

VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES

Meeting, MONDAY, FEBRUARY 6, 2012

6:00 P.M.

VILLAGE JUSTICE COURTROOM
350 North Main Street
Port Chester, New York

AGENDA

I. PRESENTATION:

1. Presentation from J. Michael Divney, P.E., AICP and John Nolon, Esq., regarding enhancing the compliance process for open planning, zoning and building code violations.

II. MOTIONS FOR EXECUTIVE SESSION:

1. Consultation with Special Counsel to discuss the medical, financial, credit or employment history of a particular person or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person.
2. To discuss the medical, financial, credit or employment history of a particular person or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person appointed or employed by the Village.
3. Consultation with counsel regarding acquisition of real property.

III. PRESENTATION:

1. Port Chester Community Cares Coalition regarding Smoke Free Parks.

IV. WORK SESSION:

1. Housing Rehabilitation Program with Rose Noonan of the Housing Action Council
2. Financial Workshop with the Village Treasurer regarding General Fund Revenue / Expense Financial Report for first half of Fiscal Year 2011-2012, Fund Balance Policy and Budget Adjustments.
 - Resolutions
 1. Reserve Fund Balance Policy
 2. Budget adjustments for Fiscal Year 2011-2012

IV. PUBLIC COMMENTS:

V. RESOLUTIONS:

Comprehensive Plan

1. Board of Trustees affirms its intention that the Comprehensive Plan Advisory Committee continues its efforts in recommending an updated Comprehensive Plan.

Environmental

1. The Board of Trustees hereby establishes its intent to be lead agency for the Comprehensive Plan.
2. The Board of Trustees hereby establishes its intent to be lead agency for the update to the Local Waterfront Revitalization Plan.

Finance

1. Debt Refunding for 2002 & 2003 Bond Issues Series A and 2003 Bond Issues Series B.
2. Closeout of Capital Projects

Building Department

1. Authorize the Village Manager to enter into an amendment of the agreement with Emil Antonaccio with regard to consulting services to the Building Department.
2. Amendment to Chapter 175, "Fees" regarding Expedited Search Fee.

Fire Department

1. Setting public hearing to consider the advisability of amending Title VI of the Charter of the Village of Port Chester with regard to the Fire Patrol & Rescue Co. No. 1.

Home Rule Request

1. Home Rule Request for Hotel Occupancy Tax.

Senior Nutrition Program

1. Authorize the Village Manager to submit renewal application to the Westchester County Health Department for permit for food service establishment regarding the Port Chester Nutrition Program at 220 Grace Church Street.

Utilities

1. Granting permission to United Water of Westchester, Inc., for the installation of utility poles and ancillary equipment in the Village for their Automatic Meter Reading Infrastructure Project.

VI. DISCUSSIONS:

1. Parking (requested by Mayor Pilla)
2. School Zones (requested by Trustee Didden)
3. Budget Operation Guidelines (requested by Trustee Didden)

VII. CORRESPONDENCE:

1. From the Port Chester Youth Baseball League requesting permission to hold their Annual Fun Run to be held on April 21, 2012.
2. From Alex Payán resigning from the Waterfront Commission.
3. From Mary Kelley resigning from the Waterfront Commission.

VIII. APPOINTMENTS:

1. Appointment of Gene Ceccarelli as full member of the Waterfront Commission.
2. Appointment of Tav Passerelli as full member of the Waterfront Commission.

IX. REPORTS:

1. From Reliance Engine & Hose Co. No. 1 on the election to active membership of Augustine Diaz and Marc Pacheco.
2. From Fire Patrol & Rescue C. No. 1 on the election to active membership of Andrew Sposta and Ambrogio Castellana and the resignation of Anthony Cerone.

X. MINUTES:

1. Board of Trustees minutes of January 3, 2012 and January 17, 2012

XI. PUBLIC COMMENTS AND BOARD COMMENTS:

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Finance Workshop - 1</u>	<input type="checkbox"/> Defeated
Motion 1 <u> </u> 2 <u> </u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

RESOLUTION
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.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

**Village of Port Chester, New York
Fund Balance Policy – Preliminary Draft**

February 2012

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 of not less than 10% of annual appropriations for the fiscal year.

Village finances will be managed so as to maintain balances of the of the General Fund at 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 10% of fund appropriations stems from the following:

- This amount provides adequate funding to cover approximately one and a half months of expenditures.
- This amount provides the liquidity necessary to accommodate the Village uneven cash flow due to its inherent semi annually tax collection schedule.
- The Government Finance Officers Association recommends the minimum General Fund unrestricted fund balance to be maintained should be between 5%-15% of current operating expenditures.

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 committed fund balances equal to the amount of outstanding purchase orders or encumbrances.

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, 2012, 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:

- a) Nonspendable (if funds becomes spendable)
- b) Restricted
- c) Committed
- d) Assigned
- e) 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 as deemed necessary per the Village Board of Trustees.

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Finance Workshop - #2</u>	<input type="checkbox"/> Defeated
Motion 1 <u>2</u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

RESOLUTION

2ND QUARTER GENERAL FUND BUDGET ADMENDMENTS & TRANSFERS

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 authorizes the Village Treasurer to modify the General Fund Budget for the 2nd quarter of Fiscal Year 2011-2012 as per the attachments:

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

Village of Port Chester
 Budget Amendments/Transfers
 June 1, 2011 to November 30, 2011

GENERAL FUND BUDGET AMENDMENTS

General Fund

Increase Revenues

		From	To	Amount
Sales Tax Revenue	1.1.1120	\$ 3,500,000	\$ 3,708,000	\$ 205,158
Gross Receipts-Elec	1.1.1128	\$ 330,000	\$ 380,000	\$ 50,000
Safety Inspection Searches	1.1.1561	\$ 10,000	\$ 20,000	\$ 10,000
Fines Fees & Forfeited Bail	1.1.2610	\$ 2,000,000	\$ 2,005,000	\$ 5,000
Parking Meter Fees	1.1.1740	\$ 800,000	\$ 840,000	\$ 40,000
Green Waste Tip Fees	1.1.2132	\$ 400,000	\$ 425,000	\$ 25,000
NYS Public Safety (Step Grant)	1.1.3389		\$ 2,334	\$ 2,334
WC Housing Code Grant (Fox Is)	1.1.3802		\$ 35,000	\$ 35,000
Other Public Safety (Vest/Drug)	1.1.4389		\$ 7,059	\$ 7,059
Total Revenues		\$ 7,040,000	\$ 7,422,393	\$ 379,551

Appropriations

Finance Personnel-Salaries	1.1320.100	\$ 241,870	\$ 262,700	\$ 20,830
Village Clerk-Public Notices	1.1410.476	\$ 16,296	\$ 20,000	\$ 3,704
Police-Personnel Overtime	1.3120.101	\$ 395,939	\$ 480,000	\$ 84,061
Fire-Personnel Overtime	1.3410.101	\$ 142,679	\$ 237,000	\$ 94,321
Building-Final Retirement Payout	1.3620.199	\$ 573	\$ 85,651	\$ 85,078
Code Enf.- Personnel Ofertime	1.3989.101	\$ 33,703	\$ 45,000	\$ 11,297
Parks-Personnel-Seasonal	1.7110.108	\$ 113,023	\$ 151,450	\$ 38,427
Planning & Development-Consultants	1.8020.400	\$ 25,000	\$ 51,833	\$ 26,833
San & Storm Sewers-Material & Sup	1.8120.401	\$ 5,000	\$ 20,000	\$ 15,000
				\$ 379,551

GENERAL FUND BUDGET TRANSFERS

Village Justice

From:

Personnel -Salaries	1.1110.100	\$ 559,299	\$ 517,918	\$ (41,381)
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To:

Personnel Overtime	1.1110.101	\$ 15,000	\$ 25,000	\$ 10,000
Out-of-Title	1.1110.105		\$ 5,865	\$ 5,865
Personnel Part-time	1.1110.111	\$ 15,470	\$ 40,000	\$ 24,530
Software & System Support	1.1110.462	\$ 1,200	\$ 2,186	\$ 986
Total				\$ 41,381

Village Manager

From:

Personnel-Salaries	1.11230.100	\$ 260,000	\$ 256,402	\$ (3,598)
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To:

Personnel - Seasonal	1.1230.108		\$	1,098	\$	1,098
Vacation Buyout	1.1230.197		\$	2,500	\$	2,500
Total					\$	3,598

Finance Department

From:						
Contractual	1.1320.400	\$	25,000	\$	500	\$ (24,500)
To:						
Personnel Part-time	1.1320.111	\$	15,000	\$	32,000	\$ 17,000
Personnel - Salaries	1.1320.100	\$	234,370	\$	241,870	\$ 7,500
Total					\$	24,500

Village Clerk

From						
Personnel - Salaries	1.1410.100	\$	161,596	\$	158,300	\$ (3,296)
To:						
Publication of Notices	1.1410.476	\$	13,000	\$	16,296	\$ 3,296

Law Department

From:						
Personnel - Salaries	1.1420.100	\$	176,429	\$	171,431	\$ (4,998)
To:						
Personnel - Part-time	1.1420.111			\$	4,998	\$ 4,998

Police Department

Personnel - Salaries	1.3120.100	\$	5,997,555	\$	5,874,191	\$ (123,364)
To:						
Personnel - Overtime	1.3120.101	\$	310,000	\$	395,939	\$ 85,939
Final Retirement Payout	1.3120.199	\$	131,279	\$	168,705	\$ 37,426
Total					\$	123,365

Fire Department

From						
Personnel - Salaries	1.3410.100	\$	808,399	\$	790,720	\$ (17,679)
To:						
Personnel - Overtime	1.3410.101	\$	125,000	\$	142,679	\$ 17,679

Building Department

From:						
IT/Central Com System	1.1650.111	\$	32,000	\$	-	\$ (32,000)
Building-Personnel-Part-time	1.3620.111	\$	45,000	\$	30,000	\$ (15,000)
Contingency-Contractual	1.1990.400	\$	107,247	\$	37,232	\$ (70,015)
Total					\$	(117,015)
To:						
Personnel - Salaries	1.3620.100	\$	211,956	\$	244,855	\$ 32,899
Personnel-Overtime	1.3620.101	\$	7,000	\$	20,000	\$ 13,000
Out of Title	1.3620.105			\$	528	\$ 528

Final Retirement Payout	1.3620.199		\$	573	\$	573
Building-Final Retirement Payout	1.3620.199	\$	-	\$	70,015	\$ 70,015
Total					\$	117,015

Code Enforcement Dept.

From:						
Personnel - Part-time	1.3989.111	\$	63,450	\$	34,020	\$ (29,430)
To:						
Personnel - Salaries	1.3989.100	\$	425,223	\$	440,950	\$ 15,727
Personnel Ofertime	1.3989.101	\$	20,000	\$	33,703	\$ 13,703
Total					\$	29,430

Recycling & Recycling

From:						
Personnel-Salaries	1.8160.100	\$	1,108,120	\$	1,002,700	\$ (105,420)
Street Adm.-Personnel-Salaries	1.5010.100	\$	160,667	\$	137,600	\$ (23,067)
Total					\$	(128,487)
To:						
Personnel-Seasonal	1.8160.108	\$	50,000	\$	100,000	\$ 50,000
Final Retirement Payout	1.8160.199	\$	-	\$	45,464	\$ 45,464
Parks-Personnel -Seasonal	1.7110.108	\$	80,000	\$	113,023	\$ 33,023
Total					\$	128,487

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Comp Plan - 1</u>	<input type="checkbox"/> Defeated
Motion 1 _____ 2 _____	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

RESOLUTION

AFFIRMING THE DEDICATION OF EFFORT BY THE
 COMPREHENSIVE PLAN ADVISORY COMMITTEE IN THE
 DEVELOPMENT OF A COMPREHENSIVE PLAN

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 the authority in Village Law, Section 7-722, the previous Board of Trustees established a Comprehensive Plan Advisory Committee (CPAC) to develop and recommend to the Board the Village of Port Chester's first-ever Comprehensive Plan; and

WHEREAS, CPAC represented a broad and diverse cross-section of the community, consisting of Village representatives, members of the Planning Commission, the Zoning Board of Appeals, the Port Chester Industrial Development Agency, members of the business community, residents and other local stakeholders; and

WHEREAS, CPAC's efforts culminated in a document that was submitted to the Board of Trustees, but was not adopted; and

WHEREAS, the current Board has evidenced no less of a strong commitment to the adoption of a Plan that would provide a sound framework for deliberate and sustainable policy decision-making and assured implementation of identified strategic goals and objectives; and

WHEREAS, the Village thereafter solicited assistance from a separate team of consultants to synthesize the working document, secure three additional studies which are intended to complement and reinforce the vision of same, and engage CPAC to provide an updated Plan for consideration by the Board; and

WHEREAS, CPAC has been since been holding public meetings with the consultants on a regular basis; and

WHEREAS, during this time as well the Board of Trustees has been conducting joint public meetings with CPAC to assure adequacy of resources and confirm policy alignment; and

WHEREAS, the Board understands that CPAC will be shortly holding a public hearing on a work document that is in final form and ready for public comment. Now, therefore, be it

RESOLVED, that the Board of Trustees affirms its intention that the Comprehensive Plan Advisory Committee continue its efforts in developing and recommending an updated Comprehensive Plan to the Board which the Board looks forward to receiving in the coming weeks.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Environmental - 1</u>	<input type="checkbox"/> Defeated
	<input type="checkbox"/> Tabled
Motion 1 <u>2</u>	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

RESOLUTION

SEQRA NOTICE OF INTENT TO SERVE AS LEAD AGENCY FOR THE
ADOPTION OF THE VILLAGE OF PORT CHESTER'S
COMPREHENSIVE PLAN PROGRAM

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 is developing a Comprehensive Plan; and

WHEREAS, with the assistance of planning consultant, Buckhurst Fish & Jacquemart, New York, New York and Ferrandino & Associates, Elmsford, New York, the Village is developing a Comprehensive Plan and environmental documentation in support of same; and

WHEREAS, pursuant to the Notice annexed hereto, in accordance with the provisions of 6 NYCRR Part 617, the Board of Trustees of the Village of Port Chester intends to serve as Lead Agency for the SEQRA review of this Type 1 Action, and, in this capacity, will determine if the proposed action will have a significant effect on the environment; and

WHEREAS, the Lead Agency will undertake a coordinated review of this action. Now therefore, be it

RESOLVED, that the Village of Port Chester Board of Trustees hereby designates its intention to serve as Lead Agency for the SEQRA Coordinated Review of this Type 1 Action, and will circulate the Lead Agency Notice, a compact disc of the draft Comprehensive Plan along with a link to the Village web site wherein the draft Comprehensive Plan is located, to all Involved and Interested Agencies shall be given 30 days from the mailing of the Lead Agency Notice to challenge the Board of Trustee's Lead Agency designation.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

SEQR
Intent to be Lead Agency

This notification is for the purpose of designating a lead agency according to the

MEMO TO: ALL INVOLVED AGENCIES

FROM: Village of Port Chester Board of Trustees
222 Grace Church Street
Port Chester, NY 10573

PROJECT TITLE: Adoption of Village of Port Chester Comprehensive Plan
Village of Port Chester
Westchester County, New York

MAILING DATE: February 6, 2012

requirements of Article 8 of New York State Environmental Conservation Law for the following proposed action:

Adoption of Village of Port Chester Comprehensive Plan

The Village of Port Chester Board of Trustees is proposing to adopt a Comprehensive Plan, in order to account for changes that have occurred since the Master Plan in 1968 and to reflect the Village's current vision for future growth.

