundwater also contributes to basement flooding. Surface inundation reaches two to three feet in depth. The flooding recedes when the tide recedes and flooding has occurred multiple times over the past decade. The area is within 100-year and 500-year flood zones.

Road flooding and basement flooding impacts 10 to 12 commercial properties and sanitary sewer pipe(s) in the downtown area of Port Chester at North Main Street and along Westchester Avenue. Flooding occurs when stormwater backs up in drainage pipes and then surcharges from catch basins and manholes, inundating the area with stormwater. The problem is largely created by a rising tide in the Byram River, which combines with stormwater runoff to overwhelm the drainage infrastructure. Surface inundation reaches two to three feet in depth. The flooding recedes when the tide recedes and flooding has occurred multiple times over the past decade. The area is within 100-year and 500-year flood zones.

With its close proximity to the Byram River, the Abendroth Avenue area is constantly in danger of flooding due to storm surges and the high tides that occur during storm events. Storm drainage systems surcharge and then streets become inundated. The area is within the 100-year flood zone.

Tributary of Byram River

During periods of extraordinary heavy rain, a small stream in the vicinity of Brook Road and a nearby stormwater management basin overflow onto the road, flooding driveways and garages. The flooding has occurred once or twice over the past decade during storms dropping approximately six to eight inches of rain. The local drainage infrastructure cannot accommodate this degree of precipitation. The depth of inundation is approximately two feet to 2.5 feet but the inundation lasts less than five hours after the rain stops or significantly slackens.

Blind Brook Watershed

Existing drainage is inadequate to convey significant storm events resulting in inundation to a depth of approximately twelve inches at the intersection of Wesley Avenue and Irving Avenue.

9.39.5 Capability Assessment

This section identifies the following capabilities of the local jurisdiction:

- Planning and regulatory capability
- Administrative and technical capability
- Fiscal capability
- Community classification
- National Flood Insurance Program
- Integration of Mitigation Planning into Existing and Future Planning Mechanisms

The Village of Port Chester experiences political leadership that is “more than moderately willing” to enact policies and programs related to hazard mitigation that reduce hazard vulnerabilities. Village staff believe that the Village’s capabilities to effectively implement hazard mitigation strategies to reduce hazard vulnerabilities is “moderate” for planning and regulatory capability, fiscal capability, administrative and technical capability, and community political capability. Village staff believe that the local capability with regards to community resiliency capability is “limited.”

Planning and Regulatory Capability

The table below summarizes the regulatory tools that are available to the Village of Port Chester.

Table 9.39-6. Planning and Regulatory Tools

Tool / Program (code, ordinance, plan)	Do you have this? (Y/N)	Authority (local, county, state, federal)	Dept. /Agency Responsible	Code Citation and Comments (Code Chapter, date of adoption, name of plan, explanation of authority, etc.)
Building Code	Y	Local, State	Building Department	Chapter 151 and 153
Zoning Ordinance	Y	Local	Building Department, Planning Dept.	Chapter 345
Subdivision Ordinance	Y	Local	Building Department, Planning Dept.	Chapter 402
NFIP Flood Damage Protection Ordinance	Y	Federal, State, Local	Building Department	Chapter 181
NFIP - Freeboard	Y	Federal, State, Local	Building Department	State mandated BFE+2 for single and two-family residential construction, BFE+2 for all other construction types
NFIP - Cumulative Substantial Damages	N	Federal, Local	Building Department	Standard 50%
Special Purpose Ordinances (e.g. wetlands, critical or sensitive areas)	Y	Local	Planning Board, Public Works	Chapter 281 Stormwater Management, Chapter 304 Trees, Chapter 312 Underground Utilities
Growth Management	Y	Local	Village Manager, Planning Dept.	2014-2016 Strategic Plan; Comprehensive Plan (2012); Chapter 345 Zoning of Village Code
Floodplain Management / Basin Plan	Y	Local	Building Department	Chapter 181
Stormwater Management Plan/Ordinance	Y	Local	Public Works	Chapter 169 Sewer Ordinance; Chapter 281 Stormwater Management; Chapter 199 Illicit

Table 9.39-6. Planning and Regulatory Tools

Tool / Program (code, ordinance, plan)	Do you have this? (Y/N)	Authority (local, county, state, federal)	Dept. /Agency Responsible	Code Citation and Comments (Code Chapter, date of adoption, name of plan, explanation of authority, etc.)
				Discharge Ordinance
Comprehensive Plan / Master Plan	Y	Local	Planning Board and Town Board	
Capital Improvements Plan	Y	Local	Public Works, Engineering and Town Board	
Site Plan Review Requirements	Y	Local	Zoning Board and Building Departments	Chapter 345 Zoning
Habitat Conservation Plan	N	N/A	N/A	N/A
Economic Development Plan	Y	Local	Board of Trustees	Not part of Village Code; 2-year strategic plan adopted by Board of Trustees (most recently in April 2014)
Emergency Response Plan	N	N/A	N/A	N/A
Post Disaster Recovery Plan	N	N/A	N/A	N/A
Post Disaster Recovery Ordinance	N	N/A	N/A	N/A
Real Estate Disclosure req.	Y	State		NYS mandate
Other (e.g. steep slope ordinance, local waterfront revitalization plan)	Y (LWRP)	Local	Planning, Building, Waterfront Commission	LWRP has been adopted; Also Chapter 332 Waterfront Consistency Review; Chapter 148 Boating and Waterfront Law
Coastal Erosion Control Districts	N	N/A	N/A	N/A
Shoreline Management Plan	N	N/A	N/A	N/A
Sediment Control	N	N/A	N/A	N/A
Mutual Aid Plan	Y	County	Police	Mutual Aid Plan in place for entire County

(1) NYS Subdivision laws provide a general framework, but allow room for local ordinances and interpretation.

Administrative and Technical Capability

The table below summarizes potential staff and personnel resources available to the Village of Port Chester.

Table 9.39-7. Administrative and Technical Capabilities

Staff/ Personnel Resources	Available (Y or N)	Department/ Agency/Position
Planner(s) or Engineer(s) with knowledge of land development and land management practices	Y	Planning Department and Village Engineer (contractual)
Engineer(s) or Professional(s) trained in construction practices related to buildings and/or infrastructure	Y	Building Department and Village Engineer (contractual)
Planners or engineers with an understanding of natural hazards	Y	Planning Department
NFIP Floodplain Administrator	Y	Building Inspector
Surveyor(s)	N	

Staff/ Personnel Resources	Available (Y or N)	Department/ Agency/Position
Personnel skilled or trained in “GIS” applications	Y	Planning Department
Scientist familiar with natural hazards in the County.	N	
Emergency Manager	Y	Village Administrator
Grant Writer(s)	Y	Village Administrator
Staff with expertise or training in benefit/cost analysis	Y	Village Administrator
Professionals trained in conducting damage assessments	Y	Building Inspector

Fiscal Capability

The table below summarizes financial resources available to the Village of Port Chester.

Table 9.39-8. Fiscal Capabilities

Financial Resources	Accessible or Eligible to Use (Yes/No/Don't Know)
Community Development Block Grants (CDBG)	No. HUD is preventing funding to County administrators.
Capital Improvements Project Funding	Yes
Authority to Levy Taxes for specific purposes	Yes
User fees for water, sewer, gas or electric service	Yes
Impact Fees for homebuyers or developers of new development/homes	No
Incur debt through general obligation bonds	Yes
Incur debt through special tax bonds	No
Incur debt through private activity bonds	Yes
Withhold public expenditures in hazard-prone areas	No
Mitigation grant programs	Yes
Other	N/A

Community Classifications

The table below summarizes classifications for community program available to the Village of Port Chester.

Table 9.39-9. Community Classifications

Program	Classification	Date Classified
Community Rating System (CRS)	NP	N/A
Building Code Effectiveness Grading Schedule (BCEGS)		
Public Protection		
Storm Ready	NP ⁱ	N/A
Firewise	NP ⁱⁱ	N/A

N/A = Not applicable. NP = Not participating. - = Unavailable. TBD = To be determined.

The classifications listed above relate to the community’s ability to provide effective services to lessen its vulnerability to the hazards identified. These classifications can be viewed as a gauge of the community’s capabilities in all phases of emergency management (preparedness, response, recovery and mitigation) and are used as an underwriting parameter for determining the costs of various forms of insurance. The CRS class applies to flood insurance while the BCEGS and Public Protection classifications apply to standard property insurance. CRS classifications range on a scale of 1 to 10 with class 1 being the best possible classification,

and class 10 representing no classification benefit. Firewise classifications include a higher classification when the subject property is located beyond 1000 feet of a creditable fire hydrant and is within 5 road miles of a recognized Fire Station.

Criteria for classification credits are outlined in the following documents:

- The Community Rating System Coordinators Manual
- The Building Code Effectiveness Grading Schedule
- The ISO Mitigation online ISO's Public Protection website at <http://www.isomitigation.com/ppc/0000/ppc0001.html>
- The National Weather Service Storm Ready website at <http://www.weather.gov/stormready/howto.htm>
- The National Firewise Communities website at <http://firewise.org/>

National Flood Insurance Program

The following section provides details on the National Flood Insurance Program (NFIP) as implemented within the municipality:

NFIP Floodplain Administrator:

The Port Chester Floodplain Administrator is the Building Inspector and the Port Chester EMD is the Village Manager.

Flood Vulnerability Summary

The Village of Port Chester maintains lists/inventories of properties and streets that have been damaged by floods; some of these were described above. Currently, there are no residents interested in mitigation (elevation or acquisition) in the Village; however, the Village does welcome comprehensive flood-prevention measures.

Resources

The Floodplain Administrator is the sole person assuming responsibilities of floodplain administration and he feels that he is adequately supported and trained to fulfill his responsibilities. The Floodplain Administrator is supported by the staff of the Planning Department and the Village's contracted Village Engineer. Most administration services include permit review, inspections, recordkeeping, education, and outreach. The Floodplain Administrator regularly attends continuing education and/or certification training on floodplain management through various building code enforcement educational opportunities. The Planning Department and Building Department provide nominal education and outreach to the community regarding flood hazards/risk, and flood risk reduction through NFIP insurance, mitigation, etc.

Compliance History

The Village of Port Chester is believed to be in good standing with the NFIP.

Regulatory

The Village maintains local ordinances, plans and programs that support floodplain management and meet the NFIP requirements. The Village's floodplain management regulations/ordinances exceed the FEMA minimum requirements and are consistent with the State minimum requirements, except that cumulative improvements and damages are not counted for substantial damage/substantial improvement determinations. The Village may update this part of the code in the future to be more stringent than the NFIP.

