

MEETING HELD JUNE 20, 2016

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, June 20, 2016 in the Senior Community Center at 222 Grace Church Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla were Trustees Bart Didden, Francis Ferrara, Daniel Brakewood, Gene Ceccarelli, Gregory Adams and Luis Marino.

Also present were: Village Clerk, David Thomas; Chief of Police, Richard Conway; Director of Planning, Eric Zamft; Village Attorney Anthony Cerreto, Village Treasurer Leonie Douglas, Legal Intern, David Kenny; Human Director Consultant Ed Brancati and Fire Chief, Edward Quinn

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the meeting was declared opened at 6:25 p.m.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT: None

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, THE Board added on the following for Executive Session:

1. *Discuss with Counsel Port Chester Fire Contract with Rye Brook litigation*
2. *Request from PESH*
3. *Different matters of the Fire Litigation.*

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Marino Adams and Mayor Pilla

NOES: None

ABSENT: None

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE MARINO, the Board went into Executive Session with Attorneys Cerreto and Kenny, Village Manager Steers, Mr. Brancati and Counsel Terry O'Neil on:

1. The PESH Report received from New York State
2. The Rye Brook Litigation
3. Different matters of the Fire Litigation

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Marino Adams and Mayor Pilla
NOES: None
ABSENT: None

At 7:34 p.m. the Board came out of Executive Session and called the public meeting to order.

PUBLIC COMMENTS

Mr. Jerry Terranova, Chairman of the Parks Commission, commented on the trees in the parks. This has been postponed several times. We need approximately 30 trees in the parks. We would like to proceed with this request. The Board gave approval for the trees. The Park Commission should let DPW know where they should be planted. He commented that Port Chester has the finest fire and police department in the County.

Ms. Linda Tortorino commented that the Port Chester Independence Committee will be having the ceremony at the high school on July 9th. The Entertainment Committee has bands signed for Fridays in Lyon Park, the Dog Park is going well.

Ms. Goldie Solomon commented on her saviors. The fire department is the first organized in the United States. We need the fire department.

Ms. Linda Augilara commented that the firefighters are here because they selflessly give of themselves. I don't mind paying more taxes to keep the paid firemen.

Mr. James Smith, a former Port Chester firefighter, commented the Trustees asked if the Volunteers could handle the work. Traffic is horrendous in this town and volunteers, not sitting in the firehouse, will take longer to get to the scene. The career firefighters manned the firehouse 24/7 365 days a year. Thousands of people in this Village have signed a petition for a combination fire department.

Ms. J. Vallero commented we should not fire the firefighters.

Mr. John Reavis commented we need to recognize the future, i.e. the Starwood Project. We have the smallest police department in the County. We need to take a look at providing support services. The paid firemen help build a better operation.

Mr. J. Vallero commented he is worried about the community. The professional firefighters have devoted their lives to keeping us safe. The United Hospital project is the largest project this Village has had. This development will bring jobs. We need to keep our firemen.

Mr. Joseph Rende commented about the justice of eliminating the paid firemen. We must recognize the ability of our volunteer and paid fire department to work together. Port Chester residents are blessed with the cooperation of the combination department. The decision to eliminate the paid department was ill-conceived. We are a densely populated Village.

Ms. Flo McQue, Secretary/Treasurer of the CSEA commented on the money thought to be saved. They are organized labor. This is unprecedented. We know you are not saving money. To think of a fire at the Capitol Theatre is scary. At minimum, bring back the career firefighters.

Mr. Richard Kochanowicz commented the firefighters need to be reinstated.

Mr. Vincent Lyons commented on two letters, both sent from the volunteer companies to the Mayor and Board of Trustees. They support fully the career firefighters. The PESH report is not good. The cost to the taxpayers of the Village of career firefighters is virtually nothing. The savings from eliminating the firefighters is overstated.

Ms. Jamie Inamanato questioned who the professional staff was in making the decision to eliminate the career firefighters.

Mr. P. Gerardi, a former Port Chester career firefighter, commented that even if you are the lone firefighter on duty you can make a difference in getting to the fire site. No career firefighters were asked for their opinion in making this decision. The combination has worked for 100 years.

