

1. Board Of Trustees Reorganization Meeting Agendas

Documents:

[2022-04-05_AGENDA_-_BACKUP_-_REORGANIZATION.PDF.PDF](#)
[2022-04-05_AGENDA_-_REORGANIZATION.PDF.PDF](#)

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Tuesday, April 5, 2022
SWEARING IN CEREMONY
7:00 P.M. to 7:15 P.M.**

**REORGANIZATION MEETING
7:00 P.M.**

**TOWN OF RYE JUSTICE COURT COURTROOM
350 North Main Street
Port Chester, New York
AGENDA**

SWEARING IN CEREMONY FOR TRUSTEES

*John J. Allen
Juliana C. Alzate
Joseph E. Carvin, Jr.
Bart A. Didden
Philip Dorazio
Joan Grangenois-Thomas*

I	CALL TO ORDER / PLEDGE OF ALLEGIANCE	
II	RESOLUTIONS	ACTION
1	Appointment of Janusz R. Richards as Village Clerk	
2	Appointment of _____ as President of the Board of Trustees (Deputy Mayor)	
3	Adoption of Rules of Procedure of the Board of Trustees	
4	Appointment of _____ as Corporation Counsel	
5	Appointment of Anthony Siligato as Village Treasurer	
6	Appointment of Vita L. Sileo as Deputy Village Clerk	
7	Appointment of Vita L. Sileo Registrar of Vital Statistics	
8	Auditor of Claims	
9	Appointment of Nicholas Mecca as Receiver of Taxes	
10	Appointment of Trustees of the Police Pension Fund	
11	Appointment of Mayor Luis A. Marino and Trustee _____ to the Port Chester-Rye Brook Public Library Intermunicipal Committee (IMC)	
12	Designating of Stuart L. Rabin Village Manager to the Port Chester-Rye Brook Public Library Intermunicipal Committee (IMC)	
13	Appointment of Mayor Luis A. Marino and Trustee _____ to the School District Liaison Subcommittee	
14	Resolution that the Westmore News is hereby designated as the Official Newspaper of the Village of Port Chester	

15	Resolution that the JP Morgan Chase Bank, N.A.; TD Bank; M & T Bank; The First Bank of Greenwich; The Westchester Bank and NYCLASS (New York Cooperative Liquid Asset Securities System) be and they hereby are designated as Depositories for funds of the Village of Port Chester	
16	Resolution that the JP MORGAN CHASE, N.A., Port Chester Branch, be and hereby is designated as Depository for funds of the Police Pension Fund of the Village of Port Chester	
17	Resolution that the Board of Trustees adopts the Investment Policy for the Village of Port Chester	
18	Resolution that the Board of Trustees hereby adopts the Fund Balance Policy for the Village of Port Chester	
19	Resolution that the Village of Port Chester does hereby adopt the annexed Journal Entry Policy	
20	Resolution that the Board of Trustees hereby adopts the Fixed Asset Policy of the Village of Port Chester	
21	Resolution adopting Procurement Policy for the Village of Port Chester	
22	Resolution providing for Mileage Reimbursement	
23	Resolution providing for attendance at training schools, education sessions, etc. for the benefit of local government	
III	CORRESPONDENCE	
1	From Port Chester Rye Brook Rye Town Chamber of Commerce Executive Director Sylvia Dundon extend a warm congratulations to the newly elected members of the Board of Trustees	

CALL TO ORDER
PLEDGE OF ALLEGIANCE

RESOLUTIONS

RESOLUTION

**RES 01
04-05-2022**

APPOINTMENT OF VILLAGE CLERK

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

RESOLVED, that JANUSZ R. RICHARDS, be and he hereby is appointed VILLAGE CLERK for the Village of Port Chester, New York, said appointment to be effective immediately and to expire on April 3, 2023, at an annual rate of compensation as set forth in the Village Budget or as heretofore adopted by the Board of Trustees, to be paid every two weeks.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**RES 02
04-05-2022**

PRESIDENT
(Deputy Mayor)

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

RESOLVED, that TRUSTEE _____, be and he hereby chosen as President of the Board of Trustees with the power to act as Mayor of the Village of Port Chester, New York, in case of the absence or sickness of the Mayor, in which event, he shall have all the powers, rights and privileges, and be subject to all the duties of the Mayor of the Village until recovery or return of said Mayor who shall have been absent or sick.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

ADOPTING RULES OF PROCEDURE OF THE BOARD OF TRUSTEES

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

WHEREAS, it is the purpose of the Rules of Procedure of the Board of Trustees to ensure that the Board of Trustees operates effectively; promotes majority rule while protecting minority rights; preserves the role of the Mayor as the presiding officer; prevents a single member from usurping other member's coequal rights; and enhances public participation and engagement as well as transparency in Board proceedings. Now, therefore, be it

RESOLVED that the Mayor and Board of Trustees adapt the attached Rules of Procedure of the Board of Trustees.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

**RULES OF PROCEDURE OF THE BOARD OF TRUSTEES
VILLAGE OF PORT CHESTER, NEW YORK**

MISSION STATEMENT:

Every governmental body has the fundamental right to adopt rules of procedure to govern how it transacts business.

It is the purpose of these Rules of Procedure to ensure that the Board of Trustees operates in an orderly and effective manner; promotes majority rule while protecting minority rights; affirms the role of the Mayor as the presiding officer and, as member of the Board, the ability to participate and vote in like manner; prevents a single member from usurping other member's coequal rights; and enhances public participation and engagement as well as transparency in Board proceedings.

RULE ONE: MEETINGS

1. The Board shall meet at such times as it may determine or as otherwise provided by the Village Charter.
2. There are three regularly scheduled meetings each month: two regular meetings and a work-session. Each meeting shall begin at approximately 7:00 p.m. unless otherwise noticed. The location of the meeting shall be at either 350 North Main Street, 222 Grace Church Street (Village Hall) or 220 Grace Church Street (Senior/Community Center) unless otherwise specified by direction of the Mayor. Notwithstanding the foregoing, the Board may also determine to meet on any other time, or date when desirable or when a holiday falls on a regular meeting date.
3. The first regular meeting shall be held on the first Monday of the month and shall be dedicated to the Village operations and policy discussions. The second regular meeting shall be held on the third Monday of the month and be dedicated to public hearing(s), and matters dealing with economic development.
4. The agenda for the two regularly scheduled meetings described in Section 3 above shall be developed by the Board at a work-session held on the Wednesday preceding the first regularly scheduled meeting. Board members and the Village Manager shall present items for consideration at the work-session. The purpose of the work-session is to timely consider all items necessary and appropriate for future Board action, encourage discussion (to include presentations) among all members in a less formal setting, and facilitate Board actions on matters of policy.

Items to be included in the work-session shall be provided to the Clerk in hard-copy and electronic format no later than 5:00 p.m. **two days [on the day]** before the work-session for review by the Mayor. Nothing herein shall prevent the Board from taking action on a particular item at the work-session.

5. Should a time-sensitive and/or urgent item be presented to the Board after the work-session and before the agenda and back-up for a meeting is released to the Board, the Mayor is authorized to place such item on the agenda for such meeting as he/she deems appropriate notwithstanding the provisions of subsection 3 of this Rule.
6. Special meetings of the Board of Trustees are all those Board meetings other than the three regularly scheduled meetings.
7. A special meeting may be called by the Mayor as set forth in §77-6 of the Village Code or if the Mayor is not available by any two Trustees upon notice to the entire Board. Notices for special meetings to Board Members may be given by telephone, e-mail, in person, or in writing at least 24 hours in advance unless an emergency exists.
8. Agenda at special meetings. At a special meeting, the agenda and the business to be transacted thereat shall be only that stated in the notice of such meeting, except that any other business may be transacted at such special meeting by the unanimous consent of all the members present of the Village Board. Failure to obtain unanimous consent shall result in the item being placed on the agenda for the next work-session.

RULE TWO: QUORUM

1. A quorum shall be required to conduct business. A quorum consists of four members.
2. In the event that a meeting is cancelled due to a lack of quorum, the Village Clerk shall make a record stating those members of the Board of Trustees who were not present at the time.

RULE THREE: VIDEOCONFERENCING

1. Videoconferencing (Skype as an example) is permitted by State Open Meetings Law. However, it is incumbent upon members who wish to take advantage of this option to notify the Board of Trustees through the Village Clerk sufficiently in advance to ensure sufficient time for public notice is given and to undertake all necessary logistical arrangements. Use of this option enables the member to be part of the quorum, participate and vote.
2. A public body that uses videoconferencing to conduct its meetings shall provide an opportunity to attend, listen and observe at any site at which a member participates,” and in §104(4) Public Officers Law, which states that if a meeting is to be held by means of videoconferencing, “the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.”
3. Videoconferencing is different from calling into a meeting. Members who wish to call in by telephone may do so by notifying the Board and the Clerk in advance of the meeting. No public notice is required. However, members are not part of the quorum, are not recorded as “present”, and may not vote.

RULE FOUR: AGENDAS

1. The Mayor, any Trustee or the Village Manager can request that an item be put on the agenda mindful of the priorities established in the current Strategic Plan.
2. Any item that is not included on the agenda at the work-session for a subsequent meeting cannot be considered at such meeting. However, such item may be proposed to the Board at such subsequent meeting as an “add-on”. The addition of such item shall require the unanimous vote of the members present. If the motion is successful, the item may then be considered in the usual manner.
3. The Mayor shall set the agenda as set forth in §77-6 of the Village Code. This rule shall mean that the Mayor shall prepare the agenda and determine the order that the item is listed.
4. The agenda shall be published by the Village Clerk for distribution to the Board, staff and the public.

5. The Village Clerk will distribute the agenda packets electronically via email unless a member makes a standing request for a print copy. Printed copies of the agenda will be delivered personally by the Police Department.
6. Once the agenda is adopted at the agenda meeting, no items may be removed.

RULE FIVE: CONSENT AGENDA

1. A consent agenda consists of routine, procedural, informational and self-explanatory non-controversial items combined together for a single action of the Board without any debate or discussion.
2. A proposed consent agenda for adoption at a subsequent regularly scheduled meeting will be developed by the Board at the work-session.
3. During the adoption procedure of the proposed Consent Agenda, any member of the Board may object to any item or items that are on the Consent Agenda. No motion is required to remove an item from the Consent Agenda. Such objection will result in the item being returned to the regular portion of the Agenda and taken up as the first item(s) of the resolution or correspondence portion of the meeting as the case may be.

RULE SIX: MOTIONS

1. Any member can make a motion. Member must be recognized by the presiding officer before making motions and speaking.
2. Every motion requires a second before debate begins.
3. Any member can request a full reading of any proposed resolution.
4. A member once recognized by the Mayor, shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking is called to order, he/she shall cease speaking until the question of order is determined and, if in order, shall then be permitted to proceed.
5. As the presiding officer, the Mayor shall determine points of order. Where there is disagreement with regard to a ruling by the Mayor on such matters, an appeal may

be taken by a member to the entire Board. The Mayor and members may seek guidance from the Corporation Counsel as parliamentarian.

6. Members shall refrain from making any comment unless and until recognized by the Mayor.
7. Motions to close or limit debate may be entertained by the majority (e.g., four members) only after the Presiding Officer properly recognizes such a motion.
8. Discussion of a subject is not permitted while a motion is pending.
9. A motion to reconsider is in order at the same meeting only by a member who voted on the prevailing (winning) side. A two-thirds vote of the Board is required to reconsider.