Integration of Hazard Mitigation into Existing and Future Planning Mechanisms

For a community to succeed in reducing long-term risk, hazard mitigation must be integrated into the day-to-day local government operations. As part of this planning effort, each community was surveyed to obtain a better understanding of their community's progress in plan integration. A summary is provided below. In addition, the community identified specific integration activities that will be incorporated into municipal procedures.

Planning

Local Waterfront Revitalization Plan, 1992

The Village adopted its Local Waterfront Revitalization Program in 1992 and anticipate an updated plan in 2015 to include some flood-related policies and recognizes the impacts of climate change such as sea level rise. The Village is currently undertaking an update to the LWRP, and the draft states, "Because the vast majority of Port Chester's waterfront is already protected with a hardened structure, and few natural areas remain along the water, it is likely that these structures will continue to be strengthened as sea levels rise."

Policy 4 of the draft updated LWRP is "Minimize loss of life, structures and natural resources from flooding and erosion." The following goals were established for this policy:

1. Minimize losses of human life and structures from flooding and erosion hazards.
2. Preserve and restore natural protective features.
3. Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.
4. Manage navigation infrastructure to limit adverse impacts on coastal processes.
5. Ensure that expenditure of public funds for flooding and erosion control projects results in a public benefit.
6. Consider sea level rise when siting and designing projects involving substantial public expenditures.

LWRP Policy 4/Goal numbers 1, 2, 3, 5, and 6 are hereby incorporated into Port Chester's annex to the County Hazard Mitigation Plan, and the LWRP is therefore considered consistent with this Hazard Mitigation Plan annex. Sea level rise is considered in several of the hazard mitigation initiatives listed below.

Comprehensive Plan, 2012

The Village Board of Trustees adopted its first ever Chester Comprehensive Plan in December of 2012. Recommendations of the Comprehensive Plan related to hazard mitigation include the following three broad recommendations with several individual recommendations for each (underlined for emphasis):

- Provide for an efficient and effective stormwater collection system that adequately services the entire Village:
 - Upgrade or replace, as necessary, the aging stormwater infrastructure.
 - Update stormwater management policies, as well as parking and impervious surface requirements to agree with MS4 regulations to ensure adequate runoff control and flood prevention.
 - Consider incorporating Best Management Practices (BMPs) for stormwater flow into the Village's rivers and combined sewers, reducing outfall, flow and capacity issues.
 - Consider innovative ways to manage stormwater runoff such as rain gardens, green roofs and additional green space throughout the Village. Implement such practices, as feasible.
- Promote environmental sustainability and the stewardship of natural resources:
 - Protect environmentally significant and sensitive areas, such as the Byram River.

- Adopt design standards for tree planting and tree protection for use in both public and private street tree planting efforts. Work with volunteers to prepare a 10-year tree management plan that addresses tree planting, tree health, and maintenance of trees.
- Carry out policies set forth in the Village’s updated LWRP.
- Promote and implement environmentally sustainable design and development:
 - Improve the quality of development with respect to site planning, runoff, erosion control and stream stabilization, use of environmentally safe materials, energy efficiency, water conservation, use of green roofs and other measures.
 - Establish an improved process of local development review to strengthen environmental standards for development proposals.
 - Incorporate green design practices into new developments and retrofit projects.
 - Review and update current policies and regulations for environmental review of development projects.
 - Identify environmentally compromised or potentially compromised land and establish strategies to mitigate impacts.

Given the above discussion, elements of hazard mitigation are considered integrated in the Comprehensive Plan.

Upon adoption, this hazard mitigation plan will be made available by the Office of the Village Clerk to all applicable Village departments as a planning tool to be used in conjunction with existing documents and regulations. It is expected that revisions to other Village plans and regulations such as the Comprehensive Plan, department annual budgets, and the Village code may reference this plan and its updates. The Village Manager will be responsible for ensuring that the actions identified in this hazard mitigation plan are incorporated into ongoing Village planning activities, and that the information and requirements of this hazard mitigation plan are incorporated into existing planning documents within five years from the date of adoption or when other plans are updated, whichever is sooner. Refer to Table 9.39.10 for a cross-reference of which plans and regulations may be most important for updating relative to this hazard mitigation plan.

Table 9.39-10. Plans and Regulations to be potentially updated

Regulation or Plan	Status Relative to Hazard Mitigation Plan	Responsible Party
Comprehensive Plan	Adopted December 2012.	Planning Board

The Village Administrator will be responsible for assigning appropriate Village officials to update portions of the Comprehensive Plan, Emergency Management Plan, Local Waterfront Revitalization Program and the Village Code to include the provisions from this Plan if it is determined that such updates are appropriate. However, should a general revision be too cumbersome or cost prohibitive, simple addendums to these documents may be added that include the provisions of this hazard mitigation plan.

Operational and Administration

Emergency Communications

The Village uses the Nixle system for emergency notifications.

Wind Events, Tree Management, and Power Outages

The Village does not have a tree warden, but the Public Works Department handles tree trimming and maintenance. The Village conducted a tree study recently and is considered a “Tree City.” Improved tree maintenance capabilities are desired to help reduce loss of power during storms.

Winter Storms

Snow removal is handled by 17 trucks. A new salt/brine is used for deicing as of 2014. Over the winter of 2013-2014, the village ran low just like many other communities, and sand was used. The salt shed roof was recently replaced, cutting down on the loss of salt from rainfall and runoff. The village also ran out of places to put snow over this past winter of 2013-2014, and one roof was lost to collapse at a private residence.

Flooding and Coastal Erosion

Drainage considerations are addressed prior to construction as part of the site plan review process. The Public Works Department conducts maintenance of drainage systems and clears bridges and culverts of debris to ensure proper conveyance of stormwater as needed. Drainage and flooding complaints are typically routed to the department.

The Village Engineer inspects for, and does not allow, illicit discharges.

Although 35% of the sanitary sewer system has been replaced, storm sewers in Port Chester have not been studied or replaced. The Villages wishes to conduct studies in the future to help determine appropriate repairs and modifications to drainage systems.

The Village of Port Chester is extremely concerned with the failing bulkhead lining the west side of the Byram River estuary, as damage occurred during Hurricanes Irene and Sandy. The Village is planning for a bulkhead replacement and revetment to include ecological restoration improvements. Addressing the bulkhead replacement will reportedly (a) provide flood control, (b) provide public access to the existing Village Promenade, and (c) restore the natural habitat by way of ecological design and construction features (i.e. provide on-site stormwater management techniques such as rain barrels and green infrastructure). Grant funding was awarded in fiscal year 2013 by the Department of State Local Revitalization Program for design documents and permits to replace the bulkhead. Grant funding has been sought for construction financing of the bulkhead and a revetment for fiscal year 2014-2015.

In the last few years, the Village hardened a pumping station to guard against future coastal storm events.

Wildfires

The village is completely served by a public water system and wildfires are not a concern in this urban community.

Regulatory and Enforcement

As noted above, drainage considerations are addressed prior to construction as part of the site plan review process. The Village Engineer inspects for, and does not allow, illicit discharges.

Fiscal

As noted above, grant funding was awarded in fiscal year 2013 for design documents and permits to replace the Byram River bulkhead. Grant funding has been sought for construction of the bulkhead and a revetment.

Education and Outreach

INSERT ADDITIONAL INFO IF AVAILABLE

9.39.6 Mitigation Strategy and Prioritization

This section discusses past mitigations actions and status, describes proposed hazard mitigation initiatives, and prioritization.

Past Mitigation Initiative Status

The Village of Port Chester has no prior mitigation strategy.

Completed Mitigation Initiatives not Identified in the Previous Mitigation Strategy

The Village of Port Chester has identified the following as mitigation projects/activities that have been completed, are planned, or on-going within the municipality:

- As noted above, the Village hardened a pumping station to guard against future coastal storm events.
- Bulkhead repairs are planned also the Byram River, and design has been funded.

Proposed Hazard Mitigation Initiatives for the Plan Update

The Village of Port Chester has identified mitigation initiatives that it would like to pursue in the future. These initiatives are dependent upon available funding (grants and local match availability) and may be modified or omitted at any time based on the occurrence of new hazard events and changes in municipal priorities. Table 9.39-10 identifies the municipality's updated local mitigation strategy.

As discussed in Section 6, 14 evaluation/prioritization criteria are used to complete the prioritization of mitigation initiatives. For each new mitigation action, a numeric rank is assigned (-1, 0, or 1) for each of the 14 evaluation criteria to assist with prioritizing actions as 'High', 'Medium', or 'Low.' Table 9.39-11 below summarizes the evaluation of each mitigation initiative, listed by Action Number.

Table 9.39-10. Proposed Hazard Mitigation Initiatives

Initiative	Mitigation Initiative	Applies to New and/or Existing Structures*	Hazard(s) Mitigated	Goals Met	Lead and Support Agencies	Estimated Benefits	Estimated Cost	Sources of Funding	Timeline	Priority	Mitigation Category	CRS Category
New Initiatives												
PC-1	Replace overhead power line with buried power lines when opportunities arise.	Existing	All	2	Admin.	High	High	Municipal, ConED, HMA	DOF	Low	SIP	PR
PC-2	Repair Byram River bulkheads that require attention as outlined in this annex.	Existing	Flooding and Erosion	2	Admin.	High	High	Municipal, NYSDOS	Short	High	SIP	SP
PC-3	Upgrade Byram River bulkheads as needed to keep up with rising sea level.	Existing	Flooding and Erosion	2	Admin.	High	High	Municipal, NYSDOS	Long	Medium	SIP	SP
PC-4	Evaluate existing storm drainage systems to determine how they can be modified to reduce flooding while accounting for sea level rise.	Existing	Flooding	2	Public Works, Planning	High	High	Municipal	Short	High	SIP	SP
PC-5	Conduct a flood mitigation study of the uptown area (Betsy Brown Road, Glendale Place, etc.) with the goal of reducing drainage-related flooding in the Bulkley Brook watershed.	Existing	Flooding	1, 2	Public Works, Planning	High	High	Municipal, NYSDOS	Short	High	SIP	SP
PC-6	Conduct a flood mitigation study of the downtown area with the goal of reducing drainage-related flooding. Include consideration of sea level rise as it relates to reduced drainage capabilities and surcharging of storm sewers.	Existing	Flooding	1, 2	Public Works, Planning	High	High	Municipal, NYSDOS	Short	High	SIP	SP

Table 9.39-10. Proposed Hazard Mitigation Initiatives

Initiative	Mitigation Initiative	Applies to New and/or Existing Structures*	Hazard(s) Mitigated	Goals Met	Lead and Support Agencies	Estimated Benefits	Estimated Cost	Sources of Funding	Timeline	Priority	Mitigation Category	CRS Category
PC-7	Obtain a generator for the Village Hall/EOC	Existing	All	1, 5	Admin.	High	High	Municipal, HMA	Short	High	SIP	ES
PC-8	Obtain generators for other critical facilities	Existing	All	1, 5	Admin.	High	High	Municipal, HMA	DOF	Medium	SIP	ES
PC-9	Relocate the Public Works facility to reduce the potential for lost access due to coastal flooding	Existing	Flooding	1, 2, 4, 5	Admin., Public Works	High	High	Municipal, NYSDOS	DOF	High	SIP	PR, ES
PC-10	Ensure that future development on Fox Island is compatible with the potential for isolation during coastal floods.	New	Flooding	2	Planning	High	Medium	Municipal, NYSDOS	Long	Medium	LPR	PR
PC-11	Consider adding cumulative substantial damage/substantial improvements requirements to flood damage prevention code	Existing	Flooding	1, 2	Planning	Medium	Low	Municipal	Short	High	LPR	PR
PC-12	Consider upgrading critical facilities to increase resistance to wind damage.	Existing	Wind	1, 2, 5	Admin., Public Works	High	High	Municipal, HMA	Long	Low	SIP	ES, PP

Notes:

Not all acronyms and abbreviations defined below are included in the table.

