

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Monday, August 3 2015
Regular Meeting: 7:00 P.M.
VILLAGE JUSTICE COURTROOM
350 North Main Street
Port Chester, New York
AGENDA**

TIME: 7:00 P.M.

I	PRESENTATION	ACTION
1	NDC Presentation.	
2	Sustainable Westchester on regional energy efficiency opportunities. <u>Resolution</u>	
II	PUBLIC COMMENTS	ACTION
III	RESOLUTIONS	ACTION
	Administration	
1	Marshal Policy.	
	Planning	
2	Authorize the Village Manager to execute a Revocable License Agreement with UCF Regent Park, LLC.	
IV	REPORT OF THE BUILDING INSPECTOR	
V	DISCUSSIONS	ACTION
1	Westchester County Department of Environmental Facilities IMA.	
2	Dog Park.	
VI	CORRESPONDENCE	ACTION
1	From Andrea Winchester re Block Party on Linden Street.	
2	From Howie Ravikoff re Sewer Rent Law Review.	
3	From Janusz R. Richards resigning as Village Clerk effective August 29, 2015.	
4	From Bart Didden interesting in filling the open IDA seat.	
5	From Columbus Day Celebration Committee re participation in the parade and use of the show mobile on October 11, 2015.	
6	From Columbus Day Celebration Committee requesting financial assistance for this year's parade.	
7	From Lisa Dileo regarding 'Block Party Request'	
8	From Vladimir Molina regarding a request to sponsor our 4th Annual Bolivian Parade on August 30, 2015 in the Village of Port Chester.	

VII	MINUTES	ACTION
1	Minutes from April 6, 2015 at 3:00 PM	
2	Minutes from April 6, 2015 at 7:00 PM	
3	Minutes from April 7, 2015	
4	Minutes from April 13, 2015	
5	Minutes from April 14, 2015	
6	Minutes from April 16, 2015	
7	Minutes from April 20, 2015	
8	Minutes from April 21, 2015	
9	Minutes from April 28, 2015	
10	Minutes from April 29, 2015	
VIII	PUBLIC COMMENTS AND BOARD COMMENTS	ACTION
IX	PROPOSED MOTION FOR EXECUTIVE SESSION	ACTION
1	Discuss particular personnel in the Village Clerks Office	

TIME: _____

LOCAL LAW NO. – 2015

A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM IN THE VILLAGE OF PORT CHESTER

SECTION 1: The Code of the Village of Port Chester is hereby amended by adding a new Chapter 21, previously reserved, entitled “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM,” to read as follows:

Section 21-1. Legislative Findings; Intent and Purpose; Authority.

- A. It is the policy of both the Village of Port Chester and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for residential and Small Commercial customers in those markets. Among the policies and models that may offer benefits in New York is community choice aggregation, which allows local governments to determine the default supplier of electricity and natural gas on behalf of its residential and Small Commercial customers.
- B. The purpose of this Community Choice Aggregation (Energy) Program (“CCA”) is to allow participating local governments including the Village of Port Chester to procure energy supply service for their residential and Small Commercial customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing Distribution Utility. This Chapter establishes a program that will allow the Village of Port Chester to put out for bid the total amount of natural gas and/or electricity being purchased by local residential and Small Commercial customers. Bundled Customers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this Chapter and fulfilling an important public purpose.
- C. The Village of Port Chester is authorized to implement this COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. 14-M-0564, Petition of Sustainable Westchester for Expedited Approval for the Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester, Order Granting Petition in Part (issued February 26, 2015) as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case No. 14-M-0564 (collectively, the “Order”). Order shall also mean orders of the Public Service Commission related to State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued December 15, 2014) to the extent that orders related to Case No. 14-M-0224 enable actions by the Village of Port Chester not otherwise permitted pursuant to orders related to Case 14-M-0564; provided, however, that in the event of any conflict between orders from Case No. 14-M-0564 and orders from Case No 14-M-0224, orders from Case No 14-M-0564 shall govern the CCA Program.

- D. This Chapter shall be known and may be cited as the “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM Law of the Village of Port Chester”.

Section 21-2. Definitions.

For purposes of this Chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this Chapter shall have the meanings employed in the State of New York Public Service Commission’s Uniform Business Practices or, if not so defined there, as indicated below:

Bundled Customers – Residential and Small Commercial customers of electricity or natural gas (“fuels”) who are purchasing the fuels from the Distribution Utility.

Small Commercial - Non-residential customers as permitted by the Order.

Community Choice Aggregation Program or CCA Program– A municipal energy procurement program, which replaces the incumbent utility as the default Supplier for all Bundled Customers within the Village of Port Chester.

Distribution Utility – Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

Public Service Commission – New York State Public Service Commission.

Suppliers – Energy service companies (ESCOs) that procure electric power and natural gas for Bundled Customers in connection with this Chapter or, alternatively, generators of electricity and natural gas or other entities who procure and resell electricity or natural gas.

Sustainable Westchester – A not-for-profit organization comprised of member municipalities in Westchester County, New York.

Section 21-3. Establishment of a COMMUNITY CHOICE AGGREGATION (ENERGY) Program.

- A. A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM is hereby established by the Village of Port Chester, whereby the Village of Port Chester shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the Order, as set forth more fully herein. The Village of Port Chester’s role under the CCA Program involves the aggregating of the energy and/or gas supply of its residents and the entering into a contract with one or more Suppliers for supply and services. Under the CCA Program, the operation and ownership of the utility service shall remain with the Distribution Utility.
- B. The Village of Port Chester’s purchase of energy supply through a CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Village of Port Chester will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will instead negotiate with Suppliers on behalf of participating residential and Small Commercial customers.
- C. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which

includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services, and the terms on which customers may be enrolled with ESCOs.

Section 21-4. Procedures for Eligibility; Customer Data Sharing.

- A. As permitted by the Order, the Village of Port Chester may request from the Distribution Utilities aggregated customer information by fuel type and service classification on a rolling basis.
- B. Sustainable Westchester, on behalf of the Village of Port Chester, shall issue one or more requests for proposals to Suppliers to provide energy to participants and may then award a contract in accordance with the CCA Program.
- C. Sustainable Westchester or the Village of Port Chester if the Village so chooses, will then request individual customer data from the Distribution Utility in accordance with the CCA Program.
- D. Sustainable Westchester or the Village of Port Chester if the Village so chooses, and the selected Supplier will then notify Bundled Customers of the contract terms and their opportunity to opt out of the CCA Program.
- E. In accordance with and for purposes of the Order, the existing Distribution Utility, Consolidated Edison Company of New York, Inc. will provide to Sustainable Westchester aggregate and customer-specific data (including usage data, capacity tag obligations, account numbers, and service addresses) of all Bundled Customers in the Village of Port Chester not currently enrolled with an ESCO.
- F. Sustainable Westchester and the Village of Port Chester, will protect customer information as required by law, subject to the Order and the limitations of the New York State Freedom of Information Law.

Section 21-5. Choice of Energy Supplier; Opt-Out Notice and Procedure.

- A. The Village of Port Chester or in conjunction with the ESCO will notify its residential and Small Commercial customers, by letter notice, of the Village of Port Chester's decision to establish the CCA Program, of the contract terms with an ESCO, and of the opportunity to opt out of the CCA Program.
- B. The letter notice will be sent to each customer at the address provided by the Distribution Utility and explain the CCA Program and the material provisions of the ESCO contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.
- C. The opt-out period shall be twenty (20) days.
- D. CCA Program Bundled Customers, upon enrollment, will receive a welcome letter that will explain the customers' options for canceling the enrollment if they believe they were enrolled incorrectly or otherwise decide to withdraw from the CCA Program in favor of another Supplier. The welcome letter also will explain that residential customers are entitled to the added protection of the mandated Three (3) Day rescission period as detailed in Section 5(B)(3) of the Uniform Business Practices.

Section 21-6. Verification and Reporting.

Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission, which identifies the number of customers enrolled in the CCA Program by municipality and customer class, the number of customers who returned to utility service or service with another Supplier during the reporting period, and the average cost of commodity supply by month for the reporting period.

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

SETTING A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW TO
ESTABLISH A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM IN
CONJUNCTION WITH SUSTAINABLE WESTCHESTER IN 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 a public hearing be held on August _____, 2015 at 7:00 p.m. or as
soon thereafter, to consider the adoption of a local law amending the Code of the Village of Port
Chester by adding a new chapter, Chapter 21, to establish a Community Choice Aggregation
(Energy) Program in conjunction with Sustainable Westchester in the Village of Port Chester.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

LOCAL LAW NO. – 2015

**A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE AGGREGATION
(ENERGY) PROGRAM IN THE VILLAGE OF RYE BROOK**

Be it enacted by the Village of Rye Brook of the County of Westchester as follows:

Section 1. The Code of the Village of Rye Brook is hereby amended by adding a new Chapter _____, entitled “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM,” to read as follows:

ARTICLE I

§1. Legislative Findings; Intent and Purpose; Authority.

- A. It is the policy of both the Village of Rye Brook and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for residential and Small Commercial customers in those markets. Among the policies and models that may offer benefits in New York is community choice aggregation, which allows local governments to determine the default supplier of electricity and natural gas on behalf of its residential and Small Commercial customers.
- B. The purpose of this CCA Program is to allow participating local governments including the Village of Rye Brook to procure energy supply service for their residential and Small Commercial customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing Distribution Utility. This Chapter establishes a program that will allow the Village of Rye Brook to put out for bid the total amount of natural gas and/or electricity being purchased by local residential and Small Commercial customers. Bundled Customers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this Chapter and fulfilling an important public purpose.
- C. The Village of Rye Brook is authorized to implement this COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. 14-M-0564, Petition of Sustainable Westchester for Expedited Approval for the Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester, Order Granting Petition in Part (issued February 26, 2015) as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case No. 14-M-0564 (collectively, the “Order”). Order shall also mean orders of the Public Service Commission related to State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued December 15, 2104) to the extent that orders related to Case No. 14-M-0224 enable actions by the Village of Rye Brook not otherwise permitted pursuant to orders related to Case 14-M-

0564; provided, however, that in the event of any conflict between orders from Case No. 14-M-0564 and orders from Case No 14-M-0224, orders from Case No 14-M-0564 shall govern the CCA Program.

- D. This Chapter shall be known and may be cited as the “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM Law of the Village of Rye Brook”.

§2. Definitions.

For purposes of this Chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this Chapter shall have the meanings employed in the State of New York Public Service Commission’s Uniform Business Practices or, if not so defined there, as indicated below:

Bundled Customers – Residential and Small Commercial customers of electricity or natural gas (“fuels”) who are purchasing the fuels from the Distribution Utility.

Small Commercial - Non-residential customers as permitted by the Order.

Community Choice Aggregation Program or CCA Program– A municipal energy procurement program, which replaces the incumbent utility as the default Supplier for all Bundled Customers within the Village of Rye Brook.

Distribution Utility – Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

Public Service Commission – New York State Public Service Commission.

Suppliers – Energy service companies (ESCOs) that procure electric power and natural gas for Bundled Customers in connection with this Chapter or, alternatively, generators of electricity and natural gas or other entities who procure and resell electricity or natural gas.

Sustainable Westchester – A not-for-profit organization comprised of member municipalities in Westchester County, New York.

§3. Establishment of a COMMUNITY CHOICE AGGREGATION (ENERGY) Program.

- A. A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM is hereby established by the Village of Rye Brook, whereby the Village of Rye Brook shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the Order, as set forth more fully herein. The Village of Rye Brook’s role under the CCA Program involves the aggregating of the energy and/or gas supply of its residents and the entering into a contract with one or more Suppliers for supply and services. Under the CCA Program, the operation and ownership of the utility service shall remain with the Distribution Utility.
- B. The Village of Rye Brook’s purchase of energy supply through a CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Village of Rye Brook will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will

instead negotiate with Suppliers on behalf of participating residential and Small Commercial customers.

- C. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services, and the terms on which customers may be enrolled with ESCOs.

§4. Procedures for Eligibility; Customer Data Sharing.

- A. As permitted by the Order, the Village of Rye Brook may request from the Distribution Utilities aggregated customer information by fuel type and service classification on a rolling basis.
- B. Sustainable Westchester, on behalf of the Village of Rye Brook, shall issue one or more requests for proposals to Suppliers to provide energy to participants and may then award a contract in accordance with the CCA Program.
- C. Sustainable Westchester or the Village of Rye Brook if the Village so chooses, will then request individual customer data from the Distribution Utility in accordance with the CCA Program.
- D. Sustainable Westchester or the Village of Rye Brook if the Village so chooses, and the selected Supplier will then notify Bundled Customers of the contract terms and their opportunity to opt out of the CCA Program.
- E. In accordance with and for purposes of the Order, the existing Distribution Utility, Consolidated Edison Company of New York, Inc. will provide to Sustainable Westchester aggregate and customer-specific data (including usage data, capacity tag obligations, account numbers, and service addresses) of all Bundled Customers in the Village of Rye Brook not currently enrolled with an ESCO.
- F. Sustainable Westchester and the Village of Rye Brook, will protect customer information as required by law, subject to the Order and the limitations of the New York State Freedom of Information Law.

§5. Choice of Energy Supplier; Opt-Out Notice and Procedure.

- A. The Village of Rye Brook or in conjunction with the ESCO will notify its residential and Small Commercial customers, by letter notice, of the Village of Rye Brook's decision to establish the CCA Program, of the contract terms with an ESCO, and of the opportunity to opt out of the CCA Program.
- B. The letter notice will be sent to each customer at the address provided by the Distribution Utility and explain the CCA Program and the material provisions of the ESCO contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.
- C. The opt-out period shall be twenty (20) days.
- D. CCA Program Bundled Customers, upon enrollment, will receive a welcome letter that will explain the customers' options for canceling the enrollment if they believe they were

enrolled incorrectly or otherwise decide to withdraw from the CCA Program in favor of another Supplier. The welcome letter also will explain that residential customers are entitled to the added protection of the mandated Three (3) Day rescission period as detailed in Section 5(B)(3) of the Uniform Business Practices.

§6. Verification and Reporting.

- A. Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission, which identifies the number of customers enrolled in the CCA Program by municipality and customer class, the number of customers who returned to utility service or service with another Supplier during the reporting period, and the average cost of commodity supply by month for the reporting period.

Section 2. This local law shall take effect upon filing with the Secretary of State.

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

RESOLUTION

**CONSIDERING A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE
AGGREGATION (ENERGY) PROGRAM
IN THE VILLAGE OF RYE BROOK**

WHEREAS, a Community Choice Aggregation Energy Program will provide residents of the Village of Rye Brook the opportunity to save money through an alternate energy service company ("ESCO") without diminishing the current level of service; and

WHEREAS, the Village wishes to partner with Sustainable Westchester to establish a community choice aggregation energy program in the Village of Rye Brook.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Rye Brook hereby adopts the local law to establish a Community Choice Aggregation Energy Program in conjunction with Sustainable Westchester in the Village of Rye Brook.

BE IT FURTHER RESOLVED, that the Mayor and Village Administrator are hereby authorized to execute and deliver all documents necessary to accomplish the purposes of this resolution.

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

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

I hereby certify that this is the Resolution adopted by the Board of Trustees of the Village of Rye Brook which was duly passed by said Board on June 23, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Village of Rye Brook, this 25th day of June, 2015



Village Clerk

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

RESOLUTION

AUTHORIZING PARTICIPATION IN A COMMUNITY CHOICE AGGREGATION (“CCA”) PROGRAM THROUGH SUSTAINABLE WESTCHESTER, INC.

WHEREAS, Sustainable Westchester, Inc., a not-for-profit organization comprised of over forty municipalities in Westchester County of which the Village of Rye Brook (the “Village”) is a member, sought approval of a demonstration community choice aggregation (“CCA”) program in Westchester County in 2014, which would allow local governments to participate in a Sustainable Westchester program to procure energy supply from energy service companies (the “ESCOs”) for the residents of the municipalities; and

WHEREAS, the CCA program is intended to provide consumers with the ability to lower their overall energy costs and the potential benefits of CCA programs include price stability for a fixed contract term, lower prices, more favorable contract terms, and the ability to design a program that reflects local preferences and needs, including a preference for cleaner power sources; and

WHEREAS, on February 26, 2015, the Public Service Commission of the State of New York approved implementation of the first CCA pilot program in New York State, which allows Sustainable Westchester to put out for bid the total amount of natural gas or electricity being purchased by local residents or small businesses; and

WHEREAS, the Westchester pilot program is intended to include residential and small non-residential customers, and to permit the aggregation of both electric and natural gas purchases by the communities which elect to participate; and

WHEREAS, Sustainable Westchester, Inc. will issue a request for proposals to suppliers to provide energy to participants, and will then award a contract; and

WHEREAS, Sustainable Westchester, Inc. or the Village will request individual customer data from the current utility with due consideration for privacy, and the selected supplier will then notify the bundled customers of the contract terms and provide the customers with an opportunity to opt-out of the program within twenty (20) days; and

WHEREAS, based upon the plain meaning of the text and prior interpretations of the General Municipal Law (“GML”), Sustainable Westchester has determined that a municipality may participate in a CCA program without undertaking a referendum as set forth in GML §360, which applies only to the construction, leasing, purchasing, acquisition, use or ownership of a “public utility service” as defined in the GML; and

NOW THEREFORE, BE IT RESOLVED, that the Village of Rye Brook intends to enter into an agreement with Sustainable Westchester for participation in a CCA program for its residents and business consumers who are not already purchasing electricity from an ESCO, only if: 1) the default price is guaranteed to be consistently less than the utility price for the same period; or 2) the default price is fixed at a level that is less than the average utility price for the same commodity, for the same customer class, over the preceding twelve month period; or 3) the default price is at first set at a level that is less than the average utility price for electricity, for the same customer class, over the preceding twelve month period, and only floats upward by less than twenty-five percent (25%) of the price increases implemented by the utilities; and

BE IT FURTHER RESOLVED that the Village agrees to notify residents and business owners eligible for inclusion in the program in a manner that the Village deems most effective and efficient in advance of any implementation of the program; and

BE IT FURTHER RESOLVED that the Mayor and Administrator are hereby authorized to execute any and all documents necessary to accomplish the purposes of this resolution.

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

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

I hereby certify that this is the Resolution adopted by the Board of Trustees of the Village of Rye Brook which was duly passed by said Board on July 2, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Village of Rye Brook, this 2nd day of July, 2015



Village Clerk

PUBLIC COMMENTS

RESOLUTIONS



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Attorney

BOT Meeting Date: 8/3/2015

Item Type: Resolution

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

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)

RULES AND REGULATIONS FOR THE MARSHALS

Summary

Background:

The Village Charter provides for marshals to perform duties to the Port Chester Justice Court.

The marshals are appointed by the Board of Trustees.

There is a need for the Board to promulgate rules and regulations to delegate operational authority to the Chief of Police, confirm their official duties and specify the conduct expected of the marshals.

Marshals will be required to acknowledge their receipt of the rules and regulations.

The Rules and Regulations have been reviewed and approved by the Chief of Police.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Proposed Rules and Regulation

RULES AND REGULATIONS FOR THE MARSHALS

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 Charter provides for marshals in service to the Port Chester Justice Court; and

WHEREAS, the marshals are appointed by the Board of Trustees and has most recently taken action in this regard; and

WHEREAS, the Board desires to promulgate rules and regulations for the management of the marshals, delegating to the Chief of Police the operational responsibility over them, and further to assure the uniform, non-discriminatory and proper discharge of their duties. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby promulgates rules and regulations for the marshals in the form annexed.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

INTRODUCTION

The Charter of the Village of Port Chester, New York, provides for the Board of Trustees to appoint no more than four marshals in service to the Port Chester Justice Court. Marshals are appointed to serve a term of office to the next Village reorganization meeting following the Village Election. Marshals are public officers of the Village and, as such, are required to be residents of the Village at the time of appointment. Marshals must be at least 18 years of age and be of good fitness and character. Once a marshal is appointed, he or she must take their oath of office within thirty days and file same with the Village Clerk. Marshals must remain a resident during their term of office.

Pursuant to Section 119 of the State Uniform Justice Court Act, marshals are the enforcement officers of the Justice Court. The powers and duties of the marshal are set forth in that statute as well as the Port Chester Justice Court Act codified in the Village Charter. These statutes are annexed herein.

The Board hereby promulgates these Rules and Regulations for the management of the marshals to assure the uniform, non-discriminatory and proper discharge of their important duties.

RULES AND REGULATIONS

ARTICLE I RULES AND REGULATIONS

100.00 Issuance of the Rules and Regulations

These Rules and Regulations prescribe the duties and conduct of the marshals. Upon appointment, every marshal shall be issued a copy of the Rules and Regulations and are directed to return the attached acknowledgment form certifying that they have read and understand them within fifteen (15) days of receipt.

ARTICLE II POLICE DEPARTMENT JURISDICTION

200.00 The Board hereby delegates to the Chief of Police the supervision of the marshals, develop and provide a training program, interface with the Justice Court with regard to the making of assignments, supervise and evaluate performance, and make periodic report to the Village Manager and Board of Trustees.

ARTICLE III DUTIES

300.00 Definition of Official Duties. A Marshall is considered to be acting within his or her official duties when serving and executing the processes and mandates of the Port Chester Justice Court as assigned to him/her by the Police Justice or Acting Police Justice. A marshal shall not be considered acting within his or her official duties when serving process, notices, etc. in a civil matter and being compensated by a litigant.

300.01 Upon appointment, marshals shall be issued a badge and a photo identification (“ID”) card. These must be prominently displayed on the person when marshals are exercising their official duties.

300.02 Identification cards are issued on an annual basis. Marshals shall be responsible for the loss of the badge and identification cards. A fee of \$250 shall be imposed for the issuance of a replacement.

300.03 Marshals shall not exhibit their badge or ID card, or otherwise represent themselves as a marshal unless engaged in the discharge of their official duties or to verify employment.

300.04 Upon removal, resignation, vacancy or lack of reappointment, marshals are required to return their badge and identification card to the Village. Failure to comply with this provision shall constitute criminal possession of Village property and prosecuted accordingly.

300.05 No Marshall shall disclose or assist or permit the disclosure of any information concerning the Village Court or any member thereof, without the permission of the appropriate Village Justice.

300.06 Marshalls are prohibited, under penalty of dismissal from using their position, or any insignia, badge, or identification thereof to further the political or commercial interests of him or herself or another person.

300.07 Marshalls shall not obtain information from any court or police source, including files and computer data for personal use by him or herself, or another person except in the performance of his or her official duties.

ARTICLE IV TRAINING

400.00 Marshals shall undergo and satisfactorily complete all training mandated by the Village.

ARTICLE V ORDERS AND DIRECTIVES

500.00 Marshals shall comply with all lawful orders and directives given by the Chief of Police and the Police Justice and Acting Police Justices.

ARTICLE VI APPEARANCE

600.00 In order to maintain integrity and present a professional image, Marshals shall wear the seasonal uniform authorized by the Village, and be in kempt, neat, and clean appearance as befitting an officer of the court when engaged in their official duties.

ARTICLE VII FIREARMS AND OTHER WEAPONS

700.00 Marshals shall not possess a firearm or other weapon while acting in their official duties.

ARTICLE VIII ASSIGNMENTS

800.00 Assignments to the Justice Court are to be made on a rotational basis.

800.01 Marshals shall make themselves available for assignment. Failure to do so without good excuse shall constitute grounds for report to the Village Manager and Board of Trustees.

ARTICLE IX OCCUPATIONAL INJURY OR ILLNESS

900.00 If a marshal sustains an injury or illness claimed to have arisen out of the performance of his or her official duties, he or she shall report same forthwith to the Chief of Police.

ARTICLE X DEFENSE AND INDEMNIFICATION

1000.00 Should a marshal be served process as a named defendant in a civil action or proceeding, he or she shall provide same to the Village Attorney forthwith in accordance with the provisions of Chapter 30 of the Village Code.

ARTICLE XI MISCELLANEOUS

1100.00 If served with a subpoena, a marshal shall immediately notify the Village Attorney for review and determination.

ARTICLE XII FAILURE TO COMPLY

Failure to comply with these Rules and Regulations shall subject a marshal to disciplinary action by the Board of Trustees. A marshal shall be entitled to written notice of the charges and a hearing on no less than five (5) days' notice.



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Planning and Development Department

BOT Meeting Date: 8/3/2015

Item Type: Resolution

Sponsor's Name: Jessica Youngblood, Assistant Director of Planning & Development, Village Attorney, Anthony Cerreto

Description	Yes	No	Description	Yes	No
Fiscal Impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public Hearing Required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
	Yes	No	Quality of Life & Village Image		
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)

Authorize the Village Manager to execute a revocable license agreement with UCF Regent Park, LLC.

Summary

Background:

Site improvements at 14 University Place include perimeter fencing along N Regent Street, Columbus Avenue, and University Place that minimally encroaches upon the Village right-of-way. The owner, UCF Regent Park LLC, received conditional site plan approval from the Planning Commission on July 27, 2015. The applicant must enter into a license agreement with the Village in order to comply with site plan conditions.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments
<ul style="list-style-type: none">• Resolution• License Agreement• Site Plan Approval (Conditional)• Site Plan

**REVOCABLE LICENSE AGREEMENT TO PERMIT PERIMETER
RIGHT-OF-WAY FENCING LOCATED AT 14 UNIVERSITY PLACE**

On a 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, UCF Regent Park, LLC, 745 Boylston Street, Suite 502, Boston, Massachusetts 02116 (the “Licensee”) owns property at 14 University Place, Port Chester, also known as Section 136.61, Block 1, and Lot 27 on the Tax Map of the Town of Rye; and

WHEREAS, there exists a three (3) foot post and rail perimeter fence adjacent to the public sidewalk minimally encroaching onto the Village right-of-way along North Regent Street, Columbus Avenue, and University Place; and

WHEREAS, such fencing was constructed as part of the Licensee’s substantial financial investment in making necessary site improvements; and

WHEREAS, the owner obtained conditional site plan approval on July 27, 2015 from the Planning Commission subject to, among other things, obtaining a revocable license agreement from the Board of Trustees to permit the encroachment into the Village’s right-of-way; and

WHEREAS, the Board of Trustees finds that the fence provides aesthetic appeal and a uniform streetscape preserving the residential character of the area in accordance with the Village’s Comprehensive Plan. Now therefore be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a revocable license agreement with UCF Regent Park, LLC, 745 Boylston Street, Suite 502, Boston, Massachusetts 02116, permitting the owner to maintain a perimeter fence minimally encroaching the Village right-of-way in the form annexed hereto.

APPROVED AS TO FORM:

Anthony M. Cerreto
Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE: August 3, 2015

**SITE PLAN APPROVAL
RESOLUTION OF THE VILLAGE OF PORT CHESTER
PLANNING COMMISSION**

July 27, 2015
14 University Place
Case 2014-0116
Section 136.61 Block 1, Lot 27

WHEREAS, the Village of Port Chester Planning Commission is in receipt of a site plan application for 14 University Place submitted on behalf of UCF Regent Park LLC (“the Applicant”) specifically known and designated as Section 136.61, Block 1, Lot 27; and

WHEREAS, the Applicant seeks to legalize exterior site improvements and tenant-specific basement storage for the existing 73-unit residential development. The site improvements are cosmetic in nature and include a 36” tall post and rail fence along the property boundary, a 12’X16.5’ wood-framed gazebo, a wood-framed 13.5’X13.5’ pergola, and a 11’X11’ pergola, and two stone identification signs (10’X4’6” and 7’6”X4’6” (the “Project”)); and

WHEREAS, the Project is a legally non-conforming use in the R5 One Family Residence District; and

WHEREAS, the site plan consists of the following plans and drawings prepared by Fusion Engineering PC, White Plains, NY and survey prepared by NVREC Inc. Land Surveyors and Planners, Bronx, NY:

Fusion Engineering

Sheet 1 of 3: Cover Sheet, Regent Gardens	Dated 11/03/2014.
Sheet 2 of 3: Site Plan and Details, Regent Gardens	Dated 12/1/2014, last revised 7/23/2015.
Sheet 3 of 3: Lighting Plan and Details, Regent Gardens	Dated 11/3/2014, last revised 7/21/2015.

NVREC Inc.

Survey dated September 9, 2014, Title number 158.35.

WHEREAS, the Project is designated as a Type II Action pursuant to NYCRR 617 of the State Environmental Quality Review Act (SEQRA) regulations and requires no further environmental review; and

WHEREAS, the Village Zoning Board of Appeals granted approval for the required area variances, including a variance of one (1) sign to total two (2) identification signs in the R5 District; a side yard variance of 16’4” for the identification sign located near the intersection of N. Regent Street & University Place; a front yard setback variance of 20’10” for the identification sign located near the intersection of N. Regent Street and Columbus

Avenue; an area variance of 21.75 sqft for the identification sign near the intersection of North Regent Street and Columbus Avenue; an area variance of 33.0 sqft for the identification sign near the intersection of North Regent Street and University Place; and

WHEREAS, the site plan provided and as referenced herein depicts a 3-foot high post and rail fence constructed within the Village right-of-way on Columbus Avenue, North Regent Street and University Place; and

WHEREAS, the Applicant must obtain approval to execute an agreement with the Village for the fence located within the public right-of-way; and

WHEREAS, on June 29, 2015 and July 27, 2015 the Planning Commission held a public hearing on the matter, as required by Village Law concerning the site plan application, and all persons wishing to speak on the application at the public hearings were given an opportunity to be heard; and

WHEREAS, the Planning Commission has considered the site plan, all other materials submitted by the Applicant in support of this proposal, the comments of Village staff and consultants made via memoranda to the Planning Commission and the verbal commentary made during the entire course of the Planning Commission's meetings pertaining to the review for site plan approval, and the comments of the public; and

WHEREAS, the requirements for site plan approval contained in §345-23 of the Village of Port Chester Zoning Ordinance have been met by said applicant for site plan approval. Now therefore be it

RESOLVED, that the application submitted by Fusion Engineering, PC on behalf of UCF Regent Park, LLC as depicted on the plans identified above is hereby granted site plan approval subject to the following conditions:

1. This site plan approval authorizes the Applicant to undertake only the activities specifically set forth herein, in accordance with this resolution of approval and as delineated on the Site plan as endorsed by the Planning Commission Chairman. Any change in use, alteration, or modification to the Site Plan or to the existing or approved facilities and site shall require the review and approval by the Planning Commission of the Village of Port Chester.
2. No changes, additions, erasures, modifications, or revisions shall be made to the site plan following endorsement by the Planning Commission Chairman. Any changes detected after endorsement of the Site Plan as final shall result in the immediate termination and revocation of this resolution of approval, thereby making it null and void.
3. The Applicant shall furnish the Planning Commission with three (3) print sets of the site plan as described above for endorsement by the Planning Commission Chairman, subject to the satisfaction of all approval conditions, which shall then be recorded as the approved Site plan.

4. The Applicant must obtain a license agreement by the Village Board of Trustees that authorizes the Village Manager to execute into an agreement with the Applicant for the perimeter fence located within the Village right-of-way. If the Applicant does not obtain a license agreement, the fence must either be relocated to conform to zoning regulations or removed completely.
5. The Applicant shall pay to the Village of Port Chester any outstanding professional review escrow fees in accordance with Article XIX Reimbursement of Professional Fees of the Village of Port Chester Zoning Ordinance.
6. Authorized issuance of a Building Permit by the Building Inspector shall be fully based on and in accordance with this resolution of approval and the signed and filed site plan. The Building Inspector shall include reference to the site plan and this resolution of approval on any Building Permit.

No Building Permit shall be issued unless all outstanding escrow fees have been paid in accordance with site plan condition #5 indicated above.

7. A clean and legible copy of this Resolution (as signed by the Planning Commission Chairman) and a copy of the signed site plan shall be maintained at the Site at all times.
8. Prior to the issuance of a Certificate of Occupancy by the Building Inspector, an "As-Built" Plan showing the installed and completed improvements, certified by a New York State licensed architect or land surveyor shall be prepared at the sole expense of the Applicant. Said As-Built Plan shall be provided to the Building Inspector, documenting satisfactory completion of all approved and authorized construction activities and zoning compliance.
9. Failure to comply with any of the conditions set forth herein shall be deemed a violation of this approval and may lead to the revocation of the Approval and/or Certificate of Occupancy in accordance with the applicable provision(s) of the Village of Port Chester.

No Certificate of Occupancy shall be issued unless all outstanding escrow fees have been paid in accordance with site plan condition #5 indicated above.

10. All building improvements shall be designed in accordance with all New York State Building Code requirements for rooftop access and safety including, but not limited to tripping hazards, adequate lighting, and fire safety must be certified by the Village Building Inspector prior to the issuance of building permit and Certificate of Occupancy.
11. No construction activity shall take place on the site prior to the issuance of a Building Permit by the Building Inspector.

12. The applicant shall obtain all other applicable permits and approvals and shall pay all other fees as a part of the execution of the site plan.
13. Failure to comply with any of the conditions set forth herein shall be deemed a violation of this approval, which may lead to the revocation of the approval and/or Certificate of Occupancy, in accordance with the applicable provision of the Village of Port Chester.
14. All public notification signage posted on the site must be removed within five (5) days of the approved date of this resolution as signed by the Planning Commission Chairman in accordance with Article XXI of the Village Code.

BE IT FINALLY RESOLVED, that this site plan approval resolution shall have an effective date of July 27, 2015.

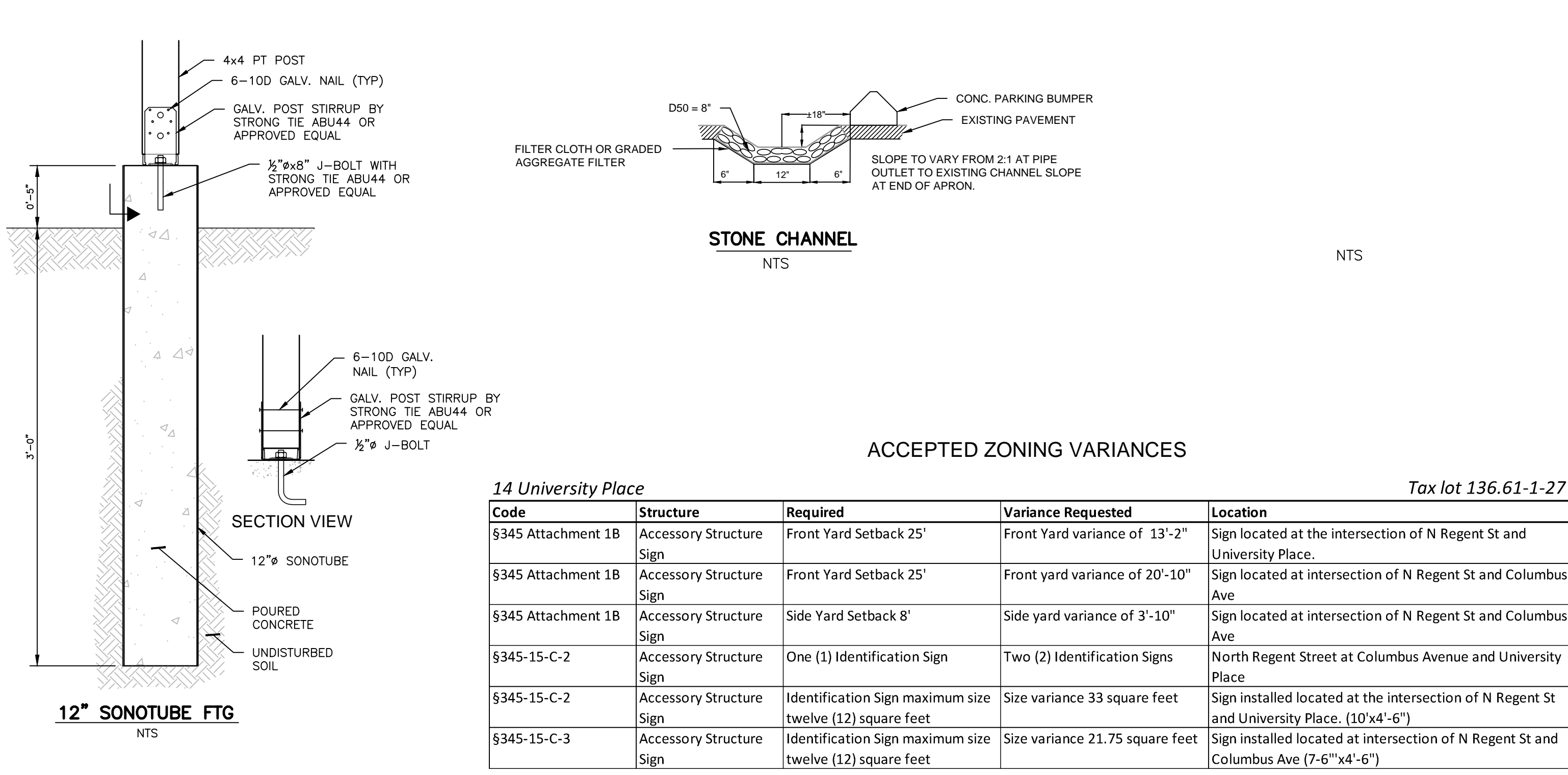
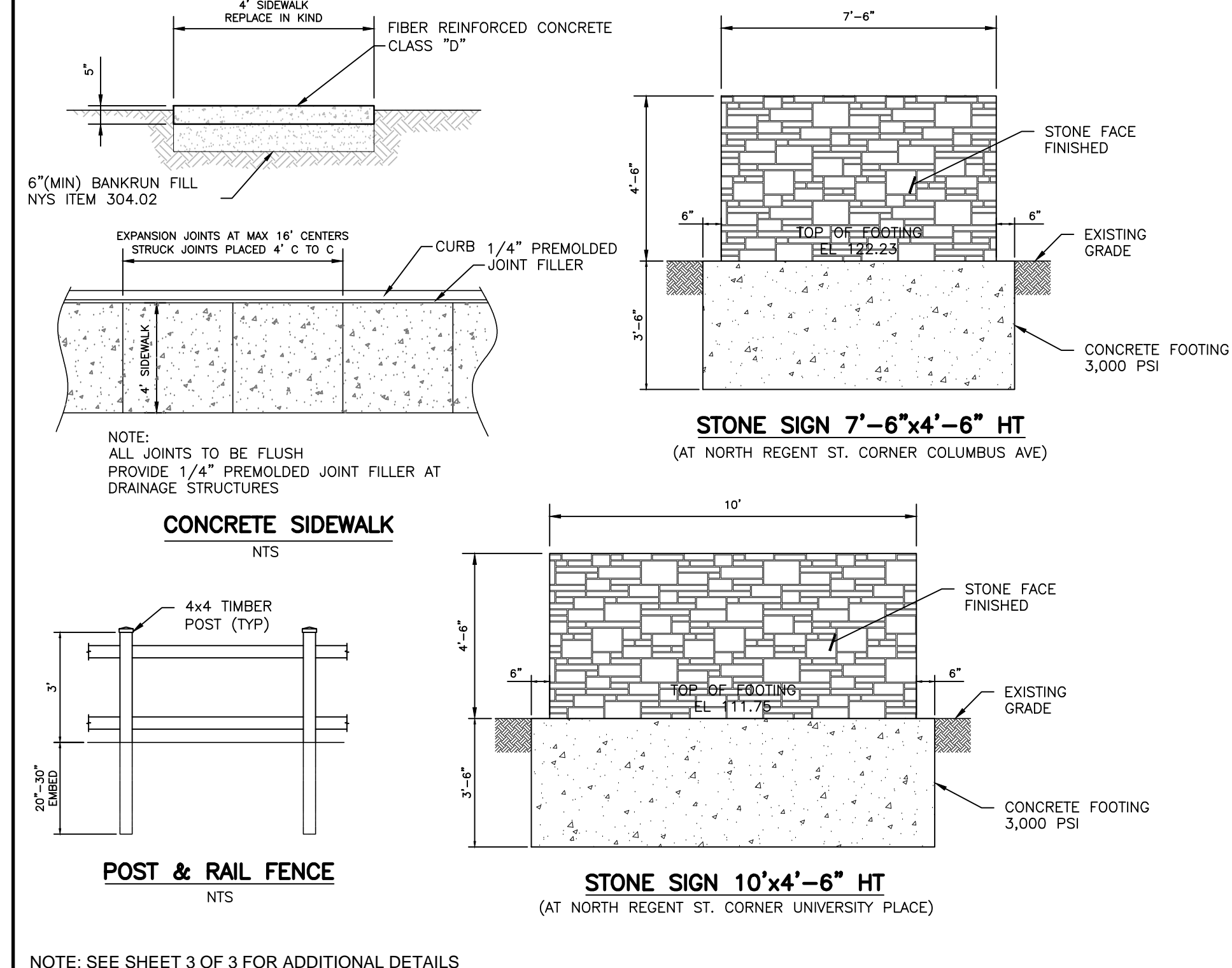
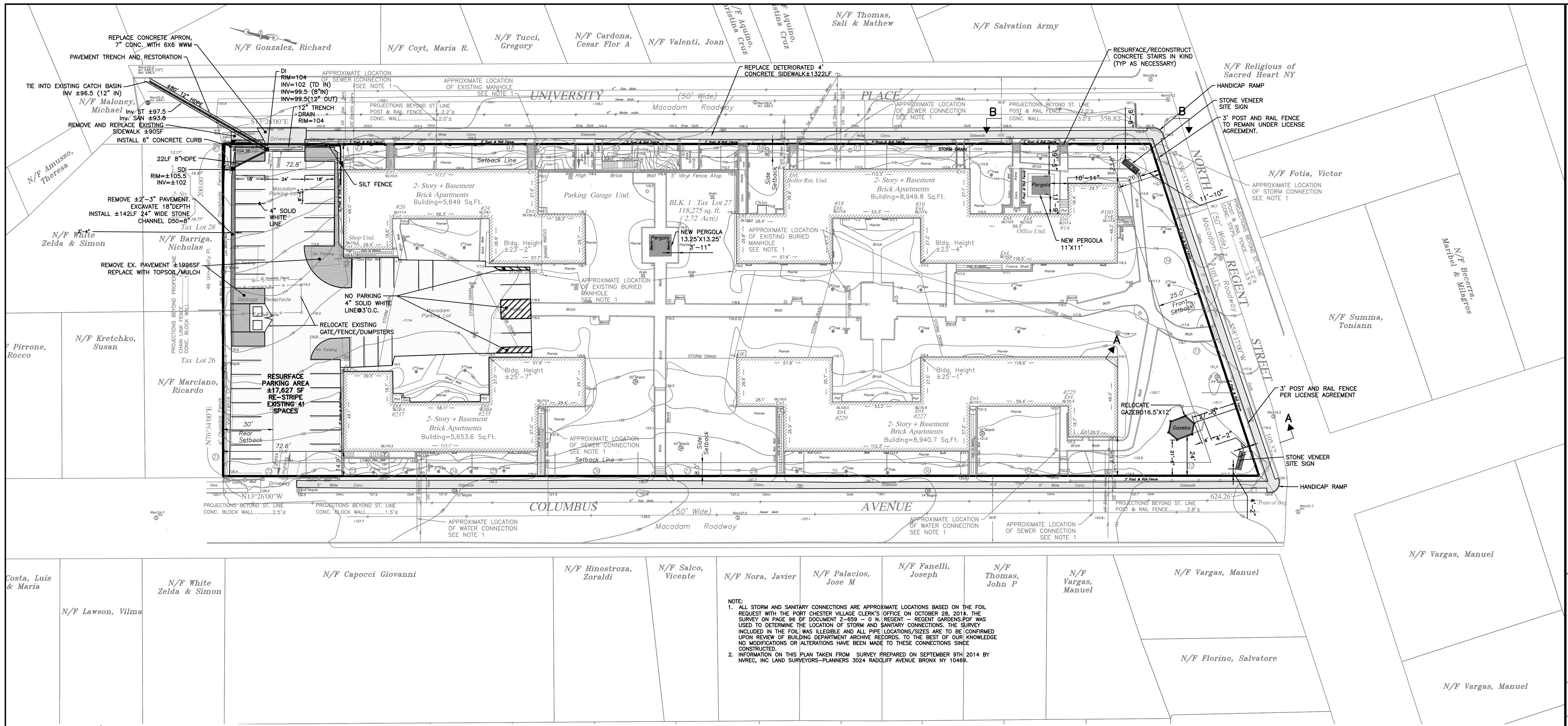
On motion of Commissioner _____, seconded by Commissioner _____, the resolution was adopted by the following vote

Ayes:

Nays:

Abstained:

Gregg Gregory, Chairman



ZONING REQUIREMENTS

R-5 One Family Residential \$345-41	Required	Provided
Maximum Floor Area Ratio	0.6	0.5*
Minimum Size of Lot:		
Area, total (square feet)	5,000	118,275
Area per dwelling unit (square feet)	5,000	1620*
Width (feet)	50	200
Depth (feet)	100	624.26
Minimum Yard Dimensions:		
Front (feet)	25	26.1
Side		
One (feet)	8	14.9
Total of 2 on interior lot (feet)	14	30.40
Rear (feet)	30	72.60
Maximum Height of Building:		
In stories	2½	2
In feet	35	35
Minimum Usable Open Space	1,999	±70,000

* Existing Non Conformity

NOTE: SEE SHEET 3 OF 3 FOR ADDITIONAL DETAILS

Paul Berté, PE
NYS PE # 071859

fusion engineering pc
600 north broadway suite 215, white plains ny 10603
fusionengineeringpc.com
consulting & engineering design services

914.358.5009

ALTERATIONS BY ANY PERSON IN ANY WAY OR ANY ITEM CONTAINED ON THIS DOCUMENT, UNLESS ACTING UNDER DIRECTION OF THE LICENSED ENGINEER WHOSE PROFESSIONAL SEAL IS AFFIXED HERETO, IS A VIOLATION OF TITLE VIII, ARTICLE 145 SECTION 7209.2 OF THE NEW YORK STATE EDUCATION LAW.

SITE PLAN AND DETAILS
REGENT GARDEN

14 UNIVERSITY PLACE
VILLAGE OF PORT CHESTER NY 10573

PROJECT: 11/3/14
SCALE: 1"=30'-0"
DESIGN: JYP
DRAWN: JYP

SHEET NO. **2** OF **3**

REVOCABLE LICENSE AGREEMENT

THIS AGREEMENT (the “Agreement”) dated as of August , 2015, is entered into by and between the VILLAGE OF PORT CHESTER, a municipal corporation duly organized under the laws of the State of New York, with offices at 222 Grace Church Street, Port Chester, New York 10573 (the “Village”) and UCF REGENT PARK, LLC., 745 Boylston Street, Suite 502, Boston, Massachusetts 02116, (the “Licensee”), and

WHEREAS, Licensee operates a residential development with 73 units at property located at 14 University Place, Port Chester, New York, also known and designated as Section 136.61 Block 1, Lot 27 on the Tax Map of the Town of Rye, New York, (the “Subject Premises”); and

WHEREAS, Licensee proposes to maintain a three (3) foot post and rail fence along the perimeter of the Subject Premises adjacent to the public sidewalk within the Village right-of-way on North Regent Street, Columbus Avenue, and University Place; and

WHEREAS, such fencing was constructed as part of the Licensee’s substantial financial investment in making necessary improvements to the Subject Premises; and

WHEREAS, such fencing minimally encroaches in the Village right-of-way and does not interfere with pedestrian traffic; and

WHEREAS, the Licensee is currently before the Planning Commission seeking site plan approval; and

WHEREAS, the continued placement of the fencing is subject to, among other things, authorization for same in the form of a revocable license agreement from the Board of Trustees.

NOW THEREFORE, BE IT RESOLVED, in consideration of the promises and the mutual covenants hereinafter contained, and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant, agree and bind themselves as follows:

1. Grant of License: Subject and pursuant to the terms and conditions contained within this Agreement, the Village, as Licensor, hereby grants to the Licensee, an exclusive, revocable license (the “License”) to encroach on the public right of way on North Regent Street, Columbus Avenue and University Place in the area shown on an as-built survey dated November 3, 2014, annexed hereto as Exhibit “A” (the “Licensed Area”).

2. Intended Use: The License herein granted shall solely be for the purpose of accommodating an existing fence adjacent to the public sidewalks on North Regent Street, Columbus Avenue and University Place.

3. License Fee: With the execution of this Agreement, the Licensee shall make payment to the Village a one-time fee in the amount of ten thousand dollars (\$10,000.00). Renewal will not require a further fee.

4. Renewal: This License shall continue year to year on the anniversary date of this Agreement on the same terms and conditions unless either party notices the other of its' intention not to renew; such notification shall be made not less than thirty (30) days prior to the ensuing anniversary date..

5. Defense and Indemnification: The Licensee does hereby protect, defend, indemnify and hold harmless the Village, to the fullest extent permitted by law, against any and all claims, costs, judgments, liens, proceedings or actions, including reasonable attorney's fees and costs of defense, for damage to property or personal injury to persons arising out of Licensee's use and occupancy of the Licensed Area. The provisions of this paragraph shall survive the expiration, non-renewal or revocation of this Agreement.

6. Insurance. At all times throughout the term of this Agreement, the Licensee shall procure and maintain, at its own cost and expense, general liability insurance against loss from personal injury or death or damage to property caused by an accident or occurrence, with limits not less than one million dollars (\$1,000,000.00) per accident or occurrence, with limits of not less than two million dollars (\$2,000,000.00) in the aggregate, together with an excess liability policy of not less than five million dollars (\$5,000,000.00. All such insurance shall name the Village of Port Chester as an additional named insured. Such insurance shall be primary and non-contributory with no recourse against the Village. Any deductibles shall be assumed by the Licensee. The Licensee shall similarly procure and maintain workers compensation coverage for its employees in such limits as required by law. All such insurance shall be from insurance companies authorized to write insurance in the State of New York and have an A.M. Best rating of least A-. The Licensee shall provide certificates of insurance and policies to the Village Attorney which shall be approved before execution of this Agreement.

7. Compliance: The Licensee shall at all times comply with all applicable federal, state and local laws and regulations with regard to the use and occupancy of the Licensed Area.

8. Interest Conferred: Licensee affirms that this Agreement authorizes the Licensee to use and occupy the Licensed Area for the limited purposes of the intended use as described herein and no other. The parties agree that the provisions of this Agreement do not constitute a lease and the rights of the Licensee are not those of a tenant. No leasehold or ownership interest in the premises is hereby conferred upon the Licensee. Licensee acknowledges that the Board's grant of a license is a discretionary action and that Licensee has no entitlement to a license or cause to make a claim in the event such grant is not renewed or revoked.

9. Revocation: This Agreement may be revoked by the Village:

A. **For Cause:** after a Notice to Cure has been given to the Licensee and Licensee has failed to cure same within the prescribed period stated therein.

B. **For Public Necessity:** after Notice has been given to the Licensee stating the nature of same and on such notice as the Village may deem reasonably practicable.

10. **Notices:** All notices and communications pursuant to this Agreement shall be given by the parties in writing and be deemed properly served if given by personal delivery or by certified mail return receipt requested at the address indicated in the Agreement. Notice shall be deemed given when it is personally received or posted.

Notice to the Village:

Village of Port Chester
Christopher D. Steers, Village Manager
222 Grace Church Street
Port Chester, N.Y, 10573

Notice to the Licensee:

UCF Regent Park, LLC
745 Boylston Street, Suite 502
Boston, MA 02116

11. **Improvements:** At the end of the term, non-renewal or revocation of this Agreement, the Licensee shall forthwith, and, at is' own cost and expense, remove the encroachment in the Licensed Area and restore the area to the satisfaction of the Village.

12. **Assignment:** This license is personal to the Licensee and shall not be assigned or transferred without prior written consent of the Village.

13. **Compliance:** The Licensee acknowledges and agrees to comply with all applicable federal, state and local laws and regulations with regard to the use and occupancy of the Licensed Area.

14. **Governing Law/Dispute Resolution:** This Agreement shall be governed by the laws of the State of New York. Any dispute between the parties shall be resolved through adjudication in a court of competent jurisdiction in the State.

15. **Severability:** Should any provision or paragraph of this Agreement be determined to be invalid, unconstitutional or otherwise unlawful, such determination shall not affect the validity of the remaining provisions or paragraphs of this Agreement which shall remain in full force in effect.

16. Entire Agreement/Amendments: This Agreement represents the entire agreement between the parties and any prior understandings between them are of no force and effect. Any amendments to this Agreement shall be in writing and signed by an authorized representative of the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year written.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

VILLAGE OF PORT CHESTER

By: _____
Christopher D. Steers, Village Manager

UCF REGENT PARK LLC

By:
Title _____

UPDATE FROM THE BUILDING INSPECTOR

DISCUSSION

THIS AGREEMENT, made the ____ day of _____ 201____ 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 the “County”)

and

THE _____, a municipal corporation of the State of New York, having an office and place of business at _____ (hereinafter the “Municipality”)

WHEREAS, the Municipality owns and operates tributary sewer system(s) that use the County’s trunk sewer system and are subject to the provisions of the Westchester County Environmental Facilities Sewer Act set forth in Chapter 824 of the Laws of Westchester County (the “County Sewer Act”); and

WHEREAS, the County Sewer Act limits the use of the County trunk sewer system and tributary systems to the discharge of sewage, industrial wastewater and other wastewater and specifically prohibits the introduction of groundwater, stormwater and excessive inflow and infiltration into the County trunk sewer system; and

WHEREAS, section 824.77 of the Sewer Act, entitled “Penalties for violation of prohibitions against the introduction of groundwater, stormwater and excessive inflow and infiltration; enforcement”, provides for penalties for violations of sections 824.41, 824.61,824.71 and 824.72 of the Sewer Act. A copy of section 824.77 is attached hereto as Exhibit “A”; and

WHEREAS, section 824.371 subsection 1 of the County Sewer Act, entitled “Enforcement and penalties”, provides for penalties for violations of Articles III to IX inclusive except for Article VIII of sections 824.381, 824.391 or 824.401 of Article XI of the County Sewer Act. A copy of section 824.371 is attached hereto as Exhibit “B”; and

WHEREAS, section 824.72 of the County Sewer Act states, among other things, that: “(e)xcessive infiltration and inflow means the quantity of flow entering the county sewer system which is greater than 150 gallons per capita per day for the population served by the tributary sewer systems located within a municipality's borders”; and

WHEREAS, the County conducted the “Long Island Sound Sanitary Sewer Districts Flow Monitoring Report” (dated September 2012, revised June 2013) in accordance with its obligations under an Order on Consent with the New York State Department of Environmental Conservation entered into in 2004 and amended in 2008, which requires among other things, the reduction of inflow and infiltration into the County trunk sewer system and its tributary systems (the “Flow Monitoring Report”); and

WHEREAS, the County asserts that its Flow Monitoring Report indicated that the Municipality has excessive inflow and infiltration entering the County’s trunk sewer system that violates sections 824.41(2), 824.61(4), 824.71(1), 824.71(2), 824.72(5), 824.72(6), 824.72(7), 824.91(7) and 824.391 of the County Sewer Act; and

WHEREAS, the County’s NYSDEC issued SPDES Permit for each sewage treatment plant, including the _____ WWTP, requires the County to enforce the County Sewer Act requirements to generally limit excessive inflow and infiltration reaching its facilities from municipal sanitary sewage collection systems; and

WHEREAS, the County and the Municipality enter into this agreement without admission to contributing to the aforesaid excessive inflow and infiltration and/or to violating the provisions of the County Sewer Act, the SPDES Permit, New York State Environmental Conservation Law and/or any other applicable law or regulation.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. By September 1, 2015, the Municipality will submit to the Westchester County Department of Environmental Facilities (WCDEF) a proposed work plan for a Sewer System Evaluation Study (SSES) of their entire sanitary sewage collection system tributary to the County’s trunk sewer system sufficient to identify sources of inflow or infiltration that when rehabilitated shall allow the Municipality to begin to comply with the flow limits of the County Sewer Act. The Municipality shall also develop a Capacity Management Operation Maintenance (CMOM) Program outline for its entire sanitary sewage collection system within the District.

2. By January 1, 2016, the Municipality will have prepared and submitted to their elected governing body a local law prohibiting stormwater and sump pump connections to sanitary sewers that includes an enforcement program and a requirement that a licensed plumber or professional engineer certify that there are no sump pumps, leaders, gutters or any

other stormwater connections to the sanitary sewer collection system and that a video inspection shows the sanitary sewer connection is free from visible defects as a pre-condition to the transfer of title of any real property in the Municipality that has a connection to its sewage collection system.

3. WCDEF shall coordinate its review of the Municipality's proposed SSES and CMOM program with the New York State Department of Environmental Conservation (NYSDEC) and shall submit any comments or requests for modifications to the Municipality by November 15, 2015. Where modifications are requested, the municipality and WCDEF agree to work together to address the comments. Once approved by NYSDEC, the Municipality shall commence the approved SSES and CMOM program.

4. The Municipality shall submit quarterly reports to WCDEF documenting its progress in completing its SSES and CMOM program, by the twentieth day following the end of a calendar quarter (January 20th, April 20th, October 20th).

5. The Municipality shall commence its CMOM program and provide a copy of same to WCDEF and NYSDEC on or before December 31, 2015.

6. The Municipality will complete its SSES and provide a copy of the SSES results with a remediation plan and schedule to WCDEF and NYSDEC on or before June 30, 2017.

7. Municipality shall submit to WCDEF and NYSDEC an approvable construction schedule based on the results and conclusions of the completed SSES on or before August 31, 2017. The Municipality shall commence construction within one hundred eighty (180) days of approval of the construction schedule by WCDEF and NYSDEC.

8. The County reserves the authority to act in its sole discretion to take any action(s) necessary, including enforcement actions against the Municipality pursuant to its authority under the County Sewer Act to eliminate excessive inflow and infiltration, should the milestones and obligation of the Municipality under this Agreement not be met, in order to maintain compliance with the County's SPDES Permit.

9. The Municipality agrees to reimburse the County for that portion of any penalties or fines the County may incur in any NYSDEC enforcement action due to the failure of the Municipality to comply with any of the terms of this Agreement.

10. After the completion of the SSES, the County and the Municipality will work cooperatively to:

- a. Develop and implement the most cost efficient implementation plan to remove the identified sources of inflow and infiltration sufficient to comply with the County Sewer Act;and
- b. Apply for grants and/or consider other funding mechanisms to reduce the implementation program's costs.
- c. Notwithstanding the foregoing, this Agreement does not obligate the County to develop and or commence an implementation plan or engage in the remedial work including any construction work.

11. The Municipality agrees:

(a) that it will provide a letter, acceptable to the County, advising that it maintains insurance coverage through a program of self-insurance; and

(b) that except for the amount, if any, of damage contributed to, caused by, or resulting from the negligence of the County, the Municipality shall indemnify and hold harmless the County, its officers, employees, agents, and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly or indirectly out of the performance or failure to perform hereunder by the Municipality or third parties under the direction or control of the Municipality; and

(c) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto.

12. The County agrees:

(a) that except for the amount, if any, of damage contributed to, caused by, or resulting from the negligence of the Municipality, the County shall indemnify and hold harmless the Municipality, its officers, employees, agents and elected officials from and against any and all liability, damage, claims, demands, costs, judgements, fees, attorneys' fees or loss arising directly or indirectly out of the performance or failure to perform hereunder by the County or third parties under the direction or control of the County and

(b) to provide defense for and defend, at its sole expense, any and all claims demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto.

13. All notices of any nature referred to in this Agreement shall be in writing and either sent by registered or certified mail postage pre-paid, or sent by hand or overnight courier, or sent by facsimile (with acknowledgment received and a copy of the notice sent by overnight courier), to the respective addresses set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt.

To the County:

Commissioner
County of Westchester
Department of Environmental Facilities
270 North Avenue
New Rochelle, New York 10805

with a copy to:

County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

To the Municipality:

14. This Agreement shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

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

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

THE COUNTY OF WESTCHESTER

By _____
Commissioner of Environmental Facilities

(Insert Name of Municipality)

By _____

Approved as to form and
manner of execution:

Senior Assistant County Attorney
County of Westchester

CERTIFICATE OF AUTHORITY
(Municipality)

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

_____ of the _____, a
(Title) (the "Municipality")

corporation duly organized and 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 and that said agreement
(Title of such person)

was duly signed for and on behalf of said Municipality by authority of its governing body,
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 the _____ day of _____ in the year 20__ before me, the undersigned, a
Notary Public in and for said State, personally appeared _____,
personally known to me or proved to me on the basis of satisfactory evidence to be the officer
described in and who executed the above certificate, and who being by me duly sworn did
depose and say that he/she resides at _____ and that he/she
is an officer of said municipal corporation; that he/she is duly authorized to execute said
certificate on behalf of said municipal corporation; and that he/she signed his/her name thereto
pursuant to such authority.

Notary Public

Date: _____

EXHIBIT “A”

Sec. 824.77. - Penalties for violation of prohibitions against the introduction of groundwater, stormwater and excessive inflow and infiltration; enforcement.

1. It shall be a civil violation of this law to violate any of the provisions of sections [824.41](#) 2.; [824.61](#); [824.71](#) and [824.72](#). Any person or municipality which violates these provisions of this chapter or any rule, regulation or standard promulgated thereto, or any order, except an order directing such person or municipality to pay a penalty by a specified date issued by the commissioner pursuant thereto, shall be subject to a penalty of not to exceed \$25,000.00 per day for each violation. It shall be a separate violation under this section for each day that each violation may continue. If a municipality or person has been found to be liable, pursuant to this chapter, for three separate violations, it shall be subject to a maximum penalty of not to exceed \$50,000.00 per day for each violation, upon its being found liable for the fourth, fifth or sixth violation. For each additional group of three subsequent violations, the maximum penalty shall continue to double (e.g. for violations seven through nine—a penalty of not to exceed \$100,000.00). In no event shall a maximum penalty for any single violation exceed \$200,000.00 per day. In addition, such person or municipality may be enjoined from continuing such violation. In any action for injunction brought pursuant hereto, any finding of the commissioner or his or her duly appointed hearing officer shall be prima facie evidence of the fact(s) found therein.

2. Penalties may be sued for and recovered by the county in any court of competent jurisdiction or they may be assessed by order of the commissioner pursuant to his or her authority under [section 824.74](#) 1. of this law.

(Added by L.L. No. 9-1991; amended by L.L. No. 16-1992)

EXHIBIT “B”

Sec. 824.371. - Enforcement and penalties.

1. A violation of the provisions of Articles III to IX inclusive except for Article VIII of this chapter or of sections [824.381](#), [824.391](#) or [824.401](#) of Article XI of this chapter shall be an offense, and each such violation may be punished by a fine not exceeding \$1,000.00 or by imprisonment not exceeding 15 days, or by both such fine and imprisonment. In lieu of, or in addition to, such fine or imprisonment, or both, each such violation shall be subject to civil penalty not exceeding \$1,000.00 for any one violation, to be recovered in an action or proceeding brought by the County Attorney in the name of the county in a court of competent jurisdiction. Each day of a continuing violation shall be subject to a separate fine, imprisonment or civil penalty.

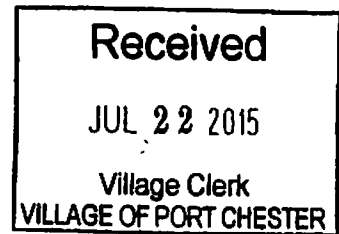
2. In addition to the penalties prescribed in subsection 1. of this section, the County Attorney may maintain an action or proceeding in the name of the county in a court of competent jurisdiction to compel compliance with or restrain by injunction any violation of this chapter.

3. Where any violation of this chapter causes an expense to the county, such expense may, in the discretion of the commissioner, be separately collected by a civil suit against the violator, brought by the County Attorney in the name of the county in a court of competent jurisdiction.

4. The county shall annually publish in the area's largest daily newspaper a list of those significant industrial users which were not in compliance with any pretreatment standards or requirements contained in this chapter at least once during the previous 12 months. The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months.

(L.L. No. 12-1985, § 1; amended by L.L. No. 7-1993)

CORRESPONDENCE



July 18, 2015

Village of Port Chester
222. Grace Church St.
Port Chester, NY 10573

To whom it may concern:

We would like to request permission to block off Linden Street for a Block Party on Saturday, September 5, 2015. The hours would be from 4:00 pm to 10:00 pm.

As we have done in the past, we would block the street from the end of the Presbyterian Church parking lot so that it would not cause a problem for them. The Village has provided the barricades for this in the past.

Thank you for your review of this matter. Please contact me if there are any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Andrea Winchester". The signature is written in a cursive, flowing style.

Andrea Winchester
7 Linden St.
Port Chester, NY 10573

939-6483 home

M. Ravikoff Assoc.

33 New Broad Street
Port Chester, NY 10573

Phone 914-934-2424
Fax 914-937-5186



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

Re: SEWER RENT law review

July 22, 2015

Board of Trustees:

Local Law #2 of 2014 is the law instating Sewer Rents. This law was passed on February 18, 2014.

Sections 268-4 and 268-9 provide for The Board of Trustees to hear and act on grievances that property owners have with said local law.


To date, I have submitted in excess of 40 grievances for this Board to review and they remain unheard.

At the January 20th meeting, this Board "asked staff" to review said law.

It is now 6 months later and this topic is not on the board's agenda.

What is going on?

Sincerely,


Howie Ravikoff

Janusz R. Richards

10 Kings Park Drive
Port Chester, NY 10573

July 26, 2015

Dear Mayor and Board of Trustees,

Kindly accept this letter as my official notice that I am resigning from my position as the Village Clerk of Port Chester, effective August 29, 2015.

After much consideration, I have decided to seek new challenges and I want to give you ample time to find a candidate prior to the start of the 2016 election process.

During the next five weeks, it is my goal to complete any outstanding tasks and finalize any outstanding minutes, resolutions, local laws, bid award letters and Public Notices. Additionally, I will make myself available to assist during the transition as needed.

First, I wanted to take this opportunity to thank my staff, the Deputy Village Clerk Vita L. Sileo, along with Virginia Malone, Theresa Garcia and Rosemarie Veltri our summer intern, for their dedication to the Village and in making the Clerk's office run smoothly.

I am confident that the Clerk's office will continue to serve our citizens without missing a beat, under the great leadership of Deputy Village Clerk Vita Sileo long after my departure.

I cannot say enough about the managerial team I have had the opportunity to work with on a daily basis, including the Village Attorney, Tony Cerreto; Senior Code Enforcement Officer, Lawrence Chiulli; Chief of Police Richard Conway; Village Treasurer, Leonie Douglas; former Director of Planning and Development, Christopher Gomez; Court Clerk, Regina Hill; Recreation Supervisor, Heather Krakowski; Building Inspector, Peter Miley; General Forman (DPW), Rocky Morabito; Director of Senior Programs and Services, Carol Neilson; Village Manager, Christopher Steers and Assistant Director of Planning and Development, Jessica Youngblood. These individuals are under constant pressure spending, countless hours and late nights away from families all in the effort to make the Village of Port Chester a better place. The Village has an incredibly dedicated staff that I have had the pleasure of working with for the past three years.

I want to say a special "Thank You" to Constance Phillips, who on my first or second day of work went out of her way to assist me in finding a planning file, related to a difficult FOIL request.

I want the citizens of this Village to know that they should be proud of the great talent the Village has in their employees and the management team. I could not ask for a better group of colleagues and I want to thank you all for making my tenure as the Clerk of the Village of Port Chester a success.

Additionally, I wanted to say thank you to former Trustee Bart Didden, Trustee Kenner, Trustee Marino and Trustee Terenzi for their vote of confidence in appointing me as the Village Clerk on August 20, 2012. I appreciate both the professional and personal growth opportunities provided to me during my time with the Village.

I wish you and the entire team at the Village of Port Chester best of luck in the future along with continued success and look forward to seeing everyone around the Village.

Sincerely,



Janusz R. Richards

cc: Village Manager, Christopher Steers
Village Treasurer, Leonie Douglas
Deputy Village Clerk, Vita Sileo

From: [Didden, Bart](#)
To: [Board of Trustees and Mayor Preferred EMail Group](#)
Cc: [Ferrara, Frank](#); [Steers, Christopher](#); [Cerreto, Tony](#); [Richards, Janusz R](#)
Subject: Port Chester IDA
Date: Tuesday, July 21, 2015 9:28:48 AM

Mr. Mayor,

In the light of your comments last night that the appointment to the open seat on the IDA is delayed, I respectfully submit my interest in filling that seat and serving the taxpayers as well as all of the residents of our Village.

