

MEETING HELD APRIL 18, 2012

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Wednesday, April 18, 2012 at 5:30 P.M., in the Senior / Community Center, at 220 Grace Church Street, Port Chester, New York.

Present were Trustees Saverio Terenzi, Bart Didden, and Luis Marino. Trustee Daniel Brakewood arrived at 5:55 p.m., and Trustee Joseph Kenner at 6:02 p.m.

It should be noted that Trustee John Branca was absent and Mayor Dennis Pilla was included by telephone.

Also present were Village Manager, Christopher Russo; Village Clerk, Joan Mancuso; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Assistant Village Manager / Director of Code Enforcement, Christopher Steers; Director of Planning & Development, Christopher Gomez; Assistant Building Inspector, Peter Miley; Judge Peter Sisca; Acting Judge Matthew Troy III; Court Clerk, Regina Hill; Assistant Court Clerk, Patricia Lebron; Police Chief Joseph Krzeminski; Captain John Telesca and Lt. Detective Royal Monroe.

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At 5:58 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the meeting was declared opened.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden and Marino
NOES: None
ABSENT: Trustees Branca and Kenner

It should be noted that Mayor Pilla was in contact by telephone.

Budget Work Session: Justice Court

The Board held a budget work session on the Justice Court with Judges Peter Sisca and Matthew Troy III, Court Clerk Regina Hill and Assistant Court Clerk Patricia Lebron. They discussed certain aspects of the Justice Court budget including the personnel service line, out of title and open positions.

Ms. Hill explained that there are vacancies for a third judge, Assistant Court Clerk and an upgrade of a position which she explained further.

Trustee Didden said that he understands that the additional judge and staff are not needed now.

Judge Sisca spoke about the necessary staff needed including an additional judge for when the process of code enforcement trials begin. He noted that we are not at that point but should have the funding for these positions because once trials begin it is anticipated that this will be a large calendar and the correct staff will be needed for this.

Trustee Terenzi asked about the breakdown of fees and how they are distributed.

Ms. Hill explained how Village tickets versus tickets issued by State Troopers are distributed.

Trustee Brakewood inquired what the new position would do.

Ms. Hill said that the budget does not add another position is just retitling of an open position as Assistant Court Clerk so not using out of title line. She explained the need for the title Assistant Court Clerk and what those duties are.

Trustee Didden discussed further the need of the third judge at this time and suggested reworking the numbers to take out the third judge position and give the Court additional staff personnel.

Trustee Brakewood asked what the Judges thoughts are on considering the removal of the third judge position.

Judge Troy said that when the Building / Code cases are set and trials come to the court they may be a large number and the Board would want everything in place because it is not something that could be set up overnight. There was further discussion regarding the third judge position and resources in the court.

Trustee Brakewood asked if there is a backlog on the traffic court calendar.

Judges Troy and Sisca said that no there in no backlog regarding traffic.

Trustee Marino said that it appears that a third judge is not required now.

Judges Sisca and Troy explained to the Board that yes a third judge is not needed tomorrow but it will depend on how fast things move regarding the building and code cases and when it does it will require the additional judge and the necessary staffing.

Trustee Brakewood asked the Assistant Village Manager / Director of Code Enforcement, Christopher Steers if he sees more trials coming forward.

Mr. Steers said not now.

Trustee Brakewood noted that Mr. Steers' Code Enforcement reports indicated that there were over 100 cases.

Mr. Steers spoke about their process in reducing cases which has been accomplished with more staff in the Building and Code Enforcement Departments.

Trustee Kenner said that it does not sounds like the third judge is needed now.

Trustee Brakewood inquired how can we have the best of both worlds regarding having the capability that cases won't be delayed if a third judge is not set up.

Judge Troy said that when the Court is made aware of what the case load will be for trials on this subject, the Board will know in advance.

Christopher Russo, the Village Manager said that the Board can budget this position for part of the year or it could be removed completely from the budget.

Mayor Pilla via telephone asked for clarification if the position for the third judge is included in the Tentative Budget.

Mr. Russo said that yes the third judge position and additional personnel is included in the budget.

The Mayor said putting the other personnel aside would recommend that they review the last two years actuals and reduce this year's as recommended.

