

## **MEETING HELD FEBRUARY 9, 2015**

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

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

It should be noted that Trustee Saverio Terenzi was absent.

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

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

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

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustees Terenzi and Marino.

**DATE:** February 9, 2015

### **RESOLUTIONS**

#### **RESOLUTION #1**

##### **APPOINTMENT OF ELECTION INSPECTORS**

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

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

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

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

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustees Terenzi and Marino.

**DATE:** February 9, 2015.

## **RESOLUTION #2**

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

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

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

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Terenzi.

**DATE:** February 9, 2015.

**RESOLUTION #3**

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

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

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

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

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

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

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

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**DATE:** February 9, 2015.

**RESOLUTION #4**

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

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

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

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

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

**GENERAL FUND**

Balance Sheet:

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

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

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

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**DATE:** February 9, 2015.

**RESOLUTION #5**

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

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

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

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

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

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

**GENERAL FUND**

Balance Sheet:

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

Revenues:

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

Appropriations:

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

and be it further,

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

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Terenzi.

**DATE:** February 9, 2015.

## **RESOLUTION #6**

### **AGREEMENTS FOR SENIOR CITIZENS PROGRAMS**

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

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

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

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

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

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Terenzi.

**DATE:** February 9, 2015.

## **MOTION FOR EXECUTIVE SESSION**

### *Executive Session*

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

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Terenzi.

**DATE:** February 9, 2015

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

No action was taken in executive session.

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Terenzi.

**DATE:** February 9, 2015

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Terenzi.

**DATE:** February 9, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk