

MEETING HELD APRIL 23, 2012

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, April 23, 2012 at 7:00 P.M., in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla, were Trustees Daniel Brakewood, Saverio Terenzi, Bart Didden, Luis Marino and Joseph Kenner.

It should be noted that Trustee John Branca was absent.

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 and Police Chief Joseph Krzeminski.

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On motion of Trustee Didden, seconded by Trustee Marino, the meeting was declared opened at 7:03 p.m.

ROLL CALL

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

It is noted that Trustee Brakewood arrived after the roll call.

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The Mayor noted that this meeting will be primarily regarding the proposed Tentative Budget for the 2012-2013 Fiscal Year and review of this budget but would take the last resolution on the agenda regarding a budget amendment regarding the Village Prosecutor at this time.

Resolution: Court – Village Prosecutor

**BUDGET AMENDMENT
VILLAGE PROSECUTOR**

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

WHEREAS, by resolution adopted June 6, 2011, Max DiFabio was appointed as Assistant District Attorney (Village Prosecutor); and

WHEREAS, Mr. DiFabio was granted an additional stipend of \$1,500 per month to take the lead and make assignment to Robert Peirce, Esq. in the prosecution of code violations. Now, therefore, be it

RESOLVED, the foregoing resolution of the Board is hereby modified to relieve the Village Prosecutor of these additional duties and commensurately discontinue the stipend, effective immediately.

ROLL CALL

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

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Public Hearing: Chapter 195 “Hawking, Peddling & Soliciting”

The Clerk read Affidavits of Publication stating that the following Public Notice were duly published in the Journal News and Westmore News on April 13, 2012, certified by Florence Bonilla, 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 of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, April 23, 2012, at 7:00 P.M., at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 195 “Hawking, Peddling & Soliciting” Section 195 – 15 with regard to additional restrictions for the following locations: Abendroth Avenue from Mill Street to Westchester Avenue; Don Bosco Place from Purdy Avenue to Grace Church Street; Parking Lot No. 11 – Highland Street between North Main Street and Abendroth Avenue and Parking Lot No. 12 – Marvin Place between Willett Avenue and Highland Street.

Interested persons will be afforded the opportunity to be heard at this time. The proposed local law is available at the Village Clerk’s office or online at the Village website www.portchesterny.com

JOAN MANCUSO
Village Clerk

Dated: April 13, 2012

On motion of Trustee Didden, seconded by Trustee Brakewood, the public hearing was declared open.

ROLL CALL

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

Mayor Pilla spoke about the situation of mobile food trucks in the downtown area stating that parking downtown is at a premium, there is more traffic there and we have an abundance of restaurants and that these type of vendors are contributing to the problems downtown. He asked Anthony Cerreto, the Village Attorney to speak on the locations that will be additional restrictions for food vendors.

Mr. Cerreto said that the proposed local law would prohibit food vendors from Abendroth Avenue from Mill Street to Westchester Avenue, Don Bosco Place from Grace Church Street to Purdy Avenue and also two municipal parking lots, Parking Lot # 11 located on Highland Street between North Main Street and Abendroth Avenue and Parking Lot #12 located on Marvin Place between Willett Avenue and Highland Street.

The Mayor noted that the current law mandates that the food trucks have to move every fifteen minutes and with more trucks with hot cooking liquids it creates a problem with moving the vehicles. He asked if anyone from the audience would like to speak on this proposed law.

Goldie Solomon said that a lot of people that do not want to go to a restaurant but want to get something quickly go to these types of vendors and move on. She said that this service is very important for the Village and anyone who wants to go to a restaurant will find parking.

Anthony Romeo said that he is a current food vendor with a truck called Anthony's Hotdogs. He said that this is his third season here in Port Chester on Abendroth Avenue and believes that he provides a good service to the community with discounted food specials. Mr. Romeo said that he would like to stay on Abendroth and will move the truck as the law states every fifteen minutes. He said that while he is at that location up to 5:00 p.m., there is plenty of parking on Abendroth and after he leaves by 5:00 p.m. that is when parking is less. Mr. Romeo said that he would like to continue doing business in Port Chester at this location.

Dominick Ranieri said that he is also a vendor in the Village primarily selling ice cream but also sells hotdogs and such. He said that some say that this law will not affect him because he moves throughout the Village but if there is an event downtown then he will be unable to serve. Mr. Ranieri said that there are some trucks that are not in good condition and said that there are also unlicensed vendors selling churros from carts throughout the Village. He said that he plays by the rules but there are others that do not. Mr. Ranieri spoke about parades and special events and would this law prohibit these areas if these events were held downtown.

Mayor Pilla asked the Village Attorney about special events regarding the hawking and peddling law.

Mr. Cerreto said that there are provisions in the Code regarding special events.

The Mayor said that the law does provide for special events. He said that the Village has received numerous complaints from downtown merchants about the food vendors.

Mr. Ranieri spoke about other locations that vendors could consider going and recommended a vendors meeting with the Village but do not consider regulations from other states because they would not apply to our Village. He told the Board that restriction of trade is a big thing and asked them how many would like their livelihood stop by a wave of a pen.

Mayor Pilla said that no one is stopping anyone from operating and that this law is just amending the streets because the vending downtown has become out of control.

Mr. Ranieri said the Board has to be careful on how they address the issues because it will affect a lot of people. He stated that he used over \$3,000 in fuel in the six months that he ran his truck last year and does not want to be fined if a concert or event is held downtown or if a child with a parent wants him to stop along Abendroth for example.

The Mayor noted that Mr. Ranieri does abide by the law and is not permanently stopped at a location. He spoke about other vendors who do not abide by the law and the police have advised that they cannot enforce the law regarding moving of the trucks.

Mr. Ranieri recommended that the policing of these trucks could be done by the parking enforcement officers.

Police Chief Joseph Krzeminski said that the violation would be a criminal summons which the parking enforcement officers cannot issue.

Mr. Cerreto spoke on that subject and it would require a change to the code.

Mr. Ranieri said that the Village can have quality vending noting that he puts his money back into his business and others should do the same.

Mayor Pilla noted that in Chapter 195 under Section 13.1, it speaks about parades and special events that the Village Manager is authorized to promulgate rules and regulations governing peddling during parades and special events in the Village so there is a provision in the Code for this activity.

Mr. Ranieri spoke about a special event that was held at the High School that vendors could not sell at and questioned when the vendors can find out the information regarding special events.

The Mayor said that the vendors should direct their request to the Village Manager and he would consider upon each request.

Mr. Ranieri said that he appreciates what the Village does.

Mayor Pilla said that in bringing this forward he thinks that there also needs to be something done that is more strategic. He said Trustee Didden has spoken on that and with the time and effort that it will take with our limited staff and the priorities of our small Village government and other ideas regarding this process that he wants to keep it simple for now. The Mayor said that we have a lot of restaurants, not enough parking, there is an enforcement problem but his thinking there is not a better mouse trap than short of stopping the roaming vendor so this is a tactically thing that we are doing with the immediate situation on Abendroth and the streets that we added.

Richard Abel spoke about having perspective regarding this proposed law. He said that the law already bans a lot of streets for vendors in the Village so all you are doing is to add these two streets which he agrees with stating that Abendroth is a much busier street than it had been 20 or 30 years ago. He said that it is a matter of what do we want our downtown to look like. Mr. Abel stated that some vendors set up shop but what is for the betterment of our downtown. He said that there are about a hundred restaurants and food establishments who pay rent and taxes here and that these vendors do not so it is more difficult for our downtown businesses. Mr. Abel said that this is not that large of a change and it is making our downtown better stating that these vendors don't really support Port Chester. He said that he hopes that the Board passes this tonight.

Mayor Pilla asked Chief Krzeminski about the situation with the food vendors' downtown.

Chief Krzeminski said as the law is stated it is basically unenforceable. He said that what is more of the point is where would the Board want this type of vending to be allowed.

Trustee Brakewood said that he supports the law but based on some of the comments we should look at the fees for these licenses because there appears to be some value of these trucks that are competing against the restaurants. He spoke about a creative idea of assigning one spot on Abendroth that would allow vending for designated times during the day and see what that spot/time is worth and vendors could participate in an auction for this spot and that

the lunch time period would be valued more than other times. Trustee Brakewood said that too many vendors are not a good thing but one can add to the flavor of the downtown.

Mayor Pilla said that food carts are in vogue. He said that presently though with the congestion downtown and Abendroth being our second main street it cannot be filled by these vendors so this is why we are adding this street to the list.

Trustee Didden said that he agrees with a lot of Trustee Brakewood's comments and said that when he brought this to the Board to discuss seven months ago the discussion included talk about property taxes paid through the rentals of the deli's and restaurants. He said that he likes the idea of an auction fee and spoke about Mr. Ranieri's comments about cleanliness and quality of the vendors that we do not have oversight of the health review. Trustee Didden said that we have plenty of downtown locations that you can get in and get out without having to go to a street food vendor and that it is about the fairness. He said that he does not think we can auction off a space for just an hour. Trustee Didden said that he supports the proposed law.

Mayor Pilla said that the ability to regulate is our ability to enforce and the solution is these additional restrictions of locations.

Ms. Solomon said that the Board forgets that you represent the people of Port Chester and that we are a low to middle income community not an elitist community. She said that it is hard to find parking and people cannot pay. Ms. Solomon said that there are a lot of restaurants and stores that cannot make it in this economy.

William Giangrande said that he notices on Sunday that there are no parking spaces in the Village because parking is free. He said that the Village should charge for parking seven days a week.

The Mayor stated that there has been an increase of the usage of parking on Abendroth due to the construction of the Mariner project.

Mr. Abel spoke about a past vendor who vended on private property. Staff said that vending on private property would require a variance.

Mr. Ranieri talked about the Village fee that the vendor pays and that they also have to pay for their insurance costs and health department costs. He said that we should sit down to further discuss the issue that the Board could vote on a temporary basis and does not want to see himself getting a fine.

On motion of Trustee Didden, seconded by Trustee Brakewood, the public hearing was closed.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

On motion of Trustee Brakewood, seconded by Trustee Kenner and approved, the following Local Law No. 3, 2012 was adopted:

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

Be it enacted by the Board of Trustees of the Village of Port Chester, New York as follows:

CHAPTER 195:
HAWKING, PEDDLING AND SOLICITING
ADDITIONAL RESTRICTIONS

SECTION 1. Chapter 195, Hawking, Peddling and Soliciting, Section 319-15 of the Code of the Village of Port Chester is amended as follows:

§195-15. Additional Restrictions

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B. There shall be no such peddling on the following streets of the Village of Port Chester:

- (1) Westchester Avenue from Townsend Street to Perry Avenue.
- (2) North Main Street from the Connecticut State line to Westchester Avenue.
- (3) South Main Street (U.S. No. 1) from Westchester Avenue to the Rye City line.
- (4) Grace Church Street from South Main Street to Fox Island Road.
- (5) Midland Avenue from Grace Church Street to the Rye City line.
- (6) Pearl Street from South Main Street (U.S. No. 1) to Westchester Avenue.
- (7) North Pearl Street from Westchester Avenue to King Street.
- (8) South Regent Street from Boston Post Road (U.S. No. 1) to Westchester Avenue.
- (9) North Regent Street from Westchester Avenue to King Street.
- (10) Abendroth Avenue from Mill Street to Westchester Avenue
- (11) Don Bosco Place from Purdy Avenue to Grace Church Street

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F. Shall be no such peddling in the following municipal parking lots:

- (1) Parking Lot No. 11 Highland Street between North Main Street and Abendroth Avenue
- (2) Parking Lot No. 12 Marvin Place between Willett Avenue and Highland Street

SECTION 3: This local law shall be effective immediately upon filing with the Secretary of State.

Adopted: April 23, 2012

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF PORT CHESTER, NEW YORK
DENNIS PILLA, Mayor
JOAN MANCUSO, Village Clerk

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Public Comments:

Goldie Solomon said that the Board has to keep in mind the health, safety and welfare of the community but we cannot stand for increases to our taxes. She said that our schools are over loaded and our taxes will kill us. Ms. Solomon said that the schools are not getting enough funding from the State and when these residential developments of the Mariner and Castle Projects open they will be a burden to the schools. She said that if taxes go up the

Board will not be voted back into office. Ms. Solomon said that people cannot pay and stay in their homes in our community but please do not take away from the safety, health and welfare for our residents.

Dominick Ranieri spoke about the collection of metal being picked up by people with shopping carts going on to people's properties. He said that there needs to be some way of registering what is being brought into the scrap metal locations and it appears that people are taking not junk metal but still usable items like ladders etc. Mr. Ranieri spoke about an incident that he knows about where someone was caught stealing items from Metro North property.

John Giangrande said that he is tired of getting tax bills that keep going up and does not think it is fair. He spoke about commercial vehicles parked in residential areas. Mr. Giangrande said that we need to stop these people who walk through the streets and go into people's properties for cans, bottles and metal.

William Giangrande also spoke about the recycled items and said that he puts those items out early in the morning and has seen people go on his property. He said that he would love to see a law on this issue.

Richard Abel told the Board his comments on the budget stating that \$700,000 is being taken out of the budget for the sewer rent project which money will be in a separate fund and this will lower our taxes this year. He asked if there is a plan to continue keeping the taxes down.

Trustee Terenzi told Mr. Abel that this project will put 15 million into the improvements of our sewers.

Mayor Pilla spoke about the Sewer Rent Project and noted that this will be a 5 phase 7 year plan.

The Village Manager said that this project is no different than the budget itself which is up to the Board of Trustees.

Mr. Abel commented further about the Sewer Rent Project proposal and spoke about the tax rate of the budget being more than 2% but the tax levy will be lowered. He said that at the last budget work session, the Manager proposed to increase the time that parking meters are enforced until 9:00 p.m., and said that he hopes the Board does not do that.

Mr. Russo said that was a concept but there is nothing in writing to increase the enforcement times. There was further discussion about parking between the Board, Mr. Russo and Mr. Abel.

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Budget:

The Mayor spoke about the budget process that has been done over the month of April so far with workshops with departments and the Board of Trustees and that tonight's meeting had been schedule anticipating amending the Tentative Budget and then its adoption. He said that a final review meeting had been scheduled for this past weekend that not all of the Board could attend including himself so would like the Board to continue the discussion

on the budget tonight since we are not at a point to vote on amendments and adoption of a budget tonight.

Trustee Brakewood said that even though all the Board members could not attend the past weekend budget review meeting it was very productive because he and Trustees Terenzi and Marino went over proposals from the Village Manager to raise revenues and reduction of expenditures which would bring the tax levy to zero. He said that he questioned the cost for the 2013 Election process and recommending reducing that amount but believes there should be more discussion on that subject. Trustee Brakewood noted that another recommendation of reduction is a policy decision that for the next budget it has \$400,000 principal payment on the Bond Anticipation Note (BAN) with the goal of the Board to pay this borrowing off in five years. He said that originally he was supportive of going out for a long term bond and has made a proposal to cut this payment by \$200,000 which he would like to reduce even more with a zero principal payment because in these tough economy times it is not the time to pay down large amounts of debt.

Trustee Terenzi said that if this was a more typical borrowing would not disagree with Trustee Brakewood but this BAN was approved as a short term borrow so we should keep this on the payment schedule and noted that we have reduced 35 million of outstanding debt by 5 million.

Trustee Brakewood said that this Board did not create the \$35 million problem and we will not get out of it tomorrow.

Mayor Pilla said that the Village Manager presented a budget to the Board which was discussed with Department Heads then we asked the Treasurer to go back and reconfirm the revenues, the cost of energy and staff came back at Saturday's meeting on these verifications and the Board members present for that session proposed other items.

Trustee Kenner inquired if the spreadsheet with the listing of the expenditures reductions was agreed to and were there other items that were proposed and not included.

Trustee Terenzi said nothing was agreed to at the weekend session but these were items that were kicked around.

Trustee Brakewood said that every reduction that was brought up there was not disagreed with.

Trustee Terenzi said that he would not disagree with Trustee Brakewood but said he walked away from that meeting with no decisions. He said that he has concerns with one shot deals and spoke about debt service fund balance and that the Board needs more time to review the budget before making any amendments.

Trustee Kenner said that he has concerns also and were there ideas that are not reflected in the spreadsheet.

The Mayor and Trustee Terenzi said that yes there were other ideas. Trustee Terenzi said that in the last hour of that session that we were not going to accomplish anything and he walked away knowing that the Board needs more time to review the budget before making any amendments.

Trustee Kenner said that he agrees with Trustee Terenzi stating that he wants to talk more about the election and has his own concerns about the BAN proposal.

Trustee Terenzi said that Trustee Brakewood brought the proposal about the BAN which is not a one shot issue but will put us in a situation for the remaining years.

Trustee Brakewood said that he has concerns also about certain items.

Trustee Marino said that he agrees with Trustee Terenzi and if the entire Board was at the weekend workshop this could have all been worked out. He said that he is not prepared to vote on this tonight.

Trustee Brakewood inquired if the Board would be debating the whole budget or the amendments that have been proposed from staff and Board members and then speak about other changes for consideration.

Mayor Pilla said that he would rather take the Treasurer's spreadsheet of items last and that the bigger issue is the Manager's budget calls to use \$825,000 in fund balance which is not a repeatable trip. He said that is the bottom line and we cannot do that next year and at the same time we are using \$400,000 of debt reserve which is not a repeatable trip so when Trustee Terenzi says that he is not looking forward of seeing the impact next year from this budget that he thinks in large part that is what he is talking about 1.2 million from fund balance.

Trustee Terenzi said that if someone's assessment remains the same and the Mayor and others are talking about 7% increases then that tax bill will be going up 7%. He said that he will never vote for anything that goes for 7%. Trustee Terenzi said that the highest he ever voted for a budget in the ten years of being a trustee was 3% and that was when inflation was 4 or 5%. He said that the Board can debate levy or whatever he is not going to be in a position to vote for a 7% increase. Trustee Terenzi said that he is not grandstanding but will come up with the cuts if there is an impasse because we need to think out of the box because a 7% increase for someone whose assessment remains the same is unacceptable.

Trustee Brakewood said that Trustee Terenzi is grandstanding because we have been looking at this budget for a month and where are his proposals and the ideas.

Trustee Terenzi said that the Board has until April 30th and he is not going to vote for a budget at 7%.

There was further discussion between Trustee Terenzi and Trustee Brakewood.

The Mayor said that we are all here now so let's talk about the election budget. He said that he sees opportunity regarding the election budget and that he has been very close with this process. The Mayor said that the \$250,000 that we have budgeted for the election includes one-time costs and includes recurring costs noting that specifically the one-time cost to develop a voter election and training program for the new voting machines that we will likely move is stating that it is like a \$100,000 spend which is literally one-time . He said for example if we use fund balance for that one time expense and that we should amortize for that one-time expense. Mayor Pilla said that related to the election that the way it works now is if a municipality passes a resolution asking the County to take over the election there is no cost for the election. He noted that our election is different stating that we are under a Consent Decree on certain things that we have to do that is why the \$250,000 is the number in the budget. The Mayor said that a formal meeting will be held with the County Board of Elections but while the County Board is responsible for the primaries, elections and other special elections they have not been able to meet as of yet but he did have a conversation with

the Democratic Election Commissioner who said the same thing that he said before that if we pass a resolution they would run the election and there would not be any cost to us. He said that thirdly he has spoken to Rob Ritchie of FairVote who was the consultant during the 2010 election process and helped put together the voter education and training program and he talked to him who has indicated that he will have resources available at numbers less than what was budgeted. Mayor Pilla said that he believes that there is opportunity to give the election budget a big haircut and fund anything beyond through fund balance which would be appropriate because there is a large one time purpose and said that the costs for this election beyond a normal election cycle is because of the Consent Decree and there are only two more runs under the Decree. He said that we are also having discussions with the Department of Justice (DOJ) regarding cutting out the things that had no value from the last cycle for example the radio and television ads and that the DOJ is opened minded to crafting a budget that is reasonable. The Mayor said that he is not saying that this cost will be a small number because we will most likely be implementing scanning voting machines and redevelop a training program. He said that the one-time expense for the training program he would suggest to use some of that 4.7 in fund balance would be a very appropriate use and that would help us toward reducing the tax rate that we are talking about. Mayor Pilla asked the Board what their thoughts are regarding the election.

Trustee Kenner told the Mayor that he thinks he is missing a step because yes the Board can pass a resolution to authorize the County Board of Election to run the Village election but the County Board of Legislators has to approve it.

Mayor Pilla said that he does not think the Board should just pass a resolution.

Trustee Kenner said that it is not as simple as passing a resolution.

The Mayor said that he was not aware that the Board of Legislators had to approve that. He said that he was advised that it could be by resolution but understands that this is under a Consent Decree and at the end of the day it is ours to make sure it is complied with. Mayor Pilla spoke more on the changes that have been discussed with the Department of Justice and the time frame when information would be provided, so we are budgeting the worst case here and the more we are going down this path it does not feel that it will be the worst case but the development of training program would be the largest part.

Trustee Kenner spoke about the actual recommendations of the election budget and agrees with concerns raised that a typical election usually costs about \$20,000 and what is proposed is over \$230,000 and spoke about specific line items of this budget and can we cut further.

Mayor Pilla said that he thinks that we can. There was more discussion between the Board members regarding the election budget. The Mayor said that what we can do since we are not going to be voting on amendments tonight we can develop a revised schedule for the election costs based on more recent discussions that he has been having with Mr. Ritchie and basically there are resources that he has that are available to us this year that are much less costly.

Trustee Kenner asked what the contractual expense of \$100,000 will be for.

The Mayor said FairVote. The Clerk also said that the Consent Decree requires a Program Coordinator for this election and other costs associated with the election that is

under the contractual category and spoke further on the requirements. There was further discussion between the Board and staff and Trustee Kenner said that he agrees that there is more money in the election budget than what we may need.

Trustee Brakewood said that the Mayor is right that we need to do an analysis of what was done for the last election and what was effective noting that even things that are mandatory in the Consent Decree may not have to be completed again if they are found not to be effective and all the parties agreed. The Board discussed what was done in the last time including early voting, the education forums and the large increase of candidates. Trustee Brakewood said that if a lot of what was required was not effective why repeat it again.

The Mayor spoke about the survey and those results. Mayor Pilla said that our Clerk is leaving which is putting us in a different situation all together and that he has been working with Mr. Russo including talking with Mr. Ritchie of FairVote who helped us before so have asked him to provide updated information on rates and costs and look at the last cycle costs and have what are the one-time and recurring costs for this upcoming election and what may be variable.

Trustee Brakewood said that it seems that the Board is in agreement on reducing the election budget for different reasons and this discussion can continue with more data.

Trustee Didden said that he agrees with the expenditure recommendations from the Village Manager and the other Board members from the Saturday session that he was unable to attend except for the BAN reduction. He said that he has over twenty more reductions to consider so would ask that the Board close this meeting and hold a work session on the budget. There were comments about closing this meeting and holding a separate budget work session.

The Mayor said that he does not know if a date will be agreed upon to hold a separate work session so would like to continue and asked the Village Manager about the repayment of the BAN and why it was set up that way.

Mr. Russo said that the repayment amounts were scheduled in order to pay off this 2 million borrowing within 5 years as directed by the Board. There was further discussion regarding the subject of this BAN and the budget.

Trustee Terenzi stated that even if our assessable increase next year we still can only increase a certain amount because of the 2% tax cap set by the State.

Leonie Douglas, the Village Treasurer told the Board if we do not use the 2% of the tax cap this year it can be carried over to next year. There was discussion on this subject and it was noted by the Mayor even though that can be done he would not want to use this process because it could raise taxes 4%.

Mr. Russo also advised the Board that they have the close out of the capital project which these funds are to be used toward the proposed next round of capital projects and if we do not use all these funds for the designated projects the excess would go toward the debt services. There was further discussion on this topic with some Trustees noting that then more borrowing would be required to do the proposed capital projects.

A discussion then ensued regarding the use of the fund balance in the budget and Mr. Russo commented on this use and budgeting over the last few years.

The Mayor said that one of the proposed expenditure reductions is the elimination of the third judge for the Court.

Trustee Kenner asked how is the Board going to go through this process of the budget if they would take each of the items that had been provided from the weekend session because this is not productive.

Trustee Terenzi said he is not in favor of the process that is happening and that the Board should have a separate workshop to go over the budget and then come back to a Board meeting to finalize. He said that all workshops are open to the public and there was criticism last year because of the process that ended up as a marathon meeting on the final day which he does not want.

Trustee Brakewood noted that Ms. Douglas provided the Board with the proposed amendments and if the Board reviewed them and is good with these we do not have to rehash them.

Mayor Pilla asked if any of the Board members have any discussions on what was provided to them.

Trustee Kenner said that it would be difficult for him to vote reducing the BAN stating that we took a very disciplined approach with the BAN repayment and he would rather stick with the repayment schedule for the BAN.

Trustee Terenzi said that he agrees with Trustee Kenner regarding the BAN

Trustee Kenner said that he would also not be supportive of the Library increase. He questioned the adjustment of the contingency fund.

Trustee Brakewood said he was seeking the removal of the contingency.

Trustee Terenzi said that he does not remember a discussion about taking out the amount for the contingency. The conversation regarding the contingency continued between Trustee Brakewood and Trustee Terenzi.

Mayor Pilla said that one of the amendments is the elimination of the Recreation Leader position and expressed concerns with this.

Mr. Russo and Trustee Kenner stated that this was the additional position from last year's budget and has been opened for a year.

Trustee Marino asked for a date that the Board would meet for a budget work session.