Contact Person: Christopher Russo, Village Manager
222 Grace Church Street
Port Chester, NY 10573
T. 914.939.2200
crusso@portchesterny.com

Involved Agencies:

Village of Port Chester Board of Trustees (Proposed Lead Agency)
222 Grace Church Street
Port Chester, NY 10573
Dennis Pilla, Mayor

Interested Agencies:

Village of Port Chester Planning Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Michael Antaki, Chair

Village of Port Chester Zoning Board of Appeals
222 Grace Church Street
Port Chester, NY 10573
Contact: William Villanova, Chair

Village of Port Chester Architectural Board of Review
222 Grace Church Street
Port Chester, NY 10573
Contact: William Hume, Chair

Village of Port Chester Comprehensive Plan Advisory Committee
222 Grace Church Street
Port Chester, NY 10573
Contact: Christopher Steers, Assistant Village Manager

Village of Port Chester Industrial Development Agency
222 Grace Church Street
Port Chester, NY 10573
Contact: Neil Pagano, Chair

Village of Port Chester Waterfront Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Peter Pascale, Chair

Village of Port Chester Park Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Jerry Terranova, Chair

Village of Port Chester Recreation Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Kim Morabito, Chair

Port Chester-Rye Union Free School District
Attn: District Clerk
113 Bowman Avenue
Port Chester, NY 10573

Town of Rye
10 Pearl Street
Port Chester, NY 10573
Contact: Joe Carwin, Town Supervisor

City of Rye
1051 Boston Post Road
Rye, NY 10580
Contact: Scott Pickup, City Manager

Village of Rye Brook
938 King Street
Rye Brook, NY 10573
Contact: Joan Feinstein, Mayor

Town of Greenwich, Connecticut
Town Hall
101 Field Point Road
Greenwich, CT 06830
Contact: Peter Tesei, First Selectman

Westchester County Department of Planning
148 Martine Avenue
Room 432
White Plains, NY 10601
Contact: Edward Burroughs, Commissioner

Metro-North Railroad
347 Madison Avenue
New York, NY 10017-3709

New York State Department of Environmental Conservation
Region 3 Office
21 South Putt Corners Road
New Paltz, NY 12561-1696
Contact: Margaret Duke

New York State Office of Parks, Recreation and Historic Preservation
New York State Historic Preservation Office (SHPO)
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188-0189
Contact: William Krattinger, Historic Preservation Specialist

New York State Department of Transportation
Region 8 Eleanor Roosevelt State Office Building
4 Burnett Boulevard Poughkeepsie, NY 12603
Contact: Melissa Slater, Assistant to the Regional Director

United States Army Corps of Engineers
Jacob K. Javits Federal Building
26 Federal Plaza, Room 2109
New York, NY 10278-0090

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Environmental - 2</u>	<input type="checkbox"/> Defeated
Motion 1 <u>2</u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

RESOLUTION

SEQRA NOTICE OF INTENT TO SERVE AS LEAD AGENCY FOR
THE ADOPTION OF THE VILLAGE OF PORT CHESTER'S
UPDATED LOCAL WATERFRONT REVITALIZATION PROGRAM

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, in 1992, the Village of Port Chester adopted a Local Waterfront Revitalization Program (LWRP) that was approved by the New York State Secretary of State; and

WHEREAS, through grant funding secured from New York State, the Village has commenced work on an update to the LWRP; and

WHEREAS, with the assistance of planning consultant, Buckhurst Fish & Jacquemart, New York, New York, which firm had worked on the 1992 document, the Waterfront Commission is developing recommended changes for the Board's consideration and adoption; and

WHEREAS, pursuant to the Notice annexed hereto, in accordance with the provisions of 6 NYCRR Part 617, the Board of Trustees of the Village of Port Chester intends to serve as Lead Agency for the SEQRA review of this Type 1 Action, and, in this capacity, will determine if the proposed action will have a significant effect on the environment; and

WHEREAS, the Lead Agency will undertake a coordinated review of this action. Now therefore, be it

RESOLVED, that the Village of Port Chester Board of Trustees hereby designates its intention to serve as Lead Agency for the SEQRA Coordinated Review of this Type 1 Action, and will circulate the Lead Agency Notice along with the Environmental Assessment Form, to all Involved and Interested Agencies. Involved and Interested Agencies shall be given 30 days from the mailing of the Lead Agency Notice to challenge the Board of Trustee's Lead Agency designation.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

SEQR
Intent to be Lead Agency

MEMO TO: ALL INVOLVED AGENCIES

FROM: Village of Port Chester Board of Trustees
222 Grace Church Street
Port Chester, NY 10573

PROJECT TITLE: Adoption of Updated Village of Port Chester Local Waterfront
Revitalization Program (LWRP)
Village of Port Chester
Westchester County, New York

MAILING DATE: February 6, 2012

This notification is for the purpose of designating a lead agency according to the requirements of Article 8 of New York State Environmental Conservation Law for the following proposed action:

Adoption of Updated Village of Port Chester LWRP

The Village of Port Chester Board of Trustees is proposing to adopt an update to its Local Waterfront Revitalization Program (LWRP), in order to account for changes that have occurred since the original LWRP was adopted in 1992 and to reflect the Village's current vision for its waterfront.

Contact Person: Christopher Russo, Village Manager
222 Grace Church Street
Port Chester, NY 10573
T. 914.939.2200
crusso@portchesterny.com

Involved Agencies:

Village of Port Chester Board of Trustees (Proposed Lead Agency)
222 Grace Church Street
Port Chester, NY 10573
Dennis Pilla, Mayor

New York State Department of State
Division of Coastal Resources and Waterfront Revitalization
99 Washington Avenue, Suite 1010
Albany, New York 12231-0001
Contact: George Stafford, Director

Interested Agencies:

Village of Port Chester Waterfront Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Peter Pascale, Chair

Village of Port Chester Planning Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Michael Antaki, Chair

Village of Port Chester Zoning Board of Appeals
222 Grace Church Street
Port Chester, NY 10573
Contact: William Villanova, Chair

Village of Port Chester Architectural Board of Review
222 Grace Church Street
Port Chester, NY 10573
Contact: William Hume, Chair

Village of Port Chester Comprehensive Plan Advisory Committee
222 Grace Church Street
Port Chester, NY 10573
Contact: Christopher Steers, Assistant Village Manager

Village of Port Chester Industrial Development Agency
222 Grace Church Street
Port Chester, NY 10573
Contact: Neil Pagano, Chair

Village of Port Chester Park Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Jerry Terranova, Chair

Village of Port Chester Recreation Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Kim Morabito, Chair

Port Chester-Rye Union Free School District
113 Bowman Avenue
Port Chester, NY 10573
Contact: Jennifer Bisaccia, District Clerk

Town of Rye
10 Pearl Street
Port Chester, NY 10573
Contact: Joe Carwin, Town Supervisor

City of Rye
1051 Boston Post Road
Rye, NY 10580
Contact: Scott Pickup, City Manager

Village of Rye Brook
938 King Street
Rye Brook, NY 10573
Contact: Joan Feinstein, Mayor

Town of Greenwich, Connecticut
Town Hall
101 Field Point Road
Greenwich, CT 06830
Contact: Peter Tesei, First Selectman

Westchester County Department of Planning
148 Martine Avenue
Room 432
White Plains, NY 10601
Contact: Edward Burroughs, Commissioner

Metro-North Railroad
347 Madison Avenue
New York, NY 10017-3709

New York State Department of Environmental Conservation
Region 3 Office
21 South Putt Corners Road
New Paltz, NY 12561-1696
Contact: Margaret Duke

New York State Office of Parks, Recreation and Historic Preservation
New York State Historic Preservation Office (SHPO)
Peebles Island Resource Center
P.O. Box 189

Waterford, NY 12188-0189

Contact: William Krattinger, Historic Preservation Specialist

New York State Department of Transportation

Region 8

Eleanor Roosevelt State Office Building

4 Burnett Boulevard

Poughkeepsie, NY 12603

Contact: Melissa Slater, Assistant to the Regional Director

United States Army Corps of Engineers

Jacob K. Javits Federal Building

26 Federal Plaza, Room 2109

New York, NY 10278-0090

VILLAGE OF PORT CHESTER
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

ENVIRONMENTAL ASSESSMENT FORM

Village of Port Chester
Westchester County, New York

Prepared on behalf of
Village of Port Chester Board of Trustees
222 Grace Church Street
Port Chester, NY 10573

Prepared by
BFJ Planning
115 Fifth Avenue
New York, NY 10003
212-353-7494

February 2012

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1.0 INTRODUCTION: PURPOSE AND LOCATION OF PROPOSED ACTION

A. Introduction

Pursuant to the New York State Environmental Quality Review Act (SEQR) this Environmental Assessment Form (EAF) evaluates the potential impacts that could result from the following action by the Village of Port Chester Board of Trustees, Port Chester, New York: Adoption of an updated Local Waterfront Revitalization Program (LWRP). The action consists solely of the LWRP adoption and therefore will not result in any direct construction or development.

B. Location of Site

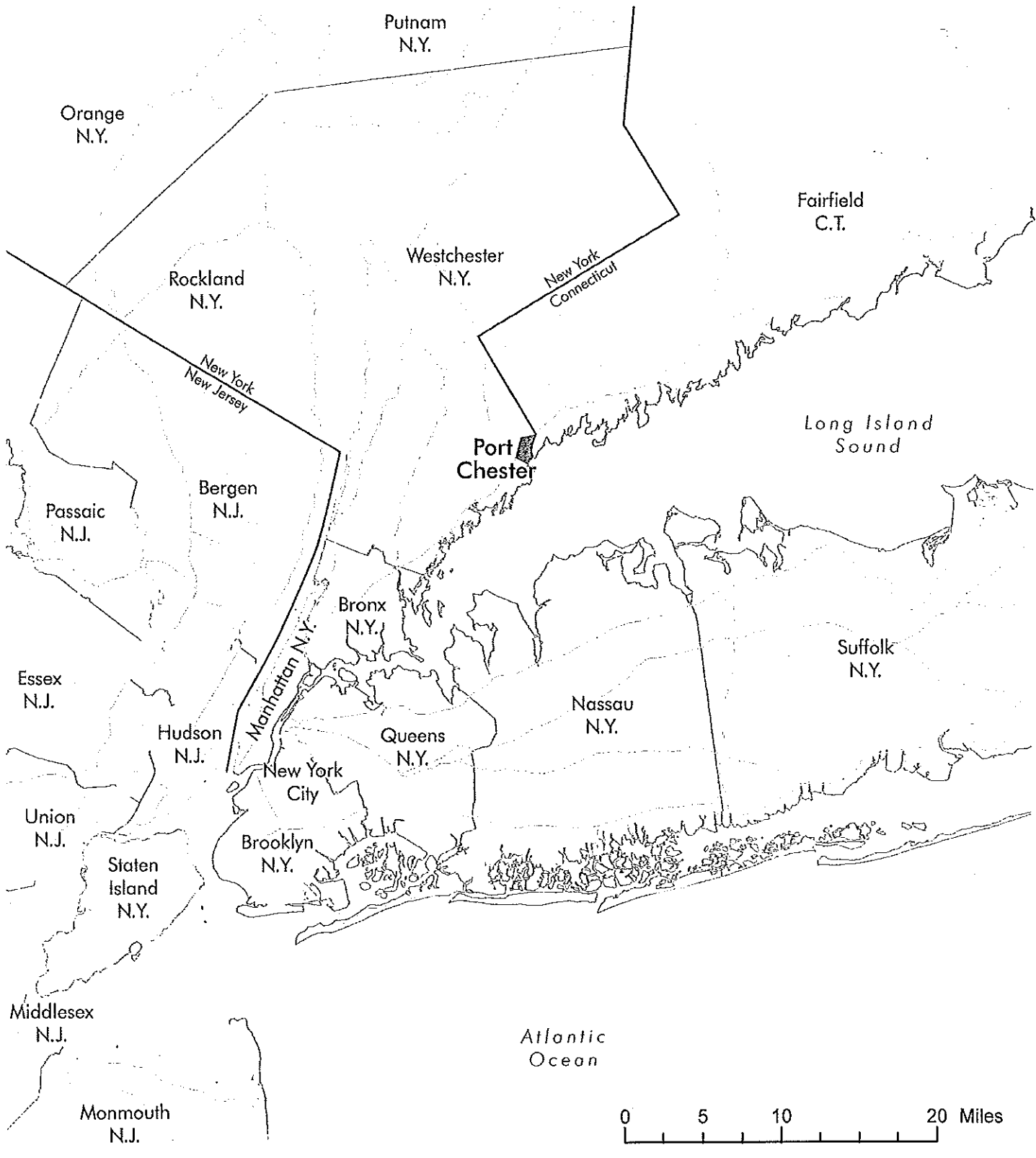
The Village of Port Chester is located along the Byram River and on Long Island Sound in Westchester County, approximately 10 miles north of New York City. The Village, located within the Town of Rye, is bordered by the City of Rye and Long Island Sound to the south, the Village of Rye Brook to the north and west and the Town of Greenwich, Connecticut, to the east (see Figure 1: Regional Map).

