

MEETING HELD JANUARY 9, 2014

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Thursday, January 9, 2014, in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Mayor Neil Pagano presiding.

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

It should be noted that Trustee Kenner was absent.

It should be noted that Trustee Brakewood arrived at 6:13 p.m.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto (via telephone); Village Treasurer, Leonie Douglas; Village Engineer, Dolph Rotfeld; Ed Brancati, Attorney Juel R. Dichter and representatives from United Water.

On motion of Trustee Ceccarelli, seconded by Trustee Adams the meeting was declared opened at 6:09 p.m.

Roll Call

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

NOES: None.

ABSENT: Trustees Brakewood and Kenner.

DATE: January 9, 2014

Village Treasurer, Leonie Douglas gave a presentation on “Village of Port Chester Modified & Projected Sewer Fund Budget Presentation Fiscal Year June 1, 2013 to May 31, 2014.”

(SEE PRESENTATION ON THE NEXT PAGE)



Village of Port Chester Modified & Projected Sewer Fund Budget Presentation Fiscal Year June 1, 2013 to May 31, 2014 Updated 1-9-14

JANUARY 9, 2014



Adopted Sewer Fund Budget at a Glance

Appropriations	\$1,751,538
Sewer Rents	\$1,724,538
Other Revenues	\$27,000
Estimated Water Consumption	
Based on Prior Year Per CCF	1,303,826
Sewer Rates Per CCF	\$1.32268
Avg. Yearly Sewer Consumption CCF	120 CCF
Avg. Yearly Sewer Bill (120 x \$1.32268)	\$158.72



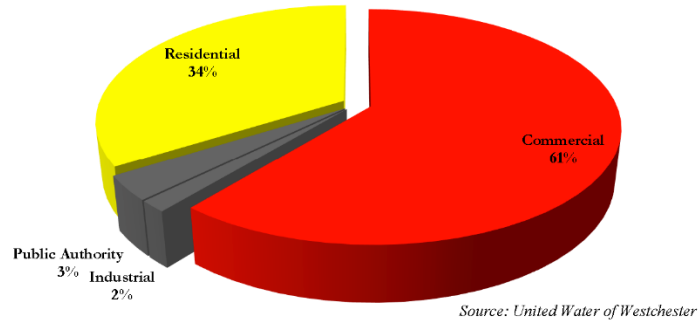
Sewer Rent Vs. Tax Levy

<u>NON-HOMESTEAD</u>	<u>ASSESS VALUES</u>	<u>%</u>	<u>TAX LEVY</u>
Assessed Value Taxed	\$ 876,647,721	65%	\$ 9,379,880
Exempt Properties	\$ <u>464,460,500</u>	<u>35%</u>	\$ <u>5,050,704</u>
Total	\$1,340,508,221	100%	\$14,430,584
Exempt Prop.			
Billed by Water Co.	\$ 280,519,000	60%	\$ 3,030,422
Sewer Rent Fees			\$ 1,724,538
\$ Value of Exempt Property Based on Consumption (35%)	\$		\$ 603,588

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Village Water Consumption by Land Use



<u>Land Use</u>	<u>Units of Water Consumed (CCF)</u>	<u>% of Total Consumption</u>
Commercial	795,833	61%
Industrial	20,691	2%
Public Authority	44,438	3%
Residential	442,864	34%
Total	1,303,826	100%

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Adopted Sewer Rate Calculation

Sewer Rent Revenues	\$1,724,583
Prior Year Water Consumption	1,303,826 CCF
Rate per CCF	\$1.32268

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Adjusted Sewer Rate Calculation FY 2013-14

Appropriations	<u>\$1,695,000</u>
Sewer Rent Revenues	<u>\$1,695,000</u>
Estimated Revenues	\$1,695,000
Estimated Water Consumption	
Based on Prior Year in CCF	1,303,826
Sewer Rates Per CCF	\$1.300020
Avg. Yearly Sewer Consumption CCF	120 CCF
Avg. Yearly Sewer Bill (120 x \$1.300020)	\$156.00

