

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 Jesica Youngblood.

On motion of TRUSTEE TERENCE, 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)
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Revenues:

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

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