The IDA has played and continues to be central to the largest redevelopment in the history of our Village. The LADA agreement between G&S and the Village BOT as well as the IDA is a complicated document with many amendments.

While Chairman Ferrara and I arrive to the same conclusion for different reasons, it is important that any candidate is either up to speed or willing to come up to speed as soon as possible and protect the interests of the people of Port Chester as well as the taxpayer.

The wrap up of the LADA has millions of dollars that is open to review. G&S by contract has committed to infrastructure and other improvements that must be completed prior to any release of collateral is considered.

I respectfully submit that I have the broadest knowledge of the agreement of any candidate or even Trustee Terenzi.

What Port Chester needs is what it is entitled to and not just a deal made on the back of a napkin to close the books on a public/private partnership to a 100+ million dollar project just for the convenience of it all.

Thank you in advance and I look forward to a pre-interview with you and a full interview in executive session with the Board of Trustees.

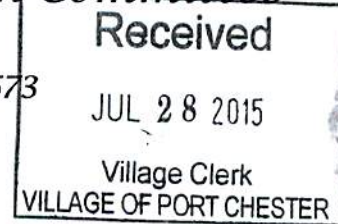
Bart A. Didden
Chairman - Waterfront Commission
Member - Alarm Review Board
Trustee '13
Village of Port Chester, N.Y.



Columbus Day Celebration Committee

*P.O. Box 1048
Port Chester NY 10573*

Founded 1906



Edward T. Sexton
General Chairman

Toni Ganim
Vice Chairman

July 27, 2015

Honorable Dennis Pilla &
Board of Trustees
Village of Port Chester
222 grace Church Street
Port Chester, New York 10573

Re: 2015 Columbus Day Parade

Dear Mayor Pilla & Board Members:

The Columbus Day Celebration Committee held their first meeting in preparation for this year's parade and festivities. Our biggest challenge this year is to raise money to cover the cost for the bands and expenses for the parade, which is scheduled for Sunday, October 11, 2015 (Rain Date October 18, 2015).

The Committee appreciates the generosity from the Village of Port Chester for their donations in the past years. Once again we come to you requesting your financial assistance for this year's parade and hope you will be able to increase your donation.

Thank you in also advance for your favorable response.

Very truly yours,

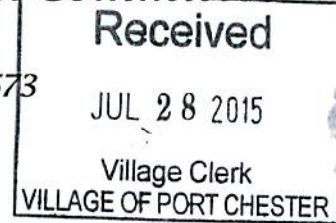
Edward T. Sexton
Chairman



Columbus Day Celebration Committee

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July 27, 2015

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The Committee appreciates the generosity from the Village of Port Chester for their donations in the past years. Once again we come to you requesting your financial assistance for this year's parade and hope you will be able to increase your donation.

Thank you in also advance for your favorable response.

Very truly yours,

Edward T. Sexton
Chairman

emailed Village Clerk
7/3/15

7-29-15

To Whom It May Concern:

Its that time again for our annual "Breckenridge Avenue Block Party" I am requesting Saturday September 12th from 3:00PM to 11:00PM with a rain date of Sunday September 13th from 2:00PM to 10:00PM. If you have any questions you can contact Lisa Dileo at 914-506-0683.

Thank You,

Lisa DiLeo
91 Breckenridge Avenue
Port Chester NY 10573

VILLAGE OF PORT CHESTER

JUL 30 2015

RECEIVED

 Vm



Thursday, July 21 2015

Mayor Dennis Pilla and the Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Dear Mayor Pilla and Board of Trustees:
REF: Sponsoring the Bolivian Parade

Thank you very much, for sponsoring the Bolivian Parade last August. We sincerely appreciated the support that The Village of Port Chester offered to the Bolivian and Hispanic community.

On Behalf of the Bolivian Cultural Center, we would like to request to sponsor our 4th Annual Bolivian Parade on August 30, 2015 in the village of Port Chester, NY 10573. As last year the Village of Port Chester supported our parade and festival with the show mobile and the electric generator.

We would greatly appreciate your support as the same as last year in our event. If you need further information, please do not hesitate to contact at 914-438-0942 or 203-918-3010. Once again, we thank you in advance and appreciate your assistance.

Sincerely,

Vladimir Molina

Centro Cultural Bolivia Port Chester, New York
85 So. Regent St. Port Chester, NY, 10573
T: 203-918-3010; T: 914-417-8643; T: 914-469-6421
Centroculturalbolivia@live.com

MINUTES

MEETING HELD APRIL 6, 2015 AT 3:00 P.M.

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, April 6, 2015, in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Mayor Neil Pagano presiding.

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

It should be noted that Trustee Saverio Terenzi was absent and Trustee Kenner arrived at 4:01 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; member of Port Chester Police Department; Attorney Anthony Piscionere, (representing a member of Port Chester Police Department); Attorneys Emily E. Harper and Richard Finkel Labor Council.

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO the meeting was declared opened at 3:15 p.m.

ROLL CALL

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

NOES: None.

ABSENT: Trustees Terenzi and Kenner.

DATE: April 6, 2015

MOTION FOR EXECUTIVE SESSION

Executive Session 1

At 3:15 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Board adjourned into an executive session to continue conducting the trial with regard to disciplinary charges brought against a member of the Port Chester Police Department pursuant to the provisions of Section 5711-q of the Unconsolidated Laws of the State of New York.

ROLL CALL

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

NOES: None.

ABSENT: Trustees Terenzi and Kenner.

DATE: April 6, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; member of Port Chester Police Department; Attorney Anthony

Piscionere, (representing a member of Port Chester Police Department); Attorneys Emily E. Harper and Richard Finkel Labor Council.

No action was taken in executive session.

At 4:00 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

ROLL CALL

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

NOES: None.

ABSENT: Trustees Terenzi and Kenner.

DATE: April 6, 2015

Executive Session 2

At 4:02 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Board adjourned into an executive session Consultation with Village Attorney.

ROLL CALL

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

NOES: None.

ABSENT: Trustees Terenzi and Kenner.

DATE: April 6, 2015

Also present were: Village Clerk, Janusz R. Richards and Village Attorney, Anthony Cerreto.

The following action was taken in executive session.

RESOLUTION

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

RESOLVED, having found the charged officer guilty of charges, the Board hereby imposes the penalty of dismissal.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: Trustees Kenner and Terenzi.

DATE: April 6, 2015

At 4:29 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

ROLL CALL

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

NOES: None.

ABSENT: Trustees Terenzi and Kenner.

DATE: April 6, 2015

At 4:30 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the meeting was closed.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 6, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD APRIL 06, 2015 at 7:00 PM

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, April 6, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Neil Pagano presiding.

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

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

On motion of TRUSTEE TERENCEZI, seconded by TRUSTEE BRAKEWOOD the meeting was declared opened at 7:03 p.m.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

AWARD PRESENTATION

TRUSTEE CECCARELLI presented to Mayor Pagano a certificate of appreciation for his crevice and commitment to the Village of Port Chester.



AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION

RE:

Public Hearing regarding a local law amending the code of the Village of Port Chester by adding a new chapter, Chapter 302, Towing and Booting.

The following Public Notices were duly published in the Journal News and the Westmore News on **February 13**, certified by Cecilia Hernandez, Principal Clerk of the Journal News and **Angelina Brescia**, Office Manager of the Westmore News

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, March 2, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider adopting a local law amending the Code of the Village of Port Chester with a new chapter, Chapter 302, Towing and Booting, that would establish licensing requirements on those who wish to boot or tow motor vehicles from private property in the Village of Port Chester.

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

Date: February 13, 2015

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

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

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

Public Comments

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

Comments were made by: Ms. Goldie Solomon asked what is in the Code that is going to serve the people. It says adding a new chapter but does not explain the towing and booting, and who is going to be affected by this booting. Village Attorney Cerreto commented he met with the towing operators who spoke at the last meeting. There may be some common ground between the towing operators and the Village Board. Attorney Cerreto recommended that we put this aside tonight and have a workshop on it after the Budget process. We can take action on this in the next few months. Ms. Solomon commented we need to have another public hearing then. Mayor Pagano commented that the Village is not doing the towing and booting. Property owners of lots hire towing and booting companies because others are illegally parked on their property. The Village needs to regulate this to protect the people who are illegally parked or illegally towed. Mark Clanson commented they met with the police chief and Village lawyer and are coming to a common ground.

Trustee Adams commented that on Easter Sunday people who were visiting people in the Drew Street housing were booted.

On motion of TRUSTEE MARINO seconded by TRUSTEE KENNER the public hearing was closed.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

Public Hearing regarding a local law amending the Code of the Village of Port Chester, Chapter 268, "Sewer Rent" with regard to adjustments of sewer rent.

The following Public Notices were duly published in the Journal News and the Westmore News on **February 13**, certified by Cecilia Hernandez, Principal Clerk of the Journal News and **Angelina Brescia**, Office Manager of the Westmore News

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, April 6, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider adopting a local law amending the Code of the Village of Port Chester, Chapter 268, "Sewer Rent" with regard to adjustments of sewer rent.

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: March 20, 2015

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, the public hearing was declared open.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

Public Comments

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

Ms. Goldie Solomon would like to know if they changed the agreement to sewer rent being brought to the Village of Port Chester instead of sending it out. If you keep sending it out it costs more for stamps. Mayor Pagano commented the payment still goes to United Water, but it allows flexibility in the appeals process -- longer period of time; it doesn't need to go before the Board of Trustees, it can be handled administratively. Attorney Cerreto commented this local law would define and streamline the process of adjustment. It is based on water consumption. This process allows the property owner to make an appeal to change that consumption number and, therefore, change their sewer rent bill. Staff has responded to comments made by the public and by this Board to make the administrative process to allow this application to be made to the Village to appeal every six months as opposed to every time you receive a sewer rent bill. Also, residents also have an adjustment to the 10% cap on reduction. This local law provides criteria to make this adjustment.

Hope Kahn asked about a sewer rent your tax bill includes the Westchester County Sewer Tax. It is not the Sewer Rent bill. Attorney Cerreto commented if she believes the water is not going into the sewer system that would be the basis of a case for adjustment.

Mr. Richard Abel commented on the wording of the new law. Village Attorney Cerreto commented that we need to add “or” is in the Affidavit paragraph. Trustee Brakewood added that wording changes should be made.

Adoption of Local Law No. 1 of 2015

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

SECTION 1: Section 288-4 of the Code of the Village of Port Chester, entitled “Sewer rent; basis; adjustments, changes” is hereby repealed and new provisions to be added in place and stead as follows:

...

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

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

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

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

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

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Local Law No. 1 of 2015 was adopted by the Board of Trustees of the Village of Port Chester, New York.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

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:

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE:

PUBLIC COMMENTS

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

Comments were made by:

Ms. Goldie Solomon thanked those who celebrated Easter and Passover. We must get our taxes down but not at the expense of the Police, Fire Department and DPW. She thanked Mayor Pagano for all he has done for the Village.

Trustee Terenzi commented on the taxes and the Village Budget is lower than it was four years ago.

Mr. Tom Corbia commented on the Village taxes. He thanked Mayor Pagano for his service to the Village. Port Chester H.S. Athletic Boosters will have their event on April 18th.

Mr. Richard Abel commented on the IMA vote on sewer rent. Rye Brook will be paying Port Chester \$125 per lot for 304 properties. This is a flat fee for five years. Trustee Terenzi commented the majority of the money we are collecting in Port Chester is from commercial lots. Mr. Abel commented that tonight you are voting on an extension of Mr. Steers and Mr. Cerreto's employment contract. He had never seen this issue come up before. Mr. Steers' contract is not up until next year. Putting this extension in for an additional two years to 2018, you are tying the hands of the future Board. Trustee Brakewood commented it is not technically tying the hands of the Board because there is a severance and termination clause in the contract.

Ms. Dina Goren, commenting on behalf of the Dog Park group, thanked Mayor Pagano for the time and support he has given the group. She commented about the animal shelter agreement. She spoke about getting animals adopted rather than euthanized. Village Manager Steers commented he worked with Captain Telesca on this program, and the existing Westchester Humane Society did not want to deal with us anymore. They wanted to become a rescue facility. The vet did a good job in trying to either get the animals back to their owners or get them adopted out. We were spending \$15,000 per year with the Humane Society. Using the vet in the last two years we spent \$2,000 in this process.

Ms. Bea Conetta thanked the DPW for their laborious work. This department goes out to clear all the snow this winter in addition to picking up the recycling and trash and filling the potholes. The other group is the school crossing guards. They go out regardless of the weather. They deserve a raise. She thanked Mayor Pagano for his service.

Mr. Mike D'Vittorio, 1st Assistant Engineer of the PCFD, announced that the PCFD has decreased its rating from a 4 to a 3. We now join the 3.6 percent of the fire departments in the United States that enjoy a 3 rating. This will mean a reduction to Village residents in the fire insurance premium, especially commercial properties. He thanked Mayor Pagano for his service on the Village Board and as a member of the Port Chester Fire Department.

RESOLUTIONS

RESOLUTION #1

EXTENDING THE CURRENT EMPLOYMENT AGREEMENT WITH THE VILLAGE MANAGER

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

WHEREAS, Christopher D. Steers is employed by the Village of Port Chester as Village Manager; and

WHEREAS, the parties last entered into an agreement dated May 21, 2014 which expires on October 11, 2016 unless otherwise extended by mutual agreement of the parties; and

WHEREAS, the Board desires to extend said agreement to expire on October 11, 2018. Now, therefore be it

RESOLVED. that the Mayor is authorized on behalf of the Board to Trustees to enter into an agreement with Christopher D. Steers extending his employment agreement to expire on October 11, 2018, all other terms and conditions of the May 2014 Agreement to remain in full force and effect.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #2

**EXTENDING THE CURRENT EMPLOYMENT AGREEMENT
WITH THE VILLAGE ATTORNEY**

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

WHEREAS, since original appointment in July 1995, Anthony M. Cerreto has been employed by the Village of Port Chester; and

WHEREAS, Mr. Cerreto has had an employment agreement since that time authorized by unanimous vote of bipartisan boards; and

WHEREAS, the parties last entered into an agreement dated May 2013 which expires on May 31, 2015 unless otherwise extended; and

WHEREAS, the parties desires to extend said agreement. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with Anthony M. Cerreto to extend the term of the agreement dated May 2013 with a term to expire on May 31, 2017, unless otherwise extended, compensation to be a gross annual salary of \$139,156 for FY 2015-2016 or as heretofore adopted by resolution of the Board of Trustees, but in no event shall his annual salary be in a lower amount than the fiscal year previous, all other terms and conditions of the May 2013 agreement to remain in full force and effect.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #3

APPOINTMENT OF VILLAGE JUSTICE

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

RESOLVED, that PETER SISCA, residing at 461 Westchester Avenue, Port Chester, New York, be and he hereby is appointed VILLAGE JUSTICE of the Village of Port Chester, for a two year term, effective May 15, 2015, and to expire May 14, 2017, at an annual compensation heretofore adopted by the Board of Trustees, to be paid every two weeks.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #4

APPOINTMENT OF ACTING VILLAGE JUSTICE

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

RESOLVED, that MATTHEW J. TROY, III, residing at 88 Hawley Avenue, Port Chester, New York, be and he hereby is appointed ACTING VILLAGE JUSTICE of the Village of Port Chester, for a two year term, effective May 15, 2015, and to expire May 14, 2017, at an annual compensation heretofore adopted by the Board of Trustees, to be paid every two weeks.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #5

**AGREEMENT TO PROVIDE SHELTER AND VETERINARY SERVICES
FOR DOGS SEIZED IN THE VILLAGE OF PORT CHESTER**

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

WHEREAS, the Stamen Animal Hospital and Violi Veterinary Care PPC, 61 Quaker Ridge Road, New Rochelle, New York, 10804, currently provides shelter and veterinary services for dogs seized by the Police Department in accordance with the requirements of the New York Agriculture and Markets Law; and

WHEREAS, the agreement between the Village and the contractor expires on May 31, 2015; and

WHEREAS, the Chief of Police has recommended renewal of the agreement for an additional two-year term; and

WHEREAS, this matter is provided for in the Village manager's Tentative Budget for Fiscal Year 2015-2016. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a renewal agreement with Stamen Animal Hospital and Violi Veterinary Care PPC, 61 Quaker Ridge Road, New Rochelle, New York 10804 to provide an maintain a pound or shelter for dogs seized in the Village and necessary veterinary care, with a two year term to expire on May 31, 2017, compensation and other terms as provided for in the said agreement annexed hereto, payable out of Account Code 3510-400 "Animal Control".

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #6

**SENIOR NUTRITION
TITLE IIIB TRANSPORTATION PROGRAM**

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

RESOLVED, that the Village Manager be and is authorized to enter into an agreement with the County of Westchester for the Older Americans Act and New York State Community Services for the Elderly Act, for Title IIIB in the amount of \$13,747 to cover the programs provided by the Village of Port Chester for period covered January 1, 2015 to December 31, 2015. The Village of Port Chester is required to contribute a contractor match of \$9,553 to the program.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #7

SENIOR NUTRITION TITLE III-C1 & Title IIIC2

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

RESOLVED, that the Village Manager be and is authorized to enter into an agreement with the County of Westchester for the Older Americans Act and New York

State Community Services for the Elderly Act, for Title III-C1 & Title IIIC-2 in the amount of \$108,257 to cover the programs provided by the Village of Port Chester for period covered January 1, 2015 to December 31, 2015.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #8

AUTHORIZING AGREEMENT WITH PORT CHESTER YOUTH BASEBALL LEAGUE TO OPERATE VILLAGE'S YOUTH BASEBALL PROGRAM

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

WHEREAS, acknowledging the scarcity of Village resources and the need to secure alternative means of delivery of recreational services, the Village announced its intention to designate a not-for-profit operator to provide a portion of same; and

WHEREAS, since 2004, the Village has designated the Port Chester Youth Baseball League as the operator to provide youth baseball programs at Lyon Park for the Village's youth; and

WHEREAS, the Program has proven to be a successful private-public partnership in the delivery of recreational services and is a model for other communities; and

WHEREAS, the parties desire to renew this partnership. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement with the Port Chester Youth Baseball League to operate Tee-Ball (age 5-6), Rookie (age 7-8), Minor (age 9-10) and Major (11-12) Program at Lyon Park with a term of January 1, 2015 and expiring December 31, 2018, payment to be \$18,000 per year, from General Ledger, Account Code: 7310-0460 "Youth Baseball" and on such other terms as provided in the annexed agreement.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #9

**ADOPTION OF LOCAL ADJUSTMENTS FOR HOMESTEAD AND
NON-HOMESTEAD BASE PROPORTIONS FOR 2015-2016**

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

WHEREAS, on February 2, 2005, the Board of Trustees adopted Local Law No.2 of 2005 relating to the adoption of the provisions of Section 1903 of the Real Property Tax Law regarding Homestead Base Proportions; and

WHEREAS, the Town of Rye Assessor has prepared and adopted Homestead and Non-Homestead base proportions for the Village of Port Chester on March 17, 2015; and

WHEREAS, the Board of Trustees of the Village of Port Chester wishes to adopt local adjustments to these base proportions that will be used to establish a Homestead tax rate and a Non-Homestead tax rate for the 2015-2016 Village Budget and tax rates. Now, therefore, be it

RESOLVED, that the Board of Trustees of the Village of Port Chester hereby adopts for the 2015--2016 Village tax, Homestead Base Proportions of 55.740822%, and Non-Homestead base proportions of 44.259178%; and be it further

RESOLVED, that the Village Manager is authorized to sign all necessary documents to implement the purposes of this resolution; and be it further

RESOLVED, that the Town Assessor and Receiver of Taxes are authorized to make any filings on behalf of the Village of Port Chester, and to take any additional actions necessary to implement the purposes of this resolution.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #10

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE
PATROL PC MOUNTED COMPUTER FOR CAR 54**

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase one (1) Patrol PC car mounted computer for car 54 (new Ford Explorer) for a total cost of \$4,901 from Patrol PC, 344 John L Dietsch Blvd., Unit 2, North Attleboro, MA 02763, NYS contract PT60949. Now, therefore be it

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

GENERAL FUND

Balance Sheet:

001-001-0695 Deferred Revenue Police DEA \$(4,901.00)

Revenues:

001-0001-2613 Use of Deferred DEA Revenue \$4,901.00

Appropriations:

001-3120-0200 Police Service Equipment \$4,901.00

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

DATE: April 6, 2015

RESOLUTION #11

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE
TEN IPHONE6 FOR DETECTIVE BUREAU**

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase TEN (10) Iphone6 128gb for use by the Detective Bureau for a total cost of \$4,374.80 from Verizon Wireless, Government Account, 355 North Central Avenue, Hartsdale, NY 10530, WSCA Master Service Agreement #1907. Now, therefore be it

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

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$(4,374.80)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$4,374.80
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Appropriations:

001-3120-0200	Police Service Equipment	\$4,374.80
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APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

DATE: April 6, 2015

RESOLUTION #12

**AWARDING BID FOR 2015
SANITARY SEWER LINING AND MANHOLE REHABILITATION**

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

WHEREAS, the Village of Port Chester has advertised for bids for 2015 Sanitary Sewer Lining and Manhole Rehabilitation (Bid No. 2015-01); and

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

WHEREAS, the Village's consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept the low bid of Kenyon Pipeline Inspection LLC, Queensbury, New York which bid which meets all the specifications as set forth in the bid documents. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for 2015 Sanitary Sewer Lining and manhole Rehabilitation to Kenyon Pipeline Inspection LLC, 22 Helen Drive, Queensbury, New York 12804, in the amount of \$797,575.00; and be it

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

FURTHER RESOLVED, that the funding for said work be appropriated from the Sewer Improvement Project 5.8120.400.2013.132 in the Capital Fund.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

RESOLUTION #13

AUTHORIZING INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF RYE BROOK WITH REGARD TO THE CONNECTION/USE OF THE PORT CHESTER SANITARY SEWER SYSTEM

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

WHEREAS, pursuant to General Municipal Law, Article 14-F, the Village of Port Chester has established a system of user fees, or sewer rents, to fund the operation, maintenance, construction and reconstruction of the Village's sanitary sewer system; and

WHEREAS, there are certain properties in Rye Brook that are connected to and ultimately use Port Chester's sanitary sewer system; and

WHEREAS, there are certain properties in Port Chester that are connected to and ultimately use Rye Brook's sanitary sewer system; and

WHEREAS, the parties desire to enter into an inter-municipal agreement to resolve issues that have arisen since Port Chester's imposition of sewer rents on outside users within Rye Brook. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby authorizes the Village Manager to execute an Inter-Municipal Agreement with the Village of Rye Brook as in the form annexed with regard to its connection/use of Port Chester's sanitary sewer system.

- Rye Brook to make payment of \$125/lot on an annual basis
- Reimbursement to Rye Brook property owners for monies collected since June 1, 2014 for Port Chester FY 2014-2015.
- Term of 5 years

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

CORRESPONDENCES

From Trustee Kenner resigning as a member of the Port Chester Industrial Development Agency and Port Chester Local Development Corporation.