Mr. P. Kellogg commented that you would save the cost of the firefighters' salary and benefits. The financial loss is going to cost the Village.

Mr. J. Kowalski, a Danbury professional firefighter, commented the career firefighters have over 400 hours of training. You cannot replace professional with volunteer. The volunteers make the department better.

Mr. Sean Denimous of the New Rochelle Fire Department commented that Port Chester has gotten some bad advice. You should sit down with the professional firefighters and go over money.

Ms. L. Torlarricci commented the cost of the firefighters was \$1,044,000. You received from Rye Brook \$990,000. When you calculated your budget you did not calculate losing \$990,000. The cost of the fire department in my taxes was approximately \$7.

Ms. Aguilara commented we want to feel respected and want the BOT to do the right thing.

Ms. Inaminato asked why Mr. Quinn is still the chief.

Ms. Melissa Brady, a special firefighter and volunteer in Rockland County, commented on the needs in a community. The job of trustees is to recognize the needs of the community and you should reinstate the firefighters..

Ms. Kathy Bush commented she had never seen a municipality of this size not have a plan. You made a serious mistake in cutting this out of your budget. Tonight you should give this the time it deserves and get the firefighters back.

Mr. Kochanowicz commented Mr. Adams and Mr. Marino are very brave.

Mr. Flynn commented that the union officials have received many messages from firefighters. We now have more evidence of your mistakes. You have time to rethink your decision. A key is the time it takes to get water on a fire.

Mr. J. McGowen commented on the length of time between when the career firefighter gets to the fire and how long he waits for a volunteer to arrive. This is serious.

Mr. Rende commented that we are not just blowing off steam. We will make our message heard. The residents are going to stand up and voice their concern. You can correct this injustice. When you make a mistake, admit it, and correct it.

Mr. Brett Lyons commented on growing up in Port Chester and how happy he was on becoming a firefighter. He wished the BOT the best of luck going forward.

Mr. T. Kamisa, District Commissioner of the New York State Professional Firefighters, commented you are going to lose \$1 million from Rye Brook. Port Chester needs to hire professional firefighters because when water is dumped on a building, it is destroyed and becomes a blight on the community and taxes cannot be collected on it.

Jim Ramacca of International Association of Fire Fighters commented they are trying to help Port Chester find money. We can save money with the AFG (Assistance Fire Fighting Grant) opens up July and August to help buy equipment. Safer Grants open up in October Wants to make sure that the decision the Board makes is not about money.

K Perrano-Sabia asked the Board why they didn't get the information before making their decision to eliminate the paid firefighters. The Board was misinformed. She suggested the Board needs more time before making a decision. It's about feeling safe and secure. In her opinion the Board needs to get rid of Quinn.

J Reavis hopes the Board will act on the resolution restoring the 8 paid fire fighters. It's a very emotional decision. The Board and Village Manager need to reorganization firefighters. If accusations in the paper are correct we have another issue to address and it should be handled in an honest and public a way.

B McGooey asked for the return of the 8 paid fire fighters. This has been going on since May 2nd. There's been a lot of talk. A decision in the best interest of the Village of Port Chester should be made. . Chief Quinn does not represent the opinions of the volunteer firefighters. The volunteers give back to their community, not to be made to feel like scabs or to replace the paid firefighters. We should be proud of our police department because of their professionalism and dedication as a result of it's the leadership. Volunteers should be able to vote on their leadership as he feels they are not properly represented. The close proximity of the multi dwelling homes and over-crowded home, especially with the increase in electrical usage these homes were not designed to handle. It's a disaster waiting to happen, we need to put public safety first. The Board should have the courage to admit it made a mistake and reinstate the paid firefighters.

J Nielsen commented who on the Board voted yes and no. She told them that the Trustees who voted no will not be reelected even if she has to go door to door-to-door to campaign against them.

Timothy Hill asked the Board where they got the information about the firefighters, the Village Manager and where did he get that information? He asked by show of hands, which of them back the leadership of Mr. Quinn..

Mayor Pilla wanted to clarify that the PESH report didn't speak about a lie and it doesn't speak about a fine.

FIRE DEPARTMENT

RESOLUTION

REINSTATE THE PAID FIREFIGHTERS

On motion of TRUSTEE ADAMS seconded by TRUSTEE MARINO, this resolution was brought up for discussion by the Board of Trustees of the Village of Port Chester, NY

Mr. Adams prepared a Resolution to reinstate the paid firefighters. We need to put these paid firefighters back to work.

Trustee Ferrara commented this was done poorly because we did not give reasons. In 2013 we were down to three career firefighters.

Trustee Marino thanked Jimmy Smith for his comments.

Trustee Brakewood commented he is listening to what people have to say. This was done for budgetary reasons. We are in negotiations with Rye Brook regarding the contract. He suggested people write to the Governor or Senators to change the Tax Gap. Port Chester is improving the Village but is not getting the recognition for improvements. We need to resolve the PESH issue.

Trustee Didden commented that he gives Jimmy Smith a lot of credit. A lot of the discussion is about back-up resources. Also people who talked are oblivious to the tax increases. The Village has not had an opportunity to speak to the PESH report.

Mayor Pilla commented the Volunteers are doing a fantastic job. There is sometimes a delay. Safety is job number 1. You cannot underplay the importance of them. We will take Mr. Schaefer at his word about additional funding. We take the PESH report seriously.

ROLL CALL

AYES: Trustees Adams, Marino and Mayor Pilla

NOES: Trustees Didden, Ferrara, Brakewood and Ceccarelli

DISCUSSION

Hiring a Communications Firm

Trustee Didden commented that on May 2nd we took the initial decision. Members of the public have only heard one side of the story that went into our decisions. We need to get out our reasons and to thank the volunteer fire department for what they do. The public needs to understand that at a fire with 20 firemen, only one of them is a paid professional. The public deserves to know who their fire department is. The CSEA has called on Village residents and told them not to respond.

Trustee Adams commented on a level playing field. The paid department is gone.

Trustee Brakewood commented that there is a lot of misinformation. Residents don't understand about how the Village actually works.

Trustee Ferrara commented this is about getting the story out. People don't understand how the fire department operates. The word that is not getting out is that our paid department is supplemental.

Mayor Pilla commented that we don't want to divide the Village. This will be on the next meeting agenda. We will vote at our next meeting whether to put out a communication.

RESOLUTIONS

RESOLUTION #3

CONSENTING TO A FURTHER ADDENDUM TO THE CONSENT DECREE IN THE MATTER OF UNITED STATES, ET AL. v. VILLAGE OF PORT CHESTER THAT WOULD PROVIDE FOR ALL DULY ELECTED TRUSTEES FROM THE 2016 VILLAGE ELECTIONS TO SERVE OUT THE TERMS TO WHICH THEY WERE ELECTED

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE FERRARA, 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 consents to a further addendum to the Consent Decree in the matter of United States, et al. v. Village of Port Chester providing for all duly elected trustees to be sworn in and serve out their terms to which they were elected on March 15, 2016 regardless of whether they timely signed and filed the official oath as required by Public Officers Law, Section 10 and Article 13 of the New York State Constitution.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Ferrara, Ceccarelli, and Mayor Pilla

NOES: None

ABSENT: None

Recused: Trustees Brakewood, Adams and Marino

DATE: June 20, 2016

DISCUSSION

Transfer Elections to the County

Mayor Pilla commented we are no longer under a Consent Decree. We must figure out what our next Trustee Election looks like. We will bring this to the table for the Board to discuss whether we want to move the operation of the elections to a group that specializes in doing this, the County Board of Elections.

Trustee Brakewood would like to get something in writing from the Staff on what is the Consent Decree. We need to know what the election system will be.

Mayor Pilla commented we don't have an acceptable election system to the DOJ.

RESOLUTION #5

PETITIONING FOR SPECIAL STATE LEGISLATION THAT WOULD PROVIDE FOR ALL DULY ELECTED TRUSTEES FROM THE 2016 ELECTION TO SERVE OUT THE TERMS FOR WHICH THEY WERE ELECTED

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE DIDDEN, the resolution was discussed by the Board of Trustees of the Village of Port Chester, NY

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE FERRARA, the following Resolution was substituted by the Board of Trustees of the Village of Port Chester, NY

SUBSTITUTE RESOLUTION #5

URGING THE GOVERNOR TO SIGN INTO LAW A RECENTLY-PASSED BILL THAT WOULD EXTEND THE TIME-FRAME FOR RECENTLY-ELECTED OFFICIALS TO SIGN AND FILE THEIR OATH OF OFFICE

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

RESOLVED, that on the behalf of the Board of Trustees, the Mayor is hereby authorized to forward a letter urging the Governor to sign legislation (A1059A/S.8062), extending the timeframe for newly elected officials to sign and file their oath of office.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Ferrara, Ceccarelli, and Mayor Pilla

NOES: None

ABSENT: None

Recused: Trustees Brakewood, Adams and Marino

DATE: June 20, 2016

RESOLUTION #6

RECONSTITUTING THE SUB-COMMITTEE WITH REGARD TO MATTERS INVOLVING THE MODIFIED MARINA REDEVELOPMENT PROJECT

On motion of TRUSTEE FERRARA, seconded by TRUSTEE DIDDEN, this resolution was discussed by the Board of Trustees of the Village of Port Chester, NY

The Board had a workshop to discuss the G&S Marina Parking Lot. Members would include Trustees Brakewood, Ferrara and Mayor Pilla. Trustee Didden said we should swap out all three and see how things progress.

A motion was made by TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, that Trustee Didden replace him on the Marina Sub-committee

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT: None

The Board of Trustees will reconstitute the Sub Committee with regards to matters involved in the modified Marina Redevelopment project and G&S Subcommittee. Members would include Trustees Didden, Ferrara and Mayor Pilla.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT: None

POLICE RESOLUTION

RESOLUTION

BUDGET AMENDMENT – DEA FUNDS TO PURCHASE AND REPLACE PORTABLES AND BATTERIES FOR POLICE OFFICERS

On motion of TRUSTEE DIDDEN, 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 and replace 10 portable radios for \$8,897.53 and 10 batteries for \$810, (a total of \$9,707.53) from Motorola Metrocom 31 Plainfield Avenue, Bedford Hills, NY 10507, NYS vendor bid PT62495 & PS62496. 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 2016-17 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$(9,707.53)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$9,707.53
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Appropriations:

001-3120-0220	Police Service Equipment	\$9,707.53
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Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None

ABSENT: Trustee Ferrara

DATE: June 20, 2016

RESOLUTION

**AUTHORIZING RENEWAL AGREEMENT WITH PMA MANAGEMENT CORP. FOR
THIRD PARTY ADMINISTRATION OF VILLAGE'S RUNOFF CLAIMS WITH REGARD
TO FORMER WORKERS COMPENSATION PROGRAM**

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

WHEREAS, several years ago the Village of Port Chester elected to change from a self-insured to a fully-funded workers compensation program with PERMA; and

WHEREAS, as a result of the change, there remained a run-off or number of "tail" claims that would not be accepted by the carrier and required administration by a third-party administrator; and

WHEREAS, these claims have been managed by PMA Management Corp acting as third-party administrator on contract with the Village; and

WHEREAS, over the years the number of claims has been reduced by agreements with the claimants, but there still remain a number of outstanding claims; and

WHEREAS, the Village had sought a quote from PERMA to manage these claims, but it was not as competitive to PMA's proposal; and

WHEREAS, the proposal from PMA has not increased from last year and the expense is provided for in the FY 2016-2017 Village Budget; and

WHEREAS, Village staff will undertake a complete review of its workers compensation program next year when the Village's multi-year agreement with PERMA expires. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a renewal agreement with PMA Management Corp. for third-party administration of the Village's run-off claims with regard to the former self-insured workers' compensation program, with a term of June 1, 2016 to May 31, 2017, compensation to be in the amount of \$12,000.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT: None

