

MEETING HELD APRIL 6, 2011

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Wednesday, April 6, 2011 at 6:00 P.M., in the Village Senior/Community Center, at 220 Grace Church Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

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

It should be noted that Mayor Dennis Pilla arrived at 6:15 p.m. and Trustee Daniel Brakewood arrived at 6:38 p.m.

Also present were Village Clerk, Joan Mancuso; Village Manager, Christopher Russo; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas and Director of Code Enforcement, Christopher Steers.

On motion of Trustee Didden, seconded by Trustee Kenner, the meeting was declared opened at 6:10 p.m.

ROLL CALL

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

At 6:12 p.m., Trustee Didden made a motion to adjourn to an executive session regarding police contract negotiations, Trustee Marino seconded the motion.

ROLL CALL

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

No action was taken in executive session.

At 6:30 p.m., on motion of Trustee Branca, seconded by Trustee Marino, the executive session was closed and the public portion of the meeting was re-opened.

ROLL CALL

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

Mayor Pilla said that the Board has discussed the proposed police contract and we have been provided with a resolution from staff so the Board can approve the memorandum of agreement for this contract. He asked for a motion to add this resolution to the agenda.

There being no objection, Trustee Didden made a motion to add this resolution to the agenda, Trustee Marino seconded the motion.

April 6, '11 ROLL CALL

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

MEMORANDUM OF AGREEMENT FOR THE
PORT CHESTER POLICE ASSOCIATION, INC.

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

WHEREAS, the Village of Port Chester and the Port Chester Police Association, Inc., entered into negotiations for successor agreement to a contract that expired on May 31, 2009; and

WHEREAS, those negotiations have been successfully concluded; and

WHEREAS, the parties have arrived at a tentative agreement covering the period of June 1, 2009 through May 31, 2013. Now therefore, be it

RESOLVED, that the Board of Trustees hereby ratifies and approves the Memorandum of Agreement dated March 24, 2011 annexed hereto with the Port Chester Police Association, Inc.; and be it further

RESOLVED, that the Village Manager be authorized to execute the successor agreement when it is prepared; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Treasurer to modify the General Fund Budget as follows:

GENERAL FUND

Revenues

Fund Balance:

1.1.4995	Fund Balance Appropriated	\$115,895
Contingency		
1.1990.0400	Contingency	\$250,000

Appropriation:

Police Department

1.3120.100	Salaries	\$290,330
1.3120.101	Overtime	\$20,481
1.3120.105	Out of Title	\$726
1.3120.106	Holiday Pay	\$8,844
1.3120.124	Sick Incentive	\$969
1.3120.125	O/T V. Court	\$575
1.3120.125	O/T C. Court	\$1,442
1.3120.143	In Service Training	\$8,821
1.3120.196	Entertainment Enforcement	\$205
1.3120.197	Vacation Buyout	\$2,318
1.3120.198	Super Holiday Pay	1,433
1.3120.199	Final Retirement Payout	\$3,750
1.9030.802	FICA	\$21,073
1.9030.810	Medicare	\$4,928
Total		\$365,895

ROLL CALL

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

Mayor Pilla said that he was very proud that every bargaining unit gave back during their contract negotiations.

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The Board held a budget work session on the Police Department Budget with Police Chief Joseph Krzeminski, Captain John Telesca, Lieutenant Detective Royal Monroe and Lieutenant James Ladeairous. The Board asked the Police Chief to review with them any major changes in this proposed budget.

Chief Krzeminski said that this budget is primarily flat with a few exceptions that they will go over with the Board.

Captain Telesca said that the radio repair line has been increased for this year because our shared radio frequency of three departments which is through the City of Rye was required to be changed over. He said that due to this change over we are required to purchase 75 new radios and reprogram the base radios.

Chief Krzeminski said that they may be able to use asset forfeitures funds for this use but noted that this type of purchase is usually not allowable for these funds so it would need to be investigated if it could be. The Chief and Captain Telesca noted that there is currently over \$140,000 in asset forfeitures.

The Chief continued that he had requested more in the overtime line noting that he requested \$410,000 and the recommendation for the budget was \$350,000. He spoke about comparisons of his department's overtime to larger departments including New Rochelle and Mount Vernon and that overtime was required to fill in for parking enforcement officers noting that one officer had retired and her position was not fill right away and one was out with an injury but has since returned.

Trustee Terenzi inquired who is getting the overtime it is the higher ranks compared to the patrolmen.

Chief Krzeminski spoke about overtime noting that the patrolmen receive the most of overtime and that higher ranks do get overtime but that they also give of their time with no compensation.

Trustee Terenzi stated that because of the reduction of property assessments we need creative ideas on how to reduce the budget and that the Board will be asking of all departments to reduce.

The Chief noted that the tentative budget had 61 employees listed for the Police Department but there are only 60 for this coming budget.

Christopher Russo, the Village Manager said that is correct that the budget reflected one too many patrol officers and that there are some minor salary adjustments for the Police Department.

Trustee Brakewood also spoke about the funding gap that the Board needs to resolve due to the reduction of property assessments. He said that if the Board has to make reductions to meet a zero tax increase and had to reduce the police force to say 52 or 54 officers what would be the ramifications to services.

Lt. Detective Monroe said that services such as the D.A.R.E Program, youth services and other police services including park events, parades, processions and other

Apr. 6, '11 items would definitely be impacted. He said that it is up to the Board of what are they willing to do without.

Trustee Terenzi spoke about comp time and the use of that instead of overtime.

Chief Krzeminski and Lt. Detective Monroe spoke on this topic noting that the contract does speak about consideration of a comp time policy that the Village would have to submit if that is the direction it wants to go in.

Trustee Didden said that some industries are not providing individualized services for example in his industry of alarm monitoring that some police departments have pulled back response times to these calls.

The Chief said that since we are such a compact community response times will not change on items such as alarm calls.

Trustee Kenner asked the police representatives if they had to reduce 10% out of their budget who would they do it and from where.

Trustee Brakewood said that he also would want the impacts of these reductions.

The Board asked about the percentages regarding fringe benefits for the Police Department.

Leonie Douglas, the Village Treasurer said that it is between 40 and 45 percent.

Trustee Marino said that he can not see how we can get rid of 4 or 5 police officers. He understands that reductions have to be made but reducing police will impact the Village.

Lt. Detective Monroe said that this Village provides the lowest ratio of cost for police officer per 1,000 residents than anywhere else in the County.

Trustee Brakewood asked that the Police Chief and staff present a plan and ramifications of the plan to the public if the department had to reduce costs by 10%.

Lt. Detective Monroe said that other larger police departments have reduced costs in other communities that were changes in their operation from specialized services like SWAT and other specialized departments back to patrols to reduce overtime. He said that we do not have that type of operations.

Trustee Branca said that he can not see gutting the Police Department but the Board may be required to reduce by one or two to reduce taxes.

Trustee Didden asked about the Detective Bureau and how the detectives are used.

Lt. Detective Monroe gave an overview of this department noting that we had four detectives and that we are now down to two.

Mayor Pilla told the Chief that in the plan that will be provided to the Board that data also is including regarding response time and other items.

Chief Krzeminski told the Mayor and the Board that the department has one person dispatching calls not like other departments that have multiple personnel on dispatch duties per shift so we do not have the personnel to compile the requested data.

The Board discussed with Chief Krzeminski and his staff when they could provided a plan that the Board has requested and it was determined that it could be provided by April 20th.

Mr. Russo did note that there is a comp plan clause in the police contract.

Trustee Brakewood said that the amount requested for park patrol was much higher than the recommended amount.

Captain Telesca said that is an error in the budget process because we had left that line flat.

Mayor Pilla and the Board thanked Chief Krzeminski, Captain Telesca, Lieutenant Detective Monroe and Lieutenant Ladeairous for their input during this work session for the Police Department.

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The Board held a budget work session on the Fire Department with Fire Chief Kevin McFadden and 1st Assistant Chief Kevin McMinn.

Fire Chief McFadden said that the majority of the budget is the professional fire fighter staff stating that there are a total of 11 and out of that number there are three that are on light duty. He said that we can not eliminate overtime due to contractual obligations and he spoke about the new professional hires.

Chief McFadden spoke about the equipment line and the small equipment that is required to be replaced. He noted that fuel is over due to increase fuel charges. The Chief spoke about the repairs to the fire stations including the current project at Headquarters and Station 4 and other repair items at the remaining stations.

The Board asked the Chiefs about the apparatus and if there is any recommendation to purchase new apparatus.

Chief McFadden said that there is no request to purchase an apparatus for this new budget cycle except for a new Chief vehicle which will be part of the capital budget.

Trustee Terenzi asked about the professional fire fighters who are on light duty.

Chief McFadden said that the most recent one was due to the fire on Midland Avenue last month and has been on light duty since that time, one has been on for about a year and the last one on light duty for three years.

Mr. Russo said that they are working on the issue regarding the extended light duty person.

Chief McFadden also spoke about hydrants which are through a private water company and if there has been any notice of an increase.

Mr. Russo and Ms. Douglas said that they have not received any notification regarding any increase.

The Board asked Chief McFadden if they could reduce their budget by 10% and if the department could go all volunteer noting what a great and strong volunteer force we have in the Village.

Chief McFadden said that yes indeed we have a strong volunteer force but we have contractual obligations with our paid fire fighters and the Village of Rye Brook that includes professional services and if the Village wanted to go that route that is may cost more than the litigation costs for the Department of Justice case. He noted again that the Village has a contract with the Village of Rye Brook to provide fire serves that brings in revenue of over \$800,000.00.

The Chief said that there is lead way with the overtime line and he will work out those figures and provide them to the Board.

The Board asked for this information by April 20th.

Mayor Pilla and the Board of Trustees thanked Fire Chief McFadden and 1st Assistant Chief McMinn for their input regarding the Fire Department budget.

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The Board held a budget work session with Judge Joseph Vita and Assistant Court Clerks Patricia LeBron and Gina LaMarsa.

Before the start of the work session, Mayor Pilla thanked Judge Vita for his service to the Village as Village Justice for the last four years. He said that during his time on the bench he has done a good job noting that there has been an increased to the court calendar, changes to personnel and improvements to systems. The Mayor and Board asked Judge Vita what is needed for the Village Justice Court.

Judge Vita said that what is needed is a Court Clerk and recognized the work of Ms. LeBron and Ms. LaMarsa who have been filling in for this position as Assistant Court Clerks. He said that one item that is also needed is a copier in the courtroom.

The Board discussed the copier request with Judge Vita and the assistants.

Trustee Didden spoke about a possible increase in the court calendar due to an increase of code enforcement violations.

Judge Vita spoke about the current calendar that has increased over the last two years.

Trustee Didden asked Judge Vita if he would agree with asking for an additional Acting Judge position.

Judge Vita said that he would recommend instead for a full-time judge and a part-time acting judge.

Trustee Terenzi said that there seems to be a disconnect with the code enforcement violations and court fines and the collections of the fines. He asked who has the ultimate responsibility of collecting and recording these types of fines.

Jude Vita explained the system regarding criminal and civil actions noting that the code enforcement process is a civil violation. He said that civil actions are not by the court. There was additional discussion between the Board and Judge Vita on this topic.

Trustee Terenzi said that we have a large amount of outstanding vehicle and traffic tickets and he is familiar with amnesty programs. He asked Judge Vita his opinion regarding such an amnesty program.

Judge Vita said that he has no opinion on these types of programs.

Ms. LeBron said that only tickets over 8 years old should be considered.

Trustee Terenzi spoke further about what this type of amnesty program could be.

Mayor Pilla said what is the capacity of the court clerk staff and at what point would more staff be required if the court calendar was expanded.

Trustee Didden noted that we are currently seeking to fill the full time court clerk position.

Judge Vita said that staffing of the court clerk position is essential.

Ms. LeBron and Ms. LaMarsa said that an additional part timer is required.

Mr. Russo said that the budget has for the court clerk position and another part-timer.

Trustee Brakewood asked if technology could be used to streamline process in the court.

Judge Vita spoke about the necessary paper work required in courts by the State and if there is any updating of process through technology that would have to be done by the State.

Trustee Terenzi asked about the bail forfeiture accounts and reconciliations.

Ms. LaMarsa said that is done on a monthly basis.

Trustee Branca asked about the process with the State regarding outstanding vehicle and traffic tickets that the State will not renew license or registration.

Judge Vita and Ms. LeBron said that is being done now noting that moving violations are quicker than parking tickets. There was further discussion on this topic between the Board, Judge Vita and Ms. Douglas and also about reporting. It was noted that this is done with New York drivers but not with the State of Connecticut for their drivers.

Mayor Pilla and the Board thanked Judge Vita and Ms. LeBron and Ms. LaMarsa for their input on the budget for the Village Justice Court.

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SETTING PUBLIC HEARING
CHAPTER 295 "TAXICABS"

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

RESOLVED, that a public hearing be held on April 20, 2010 at or about 7:30 p.m. at the Senior/Community Center, 220 Grace Church Street, Port Chester, New York 10573, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 295 entitled "Taxicabs" regarding the current licenses for taxicabs and current licenses of Dispatch Companies.

ROLL CALL

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

NOES: None

ABSENT: None

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AGREEMENT FOR CONSULTING SERVICES FOR THE
BUILDING DEPARTMENT

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

RESOLVED, that the Village Manager be and hereby authorized to enter into a agreement with Emil Antonaccio, One Lee Road, Somers, New York 10589 to provide consulting services to the Village's Building Department, compensation at a rate of \$65.00 per hour, with total compensation not to exceed \$65,000.00; and be it further

RESOLVED, that said compensation for fiscal year 2010-2011 will be funded as follows:

GENERAL FUND

Transfer from:

Contingency

001-1990-400 Contingency \$15,000.00

Transfer to:

Building Dept.

001-3620-400 Contractual \$15,000.00

ROLL CALL

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

NOES: None

ABSENT: None

RESCHEDULING OF TIME AND LOCATION OF ADJOURNED PUBLIC HEARING REGARDING THE VILLAGE TENTATIVE BUDGET FOR FY 2011-2012

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:

WHEREAS, by resolution adopted March 21, 2011, the Board of Trustees scheduled a public hearing for April 4, 2011 to be held in the Village Justice Courtroom at 350 North Main Street, Port Chester, New York at or about 7:00 p.m., to consider the proposed Tentative Budget prepared by the Budget Officers for the fiscal year June 1, 2011 through May 31, 2012; and

WHEREAS, this public hearing was held on April 4, 2011 and the Board adjourned the hearing to April 20, 2011 for the same time and location; and

WHEREAS, there is a conflict for the use of the courtroom on the date of April 20, 2011. Now, therefore, be it

RESOLVED, that the adjourned public hearing to consider the proposed Tentative Budget for the fiscal year of June 1, 2011 through May 31, 2012 will be held at the Port Chester Senior/Community Center located at 220 Grace Church Street, Port Chester, New York beginning at or about 7:30 p.m.

ROLL CALL

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

NOES: None

ABSENT: None

The Clerk presented the final resolution on the agenda regarding the appointment of Christopher Steers as Assistant Village Manager which was tabled to this agenda from the April 5th meeting.

Trustee Kenner made a motion for discussion, Trustee Marino seconded the motion.

Trustee Didden asked for an executive session on this matter noting that this item was table so the Board could have an opportunity to have an executive session. The rest of the Board was ready to take action on this resolution. There was no motion or second for an executive session.

APPOINTMENT OF ASSISTANT VILLAGE MANAGER

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:

WHEREAS, Christopher Steers is currently the Director of Code Enforcement and head of the Department of Code Enforcement; and

WHEREAS, the position of Assistant Village Manager is established to assist the Village Manager and Board of Trustees; and

WHEREAS, the Village Manager and Board are desirous of filling this position; and

WHEREAS, the Board has reviewed the proposed employment agreement with Mr. Steers and all is in order. Now, therefore, be it

RESOLVED, that Christopher Steers is hereby appointed to the additional position of Assistant Village Manager; and be it further

RESOLVED, that the Village Manager is authorized to enter into an employment agreement with Mr. Steers, effective June 1, 2011, such agreement to be for a three year term, annual compensation to be \$141,000.00.

ROLL CALL

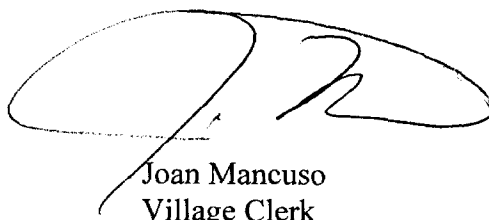
AYES: Trustees Brakewood, Terenzi, Didden, Branca, Marino, Kenner and Mayor Pilla
NOES: None
ABSENT: None

On motion of Trustee Kenner, seconded by Trustee Marino, the meeting was declared closed at 8:15 p.m.

ROLL CALL

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

Respectfully submitted,


Joan Mancuso
Village Clerk