Mayor Pilla said that he is seeking input from the Board on what the Treasurer has provided with the proposed amendments.

Trustee Didden said that under the Treasurer's budget under contractual has been reduced by \$10,000 and he would increase that reduction to \$20,000. He said that he also looked at the fuel costs and at the tops would increase those lines by 20% instead of the higher percentage in the budget that would reduce the gas line by \$30,000 and the diesel line by \$35,000.

Trustee Brakewood said that he agrees with Trustee Didden's proposal on the fuel lines but that the only other issue on that item was we had no snow this year.

The Mayor asked Ms. Douglas about the contractual line that Trustee Didden's spoke of for the Treasurer's budget.

Ms. Leonie said that this is the contractual person working on the closing of the capital project.

Trustee Didden said that the capital project closeout process should be near completion and would recommend taking this line down to \$5,000. He said that the BAN is another discussion.

Trustee Kenner asked if there could be other changes in the Law budget.

Mr. Russo said that he would not make any further recommendations to reduce this department. The Board asked about the contractual line and the status of the Labor Counsel. Mr. Cerreto said that the Labor Counsel's contract expires at the end of this calendar year and that there are unions in contract negotiations and one that will be. Discussions continued regarding the Labor Counsel contract.

Mayor Pilla said that except for the BAN payment it appears that the Board is agreeable with the other proposals beside Trustee Kenner on the Library increase. He asked if there were any other objections regarding the Library. Trustee Brakewood noted that the Village has an agreement with the Village of Rye Brook regarding the funding for the Library and if we do not approve the increase and Rye Brook does are we obligated. Mr. Cerreto told the Board that the agreement is not binding so their action does not bind this Board to do the same.

The Mayor spoke further about the election budget and that it needs further review. He asked if Trustee Didden would like to speak on his recommendations.

Trustee Didden reviewed his proposed amendments to the budget starting with the Village Board of Trustees budget regarding the personnel services line. He said that some Trustees are not taking their salaries and this is budgeted for \$31,200 so recommended reducing this line or zeroing it out. There was discussion on this proposal and can this budget line be eliminated. Staff said that they would review and advise the Board.

Trustee Didden then questioned the part-time personnel line in the amount of \$20,000 under the Mayor's budget. Mr. Russo explained the part-time staffing from that line and the Board further discussed with no recommendations to change this amount.

The next budget line that Trustee Didden questioned was under the Village Manager's budget regarding the vacation buyout amount of \$2,500, this was discussed and Mr. Russo was agreeable to remove this amount.

Trustee Didden then spoke about the budget for Human Resources noting that there is no longer a certain person for this department and recommended zeroing out the four lines as follows for this department; contractual in the amount of \$2,500, education & training in the amount of \$500, employee training in the amount of \$2,000 and office supplies in the amount of \$500. Mr. Russo said that some of the required training for employees is provided through our insurance company at no cost but had these funds for items that we would have to cover. The Board discussed these budget lines and removed the funding of each for a total of \$5,500. Trustee Didden went back to the Village Manager budget and questioned the contractual amount of \$5,000 and what is that for. Mr. Russo said that is for the newsletter, there were no changes to this budget line.

The budget lines that Trustee Didden then spoke on were under Finance and recommended a reduction of \$20,000 to the contractual line that is \$25,000 bringing it to \$5,000 which the Board and the Treasurer were acceptable with. He also inquired as to the \$8,000 amount that has been recommended for the Finance's education & training line. Ms.

Douglas said that an employee in her department under the CSEA contract will have continual education costs. Trustee Didden asked Ms. Douglas if this line could be reduced by \$1,000 bringing it to \$7,000 and Ms. Douglas was agreed to the reduction of \$1,000. He also questioned the part-time line of \$15,000, Mr. Russo and Ms. Douglas spoke on this budget line and it was decided to make no changes to the budgeted amount.

Trustee Didden continued with his budget proposals regarding the Buildings – Village Hall budget on the natural gas line which \$25,000 is being budgeted. He proposed reducing this line by \$2,500 which the Board and staff was agreeable. He then questioned the postage line for Village Hall in the amount of \$15,000 and Ms. Douglas advised that this amount is for all of the departments located at Village Hall, no changes were made to this budget line.

Continuing with Trustee Didden's budget proposals he spoke about the Central Garage budget and the lines regarding out of title pay in the amount of \$5,000 and the collision and painting line in the amount of \$18,000. Discussion was held regarding these two budget lines and no adjustments were made to either line.