Mr. Russo said that the Court staff wants to add a part-time position which cost would be approximately \$15,000.

Trustee Brakewood stated that there are three part-time personnel and that the current budget would eliminate one part-time.

Mr. Russo said that two of the part-time personnel will be combined to one full time position and the Court is seeking one additional part-time personnel.

Trustee Marino asked about the education and training line which has an increase.

Ms. Hill explained that the increase is regarding law books.

Mr. Russo told the Board that regarding the Village Prosecutor that there needs to be an unwinding of a resolution approved by the Board done in the past about duties and stipend.

Trustee Didden asked if the Board could have that resolution for the April 23rd meeting.

Mr. Cerreto said that it could.

Trustee Brakewood inquired how much it is to process tickets with our internal resources.

Ms. Hill said that there are two and a half persons processing tickets with the approximate cost of the personnel about \$130,000.

Trustee Brakewood said that he hears why we do not encourage people to pay online because of the \$3 service fee but would rather have no personnel to take tickets and have it all on-line.

Trustee Didden spoke about automation and creating our own portal to accept payments.

Judge Sisca noted that about 250 people either come to pay or dispute tickets.

Trustee Brakewood said that he would recommend discounting the payment to pay online and charging a surcharge if paying in person. There was more discussion on this topic. Judge Troy said that this could only be designated for parking tickets and not for other vehicle and traffic violations and Judge Sisca said that there cannot be discrimination regarding payment.

The Board thanked Judges Sisca and Troy, Ms. Hill and Ms. Lebron for their input regarding the Justice Court budget.

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Budget Work Session: Police Department

The Board held a budget work session with Police Chief Joseph Krzeminski, Captain John Telesca and Lt. Detective Royal Monroe on the Police Budget.

Chief Krzeminski spoke about the overtime budget and that Captain Telesca will review information on this subject to the Board.

Captain Telesca reviewed the 4th quarter overtime information and that 65% is personnel services overtime. There was further review and discussion regarding these overtime figures and the breakdown of services.

Trustee Didden asked about the DEA reimbursement.

Chief Krzeminski told the Board that the money received in the asset forfeiture line does not cover the DEA officer. He spoke about the other benefits from the DEA

officer process that come from outside agencies including wire taping and drug busts. The Chief said that in last year's budget it was adopted with a \$310,000 overtime figure and it is not realistic. He spoke about the prior two years regarding personnel and overtime noting that salaries have increased 11% due to contractual obligations with seven less officers.

Trustee Didden asked about the reduction of tactics for the department.

Chief Krzeminski spoke about the number of officers on the road and that they have not been able to staff the narcotics and youth divisions that we have had to use the Detective Bureau. There was further discussion between Trustee Didden and the Police Chief regarding these divisions.

Trustee Brakewood asked what are the differences between a Youth Officer and a D.A.R.E. Officer.

Lt. Detective Monroe said that the Youth Officer is a detective who does youth investigations which requires certain training and that the D.A.R.E. Officer is a patrol officer that is removed from patrol and requires certification to teach the D.A.R.E. class. He explained further the functions of a Youth Officer and the requirements for a youth division.

Chief Krzeminski said that they have reduced the minimal manpower to address the overtime issue.

Trustee Kenner asked the Police Chief where he expects the overtime line to be at the end of this fiscal year.

The Chief and Leonie Douglas, the Village Treasurer said that the overtime line is now at \$436,000.

Trustee Terenzi said that the Police Department is doing a great job with their limitations.

Chief Krzeminski spoke about Ossining and Peekskill which are comparable to Port Chester and about their overtime figures which are much higher than ours.

Trustee Marino asked if the overtime would be less if we hired two more officers.

Trustee Terenzi stated that overtime is not always bad because you are not paying for benefits.

Trustee Didden said that he would like to see a budget that the personnel line has the overtime in it and other overtime due to unforeseen situations like homicides. He said that the Department should be more flexible with staffing for example on certain nights during the week there are less officers like winter versus other busier seasons.

The Police Chief spoke about contractual obligations. There was a discussion about special events which the Board approves and what those hours equate to in dollars.

Chief Krzeminski noted that there are officers that are out due to non-job related inquires / illnesses and disciplinary actions which also impact overtime. There was further discussion about these circumstances.

Trustee Didden spoke about the D.A.R.E. Officer and the impact of cost for this program.

Captain Telesca said that the D.A.R.E Program cost about \$3,800 in overtime last year.

Trustee Brakewood spoke about the benefit of the D.A.R.E Officer who is interacting with about 100 children compared to the 10 or more people on patrol.

Trustee Brakewood said that there was an officer who retired last year and what was the Chief's opinion if that opening would be backfilled.

The Police Chief said that it was his impression that it would be included in this year's budget but it was not. There was further discussion on this subject between the Board and the Police Chief.

Mr. Russo noted that the lieutenant position was under the Board's retirement incentive program that was not to be filled in next year's budget. He said that the captain's position that will retire would also not be filled.

Chief Krzeminski explained further what was the thought regarding the retirements. He discussed further with the Board the retired positions and the current staffing of the Department.

Trustee Kenner said that there are large increases to the voice data and computer services line.

Captain Telesca said that the increase is required because the company that provided service for the voice data system will no longer cover our equipment so there is the need to upgrade with a new system.

Trustee Brakewood said that the Police Chief is recommending increasing the overtime budget by \$170,000.

Chief Krzeminski said that is correct.

Trustee Didden said that the super overtime line consists of Thanksgiving and Christmas for the Fire Department and is that the same for the Police Department.

The Chief said yes those are the same super holidays.

Trustee Didden inquired why the amount for this line is \$33,000.

Police Chief Krzeminski and Ms. Douglas said that the figure is based on the contractual agreement. Ms. Douglas said that she would double check on the super holiday pay amount.

Trustee Didden then spoke about the part-time budget for the Police Department.

The Chief said that is for the school crossing guards.

Trustee Brakewood said that when there is the next liaison meeting with the School Board we should discuss school crossing guards.

Chief Krzeminski said that there are other communities that the schools pay for the crossing guards.

Trustee Brakewood asked what is the maximum number of hours for civilian / part-time employees.

Ms. Douglas said no more than 20 hours in a week.

Trustee Didden asked if out of title pay is automatic.

The Police Chief said that it depends on the shift. He said that the day shift does not have out of title and explained why.

Trustee Brakewood asked if more civilian positions were added would it help the Department with special events for example.

Chief Krzeminski and Captain Telesca spoke about the Police Auxiliary that also covers special events.

Trustee Didden asked about the marshals.

Lt. Detective Monroe said that there are currently no background checks for marshals who are appointed by the Board of Trustees. He said that the Police do not manage the marshals that they are through the court.

The Board thanked Police Chief Krzeminski, Captain Telesca and Lt. Detective Monroe for their input on the Police Department Budget.

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Budget Work Session: Code Enforcement / Building Department / Planning & Zoning

The Board held a budget work session with Christopher Steers, the Assistant Village Manager / Director of Code Enforcement; Christopher Gomez, the Director of Planning and Development; Peter Miley, the Assistant Building Inspector and Lawrence Chiulli, Code Enforcement Officer regarding the budgets for Code Enforcement, Building Department and Planning and Zoning.

Mr. Steers said that throughout the year he and Mr. Russo have spoken to the Board about personnel and the increase to the budget pertains to staffing which the Board has authorized.

Trustee Kenner said that this increases the Code Enforcement by two and three in the Building Department.

Mr. Russo said that there is no proposal of any additional staffing in this budget but includes what has been authorized by the Board over this past year.

Mr. Steers said that Peter Miley, the Assistant Building Inspector is reviewing the fee schedule for the Building Department comparing it to other communities and we are 25% to 50% less so this will be further reviewed.

Trustee Brakewood said that he is thinking that we want people to take care of permits and not be charging high fees for the permits. He said that violations are the ones that need to be considered.

Trustee Didden spoke about combining all of the open permits at one higher fee.

Mr. Steers told the Board that relief is happening now on that subject.

Trustee Terenzi said that this information about permits needs to be provided to the Assessor's office and is there follow up with the Assessor.