RULE SEVEN: VOTING

1. Each member shall have one vote.
2. Once the question has been put by the Mayor and the vote is being taken, members shall confine themselves to voting and not resume discussion or debate or make further comments on the question. If a member begins explaining his/her vote, or continues discussion, once a call for vote has been made, the Mayor shall call that member out of order and ask that member to only state his/her respective vote.
3. A majority of the total authorized voting power (e.g. four members) is necessary to pass a matter unless otherwise specified by State law (e.g. bond resolution).
4. A vote upon any question shall be taken by ayes and noes, and the names of the members present and their votes shall be entered in the minutes.
5. A member may not be compelled to vote. A member may refrain from voting as a matter of personal choice. Such decision is neither an “aye” nor a “no” and a member abstaining shall be recorded as “Abstention” for such vote.
6. A member shall recuse where he or she is disqualified from participating and voting on a matter. Recusal is the proper response to a conflict of interest. In such

event, the member shall not participate in the matter and must step away from the dais.

7. An item that is the subject of a tie vote will be carried over to only the next regular meeting. Should the item result in a tie vote a second time, it shall be deemed as defeated and would require re-introduction at a subsequent meeting if a sponsor so chooses.

RULE EIGHT: ORDER OF BUSINESS

1. The general order of business at each regularly scheduled meeting (not the work-session) shall be:

1. Call to order
2. Pledge of Allegiance
3. Public hearings
4. Accepting of minutes of previous meetings
5. Public Comment (limit 5 minutes per speaker)
6. Report(s) from staff
7. Consent Agenda
8. Resolutions
9. Correspondence
10. Public Comment (limit 5 minutes per speaker)
11. Trustee Comments (limit 5 minutes per speaker, however additional time will not be unreasonably withheld upon request)
12. Adjournment

Note: an Executive Session may be scheduled before or after the regular portion of a meeting.

2. The order of business may be suspended by the Mayor at his/her discretion at the meeting. The order of business only refers to the numerical order that an item is placed, and not to be interpreted as the elimination of an item from the agenda.

RULE NINE: PUBLIC COMMENT

1. With the exception of a Public Hearing, the public shall only be allowed to speak during the Public Comment period of the meeting, unless invited to do so by the Mayor.

2. The Village Clerk shall provide a sign-in sheet at the podium for those wishing to speak during public comment. Speakers are encouraged to provide their name and address on such sign-in sheet and shall be called in such order.
3. Speakers must step to the front of the room, and be recognized by the Mayor before proceeding. Speakers shall direct their comment through the Mayor and face the Board at all times.
4. Speakers shall be limited in their remarks to FIVE (5) minutes and shall be guided accordingly. Speakers are limited to speaking one time and are not permitted to come to the podium and speak again. The Village Clerk shall track the speaker's time with a timing device and notify the speakers when their time has expired.
5. Speakers may not yield any remaining time that they may have to another speaker.
6. Members should refrain from interrupting a speaker during his/her remarks. However, after such comment has concluded, a member may, through the Mayor, request the opportunity to clarify.
7. All remarks shall be addressed to the Board as a body and not directed to any member thereof.
8. Speakers must observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Failure to do so shall provide sufficient cause for the Mayor to take such steps as necessary, including expulsion from the meeting.
9. Written communications are strongly encouraged and accepted.

RULE TEN: RECORDING EQUIPMENT

1. All members of the public and all public officials are allowed to tape or video record public meetings.
2. Recording is not allowed during executive sessions.
3. The recording must be done in a manner which does not interfere with public speakers and the orderly processes of the meeting.

4. The Mayor may make the determination that the recording is being done in an intrusive manner, taking into consideration, but not limited to, brightness of lights, distance from the Village Board, size of the equipment, the amount of noise generated by the activity, and the ability of the public to still participate in the meeting.

5. If the Mayor determines that the recording is interfering with the meeting, the Mayor may request the individual alter his/her behavior to eliminate the interference. If the Mayor's request is not complied with, the Mayor may direct that the individual be removed from the meeting.

RULE ELEVEN: ADJOURNMENT

A motion to adjourn is always in order (except when a vote is being taken) and such motion shall be decided without debate.

RULE TWELVE: MINUTES

1. Minutes shall be taken by the Village Clerk.

2. Minutes are not required to be a verbatim account of the meeting. Nor should the minutes include a reference to each comment made during the meeting. At a minimum, the minutes should reflect actions taken by the Board. However, the Board may require that an audio or video recording be made of its meetings to insure accuracy and to resolve any disputes. These audio or video recording must be available for a minimum 4 months after transcription and/or approval of minutes or proceedings as stated in the Records Retention and Disposition Schedule MU-1.

3. Furthermore, the Board may, by a majority vote of its membership, require that a specific statement, text of a resolution or agreement, etc., be included verbatim in the minutes.

4. There is no State statutory requirement that the Village Clerk record the remarks of an individual made during an open meeting or an executive session merely because the speaker so requests. Without a resolution or board directive requiring the Clerk to include more information in the minutes, a member may not require the Clerk to correct or amend the minutes to include any more detailed information.

5. Minutes shall also include the following:
 - a. Date, place and time of meeting
 - b. Notation of presence or absence of Board members and time of arrival or departure if different from the time of call to order
 - c. Name and title of other village officials and employees present
 - d. Record of report of Village Manager
 - e. Record of communications received
 - f. Time of adjournment
 - g. Signature of Clerk

6. The Village Clerk shall comply with the requirements established in the State Open Meetings Law.

RULE THIRTEEN: CHANGE OF RULES

1. The Board may, by two-thirds vote of those present and voting, waive or suspend any rule of the Board so long as it does not conflict with the Charter, Village Code or State Law for the maximum duration of that meeting.

2. These Rules shall remain in force and effect until amended by a 2/3 vote of the Board.

3. At the Re-organization meeting, Rules of Procedure may be adopted by a majority vote of the Board.

RULE FOURTEEN: PROCEDURES NOT COVERED

Robert's Rules of Order, (Current Edition, Henry Robert et al) shall govern the procedure of the Board as to any matter that is not covered in these Rules or applicable law. A copy of Robert's Rules shall be provided to each member.

RULE FIFTEEN: PARLIAMENTARIAN

The Corporation Counsel shall be the Parliamentarian.

RULE SIXTEEN: REORGANIZATION MEETING

1. The Reorganization Meeting will be held on the Tuesday after the first Monday in April following the Village Election or on such adjourned date as the Board may determine at such meeting.
2. At the Reorganization Meeting, the Mayor shall determine the seating arrangement of the Board.
3. The Reorganization Meeting will include the following resolutions:
 - Appointment of Village Clerk
 - Appointment of President of the Board of Trustees (Deputy Mayor)
 - Appointment of Village Treasurer
 - Appointment of Corporation Counsel
 - Appointment of Deputy Village Clerk
 - Appointment of Deputy Treasurer
 - Appointment of Registrar of Vital Statistics
 - Appointment of Village Justice
 - Appointment of Associate (Acting) Police Justice
 - Appointment of Associate (Acting) Police Justice
 - Appointment of Code Prosecutor
 - Appointment of Vehicle & Traffic Prosecutor
 - Appointment of Auditor of Claims
 - Appointment of Receiver of Taxes
 - Appointment of Trustees of the Police Pension Fund
 - Appointment of two Trustees to the Port Chester-Rye Brook Public Library Intermunicipal Committee (IMC)
 - Appointment of the Village Manager to the Port Chester-Rye Brook Public Library Intermunicipal Committee (IMC)
 - Appointment of two Trustees to the School District Liaison Subcommittee

- Adoption of the Rules of Procedure of the Board of Trustees
- Designate of Depositories for funds of the Village of Port Chester
- Designate of Depository for funds of the Police Pension Fund of the Village of Port Chester
- Adopt the Investment Policy for the Village of Port Chester
- Adopt the Fund Balance Policy for the Village of Port Chester
- Adopt the Journal Entry Policy
- Adopt the Fixed Asset Policy of the Village of Port Chester
- Adopt the Procurement Policy for the Village of Port Chester
- Providing for Mileage Reimbursement
- Providing for attendance at training schools, education sessions, etc. for the benefit of local government
- Designation of the Official Newspaper of the Village of Port Chester

RULE SEVENTEEN: MISCELLANEOUS

Board members that anticipate being absent from a meeting should notify the Clerk as soon as practicable.

Adopted: September 7, 2010

Amended: March 19, 2012

Amended: September 18, 2017

Amended: June 4, 2018

RES 04
04-05-2022

RESOLUTION

APPOINTMENT OF CORPORATION COUNSEL

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

RESOLVED, that _____, with law offices at 320 Westchester Avenue, Port Chester, New York, be and he hereby is appointed to the public office of CORPORATION COUNSEL for the Village of Port Chester, New York, said appointment to be effective immediately and to expire on April 3, 2023, at an annual rate of compensation as set forth in the Village Budget or as heretofore adopted by the Board of Trustees, to be paid every two weeks.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RES 05
04-05-2022

RESOLUTION

APPOINTMENT OF VILLAGE TREASURER

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

RESOLVED, that ANTHONY SILIGATO, be and he hereby is appointed TREASURER for the Village of Port Chester, New York, said appointment to be effective immediately and to expire on April 3, 2023, at an annual rate of compensation as set forth in the Village Budget or as heretofore adopted by the Board of Trustees, to be paid every two weeks.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**RES 06
04-05-2022**

APPOINTMENT OF DEPUTY VILLAGE CLERK

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

RESOLVED, that VITA L.SILEO, be and he hereby is appointed DEPUTY VILLAGE CLERK for the Village of Port Chester, New York, said reappointment to be effective immediately and to expire on April 3, 2023, at an annual rate as set forth in the Village Budget or as heretofore adopted by the Board of Trustees, to be paid every two weeks.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RES 07
04-05-2022

RESOLUTION

APPOINTMENT OF REGISTRAR OF VITAL STATISTICS

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

RESOLVED, that VITA L. SILEO, be and she hereby is appointed REGISTRAR OF VITAL STATISTICS of the Village of Port Chester, New York, for a term effective immediately and to expire April 3, 2023.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**RES 08
04-05-2022**

AUDITOR OF CLAIMS

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

RESOLVED, that STUART L. RABIN, VILLAGE MANAGER, be and is hereby designated to act as Auditor to audit and direct the payment of claims against the Village, during his capacity of Village Manager.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**RES 09
04-05-2022**

RECEIVER OF TAXES

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

WHEREAS, Title IV, Section 2A of the Village Charter provides that the Village Board of Trustees may appoint the Rye Town Receiver of Taxes as the Receiver of Taxes for the Village of Port Chester; and

WHEREAS, the Town of Rye has elected NICHOLAS MECCA as Rye Town Receiver of Taxes. Now, therefore, be it

RESOLVED, that NICHOLAS MECCA, be appointed Receiver of Taxes, effective immediately, with term to expire April 3, 2023.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RES 10
04-05-2022

RESOLUTION

TRUSTEES FOR THE POLICE PENSION FUND

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

RESOLVED, that MAYOR LUIS A. MARINO, TRUSTEE _____, TRUSTEE _____, AND TRUSTEE _____, the Chief of Police, the Village Manager and the Village Treasurer, be and they are hereby appointed as TRUSTEES of the Police Pension Fund with term to expire April 3, 2023.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**APPOINTING TRUSTEES TO THE PCRB LIBRARY
INTERMUNICIPAL COMMITTEE**

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

RESOLVED, that MAYOR LUIS A. MARINO and TRUSTEE _____, be and they hereby are appointed a members of the Port Chester-Rye Brook Public Library Intermunicipal Committee (IMC), effective immediately and to expire on April 3, 2023.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**DESIGNATING MEMBER TO THE PORT CHESTER-RYE BROOK PUBLIC
LIBRARY INTERMUNICIPAL COMMITTEE (IMC)**

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

RESOLVED, that STUART L. RABIN VILLAGE MANAGER, be and is hereby designated to act as a members of the Port Chester-Rye Brook Public Library Intermunicipal Committee (IMC), effective immediately and to expire on November 30, 2022.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**APPOINTMENT OF MEMBERS TO SCHOOL DISTRICT
LIAISON SUBCOMMITTEE**

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

RESOLVED, that MAYOR LUIS A. MARINO and TRUSTEE _____ are hereby appointed to serve as members of the School Liaison Subcommittee.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

DESIGNATED THE OFFICIAL NEWSPAPER

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

RESOLVED, that the WESTMORE NEWS is hereby designated as the OFFICIAL NEWSPAPER of the Village of Port Chester for the ensuing official year.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

RES 15
04-05-2022

DESIGNATION OF DEPOSITORIES FOR THE VILLAGE OF PORT CHESTER

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

RESOLVED, that the JP MORGAN CHASE BANK, N.A.; TD BANK; M & T BANK; THE FIRST BANK OF GREENWICH; THE WESTCHESTER BANK AND NYCLASS (New York Cooperative Liquid Asset Securities System) be and they hereby are designated as Depositories for funds of the Village of Port Chester, New York, and that all withdrawals there from be made by check or order duly signed by the Village Treasurer of the Village of Port Chester, New York, or his designate.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RES 16
04-05-2022

RESOLUTION

DESIGNATION OF DEPOSITORY FOR THE POLICE PENSION FUND

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

RESOLVED, that JP MORGAN CHASE BANK, N.A., Port Chester Branch, be and hereby is designated as the depository for the funds of the Police Pension Fund of the Village of Port Chester, New York, and that all withdrawals there from be made by check or order, duly signed by the Treasurer of the Police Pension Fund.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RES 17
04-05-2022

RESOLUTION

INVESTMENT POLICY

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

WHEREAS, pursuant to General Municipal Law, Section 39, local governments in the State of New York, including villages, are required to adopt a comprehensive written investment policy; and

WHEREAS, local governments are required to review their investment policies On an annual basis; and

WHEREAS, the Village of Port Chester has reviewed its policy since adoption in 1993; Now, therefore, be it

RESOLVED, that the Board of Trustees does hereby approve and adopt the attached Investment Policy for the Village of Port Chester.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

INVESTMENT POLICY FOR THE VILLAGE OF PORT CHESTER

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity of individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Village Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village of Port Chester to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Village of Port Chester to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the Village of Port Chester for all moneys collected by any officer or employee of the government to transfer those funds to the Village Treasurer within five (5) days of deposit, or which the time period specified in law, whichever is shorter.

The Village Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management’s authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of monies up to the following maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>
JP Morgan Chase, N.A.	30,000,000
NYCLASS	35,000,000
TD Bank	25,000,000
M & T Bank	5,000,000
The Westchester Bank	5,000,000
The First Bank of Greenwich	5,000,000

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, §10, all deposits of the Village of Port Chester, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of “eligible securities” with an aggregate “market value”, as provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.

2. By an eligible “irrevocable letter of credit” issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village of Port Chester or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the Village of Port Chester authorizes the Village Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the (Village of Port Chester);
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- Certificates of Participation (COPS) issued pursuant to GML, §109-b,
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Village of Port Chester within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village of Port Chester within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Village of Port Chester shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institutions or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Village of Port Chester. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Village Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Village Treasurer is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Port Chester by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United State of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

Appendix A
Schedule of Eligible Securities

- _____ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- _____ (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- _____ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- _____ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- _____ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- _____ (x) Commercial paper and bankers' acceptance issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- _____ (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

RESOLUTION

RES 18
04-05-2022

FUND BALANCE POLICY

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

RESOLVED, that the Board of Trustees hereby adopts the Fund Balance Policy for the Village of Port Chester, copy of which is annexed and made a part of this resolution.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

Village of Port Chester, New York Fund Balance Policy

Purpose

The Village of Port Chester has enacted the following policy in an effort to ensure financial security and stability in a volatile economic environment.

Reserve funds (which essentially are a legally authorized savings account for particular specific purposes) are an important component in the Village's financial planning for specific expenses, future projects, acquisitions and other lawful purposes. To this end the Village may establish and maintain reserve funds in accordance with New York State Laws. The Village will also consider rules and/or opinions issued by the New York State Comptroller when they are not in conflict with law.

The Village reserve funds must be properly established and maintained to promote the goals of creating an open, transparent and accountable use of public funds. The Village may engage independent experts and professionals, including but not limited to auditors, accountants and other financial and legal counsel, as necessary to monitor all reserve fund activity and prepare reports that the Village may require.

The Village's primary objective is to maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures. The Village also seeks to maintain the highest possible credit ratings which are dependent, in part, on the Village's maintenance of a healthy fund balance.

Definitions

Fund Balance: Fund balance is the difference between the assets and liabilities reported in a governmental fund. Fund balance is not necessarily the cash balance of the Village, the fund balance consists of other assets as well such as money due from the state and federal government, and accounts receivable. Fund balances are classified into various components depending on the limitations placed on the use of the funds. The hierarchy indicates the extent to which a government is bound to observe spending constraints that govern how it can use amounts reported in the governmental funds balance sheet.

The Village shall comply with the reporting requirements of Article 3 of General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) Statement Number 54, Fund Balance Reporting and Governmental Fund Type Definitions. GASB

Statement Number 54 established the following classifications depicting how specific amounts can be spent:

- **Nonspendable** fund balance consists of amounts that are not in a spendable form in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, and financial assets held for resale.
- **Restricted** fund balance consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by grantors, bondholders or laws and regulations of higher levels of governments; or through constitutional provisions or enabling legislation.
- **Committed** fund balance consists of amounts constrained to specific purposes by a government itself using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest-level action to remove or change the constraint.
- **Assigned** fund balance consists of amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority.
- **Unassigned** fund balance consists of amounts that are available for any purpose; these amounts are reported only in the General Fund.