C. Purpose and Description of Proposed Action

As the New York State Department of State describes, "a Local Waterfront Revitalization Program (LWRP) is a locally prepared, land and water use plan and strategy for a community's natural, public, working, or developed waterfront through which critical issues are addressed. In partnership with the Division of Coastal Resources, a municipality develops community consensus regarding the future of its waterfront and refines State waterfront policies to reflect local conditions and circumstances. Once approved by the New York Secretary of State, the Local Program serves to coordinate State and Federal actions needed to assist the community achieve its vision."

The Village of Port Chester's original LWRP was adopted in 1992. A key focus of the original LWRP was to create significant public open space along the Byram River and Long Island Sound. However, the majority of this proposed open space was never created, and the Village's LWRP area instead saw a significant urban renewal development, the Waterfront at Port Chester, which encompasses approximately 500,000 square feet of retail and entertainment use, along the Byram River at Westchester Avenue. Largely to reflect this substantial development, the Village's LWRP boundary has been revised to include the entire Waterfront at Port Chester complex, as well as adjacent businesses along Route 1 (see Figure 2: Current and Proposed LWRP Boundary).

Since the 1992 LWRP, the Village has adopted the first phase of an update to its 1968 comprehensive plan (in 2009), and is in the process of preparing the second phase of this plan. In addition, several local laws have been adopted governing Port Chester's waterfront, including stormwater management regulations.

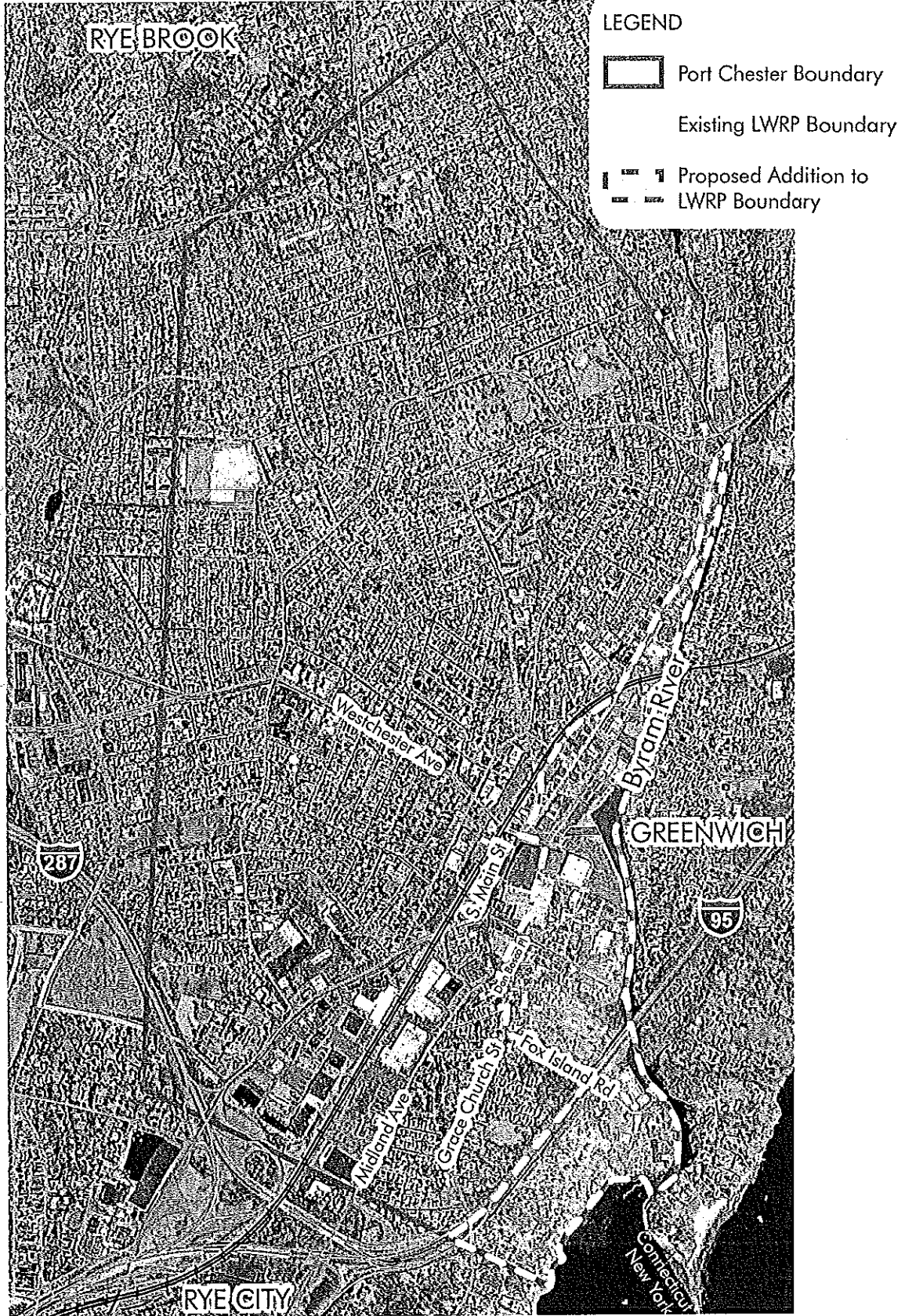


—— County boundary
 - - - - Highways

PORT CHESTER LWRP
PORT CHESTER, NEW YORK

FIGURE 1: REGIONAL MAP
 SOURCE: NJDEP GIS, NYS Clearinghouse





In addition to subsequent planning efforts by the Village, several other changes have occurred that require the updating of the LWRP. In 1999, the Long Island Sound Coastal Management Program developed a set of 13 new coastal policies for the Long Island Sound shoreline to replace the 44 Statewide LWRP policies. While the new policies do not differ significantly in substance from the original LWRP policies, they are more concise, more simply organized and grouped around a set of four themes: the Natural Coast, the Working Coast, the Developed Coast and the Public Coast. The updated LWRP has been reorganized to reflect the new Long Island Sound policies.

Other “macro” changes that are reflected in the updated LWRP include new development throughout the region, changes in State and Federal laws and current best practices to improve water quality and the impacts of global climate change and sea level rise.

Port Chester’s LWRP addresses a wide range of issues including:

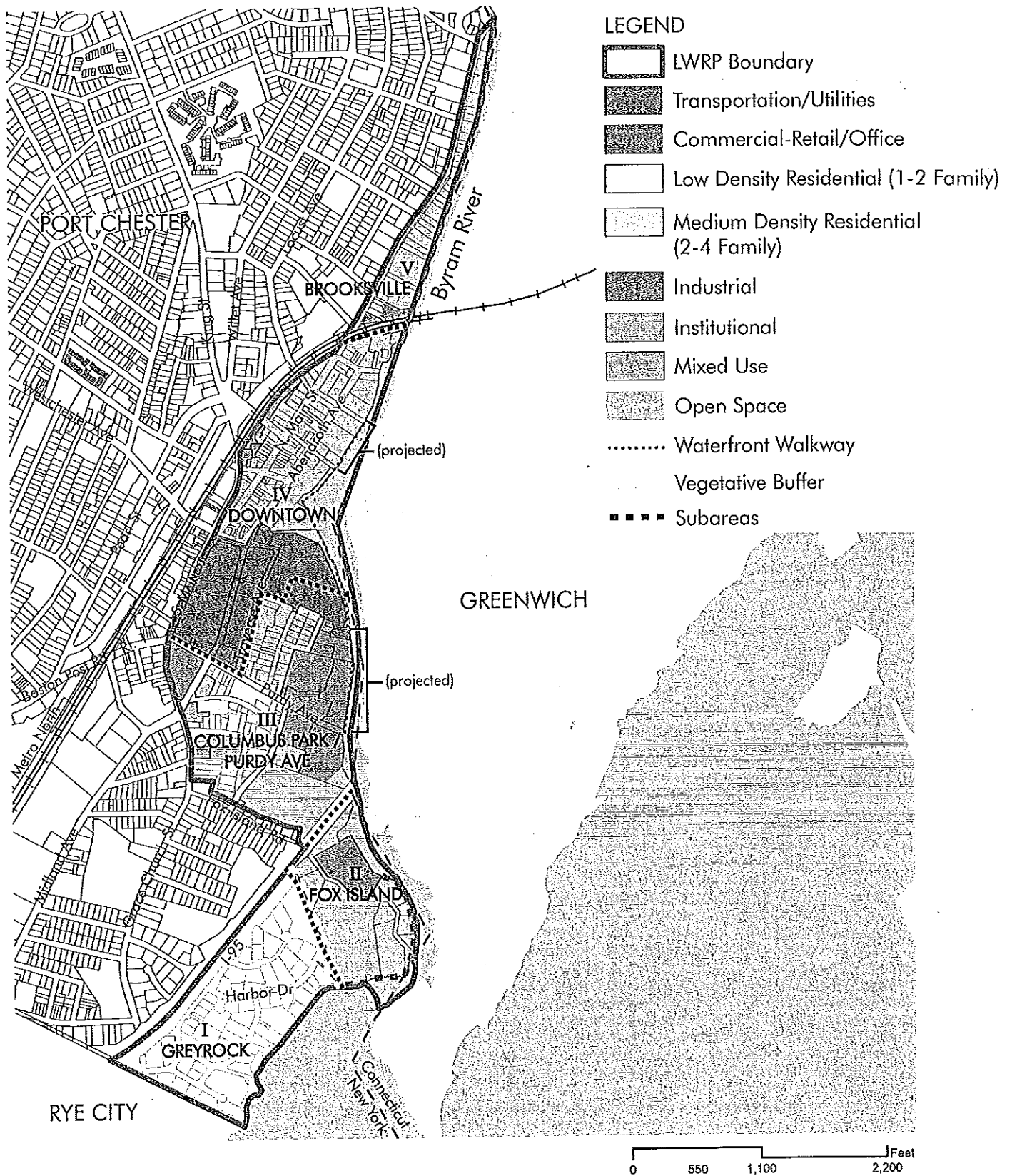
- Underutilized areas
- Water-dependent uses
- Infrastructure
- Water quality
- Climate change and sea level rise
- Public access and recreation
- Visual quality
- Historic resources

The LWRP provides a generalized layout of future land uses intended for the LWRP area. This generalized plan was derived from the existing zoning map and current land uses, as well as consideration of future land uses proposed by the draft Comprehensive Plan. It is not intended to describe the proposed land use pattern on a parcel-by-parcel basis; rather, the future land use plan (see Figure 3) is a broad expression of the range of uses intended for the Village’s LWRP area. Because the future land use plan largely stems from current zoning, no significant changes to Port Chester’s regulatory framework (e.g. zoning and subdivision regulations) are proposed.

Anticipated future land uses within the Port Chester LWRP area are described below for the five LWRP subareas.

1. Greyrock Subarea

Greyrock is a stable low-density residential area on Port Chester Harbor, virtually isolated from the rest of Port Chester by Interstate 95. It is anticipated that this subarea will remain a low-density residential neighborhood, with the remaining vacant parcels to be built out with residential uses of a similar character as allowable under the existing R7 zoning. Due to Greyrock’s character and location, opportunities for public open space are limited. No regulatory changes or projects for this area are proposed.



2. Fox Island Subarea

As discussed in Section II, the Fox Island Subarea presently contains the Westchester County sewage treatment plant, the Village's Department of Public Works (DPW), a number of light industrial operations and the Port Chester Yacht Club, as well as various small-scale assorted uses. This subarea is significantly underutilized, although the adjacent harbor and water areas are well-used by area boaters.

It is anticipated that the sewage treatment plant, the existing light industrial uses and the Port Chester Yacht Club will remain in place, and these uses should be encouraged to renovate and upgrade as appropriate. In addition, the Village's DPW facility will likely remain on Fox Island, although a consolidation and overall clean-up of this site is proposed, as discussed below. However, for the remainder of the Fox Island subarea, the LWRP promotes a combination of mixed use and public waterfront access. In addition, a new vegetative buffer is proposed along the rear, landward lot lines of the parcels located on the southern side of Fox Island Road, to screen these industrial areas from the Greyrock neighborhood immediately adjacent.

3. Columbus Park / Purdy Avenue Subarea

This subarea includes a wide range of uses: Columbus Park and the largely medium- and high-density residential neighborhood to the west (which includes some large institutional uses: Our Lady of the Rosary church and the South End Fire House). Industrial uses are located primarily along Purdy Avenue as it approaches the Byram River, with a light industrial are found at the south side of the intersection of Purdy Avenue and South Main Street. Finally, the Columbus Park/Purdy Avenue Subarea includes the high-density residential areas along Traverse Avenue and Townsend Street, which also contains a number of vacant, industrial and underutilized sites.

The LWRP provides for continued support of the existing industrial uses at either end of Purdy Avenue, as they provide local employment and contribute to the Village's tax base. The generally stable neighborhood bounded by Purdy Avenue, Ryan Avenue/Columbus Park and Grace Church Street/Don Bosco Place, would remain as a medium-density residential area. However, the existing higher-density residential area north of Purdy Avenue, which is sandwiched between heavy industrial uses along the waterfront and the Waterfront at Port Chester large-scale commercial development, would become a mixed-used area with an overall reduced emphasis on residential use. Because much of this area is already used for industrial and commercial uses, and also contains a number of vacant or underutilized parcels, it would be best used as a transition area for industrial, commercial and some high-density residential uses as appropriate.

The LWRP also supports the creation of new public water access at Columbus Park. Currently, the portion of the park that fronts the Byram River is heavily vegetated, with limited physical or visual access to the water. This area should be

opened up and used for passive and water recreation, as described more fully below.

4. Downtown Subarea

Reflecting the significant diversity of uses within downtown Port Chester, this entire subarea has been designated as mixed use, supporting the existing commercial and light industrial uses as well as promoting new residential development as appropriate.