DATE: June 20, 2016

RESOLUTION

AUTHORIZING RENEWAL AGREEMENT WITH PMA MANAGEMENT CORP. FOR THIRD PARTY ADMINISTRATION OF VILLAGE'S RUNOFF CLAIMS WITH REGARD TO FORMER WORKERS COMPENSATION PROGRAM

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

WHEREAS, several years ago the Village of Port Chester elected to change from a self-insured to a fully-funded workers compensation program with PERMA; and

WHEREAS, as a result of the change, there remained a run-off or number of “tail” claims that would not be accepted by the carrier and required administration by a third-party administrator; and

WHEREAS, these claims have been managed by PMA Management Corp acting as third-party administrator on contract with the Village; and

WHEREAS, over the years the number of claims has been reduced by agreements with the claimants, but there still remain a number of outstanding claims; and

WHEREAS, the Village had sought a quote from PERMA to manage these claims, but it was not as competitive to PMA’s proposal; and

WHEREAS, the proposal from PMA has not increased from last year and the expense is provided for in the FY 2016-2017 Village Budget; and

WHEREAS, Village staff will undertake a complete review of its workers compensation program next year when the Village’s multi-year agreement with PERMA expires. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a renewal agreement with PMA Management Corp. for third-party administration of the Village’s run-off claims with regard to the former self-insured workers’ compensation program, with a term of June 1, 2016 to May 31, 2017, compensation to be in the amount of \$12,000.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT:

DATE: June 20, 2016

RESOLUTION

RESOLUTION TO SET A PUBLIC HEARING TO CONSIDER A LOCAL LAW AMENDING THE VILLAGE ZONING REGULATION, CHAPTER 345, WITH REGARD TO WIRELESS TELECOMMUNICATION FACILITIES SO AS TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR ELIGIBLE FACILITIES REQUESTS

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

RESOLVED, that a public hearing be and is hereby scheduled on July 18, 2016 at 7:00 p.m. or as soon thereafter as counsel can be heard, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 345, "Zoning:", Article XVII "Wireless Telecommunications Facilities", so as to establish an administrative process for Eligible facilities Requests.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT:

DATE: June 20, 2016

DISCUSSION

Village Planning Director Eric Zamft discussed the New York State Consolidated Funding Application. July 29th is the deadline. There are eight grants which the Grant Writing Team is working on.

ADD-ON RESOLUTION #11

URGING THE GOVERNOR TO SIGN INTO LAW RECENTLY- PASSED BILLS FROM THE 2016 LEGISLATIVE SESSION THAT BENEFIT THE VILLAGE OF PORT CHESTER

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE FERRARA, the following resolution was added-on and adopted by the Board of Trustees of the Village of Port Chester, NY

WHEREAS, with the 2016 Legislation Session brought to a close, the State Legislature has most recently passed a flurry of bills, including several bills that the Village of Port Chester sought to advance; and

WHEREAS, these bills are being presented to the Governor for his signature; and

WHEREAS, the Board desires to go on record that the Governor sign such legislation so that they be enacted into law. Now, therefore, be it

RESOLVED, that on behalf of the Board of Trustees, the Mayor is hereby authorized to forward a letter urging the Governor to sign legislation with regard to the following items that would benefit the Village of Port Chester:

1. A.9534/S.6578 Authorizing Port Chester Justice Court court attendants to be classified as peace officers
2. A.9694/S.7152 Authorizing Port Chester and other Westchester municipalities to enact a hotel occupancy tax
3. A.8159/S.10741 Abandoned and Vacant Property Relief Act (“Zombie Properties)
4. A.10421/S.8037 Repealing grant to the Metropolitan Transportation Authority to develop its property without regard to local zoning regulations or taxation.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT:

DATE: June 20, 2016

ADD ON RESOLUTION

ADD-ON RESOLUTION #11

AUTHORIZING THE MAYOR TO WRITE URGING THE GOVERNOR TO SIGN INTO LAW RECENTLY- PASSED BILLS FROM THE 2016 LEGISLATIVE SESSION THAT BENEFIT THE VILLAGE OF PORT CHESTER