Policy Statement

The fund balance of the Village of Port Chester General Fund has been accumulated to provide stability and flexibility to respond to unexpected adversity and/or opportunities.

The objective is to maintain an unrestricted fund balance (includes committed, assigned and unassigned fund balance) of not less than approximately two months or 16.67% of regular General Fund operating expenditures.

Village finances will be managed so as to maintain balances of the General Fund at a level sufficient to mitigate current and future risks, such as revenue shortfalls and unanticipated expenditures, ensure stable tax rates and user fees, and protect the Village's creditworthiness. The decision to retain an unrestricted fund balance of not less than

approximately two months or 16.67% of General Fund appropriations stems from the following:

- This amount provides adequate funding to cover approximately two months of expenditures.
- This amount provides the liquidity necessary to accommodate the Village's uneven cash flow in very low collection months such as November and May due to its inherent semiannually tax collection schedule.
- The Government Finance Officers Association recommends a 16.67% minimum of current operating expenditures for General Fund unrestricted fund balance.

In the event that the Village's unrestricted fund balance should fall below the prescribed level of 16.67% the Village shall strive to replenish said fund balance over a period of a minimum three years to a maximum of no more than five years. The ultimate goal shall be to incorporate a financially responsible and sustainable surplus or fund balance maintenance and recovery plan in order to strengthen the Village's financial structure.

The Village Board will set aside certain amounts as committed fund balance. Amounts are to be determined by the Village Manager based on the need for extraordinary operating or capital that could not be anticipated and cannot be funded with current budget resources.

The Village Manager will set aside fund balances at fiscal year-end equal to the amount of outstanding purchase orders or encumbrances as assigned fund balance.

The Village Board delegates to the Village Manager the authority to determine the proper amounts to be assigned for purposes as are deemed necessary. This would provide the liquidity to respond to contingent liabilities and provide for capital asset replacements.

Effective as of the year ending May 31, 2019, unassigned fund balance shall be any remaining amounts.

The Village will spend, as allowed and available, the most restricted dollars before less restricted in the following order:

- Nonspendable (if funds become spendable)
- Restricted
- Committed

- Assigned
- Unassigned

The Village will be mindful of its role and responsibility as a fiduciary of public funds when acting on reserve fund issues.

This policy may be updated annually at the Village's re-organization meeting in April and or as deemed necessary per the Village Board of Trustees.

RESOLUTION

JOURNAL ENTRY POLICY

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

RESOLVED, that the Village of Port Chester does hereby adopt the annexed Journal Entry Policy, which is intended to strengthen the Village's internal controls for the posting of journal entries to the general ledger:

Accounting/Payroll

VILLAGE OF PORT CHESTER FINANCE DEPARTMENT **MANUAL JOURNAL ENTRY PROCEDURES**

The Village of Port Chester recognizes that manual journal entries are needed and made for various reasons including but not limited to: record revenues and expenditures, to transfer funds, or to record balance sheet accruals. These procedures are being established in order to create proper segregation of duties. (i.e. there should always be an approval by a person other than the preparer of the journal entry.) Based on the need for manual journal entries, the following policy is being established to document procedures on how journal entries are expected to be processed:

1. Journal entries for all funds/departments will be entered by a qualified staff member in the Finance Department. The individual entering the journal entry should pay close attention that the correct posting date and fiscal period are used.
2. Appropriate documentation/support shall be included with the journal entry.
3. The Treasurer or Accountant will review all journal entries deemed to be of a nonrecurring nature. If a journal entry is determined to be appropriate, the Treasurer or Accountant will ensure each entry is properly coded, in balance and entered for the correct period. In the event that a journal entry is prepared by the Treasurer, it will be reviewed and approved by the Accountant.
4. The Treasurer after completing this review and determining the journal entry is correct will then approve and post the journal entry.
5. The person responsible for cash receipts, whom is independent of the month-end bank reconciliation, shall not approve or post any journal entries to cash accounts.
6. The person responsible for preparing payroll journal entries who is independent of the month-end bank reconciliations for any bank account affected by payroll, shall

not approve or post any journal entries to the payroll cash account or trust & agency accounts.

7. These procedures are being established in order to create proper segregation of duties (i.e. there should always be an approval being done by a person other than the preparer of the journal entry.)

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**RES 20
04-05-2022**

FIXED ASSET POLICY

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

WHEREAS, the Village of Port Chester policy for the capitalization of property and equipment purchases begins with any asset purchase over \$2,500, and

WHEREAS, on September 7, 2010, the Village increased the threshold for all future asset purchases from \$2,500 to \$5,000 based on the recommendation of its independent auditors. Now, therefore be it

RESOLVED, that machinery, equipment, infrastructure, land and building improvements and intangible assets costing over \$5,000 be capitalized and depreciated over the assets' useful lives.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**RES 21
04-05-2022**

PROCUREMENT POLICY

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

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid; and

WHEREAS, the policy has been developed following review by all officials involved in the procurement process. Now, therefore, be it

RESOLVED, that the Board of Trustees does hereby approve and adopt the attached Procurement Policy for the Village of Port Chester.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

This resolution sets forth the policy and procedures of the Village of Port Chester to meet the requirements of General Municipal Law, section 104-b

Purpose

Goods and services that are not required by law to be procured through competitive bidding still must be procured in a manner that assures the prudent and economical use of public monies in the best interest of the taxpayers; facilitates the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and guards against favoritism, improvidence, extravagance, fraud and corruption. Pursuant to General Municipal Law (GML) §104-b and in furtherance of these aforementioned objectives, the Board of Trustees is adopting this internal policy governing the procurement of goods and services that are not subject to the competitive bidding requirements of GML §103.