The Downtown Subarea is also designated for increased public waterfront access, with the existing, manmade "cove" area carved out of the Byram River just north of the foot of Westchester Avenue to be filled in and converted to a public waterfront park. In addition, the existing riverfront walkway north and south of this cove area would be improved and extended northward to Willett Avenue.

5. Brooksville Subarea

This subarea presently contains a mix of uses including industrial at the southern end, open space (William James Park) and commercial uses at the northern end and medium-density residential uses in the middle portion. Because Brooksville is largely stable and provides little future redevelopment potential given the limited size and depth of its lots, no changes in its existing development pattern are proposed. This subarea is indicated as remaining a mixed-use area, accommodating all the uses currently in place. No regulatory changes or projects are proposed for this area.

In conjunction with the future land use plan, the Village's LWRP also outlines a set of site-specific and programmatic projects which will be or are being implemented to improve Port Chester's LWRP area. These projects include:

- Enhanced and increased public waterfront access
 - Filling in the "Cove" area at the foot of Westchester Avenue and converting it to a park.
 - Improving and extending the Byram River Waterfront Walkway
 - Opening up the waterfront portion of Columbus Park for a combination of passive and water recreational use (fishing pier, smallcraft mooring area)
 - Increasing public access on Fox Island (non-motored boat launch, waterfront walkway)
- Implementation of a Port Chester Harbor Management Plan
- Potential permanent mooring of an entertainment-themed vessel
- Extension of all municipal utilities along Fox Island Road
- Continued upgrades to the Westchester County Sewage Treatment Plant
- Measures to improve water quality
- Improved training, coordination of Waterfront Commission

D. List of Involved and Interested Agencies

INVOLVED AGENCIES

Village of Port Chester Board of Trustees (Proposed Lead Agency)

222 Grace Church Street
Port Chester, NY 10573
Dennis Pilla, Mayor

New York State Department of State
Division of Coastal Resources and Waterfront Revitalization
99 Washington Avenue, Suite 1010
Albany, New York 12231-0001
Contact: George Stafford, Director

INTERESTED AGENCIES

Village of Port Chester Waterfront Commission

222 Grace Church Street
Port Chester, NY 10573
Contact: Peter Pascale, Chair

Village of Port Chester Planning Commission

222 Grace Church Street
Port Chester, NY 10573
Contact: Michael Antaki, Chair

Village of Port Chester Zoning Board of Appeals

222 Grace Church Street
Port Chester, NY 10573
Contact: William Villanova, Chair

Village of Port Chester Architectural Board of Review

222 Grace Church Street
Port Chester, NY 10573
Contact: William Hume, Chair

Village of Port Chester Comprehensive Plan Advisory Committee

222 Grace Church Street
Port Chester, NY 10573
Contact: Christopher Steers, Assistant Village Manager

Village of Port Chester Industrial Development Agency

222 Grace Church Street
Port Chester, NY 10573
Contact: Neil Pagano, Chair

Village of Port Chester Park Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Jerry Terranova, Chair

Village of Port Chester Recreation Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Kim Morabito, Chair

Port Chester-Rye Union Free School District
113 Bowman Avenue
Port Chester, NY 10573
Contact: Jennifer Bisaccia, District Clerk

Town of Rye
10 Pearl Street
Port Chester, NY 10573
Contact: Joe Carwin, Town Supervisor

City of Rye
1051 Boston Post Road
Rye, NY 10580
Contact: Scott Pickup, City Manager

Village of Rye Brook
938 King Street
Rye Brook, NY 10573
Contact: Joan Feinstein, Mayor

Town of Greenwich, Connecticut
Town Hall
101 Field Point Road
Greenwich, CT 06830
Contact: Peter Tesei, First Selectman

Westchester County Department of Planning
148 Martine Avenue
Room 432
White Plains, NY 10601
Contact: Edward Burroughs, Commissioner

Metro-North Railroad
347 Madison Avenue
New York, NY 10017-3709

New York State Department of Environmental Conservation
Region 3 Office
21 South Putt Corners Road

New Paltz, NY 12561-1696
Contact: Margaret Duke

New York State Office of Parks, Recreation and Historic Preservation
New York State Historic Preservation Office (SHPO)
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188-0189
Contact: William Krattinger, Historic Preservation Specialist

New York State Department of Transportation
Region 8
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603
Contact: Melissa Slater, Assistant to the Regional Director

United States Army Corps of Engineers
Jacob K. Javits Federal Building
26 Federal Plaza, Room 2109
New York, NY 10278-0090

2.0 ENVIRONMENTAL ASSESSMENT FORM – PARTS I AND II

This EAF evaluates the potential for environmental impacts created by the adoption of the LWRP by the Village of Port Chester Board of Trustees. This legislative action is generic in nature, not site-specific, and does not directly result in physical changes to the environment.

The form that follows is published by the New York State Department of Environmental Conservation and is designed for site-specific actions rather than area-wide or generic proposals. As a result, some questions not relevant to this zoning amendment are answered "not applicable" or "N/A".

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:



Part 1



Part 2



Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED** negative declaration will be prepared.*
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Adoption of Updated Village of Port Chester Local Waterfront Revitalization Program

Name of Action

Village of Port Chester Board of Trustees

Name of Lead Agency

Dennis Pilla

Mayor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

The Village of Port Chester is a community of approximately 10,000 residents located along the Byram River in the southeastern quadrant of Westchester County, New York. The Village is bounded on the south by Long Island Sound and the City of Rye; on the north and west by the Village of Rye Brook and on the east by the Town of Greenwich, Connecticut. Port Chester lies within the densely developed New York metropolitan area, 10 miles northeast of New York City, and at the junction of two major regional highways, Interstates 95 and 287. In addition, U.S. Route 1 and Metro-North Railroad's New Haven line pass through the center of the Village and also through the Local Waterfront Revitalization Area. Comprising a total of 2.4 square miles in land area, Port Chester is the second most densely populated municipality in Westchester County. Port Chester is an incorporated village within the Town of Rye.

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Name of Project Adoption of Updated Local Waterfront Revitalization Program (LWRP)

Location of Project Village of Port Chester, NY

Name of Applicant Village of Port Chester Board of Trustees

Address 222 Grace Church Street

City Port Chester State NY Zip Code 10573

Contact Person 914-939-2200, Village Manager Christopher Russo

Name of Applicant's Office _____

Address _____

City _____ State _____ Zip Code _____

Contact Person _____

Description of Project

The proposed action is the adoption of the updated Village of Port Chester Local Waterfront Revitalization Program (LWRP).

The Village of Port Chester is located along the Byram River in the southeastern quadrant of Westchester County, New York, bounded on the south by Long Island Sound and the City of Rye; on the north and west by the Village of Rye Brook and on the east by the Town of Greenwich, Connecticut. Port Chester lies within the densely developed New York metropolitan area, 10 miles northeast of New York City, and at the junction of two major regional highways, Interstates 95 and 287. In addition, U.S. Route 1 and Metro-North Railroad's New Haven line pass through the center of the Village and also through the Local Waterfront Revitalization Area. Comprising a total of 2.4 square miles in land area, Port Chester is the second most densely populated municipality in Westchester County. Port Chester is an incorporated village within the Town of Rye.

As the New York State Department of State describes, "a Local Waterfront Revitalization Program (LWRP) is a locally prepared, land and water use plan and strategy for a community's natural, public, working, or developed waterfront through which critical issues are addressed. In partnership with the Division of Coastal Resources, a municipality develops community consensus regarding the future of its waterfront and refines State waterfront policies to reflect local conditions and circumstances. Once approved by the New York Secretary of State, the Local Program serves to coordinate State and federal actions needed to assist the community achieve its vision."

The Village's LWRP addresses a wide range of issues including: underutilized areas, water-dependent uses, infrastructure, water quality, climate change and sea level rise, public access and recreation, visual quality and historical resources. The LWRP provides a generalized layout of future land uses intended for the Village, and outlines specific projects and alternatives in the immediate waterfront and adjacent areas. No large-scale changes to existing land uses or patterns or rezoning actions are proposed.

For a more detailed description of the proposed action, please refer to the Introduction: Purpose and Location of the Proposed Action (Section 1.0), which precedes this EAF.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other _____

2. Total acreage of project area: _____ xx acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ <u>N/A</u> acres	_____ <u>N/A</u> acres
Forested	_____ <u>N/A</u> acres	_____ <u>N/A</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ <u>N/A</u> acres	_____ <u>N/A</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	_____ <u>N/A</u> acres	_____ <u>N/A</u> acres
Water Surface Area	_____ <u>N/A</u> acres	_____ <u>N/A</u> acres
Unvegetated (Rock, earth or fill)	_____ <u>N/A</u> acres	_____ <u>N/A</u> acres
Roads, buildings and other paved surfaces	_____ <u>N/A</u> acres	_____ <u>N/A</u> acres
Other (Indicate type) _____	_____ <u>N/A</u> acres	_____ <u>N/A</u> acres

3. What is predominant soil type(s) on project site? Variable

- a. Soil drainage: Well drained _____% of site Moderately well drained _____% of site.
 Poorly drained _____% of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ N/A acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth to bedrock _____ N/A (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0-10% _____% 10- 15% _____% 15% or greater _____%

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No No individual sites within the LWRP area are located on the State and National Registers of Historic Places. Several sites outside of the LWRP area are listed.

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? Variable (in feet)

9. Is site located over a primary, principal, or sole source aquifer? Yes No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No N/A

According to:

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

Some areas within the LWRP area contain steep slopes and rock outcroppings.

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

Public open space and recreation options within the LWRP area include Columbus Park, William James Park, a public waterfront walkway along the Byram River and the Port Chester Yacht Club boat ramp on Fox Island.

14. Does the present site include scenic views known to be important to the community? Yes No

No scenic resources of statewide significance have been identified in the LWRP area, but locally important scenic views include those from William James Park and the waterfront walkway, and from the Greyrock residential neighborhood.

15. Streams within or contiguous to project area:

Byram River.

a. Name of Stream and name of River to which it is tributary

N/A

16. Lakes, ponds, wetland areas within or contiguous to project area:

A small area of tidal wetlands exists in the coastal vicinity of the Port Chester Yacht Club, and a second area of regulated tidal wetlands is located at the "north cove" between Purdy Avenue and I-95.

b. Size (in acres):

The wetland area in the vicinity of the Port Chester Yacht Club totals about 13,000 square feet, and the area at the north cove is approximately 1.4 acres.

17. Is the site served by existing public utilities? Yes No
- a. If YES, does sufficient capacity exist to allow connection? Yes No N/A
- b. If YES, will improvements be necessary to allow connection? Yes No N/A
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No N/A
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No Long Island Sound is a Westchester County designated area.
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No N/A

B. Project Description See note below.

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: xx acres.
- b. Project acreage to be developed: N/A acres initially; N/A acres ultimately.
- c. Project acreage to remain undeveloped: N/A acres.
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. N/A %
- f. Number of off-street parking spaces existing N/A; proposed N/A
- g. Maximum vehicular trips generated per hour: N/A (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> |
| Ultimately | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> |
- i. Dimensions (in feet) of largest proposed structure: N/A height; N/A width; N/A length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? N/A ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? N/A tons/cubic yards.
3. Will disturbed areas be reclaimed Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed?
-
- b. Will topsoil be stockpiled for reclamation? Yes No N/A
- c. Will upper subsoil be stockpiled for reclamation? Yes No N/A
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? N/A acres.

*The proposed action is the adoption of a Local Waterfront Revitalization Program (LWRP) for the Village. This action is generic in nature, not site-specific, and does not directly result in physical changes to the environment. Thus, the project-related impacts assumed by the EAF are generally not applicable or variable dependent on locations within the Village.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No N/A

6. If single phase project: Anticipated period of construction: N/A months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated N/A (number)

b. Anticipated date of commencement phase 1: N/A month N/A year, (including demolition)

c. Approximate completion date of final phase: N/A month N/A year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No N/A

8. Will blasting occur during construction? Yes No N/A

9. Number of jobs generated: during construction N/A; after project is complete N/A

10. Number of jobs eliminated by this project N/A.

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? Yes No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No Some portions of land within the LWRP area are located within a 100 year flood plain.

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? _____ tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name _____; location _____

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? Yes No N/A

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No N/A

19. Will project routinely produce odors (more than one hour per day)? Yes No N/A

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No N/A

21. Will project result in an increase in energy use? Yes No N/A

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day N/A gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

The project is being funded with a grant from the New York State Department of State, Division of Coastal Resources.

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Adoption of LWRP	_____
			_____	_____
			_____	_____
City, Town, Village Planning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		_____
			_____	_____
			_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		_____
			_____	_____
			_____	_____
City, County Health Department	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		_____
			_____	_____
			_____	_____
Other Local Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		_____
			_____	_____
			_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		_____
			_____	_____
			_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NYS DOS approval of Village's LWRP	_____
			_____	_____
			_____	_____
Federal Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		_____
			_____	_____
			_____	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- Zoning amendment
- Zoning variance
- New/revision of master plan
- Subdivision
- Site plan
- Special use permit
- Resource management plan
- Other

2. What is the zoning classification(s) of the site?

Zoning classifications within the LWRP area are as follows: Central Business (C2), General Commercial (C4), Designed Waterfront Development (DW), Light Industrial (M1), General Industrial (M2), Marina Urban Redevelopment (MUR), Single-Family (R7), Two-Family (R2F) and Village Center Redevelopment Area (VCRA).

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

N/A. The LWRP sets forth policies and recommendations but does not propose zoning.

4. What is the proposed zoning of the site?

The LWRP recommends generalized future land uses that are consistent with current zoning. No changes to the zoning map are proposed.

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

The LWRP is consistent with the recommendations of the current Village of Port Chester Comprehensive Plan.

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

The Village of Port Chester is predominantly developed with residential, commercial, institutional and industrial uses.

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?
 Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Dennis Pilla Date _____

Signature _____

Title Mayor, Village of Port Chester

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Finance - 1</u>	<input type="checkbox"/> Defeated
	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
Motion 1 <u>2</u>	<input type="checkbox"/> Amended

REFUNDING BOND RESOLUTION, DATED FEBRUARY 6, 2012, AUTHORIZING THE ISSUANCE OF REFUNDING SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, IN THE COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF THE STATE OF NEW YORK, PROVIDING FOR OTHER MATTERS AND MAKING CERTAIN DETERMINATIONS IN RELATION THERETO AND PROVIDING FOR THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

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, located in the county of Westchester, State of New York (the "Village") previously issued \$7,110,480 principal amount of Various Purposes Serial Bonds, 2002 Series A (the "Series 2002 Bonds") pursuant to a certificate of determination of the Village Treasurer (sometimes referred to herein as the "Chief Fiscal Officer"), which Series 2002 Bonds are dated November 15, 2002 and matured or mature in annual installments on November 15 in each of the years 2003-2022, inclusive, as follows:

- \$100,480 in the year 2003,
- \$250,000 in the year 2004,
- \$260,000 in the year 2005,
- \$270,000 in the year 2006,
- \$280,000 in the year 2007,
- \$295,000 in the year 2008,
- \$305,000 in the year 2009,
- \$320,000 in the year 2010,
- \$330,000 in the year 2011,
- \$345,000 in the year 2012,
- \$360,000 in the year 2013,
- \$375,000 in the year 2014,
- \$390,000 in the year 2015,
- \$405,000 in the year 2016,
- \$425,000 in the year 2017,

\$440,000 in the year 2018,
\$460,000 in the year 2019,
\$480,000 in the year 2020,
\$500,000 in the year 2021, and
\$520,000 in the year 2022

WHEREAS, the Series 2002 Bonds were authorized pursuant to one or more serial bond resolutions duly adopted by the Board of Trustees of the Village for the objects or purposes described therein and delegated to the Chief Fiscal Officer the power to prescribe the terms, form and contents of and to sell and deliver such serial bonds of the Village; and

WHEREAS, \$4,700,000 aggregate principal amount of the Series 2002 Bonds currently remain outstanding and unredeemed as of the date hereof; and

WHEREAS, it is hereby determined to be in the public interest of the Village to refund all or a portion of the outstanding Series 2002 Bonds, by the issuance of the refunding bonds authorized herein pursuant to Section 90.10 of the Local Finance Law (the "Series 2002 Refunding Bonds"); and

WHEREAS, the Village previously issued \$3,730,250 principal amount of Public Improvement Serial Bonds 2003 Series A (Tax-Exempt) (the "Series 2003A Bonds") pursuant to a certificate of determination of the Village Treasurer (sometimes referred to herein as the "Chief Fiscal Officer"), which Series 2003A Bonds are dated October 1, 2003 and matured or mature in annual installments on October 1 in each of the years 2005-2024, inclusive, as follows:

\$125,250 in the year 2005,
\$130,000 in the year 2006,
\$135,000 in the year 2007,
\$140,000 in the year 2008,
\$145,000 in the year 2009,
\$150,000 in the year 2010,
\$155,000 in the year 2011,
\$160,000 in the year 2012,
\$170,000 in the year 2013,
\$175,000 in the year 2014,
\$185,000 in the year 2015,
\$195,000 in the year 2016,
\$200,000 in the year 2017,
\$210,000 in the year 2018,
\$220,000 in the year 2019,
\$225,000 in the year 2020,
\$235,000 in the year 2021,
\$245,000 in the year 2022,
\$260,000 in the year 2023, and
\$270,000 in the year 2024

WHEREAS, the Series 2003A Bonds were authorized pursuant to one or more serial bond resolutions duly adopted by the Board of Trustees of the Village for the objects or purposes described therein and delegated to the Chief Fiscal Officer the power to prescribe the terms, form and contents of and to sell and deliver such serial bonds of the Village; and

WHEREAS, \$2,750,000 aggregate principal amount of the Series 2003A Bonds currently remain outstanding and unredeemed as of the date hereof; and

WHEREAS, it is hereby determined to be in the public interest of the Village to refund all or a portion of the outstanding Series 2003A Bonds, by the issuance of the refunding bonds authorized herein pursuant to Section 90.10 of the Local Finance Law (the "Series 2003A Refunding Bonds"); and

WHEREAS, the Village previously issued \$3,250,000 principal amount of Public Improvement (Serial) Bonds, 2003 Series B (Federally Taxable) (the "Series 2003B Bonds") pursuant to a certificate of determination of the Village Treasurer (sometimes referred to herein as the "Chief Fiscal Officer"), which Series 2003B Bonds are dated October 1, 2003 and matured or mature in annual installments on October 1 in each of the years 2005-2024, inclusive, as follows:

\$ 95,000 in the year 2005,
\$100,000 in the year 2006,
\$105,000 in the year 2007,
\$110,000 in the year 2008,
\$115,000 in the year 2009,
\$120,000 in the year 2010,
\$130,000 in the year 2011,
\$135,000 in the year 2012,
\$145,000 in the year 2013,
\$150,000 in the year 2014,
\$160,000 in the year 2015,
\$170,000 in the year 2016,
\$175,000 in the year 2017,
\$185,000 in the year 2018,
\$195,000 in the year 2019,
\$210,000 in the year 2020,
\$215,000 in the year 2021,
\$230,000 in the year 2022,
\$245,000 in the year 2023, and
\$260,000 in the year 2024,

WHEREAS, the Series 2003B Bonds were authorized pursuant to one or more serial bond resolutions duly adopted by the Board of Trustees of the Village for the objects or

purposes described therein and delegated to the Chief Fiscal Officer the power to prescribe the terms, form and contents of and to sell and deliver such serial bonds of the Village; and

WHEREAS, \$2,475,000 aggregate principal amount of the Series 2003B Bonds currently remain outstanding and unredeemed as of the date hereof; and

WHEREAS, it is hereby determined to be in the public interest of the Village to refund all or a portion of the outstanding Series 2003B Bonds, by the issuance of the refunding bonds authorized herein pursuant to Section 90.10 of the Local Finance Law (the "Series 2003B Refunding Bonds"); and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF PORT CHESTER, IN THE COUNTY OF WESTCHESTER, STATE OF NEW YORK (BY THE AFFIRMATIVE VOTE OF NOT LESS THAN TWO-THIRDS OF THE VOTING STRENGTH OF BOARD OF TRUSTEES OF THE VILLAGE), AS FOLLOWS:

Section 1. For the purpose of refunding all or a portion of the \$4,700,000 outstanding principal amount of the Series 2002 Bonds, all or a portion of the outstanding \$2,750,000 Series 2003A Bonds, and all or a portion of the outstanding \$2,475,000 Series 2003B Bonds, providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized shall be sufficient to pay: (i) the refunded principal amount of the Series 2002 Bonds, Series 2003A Bonds and Series 2003B Bonds (collectively, the "Refunded Bonds"); (ii) the aggregate amount of the unmatured interest payable on the Refunded Bonds to and including the date on which any series of the Refunded Bonds which are callable are to be redeemed prior to their respective maturities in accordance with the Refunding Financial Plan (as hereinafter defined) and attached hereto as Exhibit B; (iii) the costs and expenses incidental to the issuance of the Series 2002 Refunding Bonds, Series 2003A Refunding Bonds and the Series 2003B Refunding Bonds (collectively, the "Refunding Bonds") as hereinafter authorized and as described in Exhibit A, including without limitation, the development of the Refunding Financial Plan, costs and expenses of executing and performing the terms and conditions of the Escrow Contract (as hereinafter defined), and any securities supply contract, the premium with respect to any bond insurance policy or policies acquired with respect to the Refunding Bonds (as defined below), discount or compensation of underwriters, fees of bond counsel and financial advisors, rating agency fees, printing and service agency fees and expenses, and fees and charges of the Escrow Holder (as hereinafter described); and (iv) the redemption premium, if any, to be paid on any series of the Refunded Bonds which are to be called prior to their respective maturities; there are hereby authorized to be issued in one or more series not exceeding \$10,000,000 aggregate principal amount of refunding serial bonds of the Village pursuant to the provisions of Section 90.10 of the Local Finance Law, it being anticipated that the par amount of Refunding Bonds actually to be issued will be approximately \$9,615,000 as provided in Section 4 hereof. The proposed principal amounts and dates of maturity of such Refunding Bonds are set forth in the Refunding Financial Plan attached hereto.

Section 2. It is hereby determined pursuant to Section 90.10 that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph (b) of Section 90.10 of the Local Finance Law with respect to each series of the Refunded Bonds;

(b) the aggregate amount of estimated present value savings computed in accordance with subparagraph (a) of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law is not expected to be less than three percent (3.0%) of debt service on the Refunded Bonds paid to stated maturity.

(c) The Board of Trustees is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this State as the Board of Trustees shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law. In addition, the Escrow Contract may include a forward supply or purchase contract or agreement as part thereof or as a separate agreement for the provision of acquiring obligations of the United States of America or unconditionally guaranteed by the United States of America or other obligations or instruments qualified under Section 90.10 of the Local Finance Law or may be necessary for the completion of the Refunding Financial Plan. The Escrow Contract shall contain such terms and conditions as shall be necessary or required, including terms and conditions required for the completion of the Refunding Financial Plan, including provisions for the Escrow Holder, without further authorization or direction from the Board of Trustees of the Village, except as otherwise provided therein, including, without limitation, (i) to make all required payments of principal, interest and any redemption premiums to appropriate paying agents with respect to the Refunded Bonds, (ii) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the Refunding Financial Plan, and of executing and performing the terms and conditions of the Escrow Contract by the Escrow Holder, (iii) at the appropriate time or times, to cause to be given on behalf of the Village in the manner provided by law the notice of redemption authorized to be given pursuant to Section 8 hereof, and (iv) to invest the moneys held by the Escrow Holder pursuant to the terms of the Escrow Contract and consistent with the provisions of the Refunding Financial Plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the owners of the Refunding Bonds.

(d) The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt, shall be placed in escrow by the Village with the Escrow Holder pursuant to the terms of the Escrow Contract. All moneys held by the Escrow Holder shall be invested only in direct obligations of the United States of America, in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or in obligations or instruments qualified under Section 90.10 of the Local Finance Law, which obligations or instruments shall mature or be subject to redemption at the option of the Escrow Holder not later than the respective dates when such

moneys will be required to make payments in accordance with the Escrow Contract and the Refunding Financial Plan. Any such moneys remaining in the custody of the Escrow Holder after the performance in full of the Escrow Contract by the Escrow Holder shall be returned to the Village and shall be applied by the Village Treasurer to the payment of the principal of or interest on the Refunding Bonds then outstanding, to the payment of any amounts required to be paid to the United States of America in connection of with the refunding of the Refunding Bonds or to the payment of or reimbursement for the costs of issuance or other administrative costs incurred in connection with the issuance of the Refunding Bonds. In connection with the investment of moneys held by the Escrow Holder under the Escrow Contract, the Village Treasurer is authorized to execute on behalf of the Village any forward purchase or supply contract for the purchase or supply of the securities described in this subsection (d) at a date subsequent to the delivery of the Refunding Bonds, as is needed to accomplish the purposes of the Refunding Financial Plan.

Section 3. It is hereby determined that the maximum period or periods of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each of the objects or purposes for which the Refunded Bonds were issued is no less than as shown in the Certificates of Determination of the Village Treasurer incorporated by reference herein and made a part of this resolution taking into account the earlier of the original date of issuance of any such series of serial bonds or bond anticipation notes funded by such series of Refunded Bonds; and

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit B attached hereto and made a part hereof. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount of \$9,615,000 if fully issued and will mature, be of such terms, and bear such interest as set forth in the Refunding Financial Plan. The Board of Trustees of the Village recognizes that the principal amount of the Refunding Bonds, the series, maturities, terms, interest rate or rates borne by the Refunding Bonds, the provisions for redemption thereof prior to maturity and whether or not all of the Refunding Bonds will be insured, and the resulting present value savings are likely to vary from such assumptions and that the Refunding Financial Plan will likely vary from that attached hereto as Exhibit B. The Village Treasurer is hereby authorized and directed to determine the principal amount of the Refunding Bonds to be issued, the series and designation or designations thereof, the time or times of the sale thereof, the maturities and terms thereof, the provisions relating to the redemption of the Refunding Bonds prior to maturity, if any, the rate or rates of interest to be borne thereby, whether or not the Refunding Bonds will be insured in whole or in part or uninsured, and to prepare, or cause to be provided, a final Refunding Financial Plan, all in accordance herewith, and all powers in connection therewith may be exercised by the Village Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The Board of Trustees shall file a copy of a certificate determining the details of the Refunding Bonds and

the final Refunding Financial Plan with the Village Clerk within ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The faith and credit of the Village are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on the Refunding Bonds becoming due and payable in such year. To the extent that the same are not paid from other sources, there shall be annually levied on all the taxable real property in the Village a tax sufficient to pay the principal of and interest on the Refunding Bonds as the same become due and payable.

Section 6. Proceeds from the sale of the Refunding Bonds, including any accrued interest and, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Refunded Bonds, including any redemption or call premiums, in accordance with the Refunding Financial Plan, shall be irrevocably committed and pledged to such purpose and the owners of the Refunded Bonds shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. The pledge and lien provided by this resolution shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding against all parties having claims of any kind in tort, contract, equity, at law or otherwise against the Village irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledge and lien, need be filed or recorded.

Section 7. In accordance with the terms of the Refunded Bonds and the provisions of Section 53.00 and of paragraph (h) of Section 90.10 of the Local Finance Law, and subject only to the issuance of the Refunding Bonds, as herein authorized, the Village hereby elects to call in and redeem (i) all or a portion of the Series 2002 Bonds maturing on and after November 15, 2013 on November 15, 2012, (ii) all or a portion of the Series 2003A Bonds maturing on and after October 1, 2014 on October 1, 2013 and (iii) all or a portion of the Series 2003B Bonds maturing on and after October 1, 2014 on October 1, 2013. The sum to be paid therefor on such redemption dates shall be the par value thereof plus the redemption premium, if any, as provided in the issuance proceedings for the Series 2002 Bonds, the Series 2003A Bonds and the Series 2003B Bonds and the accrued interest to such redemption date. The Escrow Holder is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the Village in the manner and within the times provided in the issuance proceedings for the Series 2002 Bonds, the Series 2003A Bonds and the Series 2003B Bonds. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the applicable portion of the Series 2002 Bonds, the Series 2003A Bonds and the Series 2003B Bonds and direction to the Escrow Holder to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the notice, requirements of paragraph (a) of Section 53.00 of the Local Finance Law, or any successor law thereto. It is hereby determined that with respect to the

series of Refunded Bonds to be called in and redeemed as provided in this Section 7, it is to the financial advantage of the Village not to charge, impose and collect or receive from registered owners of the Refunded Bonds mailing, shipping, insurance or other similar charges in connection with such redemption or calls. Accordingly, pursuant to paragraph (c) of Section 70.00 of the Local Finance Law, no such charges shall be so charged, collected or received by the Chief Fiscal Officer, as fiscal agent.

Section 8. The Refunding Bonds may be sold at either a private or competitive sale and the Village Treasurer is hereby authorized to execute a purchase contract on behalf of the Village Treasurer for the sale of the Refunding Bonds, provided that the terms and conditions of such sale shall be approved by the State Comptroller and further provided that, prior to the issuance of the Refunding Bonds the Board of Trustees shall have filed with the Village Clerk a certificate approved by the State Comptroller pursuant to subdivision 2 of paragraph (g) of Section 90.10 of the Local Finance Law setting forth the present value savings to the Village resulting from the issuance of the Refunding Bonds. In connection with such sale, the Board of Trustees of the Village hereby authorizes the preparation of an Official Statement and approves its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is executed and available for distribution, all in accordance with applicable State and Federal securities laws, rules and regulations.

Section 9. The Board of Trustees of the Village hereby appoints the law firm of Squire Sanders (US) LLP of New York, New York, as bond counsel in connection with the issuance and sale of the Refunding Bonds. The Board of Trustees of the Village hereby appoints the firm of Capital Markets Advisors, LLC of Hopewell Jct., New York, as financial advisor in connection with the issuance and sale of the Bonds. The power to appoint the Escrow Holder, as that term is referred to herein, and a senior managing underwriter for the sale of the Refunding Bonds if sold at private sale, is hereby delegated to the Village Treasurer of the Village, as chief fiscal officer of the Village.

Section 10. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Refunding Bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the taxable real property within the Village, without limitation as to rate or amount.

Section 11. The Village Treasurer, pursuant to Sections 50.00, 90.00, 90.10 and 168.00 of the Local Finance Law, and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including to correct or amend the documents and certificates authorized to complete the transactions contemplated by this resolution.

Section 12. All other matters pertaining to the terms, issuance and sale of the Refunding Bonds consistent with the provisions of Section 90.10 of the Local Finance Law

shall be determined by the Village Treasurer and the powers in connection therewith not otherwise heretofore delegated thereto are hereby delegated to the Village Treasurer.

Section 13. The Village intends to issue the obligations authorized by this resolution to finance the costs of the purposes described herein for the completion of the Refunding Financial Plan. The Village covenants for the benefit of the holders of the Refunding Bonds that it will not make any use of (a) the proceeds of the Refunding Bonds, any funds reasonably expected to be used to pay the principal of or interest on the Refunding Bonds or any other funds of the Village, and (b) the purposes financed with the proceeds of the Series 2002A and Series 2003A Refunding Bonds, which would cause the interest on which to become subject to Federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the Village to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to the Refunding Bonds or the proceeds thereof, if such action or omission would cause the interest on the Series 2002A and Series 2003A Refunding Bonds to become subject to Federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the Village to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the Refunding Bonds or any other provision hereof until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of the Refunding Bonds may be applied to reimburse expenditures or commitments made for the purposes on or after a date which is not more than sixty (60) days prior to the adoption date of this resolution by the Village.

Section 14. For the benefit of the holders and beneficial owners from time to time of the Refunding Bonds, the Village agrees, in accordance with and as an obligated person with respect to the Refunding Bonds under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the Refunding Bonds in accordance with the Rule, with any changes or amendments that are not inconsistent with this resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed, collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is

further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 15. The validity of the Refunding Bonds may be contested only if such obligations are authorized for objects or purposes for which the Village is not authorized to expend money, or the provisions of law which should be complied with at the date of the publication of this resolution, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of publication, or if said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 16. When this bond resolution takes effect, it shall be published in full by the Village Clerk, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in Journal News and the Westmore News, newspapers having a general circulation in the Village and which is hereby designated as the official newspaper of the Village for such purpose.

Section 17. This bond resolution shall take effect immediately upon its adoption by the Village Treasurer of the Village.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

Village of Port Chester, New York

Exhibit A to the Refunding Bond Resolution,

Dated February 6, 2012,

of the Village of Port Chester

in the County of Westchester, State of New York

\$7,165,000 Public Improvement Refunding Serial Bonds - Estimated Debt Service

<u>Maturity Date</u>	<u>Principal Amount</u>
10/1/2012	\$115,000
10/1/2013	465,000
10/1/2014	640,000
10/1/2015	645,000
10/1/2016	655,000
10/1/2017	665,000
10/1/2018	670,000
10/1/2019	685,000
10/1/2020	695,000
10/1/2021	710,000
10/1/2022	715,000
10/1/2023	220,000
10/1/2024	225,000

\$2,450,000 Public Improvement Refunding Serial Bonds (Federally Taxable) - Estimated Debt

Service

<u>Maturity Date</u>	<u>Principal Amount</u>
10/1/2012	\$50,000
10/1/2013	50,000
10/1/2014	195,000
10/1/2015	200,000
10/1/2016	205,000
10/1/2017	200,000
10/1/2018	205,000
10/1/2019	210,000
10/1/2020	220,000
10/1/2021	215,000
10/1/2022	225,000
10/1/2023	235,000
10/1/2024	240,000

Exhibit B to the Refunding Bond Resolution,
dated February 6, 2012
of the Village of Port Chester,
County of Westchester, State of New York
Refunding Financial Plan

Village of Port Chester

Westchester County, New York

\$7,165,000 Public Improvement Refunding Serial Bonds, Series 2012

Prevailing 'Aa' Rates plus 25 bps - 1.20.12

Project Summary

Dated 04/01/2012 | Delivered 04/01/2012

	2002 Bonds	2003 Bonds	Issue Summary
Sources Of Funds			
Par Amount of Bonds	\$4,545,000.00	\$2,620,000.00	\$7,165,000.00
Total Sources	\$4,545,000.00	\$2,620,000.00	\$7,165,000.00
Uses Of Funds			
Total Underwriter's Discount (1.000%)	45,450.00	26,200.00	71,650.00
Costs of Issuance	50,746.69	29,253.31	80,000.00
Deposit to Net Cash Escrow Fund	4,445,416.39	2,562,494.13	7,007,910.52
Rounding Amount	3,386.92	2,052.56	5,439.48
Total Uses	\$4,545,000.00	\$2,620,000.00	\$7,165,000.00

Flow of Funds Detail

State and Local Government Series (SLGS) rates for Date of OMP Candidates	1/12/2012	1/12/2012	1/12/2012
Primary Purpose Fund Solution Method	Net Funded	Net Funded	Net Funded
Total Cost of Investments	\$4,445,416.39	\$2,562,494.13	\$7,007,910.52
Interest Earnings @ 0.111%	1,666.11	5,606.51	7,272.62
Total Draws	\$4,447,082.50	\$2,568,100.64	\$7,015,183.14

PV Analysis Summary (Net to Net)

Net PV Cashflow Savings @ 1.732%(AIC)	495,938.73	205,815.45	700,209.48
Contingency or Rounding Amount	3,386.92	2,052.56	5,439.48
Net Present Value Benefit	\$499,325.65	\$207,868.01	\$705,648.96
Net PV Benefit / \$6,775,000 Refunded Principal	11.466%	8.590%	10.415%
Net PV Benefit / \$7,165,000 Refunding Principal	10.986%	7.934%	9.849%

Bond Statistics

Average Life	6.013 Years	7.483 Years	6.550 Years
Average Coupon	1.6363187%	1.8959054%	1.7447552%
Net Interest Cost (NIC)	1.8026347%	2.0295448%	1.8974213%
Bond Yield for Arbitrage Purposes	1.7324884%	1.7324884%	1.7324884%
True Interest Cost (TIC)	1.8037518%	2.0277784%	1.8966634%
All Inclusive Cost (AIC)	1.6263842%	1.8820843%	1.7324884%

Village of Port Chester

Westchester County, New York

\$2,450,000 Public Improvement Refunding (Serial) Bonds, 2012 (Federally Tax

Prevailing 'Aa' Rates plus 25 bps - 2.3.12

Debt Service Comparison

Date	Total P+I	Existing D/S	Net New D/S	Old Net D/S	Savings
05/31/2012	-	-	-	-	-
05/31/2013	104,112.00	146,900.00	251,012.00	272,645.00	21,633.00
05/31/2014	103,722.00	149,060.00	252,782.00	274,805.00	22,023.00
05/31/2015	247,542.25	-	247,542.25	271,545.00	24,002.75
05/31/2016	250,357.50	-	250,357.50	272,865.00	22,507.50
05/31/2017	252,722.50	-	252,722.50	273,625.00	20,902.50
05/31/2018	244,577.50	-	244,577.50	268,833.75	24,256.25
05/31/2019	245,756.00	-	245,756.00	268,483.75	22,727.75
05/31/2020	246,072.00	-	246,072.00	267,558.75	21,486.75
05/31/2021	250,595.50	-	250,595.50	270,915.00	20,319.50
05/31/2022	239,670.75	-	239,670.75	263,696.25	24,025.50
05/31/2023	243,320.00	-	243,320.00	265,902.50	22,582.50
05/31/2024	246,371.00	-	246,371.00	267,185.00	20,814.00
05/31/2025	243,876.00	-	243,876.00	267,540.00	23,664.00
Total	\$2,918,695.00	\$295,960.00	\$3,214,655.00	\$3,505,600.00	\$290,945.00

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	238,080.78
Net PV Cashflow Savings @ 2.987%(AIC)	238,080.78
Contingency or Rounding Amount	2,738.74
Net Present Value Benefit	\$240,819.52
Net PV Benefit / \$2,195,000 Refunded Principal	10.971%
Net PV Benefit / \$2,450,000 Refunding Principal	9.829%

Refunding Bond Information

Refunding Dated Date	4/01/2012
Refunding Delivery Date	4/01/2012

Mtg Date:	<u>1/3/12 tabled to 2/6/12</u>	Action:	_____	Adopted
			_____	Defeated
			_____	Tabled
Resolution #:	<u>Finance - #2</u>		_____	No Action
			_____	Amended
Motion 1:	_____	Motion 2:	_____	

**RESOLUTION
CLOSEOUT OF CAPITAL PROJECTS**

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, that there remain a balance or deficit on completed capital projects; and

WHEREAS, that the Village's independent auditors have identified these balances/deficits and has recommended that corrective action be taken so that these capital projects can be closed out; and

WHEREAS, the Village Treasurer concurs with this recommendation. Now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the Village Treasurer to close out the following projects in the Capital Fund; and fund balances remaining be used to cover deficits in projects where deficits exist; or in some cases transferred back to General Fund (the source of original funding); and be it further

RESOLVED, that the Board of Trustees authorizes the Village Treasurer to modify the Capital Budget and establish the Sidewalk/Curb Improvements-2011/12 Project to be funded by the remaining fund balances from closing the projects listed below after covering the projects with fund deficits:

Sidewalk & Curb Improvements:

<u>Project:</u>	<u>Budget</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Balance/(deficit)</u>
005.5110.2109.0000.0000: Street Imprvmnts-01/02:	\$ 286,658.41	\$ 286,658.41	\$ 275,941.16	\$ 10,717.25
005.5110.2115.0000.0000: Sidewalk Imprv-General-01/02:	\$ 138,262.60	\$ 138,262.60	\$ 88,200.59	\$ 50,062.01
005.5110.2135.0000.0000: Street Maint. Imprv-02/03:	\$ 248,819.59	\$ 248,819.59	\$ 197,189.83	\$ 51,629.76
005.5110.2136.0000.0000: Sidewalk Imprvmnts-02/03:	\$ 210,989.74	\$ 210,989.74	\$ 172,574.52	\$ 38,415.22
005.5110.2137.0000.0000: Sidewalk/Curb (w/King)-02/03:	\$ 71,934.88	\$ 71,934.88	\$ 73,173.27	(\$ 1,238.39)
005.5110.2140.0000.0000: Street Imprvmnts-03/04:	\$ 170,000.00	\$ 157,939.02	\$ 197,001.83	(\$ 39,062.81)
005.5110.2141.0000.0000: Sidewalk Imprv-CDBG-03/04:	\$ 294,306.00	\$ 310,000.00	\$ 364,720.97	(\$ 54,720.97)
005.5110.0400.2004.0001: Street/Curb Maintenance-04/05:	\$ 170,000.00	\$ 187,519.37	\$ 170,884.36	\$ 16,635.01
005.5110.0400.2004.0002: Sidewalk Imprv-CDBG-04/05:	\$ 246,125.00	\$ 246,125.00	\$ 296,156.10	(\$ 50,031.10)
005.5110.0400.2004.0003: Good Neighbor Sidewalk-04/05:	\$ 300,000.00	\$ 265,188.21	\$ 261,606.21	\$ 3,582.00
005.5110.0400.2004.0004: Curbing-04/05:	\$ 50,000.00	\$ 50,000.00	\$ 23,749.64	\$ 26,250.36
005.5110.0400.2005.0017: Sidewalk Imprv-CDBG-05/06:	\$ 246,125.00	\$ 324,852.20	\$ 256,228.88	\$ 68,623.32

Capital Project Closeout Resolution
November 21, 2011 Village Board Meeting
Page 2 of 3

Sidewalk & Curb Improvements (Continued):