The Board accepted the resignation with regrets.

From Port Chester – Rye Brook – Town of Rye Independence Day Committee requesting a donation of \$5,500.00 for the July 4th celebration to be held at Ryan Stadium.

The Board referred the correspondence to staff without objection.

Add-on Correspondence 1

During the correspondence section of the meeting, Mayor Pagano asked for a motion to add-on a correspondence from Nardo Associates.

There being no objection TRUSTEE MARINO made a motion to add-on a correspondence from Nardo Associates, seconded by TRUSTEE CECCARELLI the motion received a unanimous vote of those present.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

From Landmark Condominium Association- Managing Agent Nardo & Associates requesting any assistance that the village can offer in providing on street and overnight parking on the surrounding roads, specifically Wilkins Ave, Horton Ave. and any other street that the village would be willing to provide.

The Board referred the correspondence to staff without objection.

Add-on Correspondence 2

During the correspondence section of the meeting, Mayor Pagano asked for a motion to add-on a correspondence from New York State Office of Parks Recreation and Historic Preservation.

There being no objection TRUSTEE MARINO made a motion to add-on a correspondence from New York State Office of Parks Recreation and Historic

Preservation, seconded by TRUSTEE CECCARELLI the motion received a unanimous vote of those present.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

From New York State Office of Parks Recreation and Historic Preservation regarding Village of Port Chester has been selected to receive a new

The Board accepted the correspondence.

MINUTES

Mayor Pagano asked for a motion to combine the minutes of March 16, 2015, March 19, 2015 at 6:00 p.m., March 19, 2015 at 7:00 p.m., March 23, 2015 and March 26, 2015 for the purpose of casting one vote for the above listed minutes.

There being no objection TRUSTEE CECCARELLI made a motion, seconded by TRUSTEE KENNER to combine the minutes of March 16, 2015, March 19, 2015 at 6:00 p.m., March 19, 2015 at 7:00 p.m., March 23, 2015 and March 26, 2015 of the agenda for the purpose of casting one vote for all the minutes.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, The Board of Trustees accepted the minutes of March 16, 2015, March 19, 2015 at 6:00 p.m., March 19, 2015 at 7:00 p.m., March 23, 2015 and March 26, 2015.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

PUBLIC COMMENTS AND BOARD COMMENTS

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

Comments were made by:

Mr. Frank Ferrari thanked Mayor Pagano for his generous time in serving the people of Port Chester. He also thanked Trustee Kenner for his service on the IDA.

Mr. Richard Abel thanked Mayor Pagano for his years of service. He noted that he was one of the more professional Mayors to hold that position.

Trustee Adams commented that it was nice to work with Mayor Pagano. You were professional and meetings started on time.

Trustee Brakewood commented on tax increases. People need to keep a close eye on what's going on with their taxes. This will be a very tight budget. Many single family residences will probably see a reduction in their taxes this coming year. Lastly, he commented Mayor Pagano was very professional and an outstanding Mayor over the past two years. The Village now has a Master Plan. The one thing he picked up from the Mayor is that a meeting that starts on a Monday should end on a Monday.

Trustee Terenzi commented that Chris Gomez got \$250MM allocated out of the State Budget for sewer repairs. We scan go for grants up to \$5MM. Village Planning Director Gomez commented that he has spoken to the United Hospital representative and they will be presenting their revised draft in the coming weeks. Trustee Terenzi said that Starwood is going to go out of its way to accommodate the residents of 999 High Street. He commented that it was a pleasure working with Mayor Pagano.

Trustee Marino commented it was good working with Mayor Pagano and there are projects that he hopes they can work together on in the future. He thanked the Mayor for his service.

Trustee Kenner commented it was great to work with Mayor Pagano. He enjoyed his professionalism and also the nonsense.

Trustee Ceccarelli commented on Mayor Pagano's service to the Fire Department. It is a big piece of service to the community. You will be missed.

"Mayor Pagano made the following closing statements "As far back as I can remember, I never needed to be a Mayor. Nevertheless with the faith and trust of the voters I took on that responsibility 2 years ago without reservation. I indeed had my own vision of what I

wanted to accomplish for the Village. Did I accomplish all that I set out to do? No., but in most cases - and contrary to some opinions in this Community - I believe that this Village is better off now than what it was when I moved into this seat two years ago this month and I have no real regrets.

“So tonight, as my term as your Mayor comes to a close, it is done with very mixed feelings and with an array of emotions. With your indulgence I would like to break my own tradition of limiting my closing comments at these BOT meetings and take a few moments to reflect back on the two years that I served, and focus in on what in my mind is one of the most important success stories of these past 24 months. Some may feel that it is of little significance but in my mind this basic necessity is the essence of the foundation of a truly effective and productive workplace.

“I’ve thought long and hard about the comments I wanted to make tonight and frankly, after 3 different drafts I decided that, I was not going to use my time to rant or otherwise use this pulpit to settle any scores or regurgitate the events of 2013-2015 but rather I should use my time to specifically thank those real heroes and dedicated servants who really make this Village work.

“What strikes me the most about my tenure is the complete and utter dedication and professionalism of the entire Village staff, citizen Boards and Commissions and the uniformed services - paid and volunteer. Unless one walks in the shoes of our department heads and/or their staff, one cannot even fathom the level of the amount of work and the difficult and complicated challenges they deal with every single day in managing the day to day operation of what is in essence a small city and its inhabitants that are complicated, diverse and electric. There is always too much work for too short a work force given the demands placed on them.

“From my vantage point, that one factor, that one basic change that overcame all points of the Village Government compass is that the overall morale of Village Staff - at just about all levels - has improved dramatically over the past two years. The Board on which I served - made up of 3 Democrats, 1 Republican, 1 Conservative and 2 Independents - functioned extremely well regardless of various positions the Board members took. Working with Sam, Joe, Gene, Luis, Greg and Dan has been an honest pleasure even though we’ve agreed to disagree at times. Debate was respectful and generally healthy. In short, we got along and I want to thank you six men for your support and friendship. To the citizens of our Village I will say that this positive, civil and constructive attitude of your elected Village leadership was contagious and transmitted itself to every employee and Commission member at every level - inside and outside of Village Hall. Many difficult, thorny and sometimes controversial and politically unpopular issues were confronted head on and dealt with. Nothing was shoved under the rug. Within legal limits disclosure and transparency were the guideposts that we followed. A primary reason for that is that Department heads and staff felt confident, safe and assured that they had the full support of this policy making Board and, in short, the work environment was made to be very stable. That in and of itself motivated every level of our Village government. No senior staff was ever threatened with the loss of their employment. They were audited and questioned but most importantly, they were left to "manage" without interference starting at the top with the Village Manager. In short, they were allowed to do their jobs and most all public officials knew what line not to cross. So, the message I want to leave my fellow board members tonight and the challenge before it in the future therefore is to -

first and foremost - leave your egos at the door especially when the TV camera is rolling. Audit your own behavior - individually and as a group- and continue to maintain a proper and constructive attitude when interacting with staff - treating all with respect, fairness and without fear of intimidation or retaliation - for the standards you set as a Board and the duties they perform -are challenging and demanding in and of themselves. Afford them the respect and understanding of the tasks they undertake they deserve nothing less.

“In summation it has been nothing short of an honor and a pleasure to serve, and it is with a great degree of humility that I again thank you - the electorate - and the entire Village staff for your support and trust for selecting and supporting me to represent you during this period.

To all these warriors, may I, along with my wife Rosemary, wish you and the Mayor elect the very best of luck but especially the wisdom and honesty to confront and successfully negotiate the many challenges and exciting opportunities that lay ahead for our Village.”

MOTION FOR EXECUTIVE SESSION

Add-On Executive Session

Consult with the Village Attorney concerning a pending disciplinary matter brought against a member of the Port Chester Police Department.

At 9:02 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Board adjourned into an executive session to;

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

Also present were: Village Clerk, Janusz R. Richards; Village, Christopher Steers; Village Attorney, Anthony Cerreto and David Kenny Law Student-Intern.

The following action was taken in executive session.

RESOLUTION

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

RESOLVED, having found the charged officer guilty of charges and imposed the penalty of dismissal, the Board hereby accepts and adopts the Determination dated April 6, 2015 with same to be effective immediately.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

RECUSE: Trustees Kenner and Terenzi.

ABSENT: None.

DATE: April 6, 2015

At 9:16 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

ROLL CALL

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

NOES: None.

ABSENT: Trustees Terenzi and Kenner.

DATE: April 6, 2015

At 9:18 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD, the meeting was closed.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 6, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD APRIL 7, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, April 7, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis G. Pilla presiding.

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

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Christopher Ameigh Administrative Aide to the Village Manager and Edward Quinn, Village Fire Chief - Chief Engineer.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the meeting was declared opened at 7:08 p.m.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015.

RESOLUTIONS

RESOLUTION #1

APPOINTMENT OF PRESIDENT (DEPUTY MAYOR)

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

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

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #2

APPOINTMENT OF VILLAGE TREASURER

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

RESOLVED, that LEONIE DOUGLAS, be and she hereby is appointed TREASURER for the Village of Port Chester, New York, said appointment to be effective immediately and to expire on April 4, 2016, at an annual rate of compensation of \$127,100.00 or as heretofore adopted by the Board of Trustees, to be paid every two weeks; and be it further

RESOLVED, that her bond as said Treasurer be and the same is hereby fixed at \$50,000.00.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #3

APPOINTMENT OF VILLAGE CLERK

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

RESOLVED, that Janusz Richards, be and he hereby is appointed VILLAGE CLERK for the Village of Port Chester, New York, said appointment to be effective immediately and to expire on April 4, 2016, at an annual rate of compensation of \$76,875.00 or as heretofore adopted by the Board of Trustees, to be paid every two weeks; and be it further

RESOLVED, that his bond as said Clerk be and the same is hereby fixed at \$50,000.00.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Kenner and Mayor Pilla

NOES: Trustee Ceccarelli.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #4

APPOINTMENT OF REGISTRAR OF VITAL STATISTICS

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

RESOLVED, that Vita Sileo, be and she hereby is appointed REGISTRAR OF VITAL STATISTICS of the Village of Port Chester, New York, for a term effective immediately and to expire April 4, 2016; and be it further

RESOLVED, that his bond as said Clerk be and the same is hereby fixed at \$50,000.00.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #5

**APPOINTMENT OF VILLAGE PROSECUTOR – VEHICLE AND TRAFFIC
(Assistant District Attorney)**

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

RESOLVED, that MAX DIFABIO, be and hereby is appointed Village Prosecutor – Vehicle and Traffic (Assistant District Attorney) for the Village of Port Chester, at an annual compensation heretofore adopted by the Board of Trustees, payable every two weeks, said appointment to be effective immediately and to expire on April 4, 2016.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #6

**APPOINTMENT OF VILLAGE PROSECUTOR - CODE ENFORCEMENT
(Assistant District Attorney)**

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

RESOLVED, that FRANK CERVINKA, be and he hereby is appointed Village Prosecutor – Code Enforcement (Assistant District Attorney) for the Village of Port Chester, at an annual compensation heretofore adopted by the Board of Trustees, payable every two weeks, said appointment to be effective immediately and to expire on April 4, 2016, and be it further

RESOLVED, that Robert Peirce shall assist Attorney Cervinka and act as interim to assure a smooth transition, compensation to be \$4,000 for the month of April 2014.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #7

RECEIVER OF TAXES

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

WHEREAS, Title IV, Section 2A of the Village Charter provides that the Village Board of Trustees may appoint the Rye Town Receiver of Taxes as the Receiver of Taxes for the Village of Port Chester; and

WHEREAS, the Town of Rye has appointed Nicholas Mecca as Rye Town Receiver of Taxes. Now, therefore, be it

RESOLVED, that Nicholas Mecca, be appointed Receiver of Taxes, effective immediately, with term to expire April 4, 2016.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #8

AUDITOR OF CLAIMS

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

RESOLVED, that the Village Manager, be and is hereby appointed as Auditor to audit and direct the payment of claims against the Village, with a term to expire on April 4, 2016.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #9

TRUSTEES FOR THE POLICE PENSION FUND

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

RESOLVED, that MAYOR DENNIS G. PILLA, CHIEF RICHARD F. CONWAY, TRUSTEE CECCARELLI, TRUSTEE KENNER, AND TRUSTEE TERENCE TERENZI, Trustees; the Police Chief, the Village Manager and the Treasurer, be and they are hereby appointed as TRUSTEES of the Police Pension Fund with term to expire April 4, 2016.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #10

**TRAINING SCHOOLS, EDUCATION SESSION ETC.
FOR VILLAGE OFFICERS, DEPARTMENT HEADS & EMPLOYEES**

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

WHEREAS, Section 77-b of the General Municipal Law authorizes municipal officials and employees to attend training schools, educational sessions, etc., conducted for the benefit of the local government; and

WHEREAS, it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality; and

RESOLVED, that the officers, department heads and employees for whom monies have properly been budgeted may attend training schools, education sessions and other meetings that may be beneficial to the carrying out of their official duties and which have been approved by the Village Manager prior to attendance; and be it further

RESOLVED, that this resolution shall take effect immediately.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #11

MILEAGE REIMBURSEMENT

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

WHEREAS, the Board of Trustees of the Village of Port Chester has determined to pay a fixed rate for mileage reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village. Now therefore, be it

RESOLVED, that the Mayor and Board of Trustees approves reimbursement to such officers and employees at the rate of \$0.575 per mile.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #12

OFFICIAL NEWSPAPERS OF THE VILLAGE OF PORT CHESTER

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

RESOLVED, that the Journal News and the Westmore News are hereby designated as the Official Newspapers of the Village of Port Chester for the ensuing official year.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #13

**INVESTMENT POLICY FOR THE
VILLAGE OF PORT CHESTER**

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

WHEREAS, pursuant to General Municipal Law, Section 39, local governments in the State of New York, including villages, are required to adopt a comprehensive written investment policy; and

WHEREAS, local governments are required to review their investment policies on an annual basis; and

WHEREAS, the Village of Port Chester has reviewed its policy since adoption in 1993; now, therefore, be it

RESOLVED, that the Board of Trustees does hereby approve and adopt the attached Investment Policy for the Village of Port Chester.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

INVESTMENT POLICY FOR THE VILLAGE OF PORT CHESTER

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity of individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Village Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village of Port Chester to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Village of Port Chester to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the Village of Port Chester for all moneys collected by any officer or employee of the government to transfer those funds to the Village Treasurer within five (5) days of deposit, or which the time period specified in law, whichever is shorter.

The Village Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management’s authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of monies up to the following maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>
JP Morgan Chase, N.A.	25,000,000
TD Bank	20,000,000
M & T Bank	15,000,000

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, §10, all deposits of the Village of Port Chester, including certificates of deposit and special time deposits, in

excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of “eligible securities” with an aggregate “market value”, as provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible “irrevocable letter of credit” issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village of Port Chester or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the Village of Port Chester authorizes the Village Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the (Village of Port Chester);
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- Certificates of Participation (COPS) issued pursuant to GML, §109-b,
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Village of Port Chester within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village of Port Chester within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Village of Port Chester shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institutions or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Village of Port Chester. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Village Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Village Treasurer is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Port Chester by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United State of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

Appendix A
Schedule of Eligible Securities

- _____ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- _____ (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- _____ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- _____ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- _____ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- _____ (x) Commercial paper and bankers' acceptance issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- _____ (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

RESOLUTION #14

FUND BALANCE POLICY

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

RESOLVED, that the Board of Trustees hereby adopts the Fund Balance Policy for the Village of Port Chester, copy of which is annexed and made a part of this resolution.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

Village of Port Chester, New York Fund Balance Policy

Purpose

The Village of Port Chester has enacted the following policy in an effort to ensure financial security and stability in a volatile economic environment.

Reserve funds (which essentially are a legally authorized savings account for particular specific purposes) are an important component in the Village's financial planning for specific expenses, future projects, acquisitions and other lawful purposes. To this end the Village may establish and maintain reserve funds in accordance with New York State Laws. The Village will also consider rules and/or opinions issued by the New York State Comptroller when they are not in conflict with law.

The Village reserve funds must be properly established and maintained to promote the goals of creating an open, transparent and accountable use of public funds. The Village may engage independent experts and professionals, including but not limited to auditors, accountants and other financial and legal counsel, as necessary to monitor all reserve fund activity and prepare reports that the Village may require.

The Village's primary objective is to maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures. The Village also seeks to maintain the highest possible credit ratings which are dependent, in part, on the Village's maintenance of a healthy fund balance.

Definitions

Fund Balance: Fund balance is the difference between the assets and liabilities reported in a governmental fund. Fund balance is not necessarily the cash balance of the Village,

the fund balance consists of other assets as well such as money due from the state and federal government, and accounts receivable. Fund balances are classified into various components depending on the limitations placed on the use of the funds. The hierarchy indicates the extent to which a government is bound to observe spending constraints that govern how it can use amounts reported in the governmental funds balance sheet.

The Village shall comply with the reporting requirements of Article 3 of General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) Statement Number 54, Fund Balance Reporting and Governmental Fund Type Definitions. GASB Statement Number 54 established the following classifications depicting how specific amounts can be spent:

Nonspendable fund balance consists of amounts that are not in a spendable form in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, and financial assets held for resale.

Restricted fund balance consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by grantors, bondholders or laws and regulations of higher levels of governments; or through constitutional provisions or enabling legislation.

Committed fund balance consists of amounts constrained to specific purposes by a government itself using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest-level action to remove or change the constraint.

Assigned fund balance consists of amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority.

Unassigned fund balance consists of amounts that are available for any purpose; these amounts are reported only in the General Fund.

Policy Statement

The fund balance of the Village of Port Chester General Fund has been accumulated to provide stability and flexibility to respond to unexpected adversity and/or opportunities.

The objective is to maintain an unrestricted fund balance of not less than 10% of annual appropriations for the fiscal year.

Village finances will be managed so as to maintain balances of the of the General Fund at level sufficient to mitigate current and future risks, such as revenue shortfalls and unanticipated expenditures, ensure stable tax rates and user fees, and protect the Village's creditworthiness. The decision to retain an unrestricted fund balance of not less than 10% of fund appropriations stems from the following:

- This amount provides adequate funding to cover approximately one and a half months of expenditures.
- This amount provides the liquidity necessary to accommodate the Village uneven cash flow due to its inherent semi annually tax collection schedule.

- The Government Finance Officers Association recommends the minimum General Fund unrestricted fund balance to be maintained should be between 5%-15% of current operating expenditures.

The Village Board will set aside certain amounts as committed fund balance. Amounts are to be determined by the Village Manager based on the need for extraordinary operating or capital that could not be anticipated and cannot be funded with current budget resources.

The Village Manager will set aside committed fund balances equal to the amount of outstanding purchase orders or encumbrances.

The Village Board delegates to the Village Manager the authority to determine the proper amounts to be assigned for purposes as are deemed necessary. This would provide the liquidity to respond to contingent liabilities and provide for capital asset replacements.

Effective as of the year ending May 31, 2012, unassigned fund balance shall be any remaining amounts.

The Village will spend, as allowed and available, the most restricted dollars before less restricted in the following order:

- a) Nonspendable (if funds become spendable)
- b) Restricted
- c) Committed
- d) Assigned
- e) Unassigned

The Village will be mindful of its role and responsibility as a fiduciary of public funds when acting on reserve fund issues.

This policy may be updated as deemed necessary per the Village Board of Trustees.

RESOLUTION #15

JOURNAL ENTRY POLICY

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

RESOLVED, that the Village of Port Chester does hereby adopts the annexed Journal Entry Policy, which is intended for the internal controls for the post of journal entries:

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

Accounting/Payroll

VILLAGE OF PORT CHESTER FINANCE DEPARTMENT **MANUAL JOURNAL ENTRY PROCEDURES**

The Village of Port Chester recognizes that manual journal entries are needed and made for various reasons including but not limited to: record revenues and expenditures, to transfer funds, or to record balance sheet accruals. These procedures are being established in order to create proper segregation of duties. (i.e. there should always be an approval by a person other than the preparer of the journal entry.) Based on the need for manual journal entries, the following policy is being established to document procedures on how journal entries are expected to be processed:

1. Journal entries for all funds/departments will be entered by the Accountant or another qualified person in the Finance Department. The individual entering the journal entry should pay close attention that the correct posting date and fiscal period are used.
2. Appropriate documentation/support shall be included with the journal entry.
3. The Treasurer will review all journal entries deemed to be of a nonrecurring nature. If a journal entry is determined to be appropriate, the Treasurer or Accountant will ensure each entry is properly coded, in balance and entered for the correct period. In the event that a journal entry is prepared by the Treasurer, it will be reviewed and approved by the Accountant.
4. The Treasurer after completing this review and determining the journal entry is correct will then approve and post the journal entry.
5. The person responsible for cash receipts, whom is independent of the month-end bank reconciliation, shall not prepare, review or post any journal entries to cash accounts.
6. The person responsible for preparing payroll journal entry, who is independent of the month-end bank reconciliations for any bank account affected by payroll, shall not prepare, review or post any journal entries to the payroll cash account or trust & agency accounts.

These procedures are being established in order to create proper segregation of duties (i.e. there should always be an approval being done by a person other than the preparer of the journal entry.)

RESOLUTION #16

DESIGNATION OF DEPOSITORIES FOR THE VILLAGE OF PORT CHESTER

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

RESOLVED, that the JP MORGAN CHASE, N.A.; TD BANK; M & T BANK be and they hereby are designated as Depositories for funds of the Village of Port Chester, New York, and that all withdrawals there from be made by check or order duly signed by the Village Treasurer of the Village of Port Chester, New York, or her designate.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #17

DESIGNATION OF DEPOSITORY FOR THE POLICE PENSION FUND

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

RESOLVED, that JP MORGAN CHASE BANK, N.A., Port Chester Branch, be and hereby is designated as the depository for the funds of the Police Pension Fund of the

Village of Port Chester, New York, and that all withdrawals there from be made by check or order, duly signed by the Treasurer of the Police Pension Fund.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #18

FIXED ASSET POLICY

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

WHEREAS, the Village of Port Chester policy for the capitalization of property and equipment purchases begins with any asset purchase over \$2,500, and

WHEREAS, on September 7, 2010, the Village increased the threshold for all future asset purchases from \$2,500 to \$5000 based on the recommendation of its independent auditors. Now, therefore be it

RESOLVED, that equipment costing over \$5,000 be capitalized and depreciated over the assets' useful lives.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #19

**APPOINTMENT OF MEMBERS TO
PUBLIC LIBRARY BOARD OF TRUSTEES**

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

RESOLVED, that TRUSTEE ADAMS and TRUSTEE BRAKEWOOD, be and they hereby are appointed a members of the Port Chester PUBLIC LIBRARY BOARD OF TRUSTEES, effective immediately and to expire on April 4, 2016.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #20

**APPOINTMENT OF MEMBERS TO PORT CHESTER-RYE BROOK
PUBLIC LIBRARY INTERMUNICIPAL COMMITTEE (IMC)**

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

RESOLVED, that TRUSTEE ADAMS and TRUSTEE BRAKEWOOD, be and they hereby are appointed a members of the Port Chester-Rye Brook Public Library Intermunicipal Committee (IMC), effective immediately and to expire on April 4, 2016.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

RESOLUTION #21

DESIGNATION OF BOARD MEMBERS TO SERVE ON
SCHOOL DISTRICT LIAISON SUBCOMMITTEE

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

RESOLVED, that MAYOR PILLA and TRUSTEE CECCARELLI are hereby designated to serve on the School Liaison Subcommittee.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015

PUBLIC COMMENTS AND BOARD COMMENTS

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

Comments were made by:

Public

Ms. Marchival thanked Neil Pagano for his a job well done. She was happy to see a diversified Board for a diversified community. She quoted George Latimer who said it is not about a political party; it is about all of us working together for the good of the Village.

Mr. Cugliatta, principal of JFK School thanked the Board for allowing the student council of JFK to attend the meeting. He wished the Board good luck with all they do.

Ms. Conetta wished the Board a very congenial association. I hope you all leave politics at the door and really work together for the people of Port Chester.

Board

Trustee Adams commented that he is looking forward to working with Mayor Pilla.

Trustee Brakewood welcomed Mr. Pilla back to the Board.

Trustee Terenzi commented he looks forward to working with the Board. In the next two years we should work toward keeping taxes in line and working with the bulkhead and the municipal center.

Trustee Marino welcomed Mayor Pilla back to the Board. We should just work for the people.

Trustee Kenner welcomed Mayor Pilla. We have no priorities. These are things we've been working on for the past several years. We should collaborate on the issues and do what's right for the Village.

Trustee Ceccarelli commented that we are going to work through on the Dog Park. He congratulated Mayor Pilla. He recognized Mrs. Pilla.

Mayor Pilla commented that tonight is about the Village Board elected to work together to do good things for the Village of Port Chester. The best interests of Port Chester will prevail.

At 7:53 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the meeting was closed.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: April 7, 2015.

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD APRIL 13, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, April 13, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis G. Pilla presiding.

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

It should be noted that Trustee Saverio Terenzi was absent.

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS the meeting was declared opened at 7:03 p.m.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Mayor Pilla asked for a motion to take Public Hearing regarding the application of Ability Beyond Disability firs.

On motion of TRUSTEE MARINO, seconded by TRUSTEE KENNER, The Board of Trustees accepted the motion.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

Public Hearing to consider the application of Ability Beyond Disability to establish a community residence for six adults with developmental disabilities to be licensed by the New York Office for People with Developmental Disabilities.

The following Public Notices were duly published in the Journal News and the Westmore News on March 27, 2015, certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, April 13, 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 application of Ability Beyond Disability to establish a community residence for six adults with developmental disabilities to be licensed by the New York Office for People with Developmental Disabilities.

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: March 27, 2015

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

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the public hearing was declared open.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Public Comments

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

Comments were made by:

Attorney David Steinmetz from the law firm of Zaren and Steinmetz, for Ability Beyond Disability, for people with developmental disabilities commented this is for care and training for people with a wide variety of needs. We are here for the NYS Pativan Law, which allows group homes to be in single family areas. We have gotten permission from NYS to proceed to build this home on Betsy Brown Road. We are now prepared to proceed with the consolidation of three lots into one home on the consolidated property. He asked that tonight the site be approved, an alternative site be recommended, or you

have the ability to object on the nature and character within the municipality would be substantially altered. We are anxious to move forward. The residents work in the community.

Tom Fanning commented we are looking forward to working with the people of Port Chester. We believe that people with disabilities belong in our community.

Mr. Ceruzzi commented that the State holds the cards. In Port Chester we have a number of group homes. You are going to take another piece of property off the tax roles. This area gets big taxes. This will be a disservice to the Village.

Ms. Goldie Solomon commented we can't afford to have anything more off the tax roles. We have too much off the tax roles now with the nonprofit and municipal property. This will also knock down the value of the property around the group home. This property needs to stay on the tax roles.

Dr. Ken Burkowitz thanked the Board for the open communication to get all points of view. He commented that he is not opposed to people with disabilities. This is the wrong site for this home because it is on a horrible corner. We need to address safety, drainage and traffic. Is this the right subdivision to have?

Ms. Andrea Granada commented there is a group home in her neighborhood on Upland Drive. With the changing times you can't always take care of your own families. We want to promote independence.

Mayor Pilla made a motion to close the Public Hearing until after the Board meets to discuss this matter further.

Trustee Marino asked how many homes there are in Westchester County. Mr. Fanning replied there are 11 homes.

Trustee Ceccarelli commented on the chain of events and approvals that need to take place. Attorney Cerreto commented the first step is the Pativan hearing, which took place tonight. The second step would be an application for subdivision of the property. There may need to be a variance. Mr. Miley may have to review an application for any zoning variances required. Then they would need a zoning variance from the Zoning Board as well. The date for this Board to take action would probably be this week. Either the 19th or the 20th is our deadline to take action.

Trustee Brakewood commented that when the lot was originally subdivided there was concern about the property issues.

Mr. Richard Abel commented on the assessment value on the land and what happens if the clock does run out. Trustee Brakewood commented that if the Village does not take action within 40 days it is automatically approved.

Ms. Solomon again commented we have too much off the tax roles.

Ms. Granada commented that the Board is not going to waste our tax dollars fighting things.

Mr. Ceruzzi commented this site was chosen because of the price of the land. Mr. Fanning is in the group home business and for him not to say how many group homes there are in Westchester is a disingenuous to this Board.

Trustee Adams asked if there have been problems at other group home locations. Mr. Fanning commented that there has not been any police problems at any other locations that he knows of.

Trustee Ceccarelli commented that Port Chester has eight sites of special need locations. Attorney Steinman noted that this community has no reason to object to the Pativan Law.

An Executive Session on this topic will be held on Tuesday, April 14th in the Conference Room at 222 Grace Church Street.

The Public Hearing on the group home was adjourned to Thursday, April 16th in the Conference Room at 222 Grace Church Street.

Dr. Berkowitz commented we have nothing to lose by objecting because it gives us more time.

Attorney Cerreto commented the Board would need a good reason to objecting.

On motion of TRUSTEE MARINO seconded by TRUSTEE KENNER the public hearing was adjourned to the meeting on April 16, 2015.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Public Hearing on Fiscal Year 2015-2016 Budget

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS, the public hearing was declared open.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Public Comments

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

Comments were made by:

Mr. Richard Abel commented on the parking fine revenue; if you pay your fine within 48 hours you get a \$10 discount.

Trustee Ceccarelli made a motion, seconded by Trustee Adams that the Public Hearing on the Budget be closed.

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS, the public hearing was declared closed.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

PUBLIC COMMENTS

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

No public comments were made.

DISCUSSIONS

Director of Planning and Development Christopher Gomez updated the Board regarding the Bulkhead RFP.

The Village of Port Chester received a grant from the New York State Department of State (NYSDOS) for up to \$225,420 for the final design, construction documentation and applicable permits for the rehabilitation of the collapsed bulkhead and construction of an 'activity node' as part of the 2013 Consolidated Funding Application process coordinated by the Mid-Hudson Regional Economic Development Council. Per the executed contract, the Village posted the RFP February 2015 and closed the response window on March 16, 2015. The Village received four (4) qualified responses: COWI Group/Ocean and Coastal Consultants Engineering, LLC; McLaren Engineering Group; Boswell Engineering; and Langan Engineering.

At this time, Village Staff have thoroughly reviewed each response and provided a summary matrix for each response for RFP and NYSDOS contract compliance. Also provided is a memo from the Village Engineer, Dolph Rotfeld doing the same.

Overview of Responses:

- Each firm complies with the requirements of the RFP/NYSDOS contract. Further, some of the submissions provide better understanding and therefore a more thorough response to the enumerated task list per NYSDOS contract (COWI/OCC, Langan, and McLaren).
- Three firms can provide additional out-of-scope services for an additional cost, including construction management and inspection (COWI/OCC, Langan, and McLaren).
- The estimated timeframe for completion ranges from 4.5 months (Boswell) to 13 months (Langan, McLaren)
- The pre-scope/contract fee schedule include:
 - \$193,032 – COWI/OCC
 - \$228,289 – Boswell
 - \$275,754 – McLaren
 - \$398,000 – Langan
- All firms submitted relevant and local project experience documentation

Recommendation

Presently, Staff recommends interviewing all four firms; however, Staff can narrow it down to two firms if the Board prefers. Staff anticipates conducting interviews within the next month.

RESOLUTIONS

RESOLUTION #1

**AWARDING BID FOR
SANITARY SEWER AND STORM DRAIN
CLEANING & TELEVISION INSPECTION**

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

WHEREAS, the Village of Port Chester has advertised for bids for Sanitary Sewer and Storm Drain Cleaning and Television Inspection (Bid No. 2015-04); and

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

WHEREAS, the Village’s consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept the low bid of National Water Main Cleaning Co. Kearney, New Jersey which bid which meets all the specifications as set forth in the bid documents. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for Sanitary Sewer and Storm Drain Cleaning and Television Inspection to National Water Main Cleaning Co., 1806 Harrison Avenue, Kearney, New Jersey 07032 in the amount of \$186,580.00; and be it

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

FURTHER RESOLVED, that the funding for said work be appropriated from the Sewer Improvement Project 5.8120.400.2013.132 in the Capital Fund.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

CORRESPONDENCES

From the Traffic Commission regarding overnight parking for 1 Landmark Square during painting in the parking garage.

The Board requested that a resolution be provided for the Tuesday meeting.

PUBLIC COMMENTS AND BOARD COMMENTS

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

No comments were made by public.

Board

Trustee Brakewood thanked Dolph Rotfeld for responding to his e-mails regarding the quality associated with the liners for the sewer rent. He thanked Village Manager Steers regarding the responsibility of the Village Manager. He commented on the Village getting the roads back on track after the hard winter.

Trustee Marino commented on the poles still being there from the old parking meters. Westchester Avenue still needs to be painted.

Trustee Ceccarelli thanked Dolph for the presentations tonight.

Mayor Pilla thanked Village Manager Steers for running a tight ship in Village Hall. He commented the sidewalk café ordinance calls for a 9' sidewalk.

Trustee Adams made a motion, seconded by Trustee Brakewood, that the meeting be adjourned.

At 10:20 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD, the meeting was closed.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD April 14, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, April 14, 2015, in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Dennis G. Pilla presiding.

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

It should be noted that Trustee Daniel Brakewood arrived at 6:04 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Director of Planning and Development Christopher Gomez (Arrived at 6:10 p.m.); Chief of Police, Richard Conway; Building Inspector and Director of Code Enforcement Peter Miley; Christopher Ameigh Administrative Aide to the Village Manager and Heather Krakowski, Recreation Supervisor.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the meeting was declared opened at 6:01 p.m.

Roll Call

AYES: Trustees Adams, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Brakewood.

DATE: April 14, 2015

WORK SESSION

Workshop on Village of Port Chester Tentative Budget for FY 2015-2016.

With:

Recreation (Heather Krakowski)
Police Department (Police Chief Richard Conway)
Planning and Zoning (Chris Gomez)
Code Enforcement/Building (Peter Miley)

RESOLUTIONS

RESOLUTION #1

**SUSPENDING PARKING REGULATIONS ON OVERNIGHT PARKING ON
LOCUST STREET, ORCHARD STREET AND HIGHLAND STREET**

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

WHEREAS, the Board of Trustees received correspondence dated April 6, 2015 from Nardo Associates, Managing Agent for the Landmark Condominium Association, seeking the Village’s assistance with regard to work that must be done to the parking garage; and

WHEREAS, the proposed work will necessarily result in the displacement of many vehicles onto the surrounding streets; and

WHEREAS, the Board desires to mitigate the impact of this action; and

WHEREAS, the Traffic Commission has recommended rescinding the overnight parking regulations on Locust Avenue, Orchard Street and Highland Street for a fifteen-day time period to commence once proper permits are issued; and

WHEREAS, the Building Inspector has advised that he requires an application for a renewal of the permit to be accompanied by a report from an engineer as to the structural integrity of the garage. Now, therefore, be it

RESOLVED, that the Board hereby suspends the application of the Code of the Village of Port Chester, Schedule XIV, Section 319-75 pursuant to the provisions of Section 319-21A, “Nighttime Parking Prohibited Certain Hours”, upon the following streets for a fifteen-day period to commence following the issuance of a renewed permit from the Building Department:

<u>Name of Street</u>	<u>Side</u>	<u>Direction of Travel</u>	<u>Location</u>
Locust Avenue Street	East	North	Horton Avenue to Rectory
Orchard Street Rectory Street	East	North	Wilkins Avenue to
Highland Street Avenue.	North	West	Locust Avenue to Willet

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

Roll Call

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

NOES: None.

ABSENT: None.

DATE: April 14, 2015

MOTION FOR EXECUTIVE SESSION

At 9:06 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board adjourned into an executive session for the purpose of consulting with Village Attorney with regard to application of Ability Beyond Disability to establish a community residence for six adults with developmental disabilities to be licensed by the New York Office for People with Developmental Disabilities.

Roll Call

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

NOES: None.

ABSENT: None.

DATE: April 14, 2015

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards and Village Attorney, Anthony Cerreto.

No action was taken in executive session.

At 9:28 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

Roll Call

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

NOES: None.

ABSENT: None.

DATE: April 14, 2015

At 9:29 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE KENNER, the meeting was closed.

Roll Call

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

NOES: None.

ABSENT: None.

DATE: April 14, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD APRIL 16, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Thursday, April 16, 2015, in the Port Chester Senior Center, 220 Grace Church Street, Port Chester, New York, with Mayor Dennis G. Pilla presiding.

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

It should be noted that Trustees Saverio Terenzi and Gene Ceccarelli were absent.

It should be noted that Trustee Kenner left the meeting at 8:06 p.m.

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 6:15 p.m.); Chief of Police, Richard Conway and Christopher Ameigh Administrative Aide to the Village Manager.

On motion of Trustee Brakewood, seconded by Trustee Marino the meeting was declared opened at 6:07 p.m.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner and Mayor Pilla.

NOES: None.

ABSENT: Trustee Terenzi and Ceccarelli.

DATE: April 16, 2015.

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

Public Hearing to consider the application of Ability Beyond Disability to establish a community residence for six adults with developmental disabilities to be licensed by the New York Office for People with Developmental Disabilities.

The following Public Notices were duly published in the Journal News and the Westmore News on March 27, 2015, certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, April 13, 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 application of Ability Beyond Disability to establish a community residence for six adults with developmental disabilities to be licensed by the New York Office for People with Developmental Disabilities.

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: March 27, 2015

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

York

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

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner and Mayor Pilla.

NOES: None.

ABSENT: Trustee Terenzi and Ceccarelli.

DATE: April 16, 2015.

Public Comments

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

Comments were made by many residents both in favor and against the fact of this project.

These comments can be found on our website: www.portchesterny.com PCTV Live TV & Videos on demand. On-Demand Archive; choose April 16 Board of Trustees.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the public hearing was closed.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner and Mayor Pilla.

NOES: None.

ABSENT: Trustee Terenzi and Ceccarelli.

DATE: April 16, 2015.

Motion to Add-On an Executive Session

Mayor Pilla asked for a motion to add-on an executive session to consult with Village Attorney regarding legal strategies.

There being no objection TRUSTEE MARINO, made a motion to add-on an executive session, seconded by Trustee Kenner, the motion received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner and Mayor Pilla.

NOES: None.

ABSENT: Trustee Terenzi and Ceccarelli.

DATE: April 16, 2015.

MOTION FOR EXECUTIVE SESSION

At 7:52 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE KENNER, the Board adjourned into an executive session to consult with Village Attorney regarding legal strategies.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner and Mayor Pilla.

NOES: None.

ABSENT: Trustee Terenzi and Ceccarelli.

DATE: April 16, 2015.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas and Christopher Ameigh Administrative Aide to the Village Manager.

No action was taken in executive session.

At 8:04 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE KENNER, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner and Mayor Pilla.

NOES: None.

ABSENT: Trustee Terenzi and Ceccarelli.

DATE: April 16, 2015.

Motion to Add-On a Resolution

Mayor Pilla asked for a motion to add-on a resolution objecting to the establishment of Ability Beyond Disability's proposed community residential facility in the rear of property adjacent to 51 Betsy Brown Road

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

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner and Mayor Pilla.

NOES: None.

ABSENT: Trustee Terenzi and Ceccarelli.

DATE: April 16, 2015.

RESOLUTION #1 (Add-On)

**OBJECTION TO THE ESTABLISHMENT OF A PROPOSED
COMMUNITY RESIDENTIAL FACILITY ON BETSY BROWN ROAD**

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

RESOLVED, as authorized by State Mental Hygiene Law, Section 41.34, the Board of Trustees hereby objects to the establishment of Ability Beyond Disability's proposed community residential facility in the rear of property adjacent to 51 Betsy Brown Road.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, Kenner, and Mayor Pilla

NOES: None.

ABSENT: Trustee Terenzi and Ceccarelli.

DATE: April 16, 2015

WORK SESSION

Workshop on Village of Port Chester Tentative Budget for FY 2015-2016.

With:

Village Court (Regina Hill)
Village Clerk's Office (Janusz Richards)
Fire Department (Fire Chief Ed Quinn)

RESOLUTIONS

RESOLUTION #2

APPOINTMENT OF MEMBER TO RYE TOWN BOARD OF ASSESSMENT REVIEW

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

RESOLVED, that RAYMOND SCULKY, residing in Port Chester New York, be and hereby is appointed as a member of the Rye Town BOARD OF ASSESSMENT REVIEW to fill the seat held by CHARLES ROSABELLA, effective immediately.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, and Mayor Pilla.

NOES: None.

ABSENT: Trustees Terenzi, Kenner and Ceccarelli.

DATE: April 16, 2015

At 9:56 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the meeting was closed.

ROLL CALL

AYES: Trustees Adams, Brakewood, Marino, and Mayor Pilla.

NOES: None.

ABSENT: Trustees Terenzi, Kenner and Ceccarelli.

DATE: April 16, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD APRIL 20, 2015

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

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

It should be noted that Trustee Joseph Kenner was absent.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (Arrived at 7:09 p.m.); Chief of Police, Richard Conway; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager and Building Inspector and Director of Code Enforcement Peter Miley.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE TERENCE the meeting was declared opened at 7:02 p.m.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

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

Chief of Police, Richard Conway provided the Board of Trustees with a department updated:

POLICE DEPARTMENT
PORT CHESTER, NEW YORK

MONTHLY REPORT, MARCH 2015

Training:

- On March 19th and 23rd, 43 members of the Department successfully completed a 7 hour course of study in Crisis Intervention. This instructional block was carried out by the Westchester County Office of Mental Health. Members received both classroom and practical training in the basics of police response to incidents involving people in emotional crisis. This course represents the first collaborative training effort between the Department and the Office of Mental Health
- On March 20th, Police Officers Marcello Presta and Arthur Dusenbury completed

High Intensity Drug Trafficking Area, (HIDTA) training. This 40 course of study was held at the New York City Police Department's Rodman's Neck facility in the Bronx. POs Presta and Dusenbury received both classroom and hands on training in areas such as; search warrants, surveillance, undercover operations, and tactical street encounters.

Harbor Patrol Initiative:

- On April 6, we received confirmation of the acceptance of our application for the Patrol Vessel Loan program through the NYS Office of Parks Recreation and historic Preservation. Under the program the Village will receive a fully equipped 21 or 24 foot Boston Whaler patrol boat. The package is valued at over \$90,000. This loan will be for the effective life of the patrol vessel which is estimated to be 10 years.
- In addition to providing the vessel, NYS OPRHP will also fund up to 50% of the salary of officers assigned to marine enforcement efforts, fuel used, maintenance, and safety equipment.
- Much of the initiative in seeking this funding comes from the efforts of Police Officer Jeff Garcia. PO Garcia learned of the program through his contacts with other agencies and obtained the necessary application information. He was diligent in following up on the progress of our project and will be assigned to its implementation.
- PO Garcia will be attending the Maritime Law Enforcement Course held at Lake George later this month. We expect to have our Harbor Patrol Initiative operational for the 2015 boating season

Detective Bureau:

For the month of March, the Detective Bureau closed out 28 cases with 8 cases resulting in arrest. The Bureau was assigned 16 new cases during the month and had a total of 45 arrests:

1. 1-Felony drug arrest
2. 4-misdemeanor drug arrests
3. 8-violation level
4. 6-non-drug related misdemeanors
5. 2 6-warrantarrests

The Bureau made the following seizures during March:

1. \$1,160.00 in US currency
2. 95-decks of heroin
3. 5-small bags of cocaine
4. 10-small bags of marijuana

Evidence in 70 cases was reviewed, this resulted in the return of property to

owners, or the disposal of retained evidence after the approval of the District Attorney's office

Notable Cases:

On Wednesday March 18th at approximately 5:30 PM members of the Port Chester Police Department arrested two men after disrupting a drug transaction in progress.

Members of the Department's Narcotics Squad were conducting a surveillance in the area of North Main Street when they observed one man, seated in a car, hand another, on foot, 30 small bags containing what was later determined to be heroin. With assistance from the Patrol Division they stopped and detained the men. Subsequent investigation uncovered 57 additional bags of heroin, US currency, and drug sales records in the vehicle occupied by one of the men.

Wilfredo Huertas, age 51, of the Bronx was arrested and charged with Criminal Sale of a Controlled Substance in the 3rd Degree, and Criminal Possession of a Controlled Substance in the 3rd Degree, both class B felonies

Johan J. Wallenberg, age 38, of Stamford was arrested and charged with Criminal Possession of a Controlled Substance in the 7th degree, a class A misdemeanor

Public Affairs:

The objective of our public affairs initiative is to keep abreast of the public safety concerns of our residents, and to keep them informed on public safety issues.

During March, the Department took part in several public events. Among them:

1. March 20th- Spring into reading, Park Ave. School
2. March 27th-Manhattanville College Job Fair
3. April 3rd-Good Friday Procession, Holy Rosary Church-Corpus Christi

Statistics:

Arrests/Tickets	January	February	March
Parking Tickets	5312 ¹	3661	4240
Traffic Tickets	559 ²	433	555
Arrests	161 ³	130	157

FBI Part 1 Crimes	January, 15 2014		February,15 2014		March,15 2014	
Assault	4	2	4	3	4	6
Burglary	4	1	1	4	4	2

Larceny	28	34	31	26	31	37
Murder	0	0	0	0	0	0
Motor Vehicle Theft	0	1	0	1	0	0
Rape	0	1	1	0	0	0
Robbery	1	4	2	0	1	2

Common Calls for Service	January	February	March
Aided (Medical)	192	150	154
Accidents	108	108	116
Alarms	106	96	80
Directed Patrols	166	116	101
Domestic	12	30	22
School Crossings	45	32	17
Total Calls for Service	1637	1401	1556

PUBLIC COMMENTS

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

Comments were made by:

Mr. Jerry Terranova commented on the development of the Park Commission. The Park Commission, with the approval of the Board of Trustees, shall have the sole and exclusive control and management of the parks. The Board violated the Commission's charter because the BOT dealt directly with the dog park people. Mayor Pilla commented that he wants each commission to feel empowered as the authority invested in them calls for. In the present the staff is reconsidering the configuration for the dog park. We have to make sure we follow a process. They will go to the Park Commission. Trustee Brakewood commented it might be useful for Attorney Cerreto asked what the mandate says in relation to what the process should be between the Commission and the Board.

Mr. Terranova commented about his Amnesty Inspection. Mr. Miley treated him with dignity and respect. He and his department did a great job

Ms. Goldie Solomon commented on the D.A.R.E. program in the schools. We need it back in our schools. Our Village should be clean of alcohol and drugs. Trustee Brakewood commented that the D.A.R.E. program in the schools has been replaced with the Life Skills Program. The Middle School has a drug and alcohol program through Life Skills. There is a need for more interaction between the School Board and the police department. Mayor Pilla asked the Village Clerk to get together with the Village

Manager to set up a meeting with the School Board Liaison Committee so that we can set the budget resource that we need.

Mr. Eddie Eways commented that people should step out and make a difference. It is respect and sacrifice that count.

Ms. Mimi Graenberg of Upland Street commented on the issues related to King Street School and the parking. An orderly process of picking up the children is needed. Mayor Pilla asked the Chief to look into the situation.

Ms. Bea Conetta commented on the Power of Hope. This is a new beginning. We have a fantastic staff and a professional Board of Trustees if you work together.

Mr. Ruggeria commented that Cable has been out for five or six days. He came to the meeting because he has no audio at home.

Mr. Frank Ferrara commented that Trustee Brakewood is going to be appointed to the open seat on the I.D.A. We serve at the pleasure of the BOT. As a member of the BOT I think it is not a good idea to have a Village Trustee on the I.D.A. Board. We do have a qualified candidate who cannot get an interview. Mayor Pilla said putting Trustees on the Board keeps the strategy in place between the Board of Trustees and the I.D.A. Board. We are very interested in meeting with the candidates.

RESOLUTIONS

RESOLUTION #1

EMERGENCY WORK AT VILLAGE MARINA

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

WHEREAS, the Village Manager has informed the Board of Trustees that emergency work must be undertaken to secure a failing portion of the Village Marina Bulkhead; and

WHEREAS, the Manager has secured proposals from Concavage Marine Construction, Inc. to perform said work which will begin forthwith; and

WHEREAS, such work must be undertaken by the Village to protect the public health, safety and welfare. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby finds and declares that said work is a “public emergency” within the meaning of General Municipal Law, Section 103(4) requiring the Village to act without delay; and be it further

RESOLVED, that the Board authorizes the Village Manager to enter into an agreement with Concavage Marine Construction, Inc., Port Chester, New York, for a total cost of \$125,100, with an additional 10% contingency of \$12,510; and be it further

RESOLVED, that the expenditures not to exceed \$137,610 be appropriated from the Marina Improvement Project 5.7230.400.2009.107.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #2

**AUTHORIZING THE SUBMISSION OF A HOME RULE REQUEST
TO IMPOSE A HOTEL OCCUPANCY TAX IN THE VILLAGE OF PORT CHESTER**

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

WHEREAS, the Village of Rye Brook secured special state legislation to adopt a local law to impose a hotel occupancy tax of three percent; and

WHEREAS, the cities of Rye, New Rochelle and White Plains also have a hotel occupancy tax; and

WHEREAS, a hotel occupancy tax offers the advantage of raising necessary revenue without imposing a regressive and heavier burden on property owners; and

WHEREAS, the Board of Trustees has accepted the petition of PC 406 BPA and PC 999 High Street Corp. which is the subject of a pending environmental review process pursuant to the State Environmental Quality Review Act (SEQRA) to redevelop the former site of United Hospital for a mixed residential/commercial development which includes a proposed hotel; and

WHEREAS, New York State Senator George Latimer has introduced legislation to the Senate with bill number S. 2596 and New York State Assemblyman Steve Otis has introduced legislation in the Assembly with bill number A. 6556 that would authorize the Village of Port Chester to impose such a hotel occupancy tax. Now, therefore, be it

RESOLVED, that the Board of Trustees of the Village of Port Chester hereby approves the submission of a Home Rule Request to the New York State Senate and Assembly for bill numbers S. 2596 and A. 6556 respectively relating to the authority of the Village to impose a hotel occupancy tax; and be it further

RESOLVED, that the Clerk is hereby authorized to execute all necessary documents with regard to the Home Rule Request and the Mayor to cause their delivery to the New York State Legislature on behalf of the Board.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #3

**APPOINTMENT OF MEMBERS TO A TEMPORARY
POLICE & COURTS FACILITY WORKING COMMITTEE**

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

WHEREAS, the Board of Trustees is committed to, over the longer term, providing and maintaining adequate and cost-effective Police and Court facilities to the village employees, Judges, and at-large public in order to appropriately provide public safety and justice court services as the Board is charged to do; and,

WHEREAS, over the years, the Board of Trustees has invested in maintaining the current police and court facility located at 350 North Main Street; and,

WHEREAS, the Board of Trustees had previously commissioned JCJ Architecture to complete a "Police & Court Feasibility Study" in 2011 on behalf of the Board of Trustees; and,

WHEREAS, the Board of Trustees has also retained National Development Corp (NDC) to study the construction of a certain Municipal Complex; and,

WHEREAS, there has been a recent turnover in the management of the Police Department, and a key leader within the Police Department has claimed the Police Department was “not part of the strategic process.... and were not responsible for the final product or any of the final recommendations”. Now therefore, be it

RESOLVED, that the Board of Trustees appoints CHIEF RICHARD F. CONWAY, Village Manager, Christopher D. Steers, TRUSTEE MARINO, TRUSTEE CECCARELLI, AND TRUSTEE BRAKEWOOD, to a temporary Police and Courts Facility Working Committee of the Board of Trustees; and be it further

RESOLVED, that this working committee is expected to review existing documentation related to the Police and Court facilities, tour the existing facility with key stakeholders, interview members of the Police Department and Courts to gather input and determine the police and court facility requirements, and report back to the Board of Trustees within 60 days with their findings and recommendations; and be it further

RESOLVED, that this resolution shall take effect immediately.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #4

APPOINTMENT OF MEMBER TO IDA - LDC

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

RESOLVED, that TRUSTEE DANIEL BRAKEWOOD, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester Industrial Development Agency (PCIDA) to fill the seat previously held by Trustee Joseph Kenner; and

BE IT FURTHER RESOLVED, that TRUSTEE DANIEL BRAKEWOOD, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester Local Development Corporation (LDC) to fill the seat previously held by Trustee Joseph Kenner.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015.

RESOLUTION #5

APPOINTMENT OF MEMBER TO PLANNING COMMISSION

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

RESOLVED, that MICHAEL F. BRESCIO, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester PLANNING COMMISSION to fill the seat previously held by Frank Cervinka, effective immediately with said term expiring on 06/16/2016.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #6

BUDGET AMENDMENT – DEA FUNDS TO PURCHASE

**TWO (2) PATROL PC MOBILE COMPUTERS WITH PRINTERS AND
RELATED HARDWARE FOR POLICE DEPARTMENT**

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase Two (2) Patrol PC Mobile computers with printers and related mounting hardware to install in Patrol cars 52 & 54 for a total cost of \$11,934.02 from L-Tron Corporation, 596 Fishers Station Drive, STE 1A, Victor, NY 14564, NYS Contract #PT 60949. Now, therefore be it

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

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$(11,934.02)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$11,934.02
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Appropriations:

001-3120-0200	Police Service Equipment	\$11,934.02
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APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #7

AWARDING BID FOR COACH BUSES FOR FY 2015-2016

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

WHEREAS, the Village of Port Chester has advertised for competitive bids with regard to the provision of coach bus transportation services for the 2015-2016 Fiscal Year and an option for the 2016-2017 Fiscal Year; and

WHEREAS, a single bid was submitted; County Coach, 287 Bowman Avenue, Purchase, New York 10577, in the amount of \$25,410.00; and

WHEREAS, the bidder is the current vendor and has been satisfactorily providing such services; and

WHEREAS, the Senior Center Director and Recreation Supervisor have recommended that such bid be accepted and that there are sufficient funds allocated in the upcoming budget for same. Now, therefore, be it

RESOLVED, that the bid of County Coach, 287 Bowman Avenue, Purchase, New York 10577 be accepted; and be it further

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement for such services.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #8

AWARDING BID FOR SCHOOL BUSES FOR FY 2015-2016

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

WHEREAS, the Village of Port Chester has advertised for competitive bids with regard to the provision of school bus transportation services for the 2015-2016 Fiscal Year and an option for the 2016-2017 Fiscal Year; and

WHEREAS, of the two bids submitted, the low bidder was County Coach, 287 Bowman Avenue, Purchase, New York 10577, in the amount of \$30,635.00; and

WHEREAS, the low bidder is the current vendor and has been satisfactorily providing such services; and

WHEREAS, the Recreation Supervisor has recommended that such bid be accepted and that there are sufficient funds allocated in the upcoming budget for same. Now, therefore, be it

RESOLVED, that the bid of County Coach, 287 Bowman Avenue, Purchase, New York 10577 be accepted; and be it further

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement for such services.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #9

SENIOR NUTRITION PROGRAM

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

RESOLVED, that the Village Manager be and is authorized to enter into an agreement with the County of Westchester for the Older Americans Act and New York State Community Services for the Elderly Act, for the Wellness in Nutrition Program (WIN) and Nutrition Services Incentive Program (NSIP) for the amount not to exceed \$64,302.00 for the period covered April 1, 2015 to March 31, 2016.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

MAYOR PILLA asked for a motion to consider an add-on resolution to appointment of members to a Bulkhead Negotiation Committee.

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

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #10 (ADD-ON)

APPOINTMENT OF MEMBERS TO A BULKHEAD NEGOTIATION COMMITTEE

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

RESOLVED, that the Board of Trustees appoints MAYOR PILLA and TRUSTEE TERENCE, to a Marina Bulkhead Negotiation Committee.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

MAYOR PILLA asked for a motion to consider an add-on resolution to transfer unclaimed bail monies from the Village Justice Court to the general fund.

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

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #11 (ADD-ON)

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

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

WHEREAS, to satisfy the recommendation of the Village Independent Auditor, and the 80-515 opinion issued by the State Comptroller requiring that bail monies which are outstanding in excess of six years be transferred to the Village's General Fund, and be it therefore

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to accept a check in the amount of \$17,065 from the Village Justice Court and record as Bail Forfeitures revenue in the FY 2014-15 General Fund Budget.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

MAYOR PILLA asked for a motion to consider an add-on resolution to set a public hearing to consider restoration of a parking and standing prohibition on Westchester Avenue in vicinity of fire headquarters on Westchester Avenue.

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

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

RESOLUTION #12 (ADD-ON)

SETTING PUBLIC HEARING TO CONSIDER RESTORATION OF A PARKING AND STANDING PROHIBITION ON WESTCHESTER AVENUE IN VICINITY OF FIRE HEADQUARTERS ON WESTCHESTER AVENUE

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

WHEREAS, the Fire Chief has made a complaint with the Board of Trustees raising issue with the parking and standing of vehicles on Westchester Avenue in the immediate vicinity of Fire Headquarters on Westchester Avenue which compromises the ability of fire apparatus to freely ingress and egress the fire station; and

WHEREAS, the Board referred the matter to the Traffic Commission for study and report; and

WHEREAS, the Traffic Commission has provided a report dated April 15, 2015 recommending the restoration of a parking or standing prohibition on the south side of Westchester Avenue from Grove Street to Smith Street to alleviate the situation; and

WHEREAS, such action would initially require the repeal of a portion of Local Law No. 11 of 2010; and

WHEREAS, based on the foregoing, the Board desires to advance this matter to a public hearing to consider said recommended action. Now, therefore, be it

RESOLVED, 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.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

REPORT OF THE VILLAGE MANAGER

Village Manager Christopher D. Steers, provided the Board of Trustees with the following updates:

INITIATIVES/PRIORITIES:

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

- 1) Opportunity Areas #1:** C1 Neighborhood Retail Zoning Analysis: medical, dental office use Preliminary analysis regarding a potential zoning text change to permit medical in the C1 Neighborhood Retail District either as-of- right or by special exception permit subject to existing special exception criteria as defined in §345-61U.

This action is considered a Type I Action under SEQRA regulations and requires a determination of significance from the Board of Trustees prior to final approval. Presentation to Board of Trustees completed December 2014, January 2015, and March 2015. Presentation to BOT completed March 2015. Planning Commission supports concept. Staff to prepare draft law for BTO review.

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

Activity #1 Site Investigation – Phase I

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

Site Borings have been completed as of this past week. The testing results are due within the next two weeks.

- 3) **Opportunity Area #3:** Bulkhead; the contract for the bulkhead design grant award in the amount of \$225,000 has been executed. The initial methodology included design in two phases, Phase 1 being the first Activity Node and temporary “shoring” up of the vinyl area; Phase 2 being the complete steel replacement and partial bridging of the cove. This approach would have allowed us to first make progress toward re-activation of the waterfront as planned and it also gives us time to build potential funding resources from grants, districts, and/or parking revenues without stalling the entire capital improvement project. Since then a second breach has occurred which will necessitate two things; a proposed emergency repair which is on the agenda his evening; and perhaps the design of the activity node and now a complete replacement.

Staff received four responses to the RFP for design, bid documents, and permits. Staff reviewed same and found all bidders responsive. Staff will be conducting interviews with all four consultants and narrow down the field to two finalist. The BOT will thereafter interview the two finalists and make a final selection. This is anticipated to be ready for interview and/or board action on or about the second meeting in May.

- 4) **Opportunity Area #5:** Redevelopment of the former United Hospital Site (Starwood). The Mixed-use redevelopment proposal for the former United Hospital site located within the Village’s PMU Planned Mixed Use District to permit: 500 “Millennial” housing units, 240 age-restricted housing units, an

approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.

Preliminary DEIS submitted by Applicant December 30, 2014. The applicant is scheduled to submit the final DEIS revisions next month. Anticipated DEIS adoption as complete May/June 2015.

- ❖ **2015-2016 Budget Process:** The Tentative Budget has been presented to the Bot and the public hearing has been completed. As the BOT completes the remaining budget workshops, proposed changes to the tentative Budget are to be voted on during the April 28th, budget- adoption meeting.
- ❖ **Property Condition Study RFP:** Consultant selection has been made. The finalist is Kevin Dwarka of KDLLC. Their partnership with Pace Law School brings to bear the necessary resources for developing attainable and legally sufficient strategies for potential revitalization initiatives within the prescribed areas. Staff is finalizing the scope of services with the final scope and authorization to execute the agreement to be discussed at the May 4th BOT meeting.

ACTIONS:

- **CDBG:** we are currently pursuing approximately \$800,000 from the County's new Community Housing Infrastructure Investment Program (CHIIP) to fund prior CDBG awards for sewer and sidewalk infrastructure. The BOT adopted a resolution identifying the projects eligible under the new CHIIP funding on March 16th, 2015. All required documentation has been submitted to the County. We are expecting a response from the County by the end of this month and/or middle of next month. The program requires a 50% match.
- **MTA:** Staff continues to discuss a possible settlement to the property maintenance violations issued to the MTA. The context is in the realm of better routine maintenance and possible beautification utilizing existing and potential funds in a collaborative manner between the Village and the MTA.
- **Grant Writing RFP:** The Village received four responses however none of the submittals were responsive to the request. In sum the majority grant writing community seems to avoid contingency based contracting. We are exploring other alternatives that would allow for us to capture and properly administer any grant funds attained in the most cost effective way. The issue at hand is not necessarily the application process/processing; it is the labor intensive reporting and administrative portion of grant management/administration that taxes our limited resources.

DEPARTMENT UPDATES:

➤ **Police Department:**

- **Training:** On March 19th and 23rd, 43 members of the Department successfully completed a 7 hour course of study in Crisis Intervention. This instructional block was carried out by the Westchester County Office of Mental Health. Members received both classroom and practical training in the basics of police response to incidents involving people in emotional crisis. This course represents the first collaborative training effort between the Department and the Office of Mental Health

On March 20th, Police Officers Marcello Presta and Arthur Dusenbury completed High Intensity Drug Trafficking Area, (HIDTA) training. This 40 course of study was held at the New York City Police Department's Rodman's Neck facility in the Bronx. POs Presta and Dusenbury received both classroom and hands on training in areas such as; search warrants, surveillance, undercover operations, and tactical street encounters.

- **Harbor Patrol Initiative:** On April 6, we received confirmation of the acceptance of our application for the Patrol Vessel Loan program through the NYS Office of Parks Recreation and historic Preservation. Under the program the Village will receive a fully equipped 21 or 24 foot Boston Whaler patrol boat. The package is valued at over \$90,000. This loan will be for the effective life of the patrol vessel which is estimated to be 10 years.
 - In addition to providing the vessel, NYS OPRHP will also fund up to 50% of the salary of officers assigned to marine enforcement efforts, fuel used, maintenance, and safety equipment.
 - Much of the initiative in seeking this funding comes from the efforts of Police Officer Jeff Garcia. PO Garcia learned of the program through his contacts with other agencies and obtained the necessary application information. He was diligent in following up on the progress of our project and will be assigned to its implementation.
 - PO Garcia will be attending the Maritime Law Enforcement Course held at Lake George later this month. We expect to have our Harbor Patrol Initiative operational for the 2015 boating season
- **Detective Bureau:**
 - For the month of March, the Detective Bureau closed out 28 cases with 8 cases resulting in arrest. The Bureau was assigned 16 new cases during the month and had a total of 45 arrests:
 1. 1-Felony drug arrest
 2. 4-misdemeanor drug arrests
 3. 8-violation level
 4. 6-non-drug related misdemeanors

- 5. 26-warrant arrests
- The Bureau made the following seizures during March:
 1. \$1,160.00 in US currency
 2. 95-decks of heroin
 3. 5-small bags of cocaine
 4. 10-small bags of marijuana
- Evidence in 70 cases was reviewed, this resulted in the return of property to owners, or the disposal of retained evidence after the approval of the District Attorney's office
- **Notable Cases:** On Wednesday March 18th at approximately 5:30 PM members of the Port Chester Police Department arrested two men after disrupting a drug transaction in progress. Members of the Department's Narcotics Squad were conducting a surveillance in the area of North Main Street when they observed one man, seated in a car, hand another, on foot, 30 small bags containing what was later determined to be heroin. With assistance from the Patrol Division they stopped and detained the men. Subsequent investigation uncovered 57 additional bags of heroin, US currency, and drug sales records in the vehicle occupied by one of the men.

Wilfredo Huertas, age 51, of the Bronx was arrested and charged with Criminal Sale of a Controlled Substance in the 3rd Degree, and Criminal Possession of a Controlled Substance in the 3rd Degree, both class B felonies. Johan J. Wallenberg, age 38, of Stamford was arrested and charged with Criminal Possession of a Controlled Substance in the 7th degree, a class A misdemeanor

➤ **Justice Court**

- Assist the Judge on the Bench during court sessions on Mondays, Thursdays and Fridays
- Processed Criminal Disposition Reports (CDRs) after court
- Completed court paperwork after court sessions
- Update excel spreadsheets with Bail disbursements from court
- Electronically transmitted 574 Criminal Dispositions Reports (CDRs) to New York State Division of Criminal Justices Services since February 11, 2015
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 02/28/15 - \$80,644.53
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 3/31/15 - \$78,471.68
- Prepared February and March 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Troy - \$80,783.50 (Feb) \$77,890.65 (March) to be reviewed and electronically submitted by Judge Troy
- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 02/28/15 - \$132,265.71

- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 3/31/15 - \$159,676.14
- Prepared February and March 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$131,746.20 (Feb) and \$158,821.58 (March) to be reviewed and electronically submitted by Judge Sisca
- Reconciled Tow Account. Ending Bank Balance as of 02/28/15 - \$895.00
- Reconciled Tow Account. Ending Bank Balance as of 3/31/15 - \$410.00
- Prepared vouchers and Payroll to be sent to the Finance Department
- Monthly Staff Meeting held on February 18
- Gina LaMazza held Monthly Staff meeting on March 18
- Sent letters out to Defendants for Unclaimed Bail (6 years or older) for 140 cases. If the bail is not picked up by April 17th the unclaimed bail will be turned over to the Port Chester General Fund. Amount: \$16,080 as of today

➤ **Public Works:**

Police Department

- Completed the Evidence room.
- Completed the breezeway.
- Painted various locations within the building.

Lyons Park

- Fixed the benches.
- Removed graffiti.
- Repaired underground electrical wire.
- Repaired vandalism at Lyons & Columbus Park.

Street Lights

- Repaired 50 street lights.

Village Trees

- Trimmed 20 trees.
- Removed 7 trees.

Village Hall

- Various maintenance tasks.

Potholes

- Repaired/filled 25 tons of black top for potholes thru out the Village.

Catch Basins & Sidewalks.

- Cleaned 34.
- Repaired catch basin & installed pedestrian ramp at the corner of Fairview Avenue & Neuton Avenue.
- Repaired 2 catch basin at shopper's lot.
- Repaired 3 catch basins King Street.
- Repaired sidewalks at Puritan Drive, Wilkins Avenue, & the Shoppers lot.

Street Traffic lines

- Commenced painting street traffic lines.

Street Signs

- Installed or replaced 40 signs.

Street Cleaning

- Performed additional street cleaning in non-posted areas.

Plantings

- Planted spring flowers.
- Cleaned the Village Islands.
- Mulched various Village Properties.

Equipment

- Repaired various equipment as needed.

Sanitation

- Regular duties as contracted & directed.

➤ **Senior Center / Nutrition:**

Senior Center Calendar:

- April 7th—Easter Party—music by the Upbeats 1 p.m.
- April 9th—Passover Luncheon
- April 16th—Marie Leonard, Westchester Community College Lecture—food safety and eating on a budget 11:30
- April 29th—Yonkers Casino
- May 5th—Cinco de Mayo celebration—music 1p.m.
- May 9th—Mother’s Day Brunch—music with James Kulich 11 a.m.
- May 13th—City Island Lunch on your own Cost \$10
- May 20th—Lobster Festival at Platzl Brauhaus with Rye Brook—Lobster festival, live music and dancing. Bus leaves Possillipo center at 10 a.m. Cost: \$42.
- Every Monday—Zumba 1 p.m. Every other Tuesday Tai Chi—10:30 a.m. Art Class every Friday morning at 10-12, Bingo Wed and Thurs afternoons

Community Center Calendar:

- Wed. 4/8—Chamber of Commerce meeting, Recreation meeting, Beautification meeting, Parks commission meeting.
- 4/9—Volleyball meeting—Rec
- 4/13—PCYBL Travel Meeting—Rec
- 4/14—PCYBL Baseball meeting
- 4/25—Clay Arts Center Educational Symposium 10-5 p.m.
- 4/29—Football meeting—Rec
- 4/6/15—Board of Health Inspection—No violations
- 4/7/15—Westchester County Dept of Senior Programs & Services Bi-annual inspection of congregate program at center.
- 4/8/15—Ace Extermination—Regular monthly preventative spraying.