Procedures for Determining Whether Procurements are Subject to Bidding

The procurement of goods or services is not subject to the competitive bidding requirements of GML §103, when it meets one of the following criteria:

1. Purchase contracts under \$20,000;
2. Public Works contracts under \$35,000;
3. Emergency purchases;
4. Sole source;
5. Professional services;
6. Surplus and second-hand materials, supplies and equipment from another governmental entity;
7. Goods purchased from correctional institutions;
8. Goods purchased from agencies for the blind or severely handicapped;
9. Purchases under contracts from other political subdivisions within the United States if such contract was let in a manner that constituted public bidding and made available for use by other governmental entities;
10. Purchases under New York State and Westchester County contracts pursuant to GML § 104;

The decision that a purchase is not subject to competitive bidding must be documented, in writing, by the Department Head making the purchase and should include any combination of the following:

1. One or more written/verbal quotes from vendors (verbal quotes must be memorialized in writing by the Department Head)
2. A memorandum from the Department Head indicating how the determination was made
3. A copy of the contract indicating the source which makes the item or service exempt

Statutory Exception to Quotations/Proposals Requirement of the Policy and Procedures

Except for procurements made pursuant to GML, § 103 (3) (through certain county contracts), § 104 (through certain State and Federal contracts), State Finance Law , § 162, Correction Law , §§ 184 and 186 from “preferred sources,” including articles manufactured in correctional institutions), or the items excepted herein (see below), alternative proposals or quotations for goods and service shall be secured by use of either written requests for proposals, written quotations, verbal quotations or any other method of procurement that furthers the purposes of GML § 104-b.

Methods of Competition to be used for Non-Bid Procurements

Estimated Amount of Purchase Contract	Method
Less than \$2,999	Department head discretion subject to Village Manager guidelines and availability of funds per Treasurer
\$3,000-\$19,999	At least 3 written/faxed/E-mailed or otherwise documented quotes or proposals. Purchase Order must be signed by the Village Manager, prior to order being made

Estimated Amount of Public Works Contract	Method
Less than \$2,999	Department head discretion subject to Village Manager guidelines and availability of funds per Treasurer
\$3,000-\$34,999	At least 3 written/faxed/e-mailed quotes or proposals. Purchase Order must be signed by the Village Manager, prior to the order being made.

Request for Proposals Required

- a) Procurement of a professional services agreement that has a cost estimated to exceed \$10,000 is subject to a publicly advertised Request for Proposal (RFP).
 - 1) The RFP must be circulated to at least three companies
 - 2) Contract must be approved by the Board of Trustees
 - 3) A purchase order and/or contract must be signed by the Village Manager after Board of Trustees approval is granted.

b) Professional services are services requiring a special or technical skill, training or expertise. In determining whether a service fits into this category the Department Head shall take into consideration the following guidelines:

- 1) Whether the services are subject to state licensing or testing requirements
- 2) Whether substantial formal education or training is a necessary prerequisite to the performance of the services; and
- 3) Whether the services require a personal relationship between the individual and municipal officials

Professional or technical service shall include but not be limited to the following:

- 1) Services of an attorney
 - 2) Services of a physician
 - 3) Technical services of an engineer engage to prepare plans, maps and estimates
 - 4) Securing insurance coverage and/or services of an insurance broker
 - 5) Services of a certified public accountant
 - 6) Investment management services
 - 7) Printing services involving extensive writing, editing or art work
 - 8) Management of municipally-owned property
 - 9) Computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software.
- c) The individual or company must be chosen based upon qualifications showing accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price, and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures

Adequate Documentation

Documentation and an explanation shall be required whenever a contract is awarded to someone other than the lowest responsible offeror. This documentation will include an explanation of how the award was made on the basis of best value, or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

Contracts That Do Not Require Seeking Additional Quotes

The solicitation of alternative proposals or quotations will not be required for the following:

- 1) Individual goods or services under \$2,999.00. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such *de minimis* contracts would be awarded based on favoritism. However, it is recommended whenever possible that the Village try to obtain three comparison bids/prices, or purchase off State or County contracts to realize the best price.
- 2) Purchase of surplus and second-hand goods from any source. If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- 3) Purchase and service contracts entered into through the New York State Office of General Services pursuant to GML § 104. In these instances, the State has already investigated and secured the lowest possible price for the municipality.
- 4) GML § 103(16), "Piggybacking law." This addition authorizes political subdivisions and districts therein to purchase apparatus, materials, equipment and supplies and related installation, repair and maintenance of those items through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein given the contract was made available for use by other governmental entities. To use this exception three prerequisites must be met:
 - a. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein.
 - b. The contract must have been made available for use by other governmental entities.
 - c. The contract must have been let to the lowest responsible bidder on the basis of best value in a manner consistent with this section.
- 5) Contracts for professional services under \$10,000, or contract for professional services with a professional service firm/company with which the Village has an existing relationship, and where exigent circumstances make an RFP inappropriate.
- 6) When goods or services are available from only one source. If a determination is made that a particular item or service is available from one source only, and that no possibility of competition exists, the seeking of alternative bids is not required. Department Heads must document:
 - a) The unique benefit of the item or service compared to other like in kind, items or services available in the market place.
 - b) That no other item provides substantially equivalent or similar benefits.
 - c) That considering the benefits received, the cost of the item or service is reasonable, when compared to other like in kind items or services in the marketplace.

- 7) Emergency work and purchases. After an emergency has been declared, the Village Manager may procure the necessary goods, services, or public work as required by the emergency. These goods or services must be purchased, and in the case of public work contracted, immediately where a delay in seeking alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits. Emergency situations must be documented.

Individuals Responsible for Purchasing

All Department Heads

Input From Officers

Comments have been solicited from officers of the Village of Port Chester involved in the procurement process prior to the enactment of this policy and procedures, and will be solicited from time to time hereafter. Policies and procedures will be established by the Village Manager and revised as necessary to comply with this policy.

Local Preference and Minority and Women Owned Enterprises.

It is the preference of the Village to provide opportunities for the purchase of goods and services from (i) business enterprises located in the Village of Port Chester and (ii) certified minority and/or women-owned business enterprises. To that end, the Village will utilize available lists of M/WBE firms certified by the State of New York and will solicit bids and proposals from such businesses by notifying them of opportunities to submit proposals and bids for goods and services. MBE and WBE businesses will be provided with sufficient time to submit proposals in response to solicitations.