Trustee Didden then brought up the budget department category of Taxes & Assessments and for the line taxes (village property) it has the amount of \$190,000 noting that the actual was \$184,320 for the 2009-10 Budget but only \$97,319 for the 2010-11 Budget so is the \$190,000 the correct amount needed. Ms. Douglas noted that the Village Hall property was reclassified and that she will check with the Town regarding the designated taxes and advise the Board.

The next department that Trustee Didden spoke on his proposals dealt with the Police Department including the overtime line for the Village Court in the amount of \$20,000 which he recommended decreasing by \$5,000 for a new amount of \$15,000 which the Board and the Police Chief were acceptable with. Trustee Terenzi noted the adjustments that were considered at the weekend session regarding the Police Department. Trustee Didden continued with the Police Department budget on the overtime line for the County Court which is at \$35,000 and reducing that amount by \$5,000 to \$30,000 which the Board and the Police Chief were also agreeable. He then spoke about the collision and paint charges budget line in the amount of \$24,000 and reducing that line by \$6,000 to \$18,000 which was agreeable with the Board. Trustee Didden then asked about the 911/Nixle line in the amount of \$7,000, there was further discussion about this subject between the Board and the Police Chief with no adjustments to the budget line.

Trustee Didden continued his budget proposals with the Police – Civilian budget with the first item the budget line for part-time court security in the amount of \$54,000 and over the last two fiscal years only expended under \$50,000 so proposed reducing this line by \$5,000. The Board discussed this proposal with the Police Chief and there was agreement to lower that budget line to \$49,000. Trustee Didden then brought up the following budget lines regarding uniforms for park patrol in the amount of \$750, court security in the amount of \$350 and auxiliary police uniforms in the amount of \$2,500 it was noted that these lines were not fully used over the last two years which was discussed by the Board with no changes to these budget lines.

The next budget line proposed by Trustee Didden for consideration in under the Street Parking Department budget regarding \$5,000 for parking meters and is this amount

necessary. Mr. Russo spoke about this line for parking meters and no changes were made to this budget line. Trustee Didden then went on to the Fire Department budget line for collision and painting in the amount of \$22,000. Mr. Russo spoke to the Board on this item and no changes were made to this budget line. The Board discussed the budget line for animal control in the amount of \$16,000 and the Mayor noted that there are only two facilities that are used in our area and that municipal leaders will be speaking to the facilities about their pricing and services so no changes were made to this budget line. Trustee Didden continued with the Street Maintenance budget and the out of title line in the amount of \$6,000 which Mr. Russo addressed and no adjustments were made. The next item discussed was under the Street Cleaning budget and the overtime line in the amount of \$5,000 which Mr. Russo advised the Board that street cleaning is conducted seven days a week so this amount is necessary, no adjustments were made to this budget line. Trustee Didden addressed the Parks Department budget and the budget line for other equipment in the amount of \$20,000 and what that consists of. Mr. Russo said that this is small equipment for the Public Works Department for the maintenance of the parks no changes were made to this budget line. The review of Trustee Didden's budget proposals continued with the budget for Refuse & Garbage and the personnel services and overtime lines. These budget lines were discussed by the Board and staff and the Village Manager and Village Treasurer indicated they would review the figures and advise the Board. The last item from Trustee Didden was the Transfer Station budget and the solid waste tipping fee in the amount of \$400,000. Trustee Didden said that he would recommend decreasing this line by \$25,000. Mr. Russo said that this is the fee paid to the County and would not change the figure and spoke about the increase of dumping during the spring. No changes were made to this budget line.

The Board then discussed a date for an additional meeting to review the Tentative Budget, the date of April 26th was proposed and the Clerk was directed to poll the Board tomorrow with a location and time and notice this meeting. The Board also discussed scheduling a meeting in order to vote on any amendments to the Tentative Budget and adoption, the date of April 30th at 6:00 p.m., in the Village Courtroom prior to the Planning Commission meeting at that location beginning at 7:00 p.m.

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Public Comments:

Mayor Pilla asked if anyone from the audience would like to speak at this time, there was no one who wanted to speak.

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Board Comments:

The Mayor asked if the Board had any comments. The Trustees and the Mayor had no comments.

There being no further business, on motion of Trustee Didden, seconded by Trustee Terenzi the meeting was closed at 9:37 p.m.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

Respectfully submitted,

Joan Mancuso

Village Clerk