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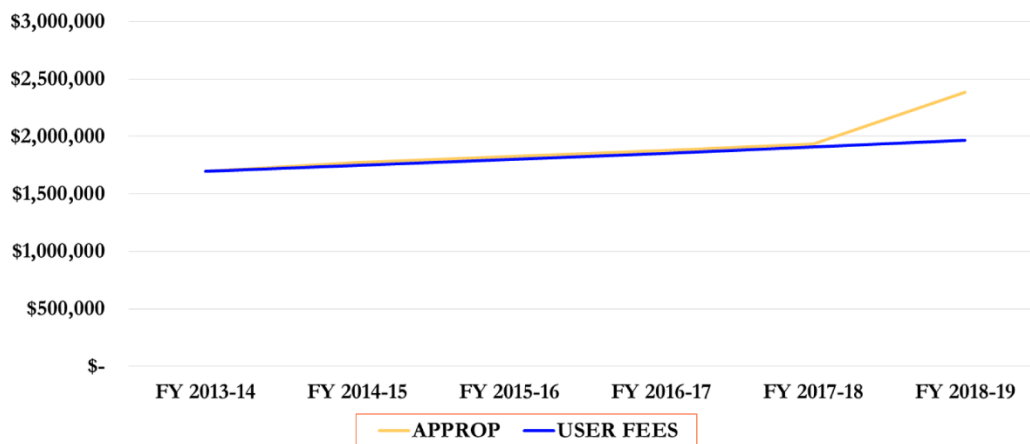
Modified & Projected Sewer Budgets

	FY 2013-14 MODIFIED	FY 2014-15 PROJECTED	FY 2015-16 PROJECTED	FY 2016-17 PROJECTED	FY 2017-18 PROJECTED	FY 2018-19 PROJECTED
APPROPRIATIONS	\$1,695,000	\$1,745,822	\$1,798,197	\$1,852,143	\$1,907,707	1,964,939
REVENUES						
APPR RESERVE						390,000
OTHER REVENUES	\$0	\$27,000	\$27,000	\$27,000	\$27,000	27,678
SEWER USER FEES	<u>\$1,695,000</u>	<u>\$1,745,822</u>	<u>\$1,798,197</u>	<u>\$1,852,143</u>	<u>\$1,907,707</u>	<u>\$1,964,939</u>
TOTAL REVENUES	\$1,695,000	\$1,772,882	\$1,825,197	\$1,879,143	\$1,934,707	\$2,384,617
SEWER RATES (BASED ON 1,303,826 YEARLY CCF) 7	\$1.300020	\$1.338999	\$1.379169	\$1.420545	\$1.463161	\$1.507056



Modified & Projected Sewer Budgets

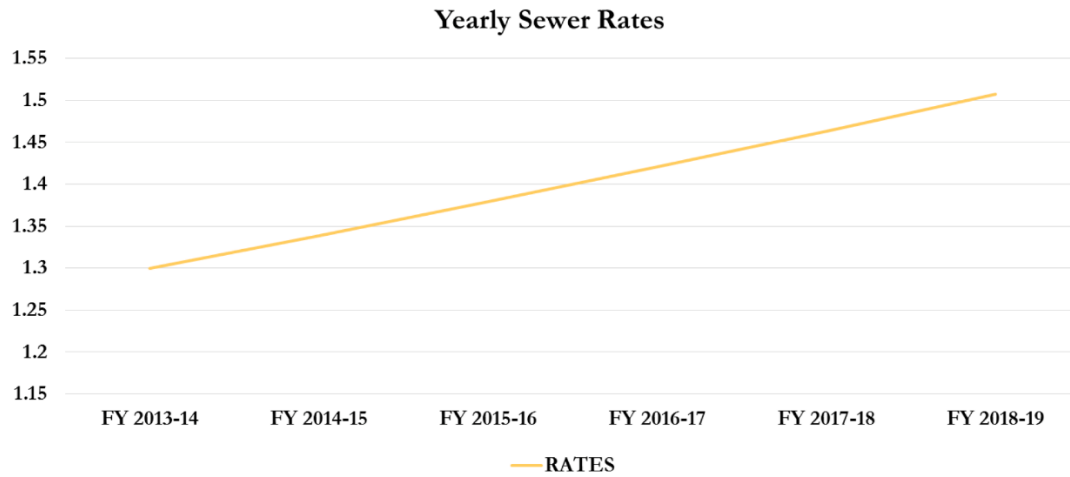
Appropriation & Sewer User Fees



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Modified & Projected Sewer Rates



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Long Term Sewer Debt Summary FY 2013-14