- **Recreation:** See Recreation Supervisor's report attached.

Meetings:

- 3/10 Agenda review
- 3/11 Recreation Commission
- 3/12 L. Douglas, Budget
- 3/17 T. Cerreto, Playground Inspections
- 3/18 Dog Park meeting - WRAPS
- 3/20 R. Morabito, DPW field maintenance and Easter in the Park
- 3/23 J. Cunningham, Carver Center, Swim lessons, Lifeguard Training
- 3/24 T. Cerreto, Village Attorney Concession Stand Contract PCYBL
- 3/24 T. Cerreto, Playground Inspections
- 3/25 Pre/Post Agenda and Staff meeting
- 3/25 ARC meeting
- 3/25 R. Morabito, DPW field maintenance
- 3/26 E. Tigani – Parks attendants, schedule
- 3/30 Roller Hockey meeting
- 4/1 Entertainment Committee
- 4/6 Bus Bids
- 4/8 Park Avenue Custodial Staff – Walkthrough of Camp site
- 4/9 Post BOT/Pre Agenda Meeting
- 4/14 Pre –Agenda Review
- 4/14 Budget Workshop –BOT, Village Manager
- 4/15 Department of Health – Camp Meeting
- 4/16 Bryan Diaz, Council of Community Services
- 4/16 Adult Roller Hockey Group

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

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

- **Treasures Office:** the Budget process ongoing.

DISCUSSIONS

Mayor Pilla presented several suggestions on how to improve the Sidewalk Café law. Following a short discussion the Mayor requested a resolution, to set a public hearing at our next Board of Trustees meeting, to amend Village Code regarding Sidewalk Café.

CORRESPONDENCES

From Francis A. Cervinka regarding resignation from Port Chester's Planning Commission.

The Board duly noted the correspondence.

From Virginia R. Bonaro regarding application for the Open Seat on the VPC IDA.

The Board duly noted the correspondence.

From the American Legion Port Chester Post 93 respectfully request that the Village of Port Chester appropriation of \$1,500 for the 2015 year

The Board referred the correspondence to staff without objection.

From the Traffic Commission regarding the V&T Law – Fire Zones

The Board duly noted the correspondence.

From Mellor Engine & Hose Co. No. 3, Inc. on the election of Brendan Doyle to active membership.

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the election of Brendan Doyle as a member to Mellor Engine & Hose Co. No. 3, Inc. with the Port Chester Fire Department.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

From Mellor Engine & Hose Co. No. 3, Inc. on the resignation of Bedford Brown from active membership.

The Board duly noted the correspondence.

From Harry Howard Hook & Ladder Co. No. 1 on the expulsion of Cesar Reyes, Reynaldo Sanchez and John Evans from membership in the Company.

The Board duly noted the correspondence.

From Harry Howard Hook & Ladder Co. No. 1 on the resignation of James Magrone.

The Board duly noted the correspondence.

PUBLIC COMMENTS AND BOARD COMMENTS

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

Comments were made by:

Public

Mr. Richard Abel commented on the Town Assessment role which is locked at the end of the year. Are Building Records also locked? How hard would it be to merge those two databases? This way the assessment records are with the Building Department as well. Village Manager Steers commented we download the information once a year, whether it is correct or incorrect. Mr. Abel questioned if you sign up for Amnesty and they several months later, if an inspection has not been done, want to opt out. Mr. Miley replied everybody who has applied is already in the program. Essentially, nothing happens.

Mayor Pilla commented that people shouldn't be afraid to go to the Building Department before they do the work. They should do a search.

Board

Trustee Adams commented on Pearl Street where it meets the Post Road. The warning light is now gone. Chief Conway will look into that. He will notify the traffic sergeant. Trustee Adams commented that the yellow lines are gone from North and South Regent Street and Westchester Avenue. Chief Conway will run this by DPW next week. Trustee Adams commented on the smell at the Grove Street parking lot.

Trustee Brakewood is looking forward to serving with the other members of the I.D.A. He is looking forward to working with the subcommittee formed tonight.

Trustee Terenzi commented on defending Amnesty. He is looking forward to Mayor Pilla streamlining the program.

Trustee Ceccarelli thanked the Village Manager and Peter Miley for their good reports. He commented that on 10 Pearl Street Mr. Neri wants to put in a five story office building.

Mayor Pilla commented on the professional staff in every department. We had a discussion on the Dog Park where everybody will be in a win/win solution. Mayor Pilla asked for a motion to go into executive session

MOTION FOR EXECUTIVE SESSION

At 10:01 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS the Board adjourned into an executive session for the purpose of consulting

with the Village Manager and Village Attorney concerning particular personnel in the Courts.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

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

No action was taken in executive session.

At 10:23 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

At 10:23 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, the meeting was closed.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 20, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD APRIL 21, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, April 21, 2015, in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Mayor Dennis G. Pilla presiding.

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

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager; Ed Brancati, Human Resources; Village Engineer, Dolph Rotfeld; General Foreman (DPW), Rocky Morabito; Director of Senior Programs and Services, Carol Nielsen and Christopher D Summa.

It should be noted that Trustee Kenner left the meeting at 8:00 p.m.

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

Roll Call

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

NOES: None.

ABSENT: None.

DATE: April 21, 2015

WORK SESSION

Workshop on Village of Port Chester Tentative Budget for FY 2015-2016.

With:

- Engineering (Dolph Rotfeld)
- DPW (Rocky Morabito)
- Senior Center (Carol Nielsen)
- Finance (Leonie Douglas)
- Human Resources (Ed Brancati)
- Village Attorney's Office (Tony Cerreto)
- Village Manager's Office (Chris Steers)

Motion to Add-On Executive Session

Mayor Pilla asked for a motion to consider an add-on Executive Session to consult with Village Attorney regarding pending litigation and specific personnel matter.

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

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 21, 2015

At 8:14 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Board adjourned into an executive session to consult with Village Attorney regarding pending litigation and specific personnel matter.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 21, 2015

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

No action was taken in executive session.

At 8:41 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 21, 2015

Motion to Add-On a Resolution

Mayor Pilla asked for a motion to consider an add-on resolution to modifying schedule for budget process for fiscal year 2015-2016 budget.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE TERENCE, the motion received a unanimous vote of those present.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 21, 2015

RESOLUTION (ADD-ON)

**MODIFYING SCHEDULE FOR BUDGET PROCESS
FOR FISCAL YEAR 2015-2016 BUDGET**

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

WHEREAS, by resolution adopted on March 26, 2015, the Board established a schedule for the budget process for Fiscal Year 2015-2016; and

WHEREAS, having held a public hearing and several workshops, the Board desires to hold an additional workshop prior to adopting the budget; and

WHEREAS, such workshop would likewise be open to the public to observe. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby schedules an additional budget workshop for April 28, 2015 at 6:00 p.m. at the First Floor Conference room at Village Hall, 222 Grace Church Street, Port Chester; and be it further

RESOLVED, that the Board has the present intention of adopting the Fiscal Year 2015-2016 Budget at a meeting on April 29, 2015 at 7:00 p.m. the Justice Court Courtroom, 350 North Main Street, 2nd. Floor, Port Chester.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli, and Mayor Pilla.

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 21, 2015

At 9:16 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the meeting was closed.

Roll Call

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 21, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD APRIL 28, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, April 28, 2015, in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Mayor Dennis G. Pilla presiding.

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

It should be noted that Trustee Joseph Kenner was absent.

It should be noted that Trustee Brakewood arrived at 6:03 p.m.

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas and Christopher Ameigh Administrative Aide to the Village Manager.

On motion of Trustee Adams, seconded by Trustee Marino, the meeting was declared opened at 6:03 p.m.

Roll Call

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

NOES: None.

ABSENT: Trustees Brakewood and Kenner.

DATE: April 28, 2015

WORK SESSION

Workshop on Village of Port Chester Tentative Budget for FY 2015-2016.

The Board along with staff discussed the Budget for FY 2015-2016.

No action was taken at the work session.

RESOLUTIONS

RESOLUTION #1

**PUBLIC HEARING TO CONSIDER AMENDING THE
VILLAGE CODE REGARDING SIDEWALK CAFÉS.**

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

RESOLVED, 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.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 28, 2015

Motion to Add-On Executive Session

Mayor Pilla asked for a motion to consider an add-on Executive Session.

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

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 28, 2015

At 9:20 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE TERENCE, the Board adjourned into an executive session to discuss a particular person in the Fire Department, particular person in the clerk office and particular person in the court.

ROLL CALL

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

DATE: April 28, 2015

Also present were: Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto and Village Treasurer, Leonie Douglas.

No action was taken in executive session.

At 9:48 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

ROLL CALL

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

DATE: April 28, 2015

At 9:50 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the meeting was closed.

ROLL CALL

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

DATE: April 28, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

MEETING HELD APRIL 29, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Wednesday, April 29, 2015, , in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis G. Pilla presiding.

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

It should be noted that Trustee Joseph Kenner was absent.

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police (arrived at 7:12 p.m.), Richard Conway and Christopher Ameigh Administrative Aide to the Village Manager.

On motion of Trustee Brakewood, seconded by Trustee Adams the meeting was declared opened at 7:07 p.m.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

Motion to Add-On an Executive Session

Mayor Pilla asked for a motion to add-on an executive to consult with Village Attorney regarding a matter in the fire department.

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

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

MOTION FOR EXECUTIVE SESSION

At 7:09 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO the Board adjourned into an executive to consult with Village Attorney regarding a matter in the fire department.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto and Christopher Ameigh Administrative Aide to the Village Manager.

No action was taken in executive session.

At 7:12 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

PUBLIC COMMENTS

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

Comments were made by:

Mr. Richard Abel commented on the length of a parking space. Attorney Cerreto commented this will be included in the local law.

RESOLUTIONS

RESOLUTION #1

SETTING A PUBLIC HEARING TO CONSIDER A LOCAL LAW WITH
REGARD TO PARKING SPACE OBSTRUCTION PERMITS

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

RESOLVED, that the Board of Trustees of the Village of Port Chester sets 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, 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.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

RESOLUTION #2

ADJUSTING PARKING VIOLATION FINES

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

RESOLVED, that the Code of the Village of Port Chester, Chapter 319-91 Schedule XXX: Fines, be amended as follows:

Section A. Fines for violations.

Violation	Fine
12 inches from curb	[\$15] <u>\$25</u>
Abandoned car, 24 hours	[\$75] <u>\$125</u>
Blocked driveway	[\$50] <u>\$60</u>
Blocked intersection	\$75
Commercial vehicle	[\$30] <u>\$60</u>

Violation	Fine
Double parking	[\$75] <u>\$80</u>
Expired inspection	[\$75] <u>\$80</u>
Expired meter	\$25
Expired registration	[\$75] <u>\$80</u>
Fire hydrant	[\$125] <u>\$135</u>
Fire zone	[\$125] <u>\$135</u>
Handicapped parking	[\$75] <u>\$125</u>
Left of curb	\$75
Limited time parking	\$25
Loading zone	[\$25] <u>\$50</u>
Nighttime parking prohibited	\$25
No parking to corner	[\$20] <u>\$50</u>
No permit	[\$40] <u>\$60</u>
No stopping	[\$20] <u>\$35</u>
Overtime parking	\$25
Parked in bus stop	[\$50] <u>\$60</u>
Parked in crosswalk	[\$50] <u>\$60</u>
Parked on sidewalk	[\$50] <u>\$60</u>
Parking at broken meter	\$20
Prohibited parking	[\$25] <u>\$50</u>
Rear wheel to curb	[\$20] <u>\$25</u>
Snow ordinance	\$15
Special no parking area, minimum	[\$50] <u>\$55</u>
Special purpose parking	\$75
Street cleaning	\$20
Taxis only	[\$20] <u>\$30</u>
Tow-away zone	\$75

RESOLVED, that the date of this resolution is effective upon the direction of the Village Manager.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

RESOLUTION #3

ADJUSTING GREEN & SOLID WASTE FEES

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

RESOLVED, that the Code of the Village of Port Chester, Chapter 175: Fees, be amended as follows:

Chapter 275, Solid Waste

Use of dumping facilities	§ 275-9K	
Minimum charge up to 1,000 pounds	[\$100]	<u>\$ 110</u>
1,000 pounds to 1,999 pounds	[\$100]	<u>\$ 110</u>
2,000 pounds to 2,500 pounds	[\$120]	<u>\$ 112</u>
2,501 pounds to 3,000 pounds	[\$140]	<u>\$ 114</u>
3,001 pounds to 3,500 pounds	[\$160]	<u>\$ 116</u>
3,501 pounds to 4,000 pounds	[\$200]	<u>\$ 220</u>
4,001 pounds to 5,000 pounds	[\$220]	<u>\$ 222</u>
Over 5,000 pounds	[\$280]	<u>\$ 228</u>
Use of dumping facilities - Green Waste	§ 275-9K	
Per ton	Prorated at [\$50] <u>\$55</u> per ton	

and, be it, further

RESOLVED, that this resolution shall be effective on June 1, 2015.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

RESOLUTION #4

**RESOLUTION
ADOPTION OF BUDGET FOR FY 2015-2016**

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

WHEREAS, the Board of Trustees of the Village of Port Chester held a public hearing on the proposed Budget for the Village of Port Chester on April 13, 2015, for the fiscal year beginning June 1, 2015 and ending May 31, 2016, pursuant to the published notice of such public hearing and has heard all persons who desired to present comments with respect to such Budget; and

WHEREAS, at meetings of the Board of Trustees held on April 14, 2015, April 16, 2015, April 21, 2015 and April 28, 2015, the Village Manager's tentative budget was read and considered; and

WHEREAS, at a meeting of the Board of Trustees held on April 29, 2015, the Village Manager's tentative budget was amended as reflected in the annexed schedule for a total increase in estimated revenues in the amount of \$497,070, and a total increase in appropriations in the amount of \$317,212. Now, therefore, be it

RESOLVED, that the following Budget is hereby adopted as the Budget for said Village of Port Chester, New York, for the Fiscal Year beginning June 1, 2015 and ending May 31, 2016, and that the several sums in said Budget, as amended, shall be and become appropriated for the several departments, offices and purposes as specified in said Budget:

Budget for the Village of Port Chester, New York for the
Fiscal Year Beginning June 1, 2015 and Ending May 31, 2016

GENERAL FUND EXPENDITURES	\$38,913,621
GENERAL FUND OTHER REVENUES	\$15,607,970
APPROPRIATED FUND BALANCE – UNASSIGNED	\$135,636
APPROPRIATED WORKERS COMP. RESERVE	\$150,000
APPROPRIATED DEBT SERVICE RESERVES	\$50,000
AMOUNT TO BE RAISED BY PROPERTY TAXES	\$22,913,160
SPECIAL ASSESSMENT – DEMOLITION	\$30,070
DEBT SERVICE FUND APPROPRIATION	\$250,000
SPECIAL ASSESSMENT SIDEWALK BETTERMENT PROGRAM PHASE 1 & 2	\$26,785

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

VILLAGE OF PORT CHESTER AMENDMENTS TO FY 2015-16 TENTATIVE BUDGET APRIL 29, 2015						
EXPENDITURE REDUCTION	TENTATIVE BUDGET	ADOPTED BUDGET	CHANGE	G/L CODE	G/L NAME	EXPLANATION
Justice Court	\$ 35,000	\$ 10,000	\$ (25,000)	1.1110.408	O/C Court Reporter	Decrease Court Steno Services
Village Manager	\$ 10,920	\$ -	\$ (10,920)	1.1230.111	Personnel P/T	Decrease
Human Resources	\$ 50,000	\$ 30,000	\$ (20,000)	1.1240.111	Personnel P/T	Decrease
Village Clerk	\$ 9,000	\$ 5,000	\$ (4,000)	1.1410.411	Code Book Subscriptions	Decrease
Village Clerk	\$ 20,000	\$ 15,000	\$ (5,000)	1.1410.476	Publication of Notices	Decrease - one official Newspaper
Engineering	\$ 50,000	\$ 20,000	\$ (30,000)	1.1440.400	Engineer Contractual	Decrease
Information Tech. & Communications	\$ 60,000	\$ 40,000	\$ (20,000)	1.1650.200	Equipment	Decrease - Move to Capital Plan
Information Tech. & Communications	\$ 72,300	\$ 60,300	\$ (12,000)	1.650.411	Computer Services	Decrease
Animal Control	\$ 10,000	\$ 6,000	\$ (4,000)	1.3510.400	Animal Control	Decrease
Transfer Station	\$ 240,000	\$ 200,000	\$ (40,000)	1.9280.449	Dump Fees-Organic Waste	Decrease
TOTAL EXPENDITURE REDUCTIONS			\$ (170,920)			
EXPENDITURE ADDITIONS						
Justice Court	\$ 658,655	\$ 683,655	\$ 25,000	1.1110.100	Personnel Services	Add New Judge
Justice Court	\$ 13,455	\$ 26,455	\$ 13,000	1.1110.111	Personnel - P/T	Add New Intermediate Clerk
Justice Court	\$ 178,500	\$ 200,000	\$ 21,500	1.1110.491	Ticket Collection Charges	Increase
Law	\$ 84,000	\$ 106,000	\$ 22,000	1.1420.493	Prosecutorial Services	Increase - due to new Judge
Engineering	\$ -	\$ 120,000	\$ 120,000	1.1440.100	Personnel Services	Add New Engineer
Taxes-Village Property	\$ 119,000	\$ 122,000	\$ 3,000	1.1950.479	Taxes-Village Property	Increase in tax rates for School/Town/Cnty
Contingent Account	\$ 276,897	\$ 300,000	\$ 23,103	1.1890.400	Contingency Account	Increase
Police	\$ 6,468,812	\$ 6,579,984	\$ 111,172	1.3120.100	Personnel Services	Add 2 New Police Officers
Police Civilian Personnel	\$ 90,000	\$ 98,000	\$ 8,000	1.3127.112	School Crossing Guards	Rate Increase
Parks	\$ 75,000	\$ 125,000	\$ 50,000	1.7110.108	Seasonal P/T	Increase
Marina	\$ -	\$ 10,000	\$ 10,000	1.7230.108	Seasonal P/T	Add New Harbor Master
Library	\$ 983,143	\$ 990,000	\$ 6,857	1.7410.400	Library Contract	Add Library Audit Fee
Commissions	\$ 1,000	\$ 1,500	\$ 500	1.8010.400	Contractual	Beautification Expenditures
Planning & Development	\$ -	\$ 24,000	\$ 24,000	1.8020.400	Contractual	Add-Grant Writer
Refuse & Recycling	\$ 50,000	\$ 100,000	\$ 50,000	1.8160.108	Personnel - Seasonal	Increase
TOTAL EXPENDITURE ADDITIONS			\$ 488,132			

<u>REVENUE REDUCTIONS</u>						
Green Waste Tip Fees	428000	380000	\$ (48,000)	1.1.2132	DECREASE-BUDGET WORKSHOP	DECREASE \$78,000, INCREASE \$30,000
TOTAL REVENUE REDUCTIONS			\$ (48,000)			
<u>REVENUE ADDITIONS</u>						
Special Assessment	\$ -	\$ 30,070	\$ 30,070	1.1.1030	INCREASE-169 FAIRVIEW DEMOL	
Sales Tax Revenue	\$ 4,260,000	\$ 4,310,000	\$ 50,000	1.1.1120	INCREASE - BUDGET WORKSHOP	
Fire Inspection Fees	\$ 175,000	\$ 185,000	\$ 10,000	1.1.1540	INCREASE - BUDGET WORKSHOP	
Safety Inspection/Occupancy	\$ 48,000	\$ 53,000	\$ 5,000	1.1.1563	INCREASE - BUDGET WORKSHOP	
Parking Meter Fees	\$ 1,414,600	\$ 1,434,600	\$ 20,000	1.1.1740	INCREASE IN METER BAGS FEES	
Day Camp Fees	\$ 95,000	\$ 105,000	\$ 10,000	1.1.2008	INCREASE - BUDGET WORKSHOP	
Permits/Sidewalks Obstruction	\$ 40,000	\$ 50,000	\$ 10,000	1.1.2594	INCREASE - BUDGET WORKSHOP	
Permits/Street Openings	\$ 50,000	\$ 60,000	\$ 10,000	1.1.2596	INCREASE - BUDGET WORKSHOP	
Fines Fees & Forfeited Bail	\$ 2,300,000	\$ 2,550,000	\$ 250,000	1.1.2610	INCREASE IN PARKING FINES	
Appropriated W. C. Reserves	\$ 50,000	\$ 150,000	\$ 100,000	1.1.4996	INCREASE - BUDGET WORKSHOP	
Engineering Fees	\$ -	\$ 50,000	\$ 50,000		Added - New Fees	
		\$ -	\$ -			
TOTAL REVENUE INCREASE			\$ 545,070			
<u>NET BUDGET ADJUSTMENTS</u>						
EXPENDITURE CHANGE			\$ 317,212	INCREASE	\$	38,913,621
REVENUE CHANGE			\$ (497,070)	INCREASE		
TOTAL BUDGET ADJUSTMENT			\$ (179,858) *			

RESOLUTION #5

ESTABLISHING A SEWER RENT RATE

FOR FY 2015-2016

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

WHEREAS, Article 14-F of the New York General Municipal Law authorizes municipalities to establish a system of user fees, or sewer rents; and

WHEREAS, in the exercise of such statutory authority, the Board has adopted a local law establishing a system of sewer rents using water consumption as a basis for calculating same; and

WHEREAS, the Village Manager has provided the proposed sewer rent rate for FY 2015-2016 to the Board of Trustees, that being \$1.379169/CCF of water consumption; and

WHEREAS, as required by law, the Board has conducted a public hearing on April 13, 2015 wherein all interested parties were given an opportunity to be heard. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby establishes the sewer rent rate for FY 2015-2016 at \$1.379169/CCF of water consumption.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

PUBLIC COMMENTS AND BOARD COMMENTS

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

Public (none)

Board

Trustee Adams commented staff did a great job with the budget considering there was a change of Mayors during the budget process.

Trustee Brakewood commented on the great job on the budget.

Trustee Terenzi commented that he was pleased with the budget.

Trustee Marino commented we all worked together and thanked the staff for the good work on the budget.

Trustee Ceccarelli thanked the staff and the board for a collaborative effort in putting the budget together.

Mayor Pilla thanked the staff and Trustee Terenzi for their work in putting together the budget.

At 7:56 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the meeting was closed.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Marino, Ceccarelli and Mayor Pilla

NOES: None.

ABSENT: Trustee Kenner.

DATE: April 29, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk

**PUBLIC COMMENTS
AND
BOARD COMMENTS**

**PROPOSED MOTION
FOR
EXECUTIVE SESSION**