*Does this mitigation initiative reduce the effects of hazards on new and/or existing buildings and/or infrastructure? Not applicable (N/A) is inserted if this does not apply.

Acronyms and Abbreviations:

CAV	Community Assistance Visit
CRS	Community Rating System
DPW	Department of Public Works
FEMA	Federal Emergency Management Agency
FPA	Floodplain Administrator
HMA	Hazard Mitigation Assistance
N/A	Not applicable
NFIP	National Flood Insurance Program
OEM	Office of Emergency Management

Potential FEMA HMA Funding Sources:

FMA	Flood Mitigation Assistance Grant Program
HMGP	Hazard Mitigation Grant Program
PDM	Pre-Disaster Mitigation Grant Program
RFC	Repetitive Flood Claims Grant Program
SRL	Severe Repetitive Loss Grant Program

Timeline:

Short 1 to 5 years
 Long Term 5 years or greater

OG On-going program
 DOF Depending on funding

Costs:

Where actual project costs have been reasonably estimated:

Low < \$10,000
 Medium \$10,000 to \$100,000
 High > \$100,000

Where actual project costs cannot reasonably be established at this time:

Low Possible to fund under existing budget. Project is part of, or can be part of an existing on-going program.
 Medium Could budget for under existing work plan, but would require a reapportionment of the budget or a budget amendment, or the cost of the project would have to be spread over multiple years.
 High Would require an increase in revenue via an alternative source (i.e., bonds, grants, fee increases) to implement. Existing funding levels are not adequate to cover the costs of the proposed project.

Benefits:

Where possible, an estimate of project benefits (per FEMA's benefit calculation methodology) has been evaluated against the project costs, and is presented as:

Low= < \$10,000
 Medium \$10,000 to \$100,000
 High > \$100,000

Where numerical project benefits cannot reasonably be established at this time:

Low Long-term benefits of the project are difficult to quantify in the short term.
 Medium Project will have a long-term impact on the reduction of risk exposure to life and property, or project will provide an immediate reduction in the risk exposure to property.
 High Project will have an immediate impact on the reduction of risk exposure to life and property.

Mitigation Category:

- Local Plans and Regulations (LPR) – These actions include government authorities, policies or codes that influence the way land and buildings are being developed and built.
- Structure and Infrastructure Project (SIP)- These actions involve modifying existing structures and infrastructure to protect them from a hazard or remove them from a hazard area. This could apply to public or private structures as well as critical facilities and infrastructure. This type of action also involves projects to construct manmade structures to reduce the impact of hazards.
- Natural Systems Protection (NSP) – These are actions that minimize damage and losses, and also preserve or restore the functions of natural systems.
- Education and Awareness Programs (EAP) – These are actions to inform and educate citizens, elected officials, and property owners about hazards and potential ways to mitigate them. These actions may also include participation in national programs, such as StormReady and Firewise Communities

CRS Category:

- Preventative Measures (PR) - Government, administrative or regulatory actions, or processes that influence the way land and buildings are developed and built. Examples include planning and zoning, floodplain local laws, capital improvement programs, open space preservation, and storm water management regulations.
- Property Protection (PP) - These actions include public activities to reduce hazard losses or actions that involve (1) modification of existing buildings or structures to protect them from a hazard or (2) removal of the structures from the hazard area. Examples include acquisition, elevation, relocation, structural retrofits, storm shutters, and shatter-resistant glass.
- Public Information (PI) - Actions to inform and educate citizens, elected officials, and property owners about hazards and potential ways to mitigate them. Such actions include outreach projects, real estate disclosure, hazard information centers, and educational programs for school-age children and adults.
- Natural Resource Protection (NR) - Actions that minimize hazard loss and also preserve or restore the functions of natural systems. These actions include sediment and erosion control, stream corridor restoration, watershed management, forest and vegetation management, and wetland restoration and preservation.
- Structural Flood Control Projects (SP) - Actions that involve the construction of structures to reduce the impact of a hazard. Such structures include dams, setback levees, floodwalls, retaining walls, and safe rooms.
- Emergency Services (ES) - Actions that protect people and property during and immediately following a disaster or hazard event. Services include warning systems, emergency response services, and the protection of essential facilities

Table 9.39-11. Summary of Prioritization of Actions

Mitigation Action / Project Number	Mitigation Action/Initiative	Life Safety	Property Protection	Cost-Effectiveness	Technical	Political	Legal	Fiscal	Environmental	Social	Administrative	Multi-Hazard	Timeline	Agency Champion	Other Community Objectives	Total	High / Medium / Low
PC-1	Replace overhead power line with buried power lines when opportunities arise.	1	0	0	1	1	1	0	0	0	1	1	0	0	0	6	Low
PC-2	Repair Byram River bulkheads that require attention as outlined in this annex.	0	1	1	1	1	1	0	1	0	1	0	1	1	1	10	High
PC-3	Upgrade Byram River bulkheads as needed to keep up with rising sea level.	0	1	1	1	1	1	0	1	0	1	0	0	0	1	8	Medium
PC-4	Evaluate existing storm drainage systems to determine how they can be modified to reduce flooding while accounting for sea level rise.	0	1	1	1	1	1	1	1	1	1	0	1	1	0	11	High
PC-5	Conduct a flood mitigation study of the uptown area (Betsy Brown Road, Glendale Place, etc.) with the goal of reducing drainage-related flooding in the Bulkley Brook watershed.	0	1	1	1	1	1	1	1	1	1	0	1	1	0	11	High
PC-6	Conduct a flood mitigation study of the downtown area with the goal of reducing drainage-related flooding. Include consideration of sea level rise as it relates to reduced drainage capabilities and surcharging of storm sewers.	0	1	1	1	1	1	1	1	1	1	0	1	1	0	11	High
PC-7	Obtain a generator for the Village Hall/EOC	1	0	1	1	1	1	1	0	1	1	1	1	1	0	11	High
PC-8	Obtain generators for other critical facilities	1	0	1	1	1	1	1	0	1	1	1	0	0	0	9	Medium
PC-9	Relocate the Public Works facility to reduce the potential for lost access due to coastal flooding	0	0	1	1	1	1	0	1	1	1	1	0	1	1	10	High
PC-10	Ensure that future development on Fox Island is compatible with the potential for isolation during coastal floods.	1	0	1	1	1	1	1	1	0	1	0	0	0	1	9	Medium
PC-11	Consider adding cumulative substantial damage/substantial improvements requirements to flood damage prevention code	1	1	1	1	0	1	1	0	1	1	0	1	1	0	10	High
PC-12	Consider upgrading critical facilities to increase resistance to wind damage.	1	1	0	1	1	1	0	0	0	1	0	0	0	0	6	Low

Note: Refer to Section 6 which contains the guidance on conducting the prioritization of mitigation actions.

9.39.7 Future Needs To Better Understand Risk/Vulnerability

None at this time.

9.39.8 Hazard Area Extent and Location

Hazard area extent and location maps have been generated for the Village of Port Chester that illustrate the probable areas impacted within the municipality. These maps are based on the best available data at the time of the preparation of this plan, and are considered to be adequate for planning purposes. Maps have only been generated for those hazards that can be clearly identified using mapping techniques and technologies, and for which the Village of Port Chester has significant exposure. These maps are illustrated in the hazard profiles within Section 5.4, Volume I of this Plan.

9.39.9 Additional Comments

DRAFT

Figure 9.39-1. MUNICIPALITY of X Hazard Area Extent and Location Map

Figure 9.39-2. MUNICIPALITY of X Hazard Area Extent and Location Map

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Name of Jurisdiction: Village of Port Chester
 Action Number: PC-2
 Action Name: Repair Byram River bulkheads

Assessing the Risk	
Hazard(s) addressed:	Coastal flood and erosion
Specific problem being mitigated:	The Village is concerned with the failing bulkhead lining the west side of the Byram River estuary, as damage occurred during Hurricanes Irene and Sandy. The Village is planning for a bulkhead replacement and revetment to include ecological restoration improvements. Addressing the bulkhead replacement will reportedly (a) provide flood control, (b) provide public access to the existing Village Promenade, and (c) restore the natural habitat by way of ecological design and construction features (i.e. provide on-site stormwater management techniques such as rain barrels and green infrastructure). Grant funding was awarded in fiscal year 2013 by the Department of State Local Revitalization Program for design documents and permits to replace the bulkhead. Grant funding has been sought for construction financing of the bulkhead and a revetment.
Evaluation of Potential Actions/Projects	
Actions/Projects Considered (name of project and reason for not selecting):	<ol style="list-style-type: none"> 1. No action – without taking actions, the bulkheads will continue to deteriorate and allow collapse of private and municipal property. 2. 3.
Action/Project Intended for Implementation	
Description of Selected Action/Project	This project would involve a bulkhead replacement and revetment to include ecological restoration improvements as described above.
Mitigation Action/Project Type	SIP
Objectives Met	2, 4
Applies to existing structures/infrastructure, future, or not applicable	Existing
Benefits (losses avoided)	High benefits expected if the bulkhead can continue to protect property while environmental benefits are incorporated.
Estimated Cost	High
Priority*	High
Plan for Implementation	
Responsible Organization	Port Chester Village Manager
Local Planning Mechanism	The Village Manager will work with the Assistant Village Manager
Potential Funding Sources	Likely NYSDOS; FEMA mitigation funds unlikely.
Timeline for Completion	DOF (Short preferred)
Reporting on Progress	

Date of Status Report/ Report of Progress	Date: Progress on Action/Project:
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* Refer to results of Prioritization (page 2)

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Action Number:

PC-2

Action Name:

Repair Byram River bulkheads

Criteria	Numeric Rank (-1, 0, 1)	Provide brief rationale for numeric rank when appropriate
Life Safety	0	Life safety is not a factor.
Property Protection	1	Numerous public and private properties will be protected.
Cost-Effectiveness	1	Costs are high, but benefits may be high.
Technical	1	Project is feasible and would be effective.
Political	1	Political will to support project.
Legal	1	Village has investigated legal issues and believes that it can legally repair the structure.
Fiscal	0	Grant funding preferred or necessary.
Environmental	1	Environmental benefits have been incorporated into the design.
Social	1	Benefit to entire community.
Administrative	1	Community can implement action.
Multi-Hazard	0	Coastal flood and erosion.
Timeline	1	Planning and design are completed. Implementation may be possible in a few years.
Agency Champion	1	Village Manager is championing this action.
Other Community Objectives	1	Repair of the bulkhead will improve public access to the shoreline.
Total	11	
Priority (High/Med/Low)	High	Relative to other ranked actions in Port Chester

Name of Jurisdiction:	Village of Port Chester
Action Number:	PC-7
Action Name:	Generator for Village Hall/EOC

Assessing the Risk	
Hazard(s) addressed:	All hazards
Specific problem being mitigated:	The Village would like to obtain generators for all critical facilities. Foremost, a generator is desired for the Village Hall because it serves as the Emergency Operations Center (EOC).
Evaluation of Potential Actions/Projects	
Actions/Projects Considered (name of project and reason for not selecting):	1. No action – power will not be available to support the EOC during power outages
	2.
	3.
Action/Project Intended for Implementation	
Description of Selected Action/Project	A generator is desired for the Village Hall because it serves as the EOC.
Mitigation Action/Project Type	SIP
Objectives Met	1, 2, 5
Applies to existing structures/infrastructure, future, or not applicable	Existing
Benefits (losses avoided)	High benefits expected as Village Hall and EOC personnel will be fully able to respond to incidents throughout the community.
Estimated Cost	High
Priority*	High
Plan for Implementation	
Responsible Organization	Port Chester Village Manager
Local Planning Mechanism	The Village Manager will work with the Assistant Village Manager
Potential Funding Sources	HMGP; Local Match
Timeline for Completion	DOF (Short preferred)
Reporting on Progress	
Date of Status Report/ Report of Progress	Date: Progress on Action/Project:

* Refer to results of Prioritization (page 2)

Action Number:

PC-7

Action Name:

Generator for Village Hall/EOC

Criteria	Numeric Rank (-1, 0, 1)	Provide brief rationale for numeric rank when appropriate
Life Safety	1	Improved Village Hall and EOC functions can help protect life safety.
Property Protection	1	Improved Village Hall and EOC functions can help protect property at the Village Hall and throughout the community.
Cost-Effectiveness	1	Costs are high, but benefits may be higher.
Technical	1	Project is feasible and effective.
Political	1	Political will to support project.
Legal	1	Village owns the site and can legally make improvements.
Fiscal	0	Grant funding preferred.
Environmental	0	Does not improve or impact the environment.
Social	1	Benefit to entire community.
Administrative	1	Community can implement action.
Multi-Hazard	1	Benefit for all hazards.
Timeline	1	Short duration preferred.
Agency Champion	1	Village Manager is championing this action.
Other Community Objectives	0	
Total	11	
Priority (High/Med/Low)	High	Relative to other ranked actions in Port Chester

Name of Jurisdiction:	Village of Port Chester
Action Number:	PC-8
Action Name:	Generators

Assessing the Risk	
Hazard(s) addressed:	All hazards
Specific problem being mitigated:	The Village would like to obtain generators for all critical facilities. A generator for the Village Hall and Emergency Operations Center (EOC) is described on a separate worksheet.
Evaluation of Potential Actions/Projects	
Actions/Projects Considered (name of project and reason for not selecting):	1. No action – critical facilities would be inoperable during power outages 2. 3.
Action/Project Intended for Implementation	
Description of Selected Action/Project	The Village would like to obtain generators for all critical facilities.
Mitigation Action/Project Type	SIP
Objectives Met	1, 5
Applies to existing structures/infrastructure, future, or not applicable	Existing
Benefits (losses avoided)	Medium benefits expected as emergency management personnel will be able to respond to incidents throughout the community.
Estimated Cost	High
Priority*	<i>Medium</i>
Plan for Implementation	
Responsible Organization	Port Chester Village Manager
Local Planning Mechanism	The Village Manager will work with the Assistant Village Manager
Potential Funding Sources	HMGP; Local Match
Timeline for Completion	DOF (Short preferred)
Reporting on Progress	
Date of Status Report/ Report of Progress	Date: Progress on Action/Project:

* Refer to results of Prioritization (page 2)

Action Number: PC-8
 Action Name: Generators

Criteria	Numeric Rank (-1, 0, 1)	Provide brief rationale for numeric rank when appropriate
Life Safety	1	Improved critical facilities functions can help protect life safety.
Property Protection	0	Minimal additional property protection is anticipated.
Cost-Effectiveness	1	Costs are high, but benefits may be higher.
Technical	1	Project is feasible and effective.
Political	1	Political will to support project.
Legal	1	Village owns the critical facilities and can legally make improvements.
Fiscal	0	Grant funding preferred.
Environmental	0	Does not improve or impact the environment.
Social	1	Benefits to entire community.
Administrative	1	Community can implement action.
Multi-Hazard	1	Benefit for all hazards.
Timeline	0	Short duration preferred but priority is lower than obtaining a generator for the Village Hall/EOC.
Agency Champion	1	Village Manager is championing this action.
Other Community Objectives	0	
Total	9	
Priority (High/Med/Low)	Medium	Relative to other ranked actions in Port Chester.

Name of Jurisdiction:	Village of Port Chester
Action Number:	PC-9
Action Name:	Relocate Public Works Facility

Assessing the Risk	
Hazard(s) addressed:	All hazards
Specific problem being mitigated:	The Public Works facility is located on Fox Island and can therefore be cut off during coastal flooding. This project would relocate the Public Works facility to reduce the potential for impaired access due to coastal flooding.
Evaluation of Potential Actions/Projects	
Actions/Projects Considered (name of project and reason for not selecting):	<p>No action – without taking actions, the Public Works facility will</p> <ol style="list-style-type: none"> 1. continue to be cut off during severe storms that cause flooding from storm surges such as hurricanes and nor'easters. 2. 3.
Action/Project Intended for Implementation	
Description of Selected Action/Project	This project would relocate the Public Works facility to reduce the potential for impaired access due to coastal flooding.
Mitigation Action/Project Type	SIP
Objectives Met	1, 2, 4, 5
Applies to existing structures/infrastructure, future, or not applicable	Existing
Benefits (losses avoided)	High benefits expected if the Public Works facility remains able to respond appropriately during emergencies rather than being isolated by coastal flood events.
Estimated Cost	High
Priority*	High
Plan for Implementation	
Responsible Organization	Port Chester Village Manager
Local Planning Mechanism	The Village Manager will work with the Assistant Village Manager
Potential Funding Sources	HMGP with Local Match; or FEMA DHS EOC grant (not currently active)
Timeline for Completion	DOF (Short preferred)
Reporting on Progress	
Date of Status Report/ Report of Progress	Date: Progress on Action/Project:

* Refer to results of Prioritization (page 2)

Action Number:

PC-9

Action Name:

Relocate Public Works Facility

Criteria	Numeric Rank (-1, 0, 1)	Provide brief rationale for numeric rank when appropriate
Life Safety	1	If the Public Works facility is not isolated, public works personnel and equipment can more appropriately respond during disasters and emergencies.
Property Protection	1	If the Public Works facility is not isolated, public works personnel and equipment can more appropriately respond during disasters and emergencies; this response may include protecting village property elsewhere.
Cost-Effectiveness	1	Costs are high, but benefits may be high.
Technical	1	Project is feasible and would be effective.
Political	1	Political will to support project.
Legal	1	Village owns the facility and can legally relocate its operations.
Fiscal	0	Grant funding preferred.
Environmental	1	A new Public Works facility would provide opportunities for environment benefits such as improved stormwater management.
Social	1	Benefit to entire community.
Administrative	1	Community can implement action.
Multi-Hazard	1	Benefit for all hazards.
Timeline	0	This will require several years of planning and implementation.
Agency Champion	1	Village Manager is championing this action
Other Community Objectives	1	Relocating the Public Works facility may allow other land uses on the site that is vacated.
Total	12	
Priority (High/Med/Low)	High	Relative to other ranked actions in Port Chester

ⁱ <http://www.stormready.noaa.gov/com-maps/ny-com.htm>

ⁱⁱ http://submissions.nfpa.org/firewise/fw_communities_list.php



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 Jessica Youngblood, MCP, Planner
 Elizabeth Esposito, Assistant Planner
 Constance Phillips, Planning Commission Secretary

ACTIVE PLANNING AND DEVELOPMENT INITIATIVES

PLANNING

INITIATIVE	SUMMARY	STATUS
School Children Generation Mitigation Formula (Funded, initiated by the Village IDA)	Development of mitigation formula applicable to multi-family residential development seeking to provide monetary contribution to any additional impact to the school district as a result of the project.	Presentation to BOT, December 2014. Consultant revised final document to include additional multi-family development examples.
Redevelopment of the former United Hospital Site (Starwood)	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 provided by Applicant December 30, 2014. Applicant submitted DEIS revisions early May 2015 for consultant and staff review completeness. Anticipated BOT action to accept Applicant’s DEIS as complete May/June 2015.
Planning Workshop	Quarterly workshop meetings with the Planning Commission to discuss various topics regarding the implementation of Comprehensive Plan recommendations and zoning amendments for BOT review.	June 16, 2015 Meeting scheduled.
Project Proposal Forms	Intake and processing of proposals which may require review by the Planning Commission, Zoning Board, and Waterfront Commission.	Ongoing. Plans to create spatial database tracking market trends relative to existing zoning provisions.
Neighborhood Revitalization Strategy	Assess and analyze strategies for redevelopment and/or rehabilitation opportunity within the Village and associated legal strategies for implementation.	Follow up Consultant interview completed January 2015. BOT Workshop anticipated May/June 2015.