• Balance at 6/1/13	\$3,020,543
• Principal Payment	\$192,046
• Balance at 5/31/14	\$2,828,497
• Interest Payment	\$106,153

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Outstanding Long Term Sewer Debt for the Next Ten Years

May 31,	Principal	Interest	Total
2013	\$171,296	118,356	289,652
2014	192,046	106,022	298,068
2015	207,426	99,506	306,932
2016	216,170	92,542	308,712
2017	223,775	85,276	309,051
2018	232,708	76,824	309,532
2019	241,761	68,665	310,426
2020	248,900	59,518	308,418
2021	258,129	50,971	309,100
2022	267,937	41,970	309,907

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Short Term Sewer Debt

2010-11 Sewer B.A.N. (Original Issue) \$1,135,500 (Balance \$681,300)

2013-14 Sewer B.A.N. (Original Issue) \$1,700,000

<u>Renewal Date</u>	<u>Principal</u>	<u>Prin Payment</u>	<u>Rate</u>	<u>Int Payment</u>
2/26/14	\$681,300	\$227,100	.67%	\$4,564.71
2/26/14	\$1,700,000	-0-	.47%	\$4,454.00
Total		\$227,100		\$9,018.71

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Sewer Fund Short Term Debt

B.A.N. on 8/13/13	\$1,700,000.00
Interest due on 2/26/14	4,454.00

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Short Term Sewer Debt Principal for \$1.7 Million

The Minimum Principal Payments are as follows:

<u>Payment Date</u>	<u>Suggested Amt.</u>	<u>Required Amt.</u>
2/26/2014	\$25,000	\$-0-
2/26/2015	\$25,000	\$25,000
2/26/2016	\$25,000	\$30,000
2/26/2017	\$25,000	\$30,000
2/26/2018	<u>\$25,000</u>	<u>\$30,000</u>
Total	\$125,000	\$115,000

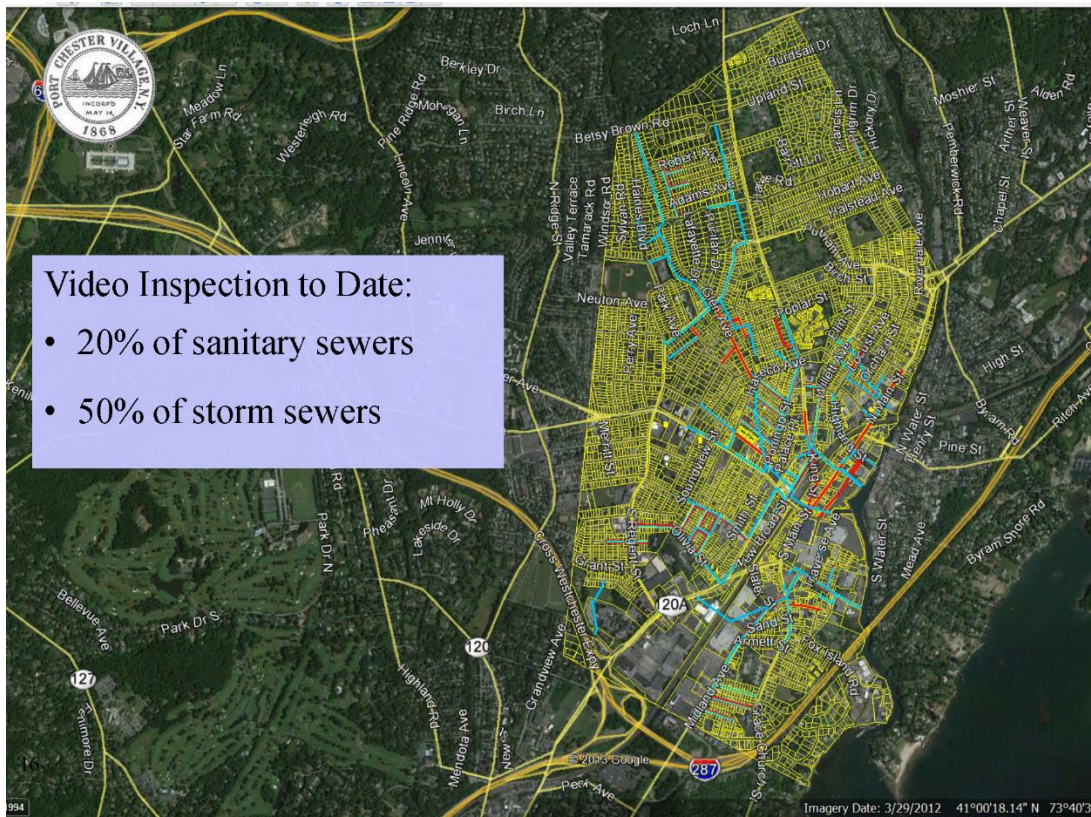
14 *Please note that the \$1.7 million B.A.N will be renewed each year for 5 years, and at the end of 5 years the remaining principal of approximately \$1,585,000 will be converted to long-term debt.*