Annual Review

The Board of Trustees shall annually review and, when needed, update this policy and procedures. The Village Treasurer shall be responsible for conducting an annual evaluation of the effectiveness of the procurement policy and procedures and evaluation of the control procedures established to ensure compliance with the procurement policy, and shall be responsible for reporting back to the Board of Trustees.

Unintentional Failure to Comply

The unintentional failure to comply fully with the provisions of GML, § 104-b shall not be grounds to void action taken or give rise to a cause of action against the Village of Port Chester or any officer or employee thereof.

RESOLUTION

**RES 22
04-05-2022**

MILEAGE REIMBURSEMENT

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

WHEREAS, the Board of Trustees of the Village of Port Chester has determined to pay a fixed rate for mileage reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village; and

WHEREAS, the Federal Government Internal Revenue Service (IRS) issues the standard mileage rate on an annual basis commencing January 1 through December 31; and

WHEREAS, the Village adopts the standard mileage rate as established by the IRS on an annual basis for the purposes of mileage reimbursement to officers and employees of the Village of Port Chester. Now, therefore, be it

RESOLVED, that the Mayor and Board of Trustees approves mileage reimbursement to such officers and employees at the rate issued by the IRS per mile for business miles driven.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

RESOLUTION

**TRAINING SCHOOLS & EDUCATION SESSIONS
FOR VILLAGE OFFICERS, DEPARTMENT HEADS & EMPLOYEES**

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

WHEREAS, Section 77-b of the General Municipal Law authorizes municipal officials and employees to attend training schools, educational sessions, etc., conducted for the benefit of the local government; and

WHEREAS, it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality. Now, therefore be it,

RESOLVED, that the officers, department heads and employees for whom monies have properly been budgeted may attend training schools, education sessions and other meetings that may be beneficial to the carrying out of their official duties and which have been approved by the Village Manager prior to attendance; and be it further

RESOLVED, that this resolution shall take effect immediately.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

CORRESPONDENCE



Port Chester Rye Brook Rye Town Chamber of Commerce
222 Grace Church Street, Suite 301a
Port Chester, NY 10573

March 22, 2022

Mayor Luis Marino and Honorable Members of the Village Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Dear Mayor Marino and Members of the Board of Trustees:

On behalf of the Port Chester Rye Brook Rye Town Chamber of Commerce I would like to extend a warm congratulations to the newly elected members of the Board of Trustees.

I will be reaching out in the coming weeks to schedule a convenient time to introduce the Chamber to you. We are working on many new and exciting initiatives and I look forward to meeting with you to discuss ways in which we can partner to support local businesses and promote economic prosperity in our community.

Best regards,

Sylvia Dundon

Executive Director

Email: info@pcrbchamber.net
Telephone 914.939.1900

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Tuesday, April 5, 2022
SWEARING IN CEREMONY
7:00 P.M. to 7:15 P.M.**

**REORGANIZATION MEETING
7:00 P.M.**

**TOWN OF RYE JUSTICE COURT COURTROOM
350 North Main Street
Port Chester, New York
AGENDA**

SWEARING IN CEREMONY FOR TRUSTEES

*John J. Allen
Juliana C. Alzate
Joseph E. Carvin, Jr.
Bart A. Didden
Philip Dorazio
Joan Grangenois-Thomas*

I	CALL TO ORDER / PLEDGE OF ALLEGIANCE	
II	RESOLUTIONS	ACTION
1	Appointment of Janusz R. Richards as Village Clerk	
2	Appointment of _____ as President of the Board of Trustees (Deputy Mayor)	
3	Adoption of Rules of Procedure of the Board of Trustees	
4	Appointment of _____ as Corporation Counsel	
5	Appointment of Anthony Siligato as Village Treasurer	
6	Appointment of Vita L. Sileo as Deputy Village Clerk	
7	Appointment of Vita L. Sileo Registrar of Vital Statistics	
8	Auditor of Claims	
9	Appointment of Nicholas Mecca as Receiver of Taxes	
10	Appointment of Trustees of the Police Pension Fund	
11	Appointment of Mayor Luis A. Marino and Trustee _____ to the Port Chester-Rye Brook Public Library Intermunicipal Committee (IMC)	
12	Designating of Stuart L. Rabin Village Manager to the Port Chester-Rye Brook Public Library Intermunicipal Committee (IMC)	
13	Appointment of Mayor Luis A. Marino and Trustee _____ to the School District Liaison Subcommittee	
14	Resolution that the Westmore News is hereby designated as the Official Newspaper of the Village of Port Chester	

15	Resolution that the JP Morgan Chase Bank, N.A.; TD Bank; M & T Bank; The First Bank of Greenwich; The Westchester Bank and NYCLASS (New York Cooperative Liquid Asset Securities System) be and they hereby are designated as Depositories for funds of the Village of Port Chester	
16	Resolution that the JP MORGAN CHASE, N.A., Port Chester Branch, be and hereby is designated as Depository for funds of the Police Pension Fund of the Village of Port Chester	
17	Resolution that the Board of Trustees adopts the Investment Policy for the Village of Port Chester	
18	Resolution that the Board of Trustees hereby adopts the Fund Balance Policy for the Village of Port Chester	
19	Resolution that the Village of Port Chester does hereby adopt the annexed Journal Entry Policy	
20	Resolution that the Board of Trustees hereby adopts the Fixed Asset Policy of the Village of Port Chester	
21	Resolution adopting Procurement Policy for the Village of Port Chester	
22	Resolution providing for Mileage Reimbursement	
23	Resolution providing for attendance at training schools, education sessions, etc. for the benefit of local government	
III	CORRESPONDENCE	
1	From Port Chester Rye Brook Rye Town Chamber of Commerce Executive Director Sylvia Dundon extend a warm congratulations to the newly elected members of the Board of Trustees	