ZONING AMENDMENTS

INITIATIVE	SUMMARY	STATUS
C1 Neighborhood Retail Zoning Analysis: medical, dental office use	Analysis of a potential zoning text change to permit medical in the C1 Neighborhood Retail District by special exception permit subject to existing special exception criteria as defined in §345-61U.	Presentation to BOT completed March 2015. Planning Commission supports concept. Staff has prepared draft local law for BOT review and adoption.
Lot Line Adjustment	Land subdivision law amendment to allow for administrative approval of minor lot line adjustments or apportionments that will not create additional buildable lots or alter zoning districts.	Petitioner to present concept to BOT in May/June 2015. Staff has prepared draft local law for BOT review and adoption.
Minor Change of Use	Amendment to streamline approval process for minor change of use in C2, C5, and C5T Districts. Would enable administrative approval of change of occupancy to another approved use of equal or lesser impact rather than full site plan approval by Planning Commission. Targeted to facilitate the re-occupancy of vacant second and third story office spaces downtown.	Presentation to BOT anticipated May 2015. Planning Commission supports concept. Staff has prepared draft local law for BOT review and adoption.

ADMINISTRATION

INITIATIVE	SUMMARY	STATUS
Records Management	Maintains and records all planning, zoning files including escrow accounting for active applications	Ongoing
Board/Commission Management	Staff, professional development; professional certification	Ongoing
IDA Management	Records and maintains all IDA files; liaise between Village and IDA.	Ongoing
Web Management	Maintains Planning, Zoning IDA, LDC webpages.	Ongoing

GRANTS

INITIATIVE	SUMMARY	STATUS
New York State Regional Economic Development Council Grant Funding	Application, management and oversight of all applied and received local, state and federal funding grants for the repair of the collapsed bulkhead with new public activity platform.	DOS-LWRP FY2013-2014: awarded \$225,420 for design and construction plans + permits. Contract executed October 2014. Final RFP for design and construction plans + permits under review by DOS, January 2015. RFP solicited February 2015, closed March 16, 2015. Interviews currently underway. 2015 CFA Process opened May 1, 2015 and closes July 31, 2015. Strategic workshops scheduled to identify village priority projects.
Community Development Block Grant (CDBG)/ Community Housing Infrastructure Investment Program (CHIIP)	Pursuing approximately \$900,000 from the County's new Community Housing Infrastructure Investment Program (CHIIP) to fund prior CDBG awards for sewer and sidewalk infrastructure.	BOT resolution identifying CHIIP project funding request and 50% match source for March 16, 2015 adoption. County Board of Legislators to vote on CHIIP funding June/July 2015.

ENVIRONMENTAL PLANNING

INITIATIVE	SUMMARY	STATUS
Hazard Mitigation Planning (County-wide Plan)	Westchester County preparation county-wide hazard mitigation planning, i.e. hurricanes, blizzards, flooding, etc. Completion ensures eligibility for emergency management funding.	Consultants and county finalizing report. Distribution anticipated Spring 2015.
MS4 Permit Management	Municipal separate storm sewer system (MS4) permit required by Federal Government under the Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) program to prevent harmful pollutants	Annually. NYSDEC Audit scheduled June 2 for compliance review. Staff providing assistance across departments.

	from being washed or discharged into a waterbody.	
Local Waterfront Revitalization Program (LWRP)	Update to adopted 1992 village waterfront policy and vision plan. Guidelines for Waterfront Commission project consistency review.	Finalizing Draft LWRP document for NY Department of State (DOS) official 60 Day Document Review. Formal BOT adoption 2015.

Visioning, Branding, and Economic DEVELOPMENT Strategies

Economic Development Promotional Material	Economic development promotional materials citing Comprehensive Plan, Strategic Plan, LWRP vision. Coordination with IDA Strategic Planning efforts.	Ongoing
150 th Anniversary	Proposed formation of a steering committee to complete specific beautification projects in anticipation of the Village's 150 th anniversary in 2018. Possible projects include: <ul style="list-style-type: none"> • Streetscape improvements • Area branding • Placemaking Charette • Historic preservation designation • New/improved greenspace and/or bike and pedestrian amenities • Area-wide programs/events/initiatives 	2015-2018

Planning Commission, Zoning Board of Appeals, and IDA Applications

The Office of Planning & Development oversees activities for the Planning Commission, Zoning Board of Appeals, Waterfront Commission, Industrial Development Agency and Board of Trustees. Below are two tables of both active and recently approved applications managed by the Office of Planning & Development. Additional information is available through the Office's website (http://www.portchesterny.com/Pages/PortChesterNY_Planning/index).

ACTIVE PLANNING APPLICATIONS

Address	Project Description	Status of Project
501 Willett Ave	New limited car rental facility with accessory office.	Public meeting scheduled May 2015.
70 Grove Street	Legalization for expansion of existing auto-body repair with accessory office.	Public Meeting scheduled May 2015.
74, 98 Fox Island Road	Relocation of existing laundry facility at 98 Fox Island Road to 74 Fox Island Road with expansion of existing warehouse at 98 Fox Island Road.	Anticipated adoption May 2015.
110 Westchester Ave	New dental office.	Approved April 2015.
141 Willett Ave	New health club.	Approved April 2015
10 Pearl Street	Demolition of existing building for new restaurant and four floors of office.	Anticipated adoption May 2015.
141 Abendroth Ave	Site plan conditions amendments.	Public Hearing continued to May 2015.
29, 37-39 N Main Street	Expansion of existing restaurant into outdoor patio space.	Public Hearing continued to April 2015.
220 Westchester Ave	Legalization of medical/dental offices	Adjourned until further notice.
10 Bulkley Ave	Site plan approval for woodworking shop.	Anticipated adoption May 2015.

APPROVED APPLICATIONS

Address	Project Description
110 Westchester Ave	New dental office.
21 Abendroth Ave	Shared parking approval.
141 Willett Ave	New health club.
120 N Pearl	New multi-family building (50 units) with high-end amenities + parking.
163 N. Main	Tarry Market Alley way.
8 Slater	Warehouse expansion for vehicle storage.
25 Willett Ave	Creation of American Bar & Restaurant.
242 King St	Expansion of existing office building.
264 Boston Post Road	Legalization of freezer at existing drive-thru restaurant.

411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Verizon).
411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
135 S Main Street	Site plan approval for construction of two new two-family residences.
117 N Main Street	Open a family oriented Papa John's pizza restaurant.
999 High Street	Renewal for special exception use permit for wireless telecomm facility (AT&T).
167-169 Terrace Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
999 High Street	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
222 Grace Church St	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
45 Townsend	Remove an existing two family dwelling and use the parcel for open storage of materials.
126 North Main St	Gastropub styled restaurant featuring weekend acoustic performances.
33 New Broad St	Open micro distillery as part of larger sustainable/farming operation.
152 King Street	Proposed interior renovations to a 1-story building to convert existing repair bays to a convenience store.
96 Perry Ave	Two-lot subdivision
145 Westchester Ave	Expansion of use and operation of the space by annexing it into the adjacent existing overall operations of The Capitol Theatre.
149-151 Westchester Ave	Capitol Theatre expansion of capacity use/increase occupancy from 1,835 to 2,205; add exterior walk in cooler, use of sidewalk hydraulic material lift and addition of mobile stand up bars.
36 Midland Avenue	Installation of sectional overhead doors & relocation of 3 parking spaces.
104 North Main Street	Reconfigure existing takeout restaurant & expand kitchen & dining room into existing adjacent tenant spaces, renovate existing basement for auxiliary use to restaurant on 1st floor, install new NFPA Sprinkler System throughout entire building.
110 Midland Avenue	Installation of a self-contained cosmetic spray booth within open warehouse space in accordance with Westchester County emission permit.
110 North Main Street	Raise existing roof structure to provide habitable space. Existing 2nd floor to be used as an office, storage, private dining and a service kitchen for private dining.
400 Westchester Ave	Construct a rear handicap-accessible rear facility entrance with canopy and fence; Replace playground equipment
275 Boston Post Road	Renovate existing vacant food service establishment into a Popeye's franchise restaurant with drive-thru.
110 Westchester Ave	Provide pedestrian access from Village owned muni parking lot to rear of common property line, install new exit door, walkway with lighting new fencing and new lawn.
26 Putnam Ave	Site Plan approval for continued use of an existing Sign/Graphic Design Shop (2nd fl.) and approval for a change of use (1st fl.) for current non-conforming use as a laundromat.
21 Abendroth	Shared parking approval
411 Westchester Ave	Modification of existing wireless facilities.
500 N. Main Street	Health club approval
110 Midland	Amendment to approved site plan; special exception use.



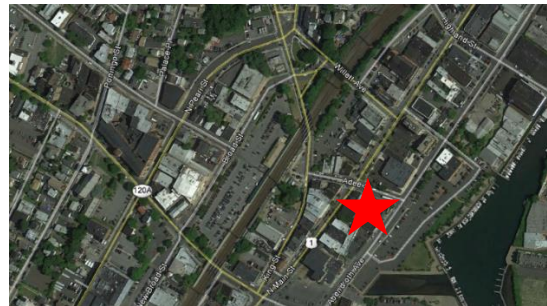
VILLAGE OF PORT CHESTER
DEPARTMENT OF PLANNING &
DEVELOPMENT

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Christopher Gomez, AICP, Director
 Jesica Youngblood, MCP, Planner
 Elizabeth Esposito, Assistant Planner
 Constance Phillips, Planning Commission Secretary

To: Chairman Gregory and Planning Commissioners
 From: Christopher Gomez, AICP, Director of Planning & Development
 Jesica Youngblood, MCP, Planner
 Re: April 27, 2015 Planning Commission Meeting Comment Memorandum
 CC: C. Steers, T. Cerreto, P. Miley, D. Rotfeld, C. Phillips
 Date: April 24, 2015

3. 29, 37-39 N Main Street (Case #2015-0117)



Section, Block, Lot: 142.31-1-16, 142.31-1-13 & 142.31-1-14
 Zoning District: C2 Main Street Business District
 Lot size: 11,485 sq. ft., 2,262 sq. ft., and 7,063 sq. ft. (20,810 sq. ft./0.48 acres)
 Owner: RDC Realty
 Applicant: Robert Luiso, Michiel Boender, Architect

Project Overview:

The Applicant proposes to construct a new, outdoor bar seating area on the Copacabana property (Section 142.31-1-16) extending onto the Café Brazil property (Section 142.31-1-14) that are under common ownership in the C2 Main Street Business District. This extended outdoor dining area will add approximately 27 seats and approximately eleven (11) standing tables with umbrellas, totaling 1,678 square feet of outdoor space at 29 N Main Street and 2,537 square feet of outdoor floor space at 37-39 N Main Street. The Applicant will provide an unobstructed egress path extending from the existing laundromat back door (37-39 N Main Street) to the sidewalk along Abendroth Avenue. Also, the Applicant proposes to remove the existing fence, sliding gate, and planter between Café Brazil and Copacabana and install new perimeter plantings to match the existing ones.