FUNDING SOURCE FOR SEWER LINE REPLACEMENT

PHASE 1	2013-14	BAN	\$1,700,000
PHASE 2	2015-16	BAN	\$2,575,000
PHASE 3	2016-17	BAN	\$2,575,000
PHASE 4	2017-18	BAN	\$5,150,000
PHASE 5	2018-19	BAN	<u>\$3,000,000</u>
TOTAL PROJECT BORROWING			\$15,000,000

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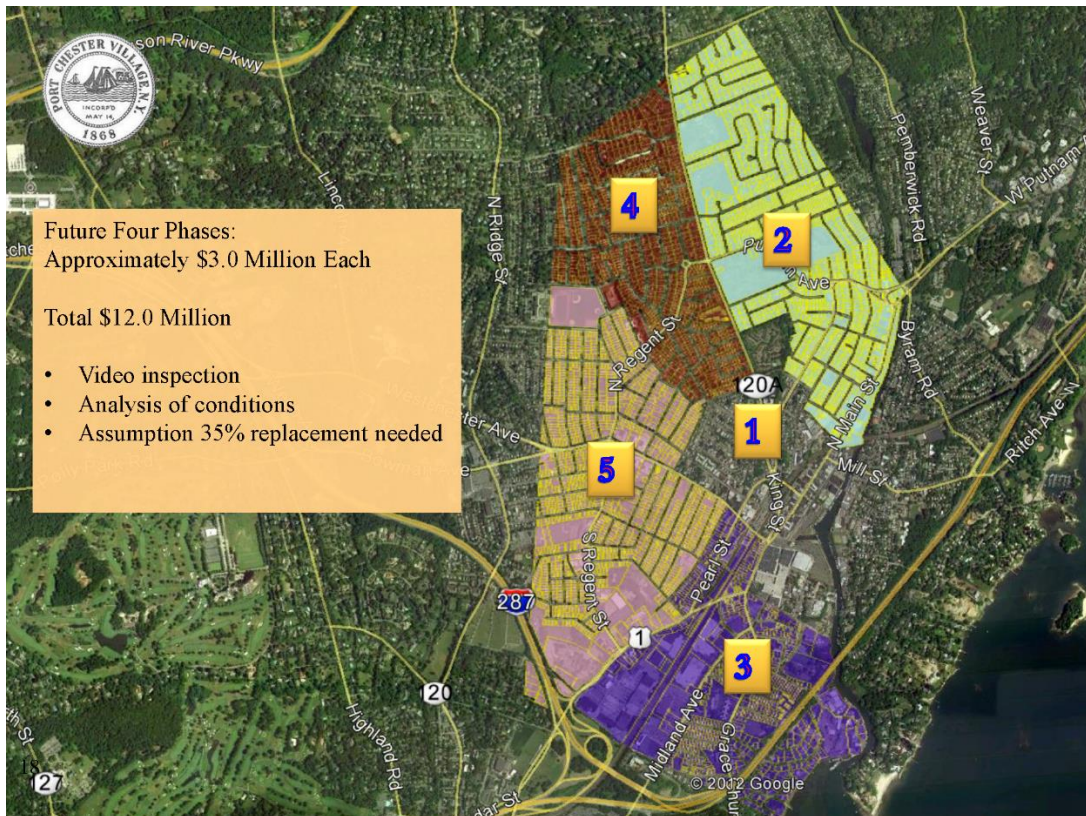
Village of Port Chester						
Proposed Sanitary Sewer Improvement Projects: Phase I						
Number	Location	Pipe Diameter (inches)	Length (feet)	Type	Remediation	Estimated Cost
1	Traverse Ave (Townsend to Poag)	8	1,000	Sanitary	Excavate & Replace	\$225,000
2	Townsend Ave (Main to Poag)	8	450	Sanitary	Excavate & Replace	\$90,000
3	Lower King St (Hullby to Main)	8	60	Sanitary	Excavate & Replace	\$65,000
4	North Main St (Stiles to Washburn)	8	1,000	Sanitary	Excavate & Replace	\$350,000
5	Highland Ave (Main to North Main)	10	400	Sanitary	Excavate & Replace	\$120,000
6	Highland Ave (South to Main North)	10	1,600	Sanitary	CIPP & Seal Services	\$96,000
7	Broad Street (King to King)	18	325	Sanitary	CIPP & Seal Services	\$27,625
8	Irving Ave (Poag to Broad)	18	650	Sanitary	CIPP & Seal Services	\$55,250
9	Lower King St (Main to Hullby Street)	18	1,100	Sanitary	CIPP & Seal Services	\$99,000
10	Irving Ave (Clark to Poag)	10	1,100	Sanitary	CIPP & Seal Services	\$77,000
11	North Main St (Stiles to Reister)	8	725	Sanitary	Excavate & Replace	\$199,375
12	Wilkins Ave (South to South Main)	15	975	Sanitary	CIPP & Seal Services	\$63,375
13	Willet Ave Willet (King to South Main)	10	600	Sanitary	CIPP & Seal Services	\$39,000
14	North Main St (Washburn to Stiles)	10	875	Sanitary	CIPP & Seal Services	\$56,875
15	Midland Ave (Case Center to Leonard)	12	1,950	Sanitary	CIPP & Seal Services	\$146,250
Total			12,810			\$1,709,750

Phase I: Downtown
\$1,709,750

- Replacement or Sealing of Sanitary Lines
- 15 locations
- 12, 810 linear feet

Completed
 In Design

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QUESTIONS & COMMENTS

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VILLAGE OF PORT CHESTER
DEPARTMENT OF PLANNING & DEVELOPMENT
222 Grace Church Street, Rm. 202
Port Chester, NY 10573
(P) 914.937.6780
(F) 914.937.3169

Christopher Gomez, AICP Director
Jessica Youngblood, MCP Planner
Concise Phillips, Planning Commission Secretary

To: Hon. Mayor Pagano and Board of Trustees
From: Christopher Gomez, AICP, Director of Planning and Development
Re: Proposed Sewer Rent Law - Type II SEQRA Determination
CC: C. Steers, T. Cerreto, L. Douglas, J. Richards
Date: December 31, 2012

Adoption of the proposed Sewer Rent Law by the Board of Trustees is classified as a Type II action under SEQRA section 617.5(c)(27), "adoption of regulations, policies and local legislative decisions...". Further, the actual effect of the law itself fits within SEQRA section 617.5(c)(19) "official acts of a ministerial nature involving no exercise of discretion ...".

Therefore, no further environmental review is required.

RESOLUTIONS

RESOLUTION # 1

AGREEMENT WITH UNITED WATER WESTCHESTER, INC. TO PROVIDE SERVICES WITH REGARD TO THE BILLING AND COLLECTION OF SEWER RENTS

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

WHEREAS, the Village of Port Chester operates a sanitary sewer system and wishes to achieve greater equity in recovering the costs of the maintenance which have historically been assumed through the property tax; and

WHEREAS, in furtherance of achieving a more equitable manner of recovering these costs, the Board of Trustees has made a policy priority a system of user fees, or sewer rents, that is authorized by State Law; and

WHEREAS, water consumption is used nationwide as the most widely used basis in calculating sewer user fees; and

WHEREAS, since the Village does not maintain its own waterworks and is instead served by a private water company, United Water Westchester, Inc., (“UWW”), it is required to obtain the assistance of this company to bill users for sewer rents based on water consumption; and

WHEREAS, UWW advised that it was ready, willing and able to undertake a public-private partnership with the Village and the parties have since been engaged in extensive negotiations towards an agreement which appears to be the first of its kind in New York State; and

WHEREAS, as part of the parties’ due diligence, statutory and regulatory issues were identified that required resolution through an approval process with the New York Public Service Commission (“PSC”) which is expected at its next meeting. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby authorizes and ratifies the Village Manager’s execution of an agreement with United Water Westchester, Inc. to provide billing and collection services for sewer rents, with a term to expire on May 31, 2019, and compensation to be one-time transition fee of \$87,566.00 and an annual base fee of \$241,027.00, together with such other terms and conditions as per the annexed agreement.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustee Adams, Terenzi, Ceccarelli and Mayor Pagano.

NOES: Trustee Brakewood and Marino.

ABSENT: Trustee Kenner

DATE: January 9, 2014

ADD-ON CORRESPONDENCES

Motion to Add-On a Correspondence

Mayor Pagano asked for a motion to add-on a correspondence from Edward A. Kliszus, Ph.D. Superintendent of Schools inviting the Mayor to a Dr. Martin Luther King, Jr. celebration on Tuesday January 21st, 2014 at 7:00 p.m. at the Port Chester Middle School.

On motion of Trustee Brakewood, seconded by Trustee Terenzi, the motion received a unanimous vote of those present.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: January 9, 2014

Motion to Add-on a Resolution

MAYOR PAGANO asked for a motion to add-on a resolution to cancel the meeting and the Public Hearings on January 21, 2014 and to move the Public Hearings to February 3, 2014.

On motion of Trustee Brakewood, seconded by Trustee Marino, the motion for the add-ons received a unanimous vote of those present.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: January 9, 2014

ADD-ON RESOLUTION

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

RESOLVED, that the meeting scheduled for January 21, 2014 is canceled and that the Public Hearings scheduled for that day be moved to the February 3, 2014 meeting.

ROLL CALL

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

DATE: January 9, 2014

Motion to Add-on an Executive Session

Mayor Pagano asked for a motion to consider an add-on Executive Session regarding Police Chief.

At 6:28 P.M. on motion of Trustee Marino, seconded by Trustee Adams, the motion received a unanimous vote of those present.

ROLL CALL

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

DATE: January 9, 2014

MOTION FOR EXECUTIVE SESSION (ADD-ON)

At 7:19 p.m. on motion of Trustee Marino, seconded by Trustee Adams, the Board adjourned into an executive regarding Police Chief.

ROLL CALL

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

DATE: January 9, 2014

Present in addition to the Board of Trustees, were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto (via telephone); Village Treasurer, Leonie Douglas and Ed Brancati.

No action was taken in executive session.

At 7:49 p.m., a motion to come out of executive session was made by Trustee Adams, seconded by Trustee Marino, the Board of Trustees closed the executive session.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: January 9, 2014

Motion to Add-on a Resolution

MAYOR PAGANO asked for a motion to add-on a resolution authorizing the Village Manager to notify Westchester County Department of Human Resources with regard to position of Chief of Police.

On motion of Trustee Adams, seconded by Trustee Marino, the motion for the add-on received a unanimous vote of those present.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: January 9, 2014

AUTHORIZING VILLAGE MANAGER TO NOTIFY WESTCHESTER COUNTY DEPARTMENT OF HUMAN RESOURCES WITH REGARD TO POSITION OF CHIEF OF POLICE

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, since Joseph Krzeminski's extended absence prior to his retirement, Captain John Telesca has been serving as Acting Chief; and

WHEREAS, the County of Westchester Department of Human Resources has advised the Village Manager that the Village does not currently have an eligible list from which to make an appointment to the position of Chief of Police and that the Board must

make a determination as to those persons eligible to take the next examination for the position which is scheduled for March 8, 2014; and

WHEREAS, the Village has the discretion of limiting the promotional field to police captain or open it up to lesser titles in the Police Department or to individuals in other departments in the County; and

WHEREAS, the Board has given due consideration of its options as to what is in the best interest of the Police Department. Now, therefore, be it

RESOLVED, that the Board of Trustees, acting in its capacity of a Board of Police Commissioners, hereby determines that the upcoming civil service examination offered by the County of Westchester for the position of Chief of Police be opened to individuals who immediately preceding the date of examination have one year of permanent competitive class status as a Police Captain with the Village of Port Chester and two years of permanent competitive class service as a Police Lieutenant with the Village of Port Chester; and be it further

RESOLVED, that the Village Manager is authorized and directed to notify the County Commissioner of Human Resources of this determination and take such appropriate action as may be required to implement same.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: January 9, 2014

At 7:53 p.m., on motion of Trustee Adams, seconded by Trustee Marino, the meeting was closed.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: January 9, 2014

Respectfully submitted,

Janusz R. Richards
Village Clerk