Mr. Steers said that he and the departments work closely with the Assessor.

Trustee Terenzi asked if our system provides for the information for open permits.

Mr. Steers spoke about the Municipality data system which is still being uploaded with data and that there is currently no interface system between the Village and the Town records.

Trustee Didden asked if this proposed budget allows for the expectations of the Board.

Mr. Steers said that what the Board wants would require the need for more staff. He said that with this budget we can get there but it will take longer.

Trustee Terenzi spoke about storefront signage and that we have sign ordinances so why does this persist.

Mr. Steers told the Board that education of our laws has taken a back seat because of the other issues that have been addressed. He said that they look to notify first and provide a time to cure the situation.

Trustee Didden spoke about a new establishment on North Main Street which is a night club that their front windows have a material that cannot be seen through from the street.

Mr. Steers said that his department has received a referral on that particular location and will be investigated.

Trustee Brakewood spoke about the revenue side of the Building Department and under safety inspection / building permits in 2010 the actual was \$524,000, in 2011 it was budgeted for \$200,000 and the actual was \$93,000 and for 2012 budgeting for \$150,000 so what happened with these highs and lows.

Mr. Steers said that the large amount in 2010 was the permits for the Mariner Project.

Trustee Brakewood asked about the revenue for the fire safety inspections.

Mr. Steers said that this revenue is down due to staffing but spoke about the fines and forfeitures revenue line that has increased which is part of the fire safety inspections process.

Trustee Terenzi had a discussion with Mr. Steers regarding a property on William Street with multiple violations and the effects of enforcement due to the economy in relationships to very large fines and large number of required permits.

Trustee Brakewood said that he does not agree that we are not enforcing the law because of the economy. He said that we have a heavy investment in code enforcement stating that the economy is a reality for everyone and we cannot sustain having properties with violations and illegal dwellings.

Trustee Didden asked Mr. Steers where we were with the 175 or so properties that did not submit to the fire safety inspections.

Mr. Steers said that he has had conversations with the attorneys and is working with the Village Attorney on the necessary steps to move toward their compliance.

Trustee Didden inquired if we have on-line access regarding building permits in the new data base Muncity. He gave a sample of a property on this topic.

Mr. Steers said that what Trustee Didden is speaking about is a web-based program. He said that in order to have that type of program we need an IT person. Mr. Steers told the Board that we are at 30% completion of the Muncity project noting that he only has one staff person that is available working on this project. He told the Board

the large number of permits, consultations and inspections that have taken place so staff is responsible for a very large workload.

Trustee Brakewood suggested that on the Village website for these departments that there should be a For Important Questions section of the top 10 questions which could help with the number of consultations and other inquiries.

Mr. Steers spoke on Trustee Brakewood's suggestion.

Trustee Didden asked about the transitioning of the Planning Consultant since we have hired Christopher Gomez as the new Director of Planning & Development.

Mr. Russo said that the Planning Consultant will be paid through escrow and there is still an ongoing need for him.

Trustee Didden said that he would like information on what the Planning Consultant is having meetings on regarding planning and zoning applications.

Mr. Russo said that we had a process in place and noted the need that the reporting come from the departments to him and then to the Board of Trustees.

Mr. Steers spoke about pre-submitting conferences and the need for ARC meetings.

Trustee Kenner asked where is the Planning Consultant in the budget.

Mr. Russo said that he is not in the budget that the Planning Consultant will provide a new hourly agreement that will be paid by escrow unless the Board assigns him a special project and that there is \$10,000 budgeted for contractual for the consultant. Mr. Russo noted that there will be an adjustment in the budget under Planning regarding the secretary for Planning and Zoning.

Mr. Gomez also spoke about necessary software that needs to be purchased.

The Board thanked Mr. Steers, Mr. Gomez, Mr. Miley and Mr. Chiulli for their input regarding the budgets for Code Enforcement, Building Department and Planning and Zoning.

There being no further business, on motion of Trustee Didden, seconded by Trustee Marino, the meeting was closed at 8:10 p.m.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino and Kenner

NOES: None

ABSENT: Trustee Branca and Mayor Pilla

Respectfully submitted,

Joan Mancuso
Village Clerk