The proposed outdoor bar seating area will operate between Memorial Day and Labor Day on Thursdays from 5PM-1AM, Friday/Saturday from 5PM-2AM, and Sundays from 1PM-1AM. These hours of operation align with the set hours of live entertainment operation for an ancillary

entertainment license as issued by the Village Clerk per §250-11 of the Village Code. No off-street parking is required as part of the proposal. Based on square footage, one (1) off-street truck loading spaces is required – Applicant shows one loading space on-site.

Comprehensive Plan Consistency:

The proposed use satisfies Economic Development recommendation #1, ‘Strengthen and expand economic opportunity...by focusing efforts on retaining and expanding existing businesses.’ As further refined in the Comprehensive Plan, the application aligns with the continuance of restaurant development and encouragement in the downtown.

Zoning Compliance Review:

The Zoning Compliance Form completed and certified by the Village Building Inspector indicates that the proposed outdoor bar seating area is classified as extended use of existing restaurant space, and ‘restaurant’ is a permitted use in the C2 Main Street Business District.

The proposal requires one (1) off-street truck loading spaces, and Applicant provides one (1) on-site. No variances are required.

An ancillary entertainment license through the Village Clerk is required for this application per §250-11 of the Village Code.

SEQRA Classification:

The Proposal is considered an Unlisted Action under SEQRA and requires a Determination of Significance prior to site plan approval.

Required Approvals:

- Site plan approval (Planning Commission)
- SEQRA Determination of Significance (Planning Commission)
- Consistency Determination (Waterfront Commission)
- Notification to Westchester County Planning Board (Village Staff)

Next Steps:

The Planning Commission referred the application to the Waterfront Commission for consistency determination on February 23, 2015, and the Waterfront Commission reviewed the application on March 25, 2015 and granted consistency determination with the LWRP policies. At the March 30 meeting, the Planning Commission raised questions regarding operation, occupancy, security, property incidences, etc. that the Applicant must satisfy and provide to the Village.

Applicant will provide an update to the Commission at the April 27 meeting regarding the requested information. It is recommended that the Planning Commission keep the public hearing open until all outstanding Planning and Engineering concerns have been satisfactorily addressed.

4. 141 Abendroth Avenue/21 Willett Avenue (Case #2015-0118) Formerly #679(F113) & 408E(F113)



Section, Block, Lot: 142.23-2-47 (formerly 142.23-2-13, 142.23-2-14, 142.23-2-15)
Zoning District: C2 Main Street Business District
Lot size: 60,559 sqft,
Owner: Mariner Port Chester LLC
Applicant: Anthony Gioffre, Esq. of Cuddy & Feder, LLP o/b/o The Mariner Port Chester, LLC

Project Overview:

The Applicant seeks relief from conditions numbers 16, 22, and 31 of the adopted Site Plan Resolution (dated January 25, 2010):

- **Condition #16:** *“The applicant shall place all overhead utilities underground, shall reconstruct all sidewalks and curbs and shall install street landscaping and associated facilities immediately surrounding the site in accordance with Village standards and specifications, prior to the issuance of a Certificate of Occupancy.”*
- **Condition # 31:** *“All on-site utilities shall be installed underground.”*
- **Condition # 22:** *“The Applicant shall fund an escrow account of sufficient amount to provide monitoring of the Abendroth Avenue/Willett Avenue intersection at 6 month intervals for a period of two years after 75% of the units in the building are occupied. Said monitoring shall be supplied to the Planning Commission in a timely manner. If, in the sole opinion of the Planning Commission, the Levels of Service or overall traffic conditions are the intersection deteriorate appreciably, the applicant shall install a traffic light at this intersection, at its sole expense, to mitigate this situation.”*

SEQRA Classification:

The project is classified as a Type II Action under the State Environmental Quality Review Act and requires no further action.

Required Approvals:

- Site Plan amendment approval (Planning Commission)

Next Steps:

As requested from the Commission, ConEdison representatives Paul Cherion, construction manager, and Jane Solnick, Director of Public Affairs, attended the March 30 meeting to discuss options and alternatives to burying the existing power lines. As a result of the meeting, additional discussion among ConEdison, The Mariner and The Village will take place on May 4, 2015. It is recommended that the Commission adjourn the meeting until May 28 and await update from the May 4 meeting.

5. 10 Pearl Street (Case #2015-0119)



Section, Block, Lot: 142.23-1-4, 142.23-2-85

Zoning District: C3 Office and Commercial District

Lot size: 16,500 sqft, 6,550 sqft

Owner: 10 S Pearl Street & 15 S Pearl Street LLC

Applicant: Brett Neri, Michael Rino Architects, Anthony Provenzano, Esq.

Project Overview:

The Applicant seeks to demolish the existing three-story building and construct a five-story, mixed use building with a ground-floor restaurant and four floors of office space at 10 Pearl Street with off-street parking facilities located at 15 Pearl Street: the applicant owns both parcels at 10 Pearl Street and 15 Pearl Street. The project site is located within the C3 Office and Commercial District. The total building, including basement space, is 23,000 square feet in size. The gross square footages for each floor is as follows:

- Basement – 2,300 sqft
- First – 4,600 sqft
- Second - 4,600 sqft
- Third - 4,600 sqft
- Fourth - 4,600 sqft
- Fifth – 2,300 sqft

The proposed new brick and stone façade is intended to pay homage to the existing building's exterior character.

The Application includes an existing parking lot at 15 Pearl Street (C4 District). Parking for both the restaurant and office uses will exist in a shared capacity with the office space requiring off-street parking during normal business hours and the restaurant using off-street parking during evening hours. In total, the restaurant use requires 18 off-street parking spaces, and the office use requires 43 off-street parking spaces, totaling 61 off-street parking spaces.

Applicant is proposing to meet their parking requirement through use of the 15 Pearl Street lot as well as the common-ownership lot at 38 Pearl Street, which will require approval from the Zoning Board of Appeals per §345-14B(7). The parking lot at 15 Pearl Street can provide 45 off-street spaces as well as the parking lot located at 38 Pearl Street to provide 16 off-street parking spaces to meet the required 61 spaces.

Comprehensive Plan Consistency:

The proposed use satisfies Economic Development Recommendation #1, 'Strengthen and expand economic opportunity...by focusing efforts on retaining and expanding existing businesses.' As further refined in the Comprehensive Plan, the application aligns with the continuance of restaurant development as well as Economic Development Recommendation #2, 'Improve the condition and appearance of Port Chester's commercial areas...[and] encourage new investment.'

Zoning Compliance Review:

The Zoning Compliance Form completed and certified by the Village Building Inspector indicates that the proposed 'restaurant' and 'office' uses are permitted in the C3 Office and Commercial District.

The Applicant must seek area variances from the Zoning Board of Appeals for the floor area ratio (FAR) and front, side, and rear yard setback in addition to 1 off-street truck loading space and approval for the shared use of parking per §345-14B(7).

SEQRA Classification:

The Proposal is considered an Unlisted Action under SEQRA and requires a Determination of Significance prior to site plan approval.

Required Approvals:

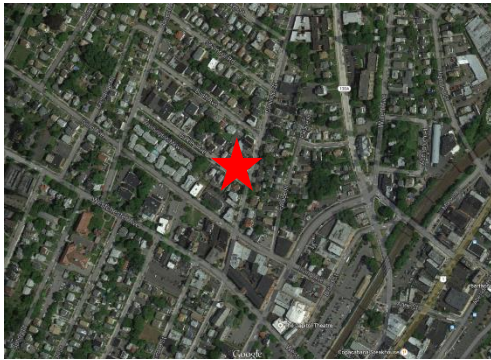
- Site Plan Approval (Planning Commission)
- SEQRA Determination of Significance (Planning Commission)
- Area Variances (Zoning Board of Appeals)
- Shared Parking Approval §345-14B(7) (Zoning Board of Appeals)
- Full Notification to Westchester County Planning Board (Village Staff)

Next Steps:

The Planning Commission referred the application to the Zoning Board of Appeals on March 19, 2015 for the required area variances in addition to the shared parking approval. The Zoning Board of Appeals requested the Village Attorney to draft a favorable Findings of Fact for the required area variances, off-street truck loading variance, and the shared parking approval for the application for their April 16, 2015 meeting. However, at the April 16 meeting, the ZBA granted the Applicant's request to adjourn the case until the May 21st meeting. Applicant still requires all area variances as previously stated.

Until all outstanding issues are resolved and vetted by Village Staff and duly presented to Village Boards, it is recommended that the Planning Commission adjourn the public hearing until May 28, 2015.

6. 10 Bulkley Ave (Case #2014-0115)



Section, Block, Lot: 142.22-1-49
Zoning District: R2F Two-Family District
Lot size: 0.115 acres
Owner: Guiracochoa's Group LLC
Applicant: Guiracochoa's Group LLC/David Mooney/Frank Allegretti

Project Overview:

Applicant seeks minor change of use from former automobile service business with accessory office to a more restrictive (less intense) use as a woodworking shop with accessory office. The proposal is located at 10 Bulkley Avenue within the R2F Two-Family Residence District and also contains a legal three-family residential structure. This minor change of use is from one legally non-conforming use to another legally non-conforming use; and, as provided by §345-13(C), is permissible provided that: a) no structural alterations are made and b) in the opinion of the Zoning Board of Appeals the converted use is the same or more restrictive (less intense) in nature. Applicant must receive said approval from the Zoning Board of Appeals prior to Planning Commission action.

Zoning Compliance Review:

The Zoning Compliance Form completed and certified by the Village Building Inspector indicates that the proposed ‘woodworking shop with accessory office’ use is a legally non-conforming use provided approval by the Zoning Board of Appeals per §345-13(C). The proposal requires two (2) parking spaces, which Applicant provided on-site as previously shown on site plan.

SEQRA Classification:

The Proposal is considered an Unlisted Action under SEQRA and requires a Determination of Significance prior to site plan approval.

