

MEETING HELD JANUARY 22, 2015

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

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

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

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

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

ROLL CALL

AYES: Trustees Adams, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood, Terenzi and Kenner.

DATE: January 22, 2015

RESOLUTIONS

RESOLUTION #1

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

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

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

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

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

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

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Adams, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood, Terenzi and Kenner.

DATE: January 22, 2015.

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

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

MOTION FOR EXECUTIVE SESSION

Executive Session #1 and #2

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

ROLL CALL

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

NOES: None.

ABSENT: Trustees Brakewood and Terenzi.

DATE: January 22, 2015

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

No action was taken in executive session.

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

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: January 22, 2015

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

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: January 22, 2015

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

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: January 22, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk