

## **MEETING HELD JULY 1, 2014**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, July 1, 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 arrived at 6:15 p.m.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Acting Chief of Police, John R. Telesca; Attorney Joel R. Dichter and Ed Brancati.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the meeting was declared opened at 6:03 p.m.

### **Roll Call**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** July 1, 2014

## **PROPOSED MOTION FOR EXECUTIVE SESSION**

### ***Motion for Executive Session #1***

At 6:03 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the Board adjourned into an executive session regarding proposed settlement with United Water regarding water rate case.

### **Roll Call**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** July 1, 2014

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Acting Chief of Police, John R. Telesca; Attorney Joel R. Dichter and Ed Brancati;

### ***Add-on Resolution #***

MAYOR PAGANO asked for a motion to consider an add-on resolution to authorize Joel R. Dichter, as special counsel to the Village of Port Chester, to execute a settlement United Water on behalf of the Village.

On motion of Trustee ADAMS, seconded by Trustee MARINO, 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:** July 1, 2014

**RESOLUTION (ADD-ON #1)**

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

RESOLVED that Joel R. Dichter, as special counsel to the Village of Port Chester, is authorized to execute on behalf of the Village the settlement, known as a Joint Proposal, entered into among the parties in Cases 13-W-0539, 13-W-0564 and 13-W-0006 pending before the New York Public Service Commission concerning the rates and merger proposal of United Water Westchester, Inc.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** July 1, 2014

At 6:11 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:** July 1, 2014

***Motion for Executive Session #2***

At 6:11 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE TERENCE, the Board adjourned into a second executive session regarding an agreement with the Town of Rye to occupy Village office space at 222 Grace Church Street and share Justice Court facilities at 350 North Main Street.

**Roll Call**

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

**DATE:** July 1, 2014

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Acting Chief of Police, John R. Telesca and Ed Brancati;

***Add-on Resolution #2***

MAYOR PAGANO asked for a motion to consider an add-on resolution to regarding a rider to lease with town of rye.

On motion of Trustee TERENCE, seconded by Trustee MARINO, the motion received a unanimous vote of those present

**ROLL CALL**

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

**DATE:** July 1, 2014

**RESOLUTION (ADD-ON #2)**

**FIRST AMENDMENT TO LEASE AGREEMENT WITH THE TOWN OF RYE TO OCCUPY VILLAGE OFFICE SPACE AT 222 GRACE CHURCH STREET AND SHARE JUSTICE COURT FACILITIES AT 350 NORTH MAIN STREET**

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 Town of Rye is selling property at 10 Pearl Street used as a Town Hall; and

WHEREAS, the Village of Port Chester has office space available at Village Hall at 222 Grace Church Street and can share the Justice Court facilities at 350 North Main Street; and

WHEREAS, the addition of the Town would further the Board's desire that 222 Grace Church Street be a governmental center with offices at the state, town and village level; and

WHEREAS, by resolution adopted on December 16, 2013, the Board authorized the execution of an agreement with the Town; and

WHEREAS, said agreement was executed on December 30, 2013; and

WHEREAS, since that time, mutual issues have arisen with regard to the significant additional cost of improvements to be made at both 222 Grace Church Street and 350 North Main Street; and

WHEREAS the Board has since proceeded with its long-term goal of developing a Municipal Center at a new location; and

WHEREAS the present intention of the Town is to accompany the Village in such move and

WHEREAS after negotiation, the parties have come to new terms to such agreement. Now, therefore, be it

RESOLVED that the Village Manager be and is hereby authorized to enter into a First Amendment to the Lease Agreement with the Town of Rye for the Town to occupy office space at 222 Grace Church Street and share Justice Court facilities at 350 North Main Street as reflected in the annexed Term Sheet.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 1, 2014

At 6:22 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, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

**NOES:** None.

**ABSENT:** None.

**DATE:** July 1, 2014

***Motion for Executive Session #3***

At 6:23 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the Board adjourned into a second executive session regarding the appointment of the new Chief of Police and Police Captain.

**Roll Call**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 1, 2014

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Acting Chief of Police, John R. Telesca and Ed Brancati;

At 6:31 p.m., Trustee Terenzi asked that the Executive Session continue with the Board of Trustees only in the room.

No action was taken in executive session.

At 6:45 p.m., a motion to come out of executive session was made by Trustee KENNER, seconded by Trustee MARINO, the Board of Trustees closed the executive session.

**Roll Call**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 1, 2014

***Add-On Executive Session #4***

MAYOR PAGANO asked for a motion to consider an add-on an Executive Session regarding the salary compensation for the Chief of Police and Police Captain.

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the motion received a unanimous vote of those present

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 1, 2014

At 6:52 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE KENNER, the Board adjourned into a second executive session regarding the salary compensation for the Chief of Police and Police Captain.

**Roll Call**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 1, 2014

No action was taken in executive session.

At 6:58 p.m., a motion to come out of executive session was made by Trustee BRAKEWOOD, seconded by Trustee TERENCE, the Board of Trustees closed the executive session.

**Roll Call**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 1, 2014

**RESOLUTIONS**

**RESOLUTION #1**

**APPOINTMENT OF CHIEF OF POLICE**

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

RESOLVED, that Lieutenant, Richard F. Conway, be and he hereby appointed as Chief of Police of the Port Chester Police Department, effective immediately, at an annual rate of compensation of \$170,000.00 or as heretofore adopted by the Board of Trustees, to be paid every bi-weekly.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:** Trustees Brakewood, Terenzi, Marino and Ceccarelli.

**NOES:** Trustees Adams, Kenner and Mayor Pagano.

**ABSENT:** None.

**DATE:** July 1, 2014

On motion of TRUSTEE TERENZI, seconded by TRUSTEE CECCARELLI, to table resolution #2.

**ROLL CALL**

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

**NOES:** None  
**ABSENT:** None

**DATE:** July 1, 2014

**RESOLUTION #2 (TABLE)**

**APPOINTMENT OF POLICE CAPTAIN**

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

On motion of TRUSTEE TERENZI, seconded by TRUSTEE BRAKEWOOD, to table the vote on the resolution to appoint a Police Captain.

**ROLL CALL**

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

**NOES:** None

**ABSENT:** None

**DATE:** July 1, 2014

RESOLVED, that \_\_\_\_\_, be and he hereby appointed as Police Captain of the Port Chester Police Department, effective immediately.

At 7:05 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE TERENZI, the meeting was closed.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 1, 2014

Respectfully submitted,

Janusz R. Richards  
Village Clerk