Project:	Budget	Revenues	Expenditures	Balance/(deficit)
005.5110.0400.2005.0018: Good Neighbor Sidewalk-05/06:	\$ 300,000.00	\$ 150,000.00	\$ 1,636.11	\$ 148,363.89
005.5110.0400.2005.0019: Curbing-05/06:	\$ 50,000.00	\$ 50,000.00	\$ 51,905.56	(\$ 1,905.56)
005.5110.0400.2005.0029: Emerg. Sidewalk Repairs-05/06	\$ 50,000.00	\$ 50,000.00	\$ 105,832.33	(\$ 55,832.33)
005.5110.0400.2006.0035: Sidewalk Imprv-CDBG-06/07	\$ 340,000.00	\$ 329,068.11	\$ 282,166.26	\$ 46,901.85
005.5110.0400.2006.0036: Sidewalk Imprv-Vlg Wide-06/07	\$ 100,000.00	\$ 100,000.00	\$ 87,161.51	\$ 12,838.49
005.5110.0400.2006.0043: Sidewalk Imprv-New King-06/07	\$ 131,000.00	\$ 131,000.00	\$ 127,104.52	\$ 3,895.48
005.5110.0400.2007.0053: Sidewalk Imprv-CDBG-07/08	\$ 355,000.00	\$ 311,714.06	\$ 218,691.17	\$ 93,022.89
005.5110.0400.2007.0054: Sidewalk Imprv-Vlg Prop-07/08	\$ 70,000.00	\$ 70,000.00	\$ 1,102.64	\$ 68,897.36
005.5110.0400.2007.0071: Sidewalk Bttrmnt-Phase 1-07/08	\$ 500,000.00	\$ 500,000.00	\$ 476,863.46	\$ 23,136.54
005.5110.0400.2008.0089: Sidewalk Imprv-CDBG-Ryan Ave	\$ 340,000.00	\$ 340,000.00	\$ 339,436.36	\$ 563.64
				<u>\$ 460,743.91</u>

\$ 148,363.89 From: 005.5110.0400.2005.0018: Good Neighbor Sidewalk-05/06
\$ 1,238.39 To: 005.5110.2137.0000.0000: Sidewalk/Curb (w/King St)-02/03
\$ 39,062.81 To: 005.5110.2140.0000.0000: Street Improvements-03/04
\$ 50,031.10 To: 005.5110.0400.2004.0002: Sidewalk Improvements (CDBG)-04/05
\$ 1,905.56 To: 005.5110.0400.2005.0019: Curbing-05/06
\$ 55,832.33 To: 005.5110.0400.2005.0029: Emergency Sidewalk Repairs-05/06
\$ 293.70 To: 005.5110.0400.2011.0120: Sidewalk/Curb Improvements-2011/12 (**Active Project**)

\$ 68,623.32 From: 005.5110.0400.2005.0017: Sidewalk Improvements-CDBG-05/06
\$ 54,720.97 To: 005.5110.2141.0000.0000: Sidewalk Improvements-CDBG-03/04
\$ 13,902.35 To: 005.5110.0400.2011.0120: Sidewalk/Curb Improvements-2011/12 (**Active Project**)


\$ 10,717.25 From: 005.5110.2109.0000.0000: Street Improvements-01/02
\$ 50,062.01 From: 005.5110.2115.0000.0000: Sidewalk Improvements General-01/02
\$ 51,629.76 From: 005.5110.2135.0000.0000: Street Maintenance Improvements-02/03
\$ 38,415.22 From: 005.5110.2136.0000.0000: Sidewalk Improvements-CDBG-02/03
\$ 16,635.01 From: 005.5110.0400.2004.0001: Street/Curb Maintenance-04/05
\$ 3,582.00 From: 005.5110.0400.2004.0003: Good Neighbor Sidewalk-04/05
\$ 26,250.36 From: 005.5110.0400.2004.0004: Curbing-04/05
\$ 46,901.85 From: 005.5110.0400.2006.0035: Sidewalk Improvements-CDBG-06/07
\$ 12,838.49 From: 005.5110.0400.2006.0036: Sidewalk Improvements-Vlg Wide-06/07
\$ 3,895.48 From: 005.5110.0400.2006.0043: Sidewalk Improvements-New King-06/04
\$ 93,022.89 From: 005.5110.0400.2007.0053: Sidewalk Improvements-CDBG-07/08
\$ 68,897.36 From: 005.5110.0400.2007.0054: Sidewalk Improvements-Vlg Property-07/08
\$ 23,136.54 From: 005.5110.0400.2007.0071: Sidewalk Betterment-Phase 1
\$ 445,984.22 To: 005.5110.0400.2011.0120: Sidewalk/Curb Improvements-2011/12 (**Active Project**)

\$ 563.64 From: 005.5110.0400.2008.0089: Sidewalk Improvements-CDBG (Ryan Avenue)
\$ 563.64 To: General Fund (funding source – no debt was issued for this project)

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF PORT CHESTER, NEW YORK

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

Memo

To: Board of Trustees
From: Leonie Douglas, Treasurer 
cc: Chris Russo, Village Manager
Date: February 6, 2012
Re: CDBG Sidewalk & Curb Improvement Capital Projects

As requested, attached are the following:

- Comprehensive analysis of Sidewalk & Curb Improvement projects to be closed: CDBG & Non CDBG
- Summary of FY2002-03 to FY 2007-08 and CDBG Ryan Avenue Sidewalk Improvements 2008-09 Project. Please note that for FY 2002-03 to FY 2004-05, \$825,000 was awarded with a village match of \$225,000; and for FY 2005-06 to FY 2007-08 another \$825,000 was awarded with a village match of \$225,000; or. 78.6% CDBG to 21.4% Village. As stated below, the Village actually contributed over 24% exceeding the required match of 21.4%

Total CDBG Revenues	\$1,201,759.37	75.56%
Total Village Match	<u>\$ 388,778.53</u>	<u>24.44%</u>
Actual Expenses	\$1,590,537.90	100%

For the Ryan Avenue CDBG Sidewalk Improvements 2008-9 project, \$250,000 was awarded with a Village Match of \$90,000, or 73.5% to 26.5%. The Village match of 26.5% exceeded the required match of 25.7%

- Supporting Board resolutions dated 9/18/2002, 5/16/2005, & 5/19/2008 are attached.

If you have any questions, please do not hesitate to let me know.

Thank you.

Village of Port Chester, New York
 Comprehensive Analysis - Sidewalk & Curb Improvement Capital Projects

Projects with CDBG Funding:

<u>Project Name / Project Number</u>	<u>Revenue Source</u>	<u>Budget</u>	<u>Revenue</u>		<u>Expense</u>		<u>FUND BALANCE/ (FUND DEFICIT)</u>
			<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	
CDBG Sidewalk Improvements-2002/03 005.5110.2136.0000.0000	CDBG Funding:	100,000.00	100,000.00	100,000.00	100,000.00	-	-
	Serial Bond Proceeds:	75,000.00	75,000.00	75,000.00	36,584.78	38,415.22	38,415.22
	I/P Transfers (2110):	35,989.74	35,989.74	35,989.74	35,989.74	-	-
		<u>210,989.74</u>	<u>210,989.74</u>	<u>172,574.52</u>		<u>38,415.22</u>	
CDBG Sidewalk Improvements-2003/04 005.5110.2141.0000.0000	CDBG Funding:	219,306.00	235,000.00	235,000.00	235,000.00	-	-
	Serial Bond Proceeds:	75,000.00	75,000.00	75,000.00	129,720.97	(54,720.97)	(54,720.97)
		<u>294,306.00</u>	<u>310,000.00</u>	<u>310,000.00</u>	<u>364,720.97</u>	<u>(54,720.97)</u>	
CDBG Sidewalk Improvements-2004/05 005.5110.0400.2004.0002	CDBG Funding:	171,125.00	171,125.00	171,125.00	171,125.00	-	-
	Serial Bond Proceeds:	75,000.00	75,000.00	75,000.00	125,031.10	(50,031.10)	(50,031.10)
		<u>246,125.00</u>	<u>246,125.00</u>	<u>246,125.00</u>	<u>296,156.10</u>	<u>(50,031.10)</u>	
CDBG Sidewalk Improvements-2005/06 005.5110.0400.2005.0017	CDBG Funding:	171,125.00	249,852.20	249,852.20	249,852.20	-	-
	Serial Bond Proceeds:	75,000.00	75,000.00	75,000.00	6,376.68	68,623.32	68,623.32
		<u>246,125.00</u>	<u>324,852.20</u>	<u>324,852.20</u>	<u>256,228.88</u>	<u>68,623.32</u>	
CDBG Sidewalk Improvements-2006/07 005.5110.0400.2006.0035	CDBG Funding:	250,000.00	239,068.11	239,068.11	239,068.11	-	-
	Serial Bond Proceeds:	90,000.00	90,000.00	90,000.00	43,098.15	46,901.85	46,901.85
		<u>340,000.00</u>	<u>329,068.11</u>	<u>329,068.11</u>	<u>282,166.26</u>	<u>46,901.85</u>	
CDBG Sidewalk Improvements-2007/08 005.5110.0400.2007.0053	CDBG Funding:	250,000.00	206,714.06	206,714.06	206,714.06	-	-
	Serial Bond Proceeds:	105,000.00	105,000.00	105,000.00	11,977.11	93,022.89	93,022.89
		<u>355,000.00</u>	<u>311,714.06</u>	<u>311,714.06</u>	<u>218,691.17</u>	<u>93,022.89</u>	

Project Name / Project Number

Revenue Source

Budget

Revenue
Actual

Expense
Actual

FUND BALANCE/
(FUND DEFICIT)
Revenue Actual
minus
Expense Actual

CDBG Ryan Avenue Sidewalk Improvements-2008/09
005.5110.0400.2008.0089

CDBG Funding:	250,000.00	250,000.00	250,000.00	-
Transfer from General:	90,000.00	90,000.00	89,436.36	563.64
	340,000.00	340,000.00	339,436.36	563.64

Non-CDBG Funded Projects:

Street Improvements-2001/02
005.5110.2109.0000.0000

C.H.I.P.S.:	129,628.73	129,628.73	129,628.73	-
Trsftrs from General:	20,000.00	20,000.00	20,000.00	-
Serial Bond Proceeds:	50,000.00	50,000.00	39,282.75	10,717.25
I/P Transfers (2103):	87,029.68	87,029.68	87,029.68	-
	286,658.41	286,658.41	275,941.16	10,717.25

Sidewalk Improvements-General-2001/02
005.5110.2115.0000.0000

I/P Transfers (2097):	13,262.60	13,262.60	13,262.60	-
Serial Bond Proceeds:	125,000.00	125,000.00	74,937.99	50,062.01
	138,262.60	138,262.60	88,200.59	50,062.01

Street Maintenance Improvements-2002/03
005.5110.2135.0000.0000

C.H.I.P.S.:	131,747.03	131,747.03	131,747.03	-
Trnsfrs from General:	10,000.00	10,000.00	10,000.00	-
Serial Bond Proceeds:	30,000.00	30,000.00	-	30,000.00
I/P Transfers (2109):	77,072.56	77,072.56	55,442.80	21,629.76
	248,819.59	248,819.59	197,189.83	51,629.76

Sidewalk/Curb (w/King Street)-2002/03
005.5110.2137.0000.0000

Trnsfrs from General:	27,500.00	27,500.00	27,500.00	-
I/P Transfers (2097&2115):	6,934.88	6,934.88	6,934.88	-
Serial Bond Proceeds:	37,500.00	37,500.00	38,738.39	(1,238.39)
	71,934.88	71,934.88	73,173.27	(1,238.39)

<u>Project Name / Project Number</u>	<u>Revenue Source</u>	<u>Budget</u>	<u>Revenue</u>		<u>Expense</u>		<u>FUND BALANCE / (FUND DEFICIT)</u>
			<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	
							<u>Revenue Actual</u> minus <u>Expense Actual</u>
Street Improvements-2003/04 005.5110.2140.0000.0000	C.H.I.P.S.: Serial Bond Proceeds:	130,000.00 40,000.00	117,939.02 40,000.00	117,939.02 79,062.81	- -	- (39,062.81)	
Street/Curb Maintenance-2004/05 005.5110.0400.2004.0001	C.H.I.P.S.: Serial Bond Proceeds:	130,000.00 40,000.00	147,519.37 40,000.00	147,519.37 23,364.99	- -	16,635.01 16,635.01	
Good Neighbor Sidewalk-2004/05 005.5110.0400.2004.0003	Misc. Revenue: Serial Bond Proceeds:	150,000.00 150,000.00	115,188.21 150,000.00	115,188.21 146,418.00	- -	3,582.00 3,582.00	
Curbing-2004/05 005.5110.0400.2004.0004	Serial Bond Proceeds:	50,000.00 50,000.00	50,000.00 50,000.00	23,749.64 23,749.64	26,250.36 26,250.36	26,250.36 26,250.36	
Good Neighbor Sidewalk-2005/06 005.5110.0400.2005.0018	Misc. Revenue: Serial Bond Proceeds:	150,000.00 150,000.00	- 150,000.00	- 1,636.11	- -	- 148,363.89	
Curbing-2005/06 005.5110.0400.2005.0019	Serial Bond Proceeds:	50,000.00 50,000.00	50,000.00 50,000.00	51,905.56 51,905.56	(1,905.56) (1,905.56)	(1,905.56) (1,905.56)	
Emergency Sidewalk Repairs-2005/06 005.5110.0400.2005.0029	Serial Bond Proceeds:	50,000.00 50,000.00	50,000.00 50,000.00	105,832.33 105,832.33	(55,832.33) (55,832.33)	(55,832.33) (55,832.33)	
Sidewalk Improvements (Village Wide)-2006/07 005.5110.0400.2006.0036	Serial Bond Proceeds:	100,000.00 100,000.00	100,000.00 100,000.00	87,161.51 87,161.51	12,838.49 12,838.49	12,838.49 12,838.49	
Sidewalk Improvements (New King)-2006/07 005.5110.0400.2006.0043	Serial Bond Proceeds:	131,000.00 131,000.00	131,000.00 131,000.00	127,104.52 127,104.52	3,895.48 3,895.48	3,895.48 3,895.48	