Required Approvals:

- §345-13(C) (Zoning Board of Appeals)
- Site plan approval (Planning Commission)
- SEQRA Determination (Planning Commission)

Next Steps:

The Planning Commission referred the Applicant to the ZBA at the November 24th meeting. The ZBA granted Findings of Fact in favor of the application at their February 19, 2015 meeting.

The Planning Commission may consider setting closing the public hearing for the application and ask staff to prepare a SEQRA determination of significance and site plan approval.

Continue to Next Page

7. 98 Fox Island Road (Case #2015-0121) and 8. 74 Fox Island Road (Case #2015-0122)



Section, Block, Lot: 74 Fox Island: 142.55-1-2; 98 Fox Island Road: 142.63-1-33
Zoning District: DW Design Waterfront District
Lot size: 74 Fox Island: 0.617 acres; 98 Fox Island Road: 2.14 acres
Owner: Fox Island Holding, LLC
Applicant: Smith Party Rental

Project Overview:

Applicant proposes to relocate existing laundry facilities from 98 Fox Island Road into existing warehouse space at 74 Fox Island Road to improve operational efforts at Smith Party Rentals, LLC which occupies building space at both properties. Presently, 74 Fox Island Road is primarily warehouse space ($\pm 9,435$ sqft), and the proposal is to convert $\pm 2,000$ sqft of warehouse space into laundry facility space, which will include washing and drying space, laser line ironers, sorting tables, and linen bins transferred from 98 Fox Island Road. The existing 1,100 square foot walk-in-refrigerated box will be removed. There are currently 22 off-street parking spaces provided and one (1) off-street truck loading space at 74 Fox Island Road.

98 Fox Island Road is primarily used as warehouse and laundry operation for Smith Party Rentals, LLC and has 56 off-street parking spaces and a 3-space loading dock. Existing laundering facilities will be relocated to 74 Fox Island Road; however, dirty table linens will initially be returned to 98 Fox Island Road and inventoried prior to being laundered at 74 Fox Island Road. This business operation appears feasible as there are no barriers or fences precluding ease of access (circulation) between the two properties. Applicant also seeks approval for an unauthorized expansion of a truck loading bay (40'x12') and enclosure of an exterior storage area.

Each property is located within the DW Design Waterfront District and must seek site plan approval and special exception use approval per §345-60(A) [General Standards] and §345-60(B) [DW Design Waterfront Standards].

Comprehensive Plan Consistency:

The proposed use satisfies Economic Development Recommendation #1, ‘Strengthen and expand economic opportunity...by focusing efforts on retaining and expanding existing businesses.’

Zoning Compliance Review:

The attached zoning compliance form reviewed and certified by the Building Inspector indicates that the proposed ‘laundry facility’ and ‘warehouse’ uses for both 74 Fox Island Road and 98 Fox Island Road are permitted by special exception in the DW Design Waterfront District. Sufficient off-street parking and off-street loading are provided on site.

SEQRA Classification:

The Proposal is considered a Type II Action SEQRA. No further environmental review is required.

Required Approvals:

- Site plan approval (Planning Commission)
- Special Exception Approvals for warehouse and laundry plant (Planning Commission)
- Notification only to Westchester County Planning Board (Staff)
- Referral to the Town of Greenwich, CT (Staff)

Next Steps:

Applicant must comply with Village Engineer comments per previous memo. While address during the interim, the Planning Commission may consider closing the public hearing barring additional outstanding engineering items or significant public comments for *each* application and direct staff to draft for *each* application a SEQRA determination of significance and site plan approval.

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9. 141 Willett Ave (Case #2015-0123)



Section, Block, Lot: 142.23-1-27
Zoning District: C2 Main Street Business District
Lot size: 0.138 acres (6,022 sq. ft.)
Owner: 141 Willett Ave, LLC
Applicant: Jordan Lutsky

Project Overview:

Applicant seeks change of use from existing warehouse space to a membership health club facility at 141 Willett Avenue. The proposed use is a permitted use in the C2 Main Street Business District and is strictly an interior fit-out of the space of approximately 2,500 square feet. As depicted on the submitted site plan, the space will include a lounge-reception area, exercise area, and weight area with ADA compliant facilities and new emergency lighting. Applicant also proposes a new door from the main entrance off Willett Avenue into the proposed area, thereby providing an additional means of egress to the existing access point on Abendroth Place.

The proposed use is based upon a monthly membership and includes group classes such as kick-boxing, kettle bell, yoga, and other physical conditioning classes. It is anticipated that most class sizes will be less than twenty (20) individuals, and locker room and shower facilities will be provided.

The proposed use neither requires off-street parking nor off-street loading facilities and is within walking distance (0.3 miles) to the Port Chester Metro North station.

Comprehensive Plan Consistency:

The proposed use satisfies Economic Development Recommendation #1, ‘Strengthen and expand economic opportunity...by attracting new businesses.’ Promoting additional permitted uses in the downtown commercial corridor in close proximity to the Port Chester train station also promotes transit-oriented-development activity as supported by both the Village’s adopted Comprehensive Plan and the Strategic Plan.

Zoning Compliance Review:

The attached Zoning Compliance Form completed and certified by the Village Building Inspector indicates that the proposed ‘health club’ is a permitted use in the C2 Main Street Business District. Neither off-street parking nor off-street loading is required for this use. No variances are required.

SEQRA Classification:

The Proposal is considered a Type II Action under SEQRA and requires no additional environmental review.

Required Approvals:

- Site plan approval (Planning Commission)
- Notification Referral to Westchester County Planning Department (Staff)
- Referral to the Town of Greenwich, CT (Staff)

Next Steps:

In follow up from the March 30 meeting, Applicant provided to Village Engineer existing sidewalk conditions and completed the required sump pump inspection test on April 8, 2015.

The Planning Commission may consider closing the public hearing and request Staff to draft the site plan approval barring outstanding engineering items or significant public comments.



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Planning and Development Department

BOT Meeting Date: 5/18/2015

Item Type: Resolution

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

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

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

Planning Department Update: Minor Lot Line Adjustment

Summary

Background:

As directed by the Board, with the input of planning staff the Village Attorney has provided an updated draft local law for a new administrative minor lot line adjustment process provided an application will not 1) Create a new build-able lot, 2) Create any dimensional non-conformities, or 3) change the zoning district designation of a lot.

As you recall, the Board contemplated such a law when adopting increased subdivision fees in 2013 to ensure minor lot line adjustments would not require the same cost or review time associated with a full subdivision approval.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Draft Local Law
 Resolution to Set Public Hearing

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

SECTION 1: Purpose and Intent

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

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

LOT LINE ADJUSTMENT

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

...

SUBDIVISION

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

...

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

Section A402-23. Application; Determination and Recording

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

- a. A plat drawn to scale showing the lots affected by the proposed adjustment and all existing buildings and structures, location of existing sewage and stormwater utilities, easements, rights-of-way, and other land features. The plat must provide the existing lot lines and the location of the proposed new lot line, as well as the existing and new setback distances to any existing buildings and structures.
- b. A current survey sealed by a New York State licensed surveyor.
- c. The proposed deed between the parties evidencing such lot line adjustment.

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

SECTION 3: Severability

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

SECTION 4: Effective Date

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

RESOLUTION
SET PUBLIC HEARING TO AMEND CHAPTER A402, LAND SUBDIVISION
REGULATIONS, TO PROVIDE FOR A PROCESS FOR LOT LINE
ADJUSTMENTS

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

WHEREAS, it is the recommendation of The Planning and Economic Development Department to amend Chapter A402, Land Subdivision Regulations portion of the village code to create an administrative approval process for minor lot line adjustments; and

WHEREAS, minor lot line adjustments are defined as actions that do not create any additional build-able lots, create any dimensional non-conformities under the zoning code, or change the existing zoning district designation of a lot; and

WHEREAS, the proposed local law will ensure property owners will not be unduly burdened with complying with the full subdivision process where they seek only to make a minor lot line adjustment as defined herein; and

WHEREAS, the proposed local law incorporates comment made by the Board of Trustees so as to assure that it does not facilitate increased density in the Village; and

WHEREAS, on December 17, 2012 the Board of Trustees adopted the Village's first Comprehensive plan, and subsequently on March 18, 2013 adopted related zoning text and map amendments in furtherance of the Comprehensive Plan; and

WHEREAS, during the comprehensive plan process it was anticipated that additional amendments would be required to ensure consistency between the adopted plan and the official village code; and

WHEREAS, proposed code amendment would be classified as a Type II Action pursuant to §617.5(19) (27) of the NYS SEQRA regulation requiring no further environmental review; and now therefore be it

RESOLVED, that the Board of Trustees sets a public hearing to be held on June 15th 2015 at 7:00pm at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter A402, Land Subdivision Regulations; and be it further

RESOLVED, that the Board of Trustees refers the draft local law to both the Village Planning Commission and the Westchester County Planning Board in accordance with §345-34 of the Village Code.

Approved as to Form:

Village Attorney, Anthony Cerreto



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Planning and Development Department

BOT Meeting Date: 5/18/2015

Item Type: Presentation

Sponsor's Name: Christopher N. Gomez, Director of Planning & Development
 Elizabeth Esposito, Assistant Planner
 Anthony Cerreto, Village Attorney

Description	Yes	No	Description	Yes	No
Fiscal Impact	<input type="checkbox"/>	<input type="checkbox"/>	Public Hearing Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
	Yes	No	Business & Economic Development		
Agreement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Manager Priorities		
Strategic Plan Related	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Planning & Zoning		

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

Amendments to Chapter 345, Zoning, in Regards to Medical and Dental Offices in the C1 District

Summary

Background:

The Planning Department has observed an increased interest to establish medical and dental offices in the C1 zoning district and has determined that a zoning amendment to permit such uses would both reduce vacancies and encourage economic development without significantly impacting the community.