On motion of TRUSTEE FERRARA, seconded by TRUSTEE DIDDEN, the following resolution was added-on and adopted by the Board of Trustees of the Village of Port Chester, NY

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RESOLVED, that on behalf of the Board of Trustees, the Mayor is hereby authorized to forward a letter urging the Governor to sign legislation with regard to the following items that would benefit the Village of Port Chester:

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3. A.8159/S.10741 Abandoned and Vacant Property Relief Act (“Zombie Properties)
4. A.10421/S.8037 Repealing grant to the Metropolitan Transportation Authority to develop its property without regard to local zoning regulations or taxation.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT:

DATE: June 20, 2016

ADD-ON RESOLUTION

TO AUTHORIZE OUR ATTORNEY TO FILE ACTION WITH THE COURT FOR THE REFERENDUM ISSUE FOR THE FIRE DEPARTMENT

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE BRAKEWOOD, this Resolution was adopted by the Board of Trustees of the Village of Port Chester, NY

To authorize our attorney to file an action with the court regarding the permissive referendum issue for the Fire Department.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT:

DATE: June 20, 2016

ADD-ON RESOLUTION

TO INVALIDATE ALL THE SIGNATURES ON THE PETITION BECAUSE OF ERRORS

To authorize the Mayor on behalf of the Board of Trustees of the Village of Port Chester to commence a hybrid proceeding in the Westchester County Supreme Court declaring that the Board's termination of the Firefighters position is not subject to a permissive referendum and for an order finding the petitions invalid for failure to comply with the Village law.

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE FERRARA, this Resolution was adopted by the Board of Trustees of the Village of Port Chester, NY

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT:

DATE: June 20, 2016

An amendment was made by TRUSTEE MARINO, seconded by TRUSTEE DIDDEN, to remove the challenge on the petition..

ROLL CALL

AYES: Trustees Adams, Marino and Mayor Pilla

NOES: Trustees Didden, Ferrara, Brakewood, Ceccarelli,

ABSENT:

A vote on the original resolution to authorize the Attorney to file action with the Court for the Referendum Issue for the Fire Department and to Challenge the Signatures on the Petition because of Errors.

ROLL CALL

AYES Trustees Didden, Ferrara, Brakewood, Ceccarelli,

NOES: Trustees Adams, Marino and Mayor Pilla

ABSENT:

DATE: June 20, 2016

REPORT OF THE VILLAGE MANAGER

Village Manager Steers commented on the appointments and staff changes. David Kenny has been appointed Assistant to the Village Attorney. Mr. Chiulli is the acting Code Enforcement Director, Doreen Clement as Office Assistant (Automated Systems), from eligible list, to

Code. Vincent Camera and Elsa Rosario-Salmon as Court Attendants, and Gary Turner, Andreacarol Davila and Andrea Santoro as School Crossing Guards.

CORRESPONDENCE:

From Putnam Engine & Hose Co. No. 2 on the election of Alan Novoa, Alexis Martinez and Michael J. DeFonce to membership

Noted.

From Laura Waldman re parking on Irving Avenue.

This was referred to Staff

Jeff Kotin re his endorsement of the Starwood plan.

This was referred to Staff.

From Harry Howard Hook & Ladder Co. No. 1 on the election of Edwin A. Villa-Muntz to active membership

Noted.

From Harry Howard Hook & Ladder Co. No. 1 on the resignation of Peter Gospodinov, Marcos E. de Melo and Ronald Georgio.

We thank them for their service.

From Steve Hopkins of Rye, NY re the Starwood Plan.

This was referred to Staff

From Reliance Engine & Hose Co. No. 1 on the election to active membership of Edson Darosa.

Noted.

From Reliance Engine & Hose Co., No. 1 on the resignation of Joseph Mazzela.

We thank him for their service.

From Reliance Engine & Hose Co., No. 1 mourning the passing of Robert Mortensen, Sr..

Noted

PUBLIC COMMENTS AND BOARD COMMENTS AT THE END OF THE MEETING

PUBLIC COMMENTS

K Bush (firefighter instructor since 1996) commented that he does not agree with the Board decision regarding fire fighters but wants to move forward. He told the Board about a Fire Chief that was charged with criminally negligent homicide. Spoke about reviewing Cottage Street video and how Chief Quinn had no command presence of the situation and no accountability of who was going in and out. Because the Board continues to back Chief Quinn, if something happens in the Village, they are also responsible. Mr. Bush suggested they remove Quinn and install Mike.

J. Rende was disappointed that the Board spent more time reconstituting a committee resolution than they spent discussing public safety service. Government needs to take place in an open forum where people can get up and speak their mind. Mr. Rende asked why isn't there back up documentation for the agenda prior to the meeting, especially the add-on resolution regarding the petition. He feels the Board abuses the right of Executive Session. By disregarding the petitions the Board took away the residents right to discuss and right to voice their opinions.

M. McManus, President of NYS Firefighters Association. He commented the way the paid firefighters were terminated was deplorable. At three Board meetings expert testimony was presented in favor of paid fire fighters. The Board said it was financially stressed but he claimed that this was not the case and there are ways to pay for the public safety, but the Board refuses to do it. Because he represents 18,000 people, they are going to continue to do whatever they can to rectify this terrible mistake.

B. Ramacko (NAFF) Board should become familiar with **Kanedy Purve???** Decision, where they had to rehire everyone with back pay and interest. It is a president that the Board chose to ignore. They plan to continue to fight for the paid fire fighters.

M. Bush commented on hiring a communications firm. She asked that the Board not spend her tax dollars to clean up the mess they made.

B. McGooley wanted the Board to know that this issue was not going away and that going forward it's going to be in litigation. The Board has generated misrepresentation and lies. He brought up the fact that the Board took a vote that was in violations of the Open Meetings Law. The item should have been on Agenda, in advance, for a declarative judge match. He mentioned the firefighter's union submitted a petition with 4,200 names which the Village Clerk sent back. The Village should expect to pay hundreds of thousands of dollars in legal fees going forward. They haven't heard the last of the firefighters.

Dena Goren commented on the contract Port Chester has with Stamen Animal Hospital for homeless/lost animals. It's a unique arrangement as Stamen isn't a rescue shelter, but a for profit full service medical facility. The Police Department has burden of finding a home for lost animals, while Stamen is responsible for food and shelter. She proceeded to tell story of Pepper found in Columbus Park and kept at Stamen, Dog Park was informed of Pepper's situation, and posted on social media. Stamen didn't have time or resources or help find a home for Pepper

Officer Krempa commented she was also trying to find Pepper a home. Pepper was euthanized due to a medical issue. Medical workup on the animals is not part of arrangement with Port Chester. She would like to modify procedure. Mayor Pilla and Village Manager Steers offered to speak with her.

S. Garcia Barrado stated she was the wife of the man that was told by Ed Quinn to change facts on a report. She feels the Board made a horrible mistake leaving Port Chester without a fire safety net.

BOARD COMMENTS

Trustee Ferrara – Thanked everyone for coming and making comments. He objected to Mr. McGoey’s comments/threats. He mentioned memorial service ceremony on Saturday at the African American Cemetery, which had been desecrated. He commented Dave Thomas did an exemplary job leading the ceremony.

Trustee Adams commented he will continue to fight for those firefighters.

Trustee Marino thanked the Trustees and the Mayor for their vote to get the policy to pass, if not he’s going to go for reelection to make a difference.

Mayor Pilla thanked everyone for coming out. He assured that even though he changed his perspective on the combination department, the Village is safe. Response time is at acceptable levels despite changes. Will continue to improve the Village.

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE MARINO, the Board went into Executive Session to discuss a personnel issue in the Village Attorney’s office, inviting Mr. Steers and Mr. Cerrato.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT:

The regular meeting was adjourned at 11:40 p.m.

Respectfully submitted,

David Thomas
Village Clerk