Two distinct zoning map and or text change scenarios will be presented for Board review. Upon consensus on either option, the Village Attorney and staff will finalize and distribute a local law to the Board prior to June 5 for a public hearing on June 15, 2015

Proposed Action

That the Board of Trustees adopt the Resolution Setting a Public Hearing

Attachments

Resolution

RESOLUTION
SET PUBLIC HEARING TO AMEND CHAPTER 345, ZONING,
WITH REGARD TO MEDICAL AND DENTAL OFFICES

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 Planning and Development Department has observed an increase in interest in opening medical and dental offices in the C1 district; and

WHEREAS, it has been determined that permitting medical and dental offices in this zone by special exception permit would enhance economic opportunities in the Village and neighborhood services, without negatively impacting the community; and

WHEREAS, on December 17, 2012 the Board of Trustees adopted the Village's first Comprehensive plan, and subsequently on March 18, 2013 adopted related zoning text and map amendments in furtherance of the Comprehensive Plan; and

WHEREAS, during the comprehensive plan process it was anticipated that additional zoning amendments would be required to ensure consistency between the adopted plan and the official zoning code; and

WHEREAS, the proposed zoning amendments would be classified as a Type I Action under SEQRA and will require determination of significance of potential impacts prior to adoption; and now therefore be it

WHEREAS, the Director of the Planning and Development Department has made a presentation to the Board with regard to potential zoning amendments with regard to the consideration of medical and dental offices; and

WHEREAS, having heard such presentation, the Board desires to advance the matter and directs the Village Attorney to prepare the requisite local law consistent with its stated intentions. Now, therefore, be it

RESOLVED, that the Board hereby sets a public hearing to be held on June 15th 2015 at 7:00 p.m. or as soon thereafter at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 Zoning; and be it further

RESOLVED, that the Board of Trustees refers the proposed draft local law to both the Village Planning Commission and the Westchester County Planning Board in accordance with §345-34 of the Village Code.

Approved as to Form:

Village Attorney, Anthony Cerreto

DISCUSSION

CORRESPONDENCE



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

Dear Mayor Pilla and Board of Trustees,

The Port Chester Beautification Commission would like to propose adding some additional garbage bins throughout the Village (for example, around the vicinity of The Capitol Theatre & the train station).

Would this be ok, and if so, what would be the procedure and who should we contact?

Many thanks and have a great day.

The Port Chester Beautification Commission

M. Ravikoff Assoc.



33 New Broad Street
Port Chester, NY 10573

Phone 914-934-2424

Fax 914-937-5186

May 6, 2015

Mayor Dennis Pilla
Traffic Commission
Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Re: Parking Opposite Fire Headquarters

Dear Mr. Mayor, Board of Trustees,

In letters dated April 15, 2015 and April 27, 2015 the Traffic Commission recommended posting signs and painting the roadway in front of fire headquarters on Westchester Avenue as well as OPPOSITE fire headquarters. The recommendation included signs that would prevent "parking" and "standing."

This letter and previous letters state "safety" as the single concern for such action.

We have yet to see submitted 1 accident report, 1 incident report or in all likely a series of such that would indicate such safety hazard exists and therefore requires a remedy.

We strongly urge you to discharge this recommendation as the only result it will cause is a burden to the businesses opposite the station.

You are reviewing a problem that doesn't exist and in doing so you would be causing harm to several local businesses.

The Traffic Commission sites a local law that specifically dis allows such recommendation.

Again, we do not oppose the erection of a sign preventing "parking." We believe signage that will allow "standing" is an effective and reasonable compromise

Thank you for your consideration.

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

New Broad St., LLC

M. Ravikoff Assoc. Inc.

Received

MAY 6 2015

Village Clerk
VILLAGE OF PORT CHESTER

33 New Broad Street
Port Chester, NY 10573

Phone 914-934-2424

Fax 914-937-5186

May 6, 2015

Mr. Mayor Dennis Pilla
Traffic Commission
Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Re: Parking on New Broad Street

Dear Mayor Pilla, Board of Trustees and Traffic Commission,

Within the recent past new signs were erected on New Broad Street directly in front of the main entrance to our building, 33 New Broad Street.

These signs have taken away the small amount of public parking we have left.

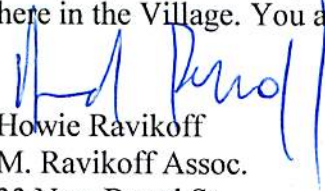
A brief history:

Village of Port Chester gave permission to our neighbor to build facilities with loading docks. Said loading docks, when utilized by tractor trailers, created unsafe conditions to pedestrians and property, namely these trucks would back into the loading docks and hop the curb at our building. Property was damaged and there was real risk to life.

2 business owners agreed the quick and reasonable solution was to erect bollards to prevent further damage and reduce, if not eliminate, risk. As a result of the choices of the Village, we suffered with a loss of parking directly in front of our building. This is a loss felt every day and clearly a detriment to the value of our building.

Now we have ZERO public parking spaces in front of our building. Why? We did not receive notice prior to the change nor did we receive the opportunity to plead our case against your case in a public forum. The Village has yet again overstepped its bounds and is causing more grief and pain and suffering to the small business owner.

We plead with you to restore the existing parking on New Broad Street and cease to continue to widdle away at every single valued asset we as small business owners have here in the Village. You are killing us.



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



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

Received
MAY 7 2015
Village Clerk
VILLAGE OF PORT CHESTER

April 8, 2015

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

Re: New Member Mario T. DiLonardo

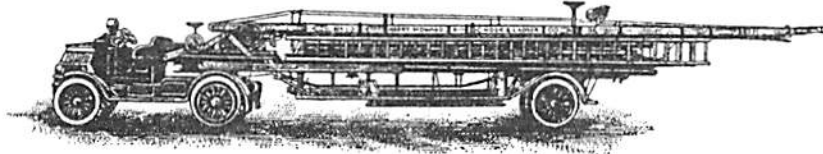
Gentlemen:

The purpose of this letter is to inform you that on April 7, 2014, during the regularly scheduled monthly meeting of Harry Howard Hook & Ladder Company #1, the Company, voted to accept the following named individual as a new member of the Company effective immediately:

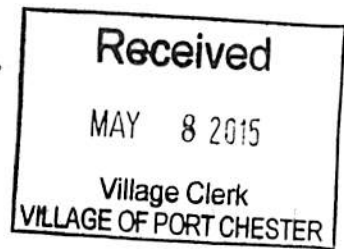
Mario T. DiLonardo
12 Fairview Place
Port Chester, NY 10573

Yours truly,

NEIL J. PAGANO
Secretary



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



May 6, 2015

Honorable Mayor Dennis Pilla and
Members of the Village Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573
Attn: Janusz Richards – Village Clerk

Re: Reinstatement of Marcos DeMelo

Dear Mayor Pilla & Members of the Board:

The purpose of this letter is to inform you that on May 5, 2015, at the regularly scheduled monthly meeting of the Company, the members of Harry Howard Hook & Ladder Company #1 unanimously voted to reinstate Marcos DeMelo 579 Locust Avenue, Port Chester, NY 10573, NY to active membership in our Company.

Sincerely,

NEIL J. PAGANO

Secretary

cc: Marcos E. DeMelo
579 Locust Avenue
Port Chester, NY 10573

From: [Carolee Brakewood](#)
To: [Richards, Janusz R](#)
Subject: Banner Request
Date: Monday, May 11, 2015 11:51:24 AM

Dear Mayor Pilla and Members of the Board of Trustees:

Relay For Life will be holding their annual fundraiser event at Port Chester Middle School on May 31. As in the past, they would like to put up a banner in town to advertise the event. The Tamarack Tower Foundation's "Taste of Port Chester" event has four banners up around town at the moment, but the village clerk reached out to the Tamarack Tower Foundation and they have graciously agreed to allow a Relay banner at one of these locations until May 31. The exact location would be left to DPW to determine, based on the size of the banner. We would like to go ahead and get the Relay banner in place as soon as possible, but the Board of Trustees meeting is on May 18. Please advise if anyone has any objections on this request, which can be formally accepted retroactively at the Board of Trustees meeting.

Thank you,

Carolee Brakewood

Publicity, Relay for Life of Port Chester – Rye Brook



This email has been checked for viruses by Avast antivirus software.

www.avast.com

**PARK COMMISSION
Village of Port Chester**

May 14, 2015

Mayor Dennis Pilla and the Board of Trustees

At the Park Commission meeting held May 13, 2015, Mayor Pilla came to speak about increasing the size of flat land for the proposed Dog Park in Abendroth Park.

After a lengthy discussion, Concettina Thalheimer made a motion to reiterate the position of the Commission in our letter to Mayor Pagano and the Board of Trustees dated January 13, 2015, in which we recommended “the offset from the existing playground be 60 feet with a buffer of 15 feet for a total of 75 feet from the playground to the big dog area. For the small dog area the offset should be 60 feet off the existing playground and the residential property lines.” (A copy of the Commission letter is attached).

This motion was seconded by Ernest Tigani and a vote was taken. Five (5) members voted to accept and one (1) member, Chairman Terranova, voted against this motion.

Sincerely,

Jerry Terranova

**Jerry Terranova
Chairman**

attachment

**cc: Village Manager
Village Attorney**

PARK COMMISSION
Village of Port Chester

January 13, 2015

Mayor Neil Pagano and the Board of Trustees:

The Park Commission held a special meeting on January 8 2015 to discuss the acceptable dimensions of the fencing in the proposed Dog Park.

The Commission agrees with the Staff recommendations that the offset from the existing playground be 60 feet with a buffer of 15 feet for a total of 75 feet from the playground to the big dog area. For the small dog area the offset should be 60 feet off the existing playground and the residential property lines.

A motion was made by Jerry Donahue and seconded by Concettina Thalheimer with unanimous agreement from the Commission.

Sincerely,

Jerry Terranova

Jerry Terranova
Chairman

Cc: Village Manager
Village Attorney

Thomas Edison PTO
132 Rectory Street
Port Chester, NY 10573
(914)934-7980
edisonpto.10573@gmail.com

May 13, 2015

Mayor & Board of Trustees
Port Chester Village Hall
222 Grace Church Street
Port Chester, NY 10573

RE: Thomas Edison School Fun Day-June 12, 2015

Dear Mayor Pilla & the Board of Trustees:

On Friday June 12, 2015, the Thomas Edison School will be having its annual Fun Day. Fun Day will be held from 8:30 a.m. to 2:30 p.m.

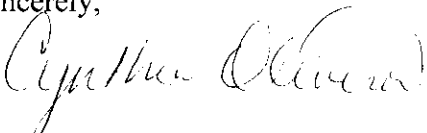
We are hereby requesting as in previous years the closure of Rectory Street (only the small section in front of the school, between Locust Avenue & Orchard Street.)

For your convenience, I have also forwarded the request to all Emergency Personnel.

If you have any questions, please feel free to call me at (914) 469-8029.

Thank you.

Sincerely,



Cynthia Oliveros
Thomas Edison PTO

CC: Ivan Tolentino, Principal
PCPD Traffic Sergeant
PCFD Fire Chief
Scott Moore, EMS Administrator
Roccy Morabito, DPW General Foreman

**PUBLIC COMMENTS
AND
BOARD COMMENTS**