<u>Project Name / Project Number</u>	<u>Revenue Source</u>	<u>Budget</u>	Revenue		Expense		FUND BALANCE / (FUND DEFICIT)	
			<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	Revenue Actual	minus Expense Actual
Sidewalk Improvements (Village Properties)-2007/08 005.5110.0400.2007.0054	Serial Bond Proceeds:	70,000.00	70,000.00	70,000.00	1,102.64		68,897.36	
		<u>70,000.00</u>	<u>70,000.00</u>	<u>70,000.00</u>	<u>1,102.64</u>		<u>68,897.36</u>	
Sidewalk Betterment Program-Phase 1-2007/08 005.5110.0400.2007.0071	Serial Bond Proceeds:	500,000.00	500,000.00	500,000.00	476,863.46		23,136.54	
		<u>500,000.00</u>	<u>500,000.00</u>	<u>500,000.00</u>	<u>476,863.46</u>		<u>23,136.54</u>	

Net Fund Balance-Sidewalk & Curb Improvement Capital Projects: 460,743.91

Summary

CDBG - FY 2002-03, FY 2003-04 & FY 2004-05

	CDBG	Village Share	Original Budget
ROB 9/18/2002	825,000.00	225,000.00	1,050,000.00
	78.57%	21.43%	100.00
Actual Rev	Actual CDBG	Actual Village	Actual Expense
767,114.74	506,125.00	260,989.74	833,451.5
100.00%	65.98%	34.02%	

CDBG -FY 2005-06, FY 2006-07 & FY 2007-08

	CDBG	Village Share	Original Budget
ROB 5/16/2005	825,000.00	225,000.00	1,050,000.00
	78.57%	21.43%	100.00
Actual Rev	Actual CDBG	Actual Village	Actual Expense
965,634.37	695,634.37	270,000.00	757,086.3
100.00%	72.04%	27.96%	

Summary Analysis of CDBG FY 2002-03 to FY 2007-08

Total Actual Revenues	1,732,749.11	1,201,759.37	530,989.74	1,590,537.9
Total Actual Expenses	1,590,537.90			
Revenue Over Expenses	142,211.21		(142,211.21)	Transfer to New Pr
Actual Contributions	1,590,537.90	1,201,759.37	388,778.53	
Actual Contributions		75.56%	24.44%	

In FY 2008-09 to FY 2010-11 contributions

CDBG Ryan Avenue Sidewalk Improvements-2008/09
005.5110.0400.2008.0089

	CDBG	Village Share	Original Budget
Actual Rev	Actual CDBG	Actual Village	Actual Expense
340,000.00	250,000.00	90,000.00	339,436.3
100.00%	73.53%	26.47%	
	74.29%	25.71%	100.00
	780,000.00	270,000.00	1,050,000.00
	563.64	Transfer to Gen Fu	

RESOLUTION

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

WHEREAS, the Village of Port Chester is a member of the Westchester County Consortium which is established for the purpose of participation in the U.S. Department of Housing & Urban Development Community Development Block Grant Program; and

WHEREAS, the County of Westchester is accepting applications for the funding cycle for fiscal years 2003, 2004 and 2005; and

WHEREAS, the Village Manager has presented a community development program for:

Sidewalk Improvement Project

WHEREAS, the proposed application requests CDBG funds in the amount of \$825,000 with a municipal contribution of \$225,000. Now, therefore, be it

75-5770

214370

RESOLVED, that the Board of Trustees do and hereby authorize the Village Manager to execute and deliver the necessary application to Westchester County by the prescribed deadline date.

ROLL CALL

AYES: Trustees DiRoberto, Napoli, Colangelo, Sorensen, Crane, Ciccone and Mayor Logan

NOES: None

ABSENT: None

DATE: September 18, 2002

RESOLUTION

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

WHEREAS, the Village of Port Chester is a member of the Westchester County Consortium which is established for the purpose of participation in the U.S. Department of Housing & Urban Development Community Development Block Grant Program; and

WHEREAS, the County of Westchester is accepting applications for the funding cycle for fiscal years 2006, 2007 and 2008; and

WHEREAS, the Village Manager has presented a community development program for:

Sidewalk Improvement Project

WHEREAS, the proposed application requests CDBG funds in the amount of \$825,000.00 with a municipal contribution of \$225,000.00. Now, therefore, be it

18,57%

21,43%

RESOLVED, that the Board of Trustees do and hereby authorize the Village Manager to execute and deliver the necessary application to Westchester County by the prescribed deadline date.

ROLL CALL

AYES: Trustees Crane, Manning, Colangelo, Sorensen, Cicatelli and Mayor Logan

NOES: None

ABSENT: Trustee Ciccone

DATE: May 16, 2005

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Building - 1</u>	<input type="checkbox"/> Defeated
Motion 1 <u>2</u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

**RESOLUTION
AMENDING AGREEMENT FOR CONSULTING SERVICES TO THE
BUILDING DEPARTMENT**

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, by resolution adopted April 6, 2011, the Board of Trustees accepted the recommendation of the Village Manager and approved the retainer of Emil Antonaccio, One Lee Road, Somers, New York 10589, to provide consulting services to the Village's Building Department as part of the Manager's restructuring of the Building Department at a rate of \$65.00/hour with a cap of \$65,000 in total compensation; and

WHEREAS, as of the last pay period ending on January 20, 2012, the Consultant has been paid a total of \$62,855.00 since he was retained; and

WHEREAS, the Manager has advised that the consultant's services are still required and that an amendment of the agreement with the Consultant is in order so that he may provide for such services for the balance of this fiscal year; and

WHEREAS, it is expected that the consultant's continued services will be the subject of the upcoming budget process for the Fiscal Year 2012-2013. Now, therefore, be it

RESOLVED, the Village Manager is hereby authorized to enter into an amendment to the April 12, 2011 agreement with Emil Antonaccio, One Lee Road, Somers, New York 10589 with regard to consulting services to the Building Department with total compensation not to exceed \$95,000, said amount to be funded from Account Code, Building Department 001-3620-400.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Fire Department- 1</u>	<input type="checkbox"/> Defeated
Motion 1 <u>2</u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

RESOLUTION

SETTING PUBLIC HEARING ON TITLE VI OF THE CHARTER
WITH REGARD TO FIRE PATROL & RESCUE CO. NO. 1

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 a public hearing is to be held on February 21, 2012 at 7:00 p.m. at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the advisability of adopting a local law to amend Title VI of the Charter of the Village of Port Chester with regard to Fire Patrol & Rescue Co. No. 1.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate a new matter.

County
City of Port Chester, New York
Town
Village

Local Law No. _____ of the year 2012

A local law amending the CODE OF THE VILLAGE OF PORT CHESTER, TITLE VI OF THE CHARTER, SECTIONS 2 and 6.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County
City of Port Chester, New York as follows:
Town
Village

A LOCAL LAW AMENDING THE CHARTER OF THE VILLAGE OF PORT CHESTER WITH REGARD TO THE FIRE PATROL & RESCUE CO. NO.1

SECTION 1: The purpose of this local law is to establish uniformity of the membership requirements with regard to the fire companies that have been established as the Port Chester Fire Department.

SECTION 2: Title VI, Section 2 of the Charter of the Village of Port Chester is hereby amended as follows:

The trustees shall procure fire engines and other apparatus used in the extinguishment of fires and have the charge and control of the same, and shall provide fit and secure engine houses or other places for keeping and preserving the same, and shall have power to organize fire, hook, hose, ladder, axe, patrol and rescue and bucket companies, and to appoint a suitable and competent number of able and respectable inhabitants of said village as firemen, and to take the care and management of the engines and other apparatus and implements made and provided for the extinguishment of fires; to prescribe the duties of firemen and to make rules and regulations for the government of the fire department; and the said trustees are hereby authorized to raise money in addition to the amounts authorized to be raised by section one of title four of the charter of the Village of Port Chester, by tax to be assessed upon the estate, real and personal,

within the bounds of said corporation, which is to be collected from the several owners and occupants thereof, for the hiring of necessary quarters for fire apparatus and meeting rooms for the members of the several fire companies, and for the purchase of fire apparatus, fire hose and other implements necessary or proper for the use of the members of the fire department of said village, or any of the companies of said department, and to defray the expenses of the annual inspection of said department, to pay for the use of horses for the drawing and conveying of said fire apparatus to fires, and the maintenance and superintendence of the fire alarm system, but no tax shall be levied and collected for that purpose in any one year exceeding one-tenth of one per centum of the total assessed valuation of the real and personal property in said village, as appears upon the assessment-roll of said village for the preceding year, until the same shall have been authorized by a vote of a majority of the taxable inhabitants of said village qualified to vote under this act, present at any annual election or meeting or at a special meeting duly called for that purpose. The members of the several fire, hook, hose, ladder axe and bucket companies, when organized under this section, shall have the power to elect a chief engineer, and one or more assistant engineers and each company to elect a foreman and one assistant foreman, and a secretary and treasurer for each of their respective companies, and to select members to fill any vacancy which may occur in their ranks, providing that no engine or other company shall exceed the number of members allowed by the trustees, who have the power to regulate the members for each company, not to exceed sixty members to any one company. They may adopt by-laws for the government of their respective companies, and may impose fines and forfeitures for the violation of the same; they may expel any member from the ranks for improper conduct or neglect of duty but no expulsion shall be made unless a majority of all the members of the company concur in the same; during the time such companies shall remain duly organized, they shall have the custody of the engine and other apparatus pertaining to the fire department, subject, nevertheless, to the paramount possession, authority and control of the mayor and trustees of the village.

SECTION 2: Title VI, Section 6 of the Charter of the Village of Port Chester is hereby repealed.

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

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Home Rule - 1</u>	<input type="checkbox"/> Defeated
	<input type="checkbox"/> Tabled
Motion 1 <u>2</u>	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

RESOLUTION

AUTHORIZING THE SUBMISSION OF A HOME RULE REQUEST FOR SPECIAL
STATE LEGISLATION
REGARDING HOTEL OCCUPANCY TAX

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, although cities and counties are able to impose a hotel occupancy tax, villages do not have the same authority under New York state law; and

WHEREAS, a hotel occupancy tax represents a superior municipal option to raise necessary revenue without raising real property taxes; and

WHEREAS, although the Village of Port Chester currently does not have a hotel, the Board finds that in the event that an opportunity for a hotel presents itself that the Village has proactively taken action to secure state legislation similar to that afforded the Village of Rye Brook; and

WHEREAS, New York Assemblyman George Latimer has reintroduced legislation to the Assembly with bill number A4779 and New York Senator Suzi Oppenheimer has reintroduced legislation to the Senate with bill number S4096 that would provide this authority. Now, therefore, be it

RESOLVED, that the Board of Trustees of the Village of Port Chester hereby approves the submission of a Home Rule Request to the New York State Assembly and Senate for bill numbers A4779 and S4096 relating to the authority of the Village to impose a hotel occupancy tax of 3%; and be it further

RESOLVED, that the Clerk is hereby authorized to execute all necessary documents with regard to the Home Rule Request and the Mayor to cause their delivery to the New York State Legislature on behalf of the Board.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Senior - 1</u>	<input type="checkbox"/> Defeated
	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
Motion 1 <u> </u> 2 <u> </u>	<input type="checkbox"/> Amended

RESOLUTION

WESTCHESTER COUNTY FOOD SERVICE PERMIT
FOR SENIOR NUTRITION PROGRAM
220 GRACE CHURCH STREET

On a 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 Manager be authorized to submit the application to the Westchester County Health Department for renewal of permit number 01-6620-B which expires March 31, 2012 for food service establishment regarding the Port Chester Nutrition Program at 220 Grace Church Street.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Utilities - 1</u>	<input type="checkbox"/> Defeated
	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
Motion 1 <u>2</u>	<input type="checkbox"/> Amended

RESOLUTION
 UNITED WATER WESTCHESTER, INC.
 AUTOMATED METERING INFRASTRUCTURE (AMI) PROJECT

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, by correspondence dated September 13, 2011, Camp Dresser & McKee (CDM) on behalf of United Water Westchester, Inc., petitioned the Board of Trustees for permission to install several utility poles and ancillary equipment for their Automated Metering Infrastructure (AMI) Project in the public right-of-way; and

WHEREAS, the AMI Project is intended to implement part of the Company's Non-Revenue Reduction Program which has been approved by the New York State Public Service Commission; and

WHEREAS, the Company has made similar requests to the City of Rye and the Village of Rye Brook; and

WHEREAS, this matter was referred to the Planning Commission for their advisory recommendation; and

WHEREAS, this matter was also reviewed by the Village Manager in consultation with the Village Engineer and General Foreman; and

WHEREAS, the various recommendations from staff and the Planning Commission were included in the final proposal from the Company; and

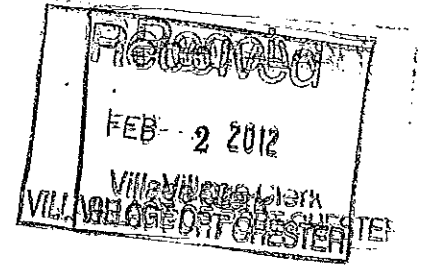
WHEREAS, the Village and the Company are in discussions regarding the Company's ability to provide billing services as part of a proposed schedule of user fees for the maintenance and construction of the Village's sanitary sewer system. Now, therefore be it

RESOLVED, that the Board of Trustees hereby grants permission to United Water Westchester, Inc. to install utility poles and ancillary equipment in the public right-of-way pursuant to the Company's submission dated December 2011 including proposed AMI Box and Antenna Location Map dated January 23, 2012.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				



11 British American Boulevard, Suite 200
Latham, New York 12110
tel: 518 782-4500
fax: 518-786-3810



January 31, 2012

Christopher J. Russo
Village Manager
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Subject: Automatic Metering Infrastructure (AMI), United Water

Dear Mr. Russo:

On behalf of United Water, enclosed please find 15 copies of the final set of plans related to the installation of Automated Metering Infrastructure (AMI) within the Village of Port Chester. In addition, enclosed please find 15 copies of the Proposed AMI Box and Antenna Location Map.

As always, please call me or Gary Stuart at 518-782-4500 should you have questions or need more information.

Very truly yours,

Paul R. Cabral, P.E.
Project Engineer
Camp Dresser & McKee

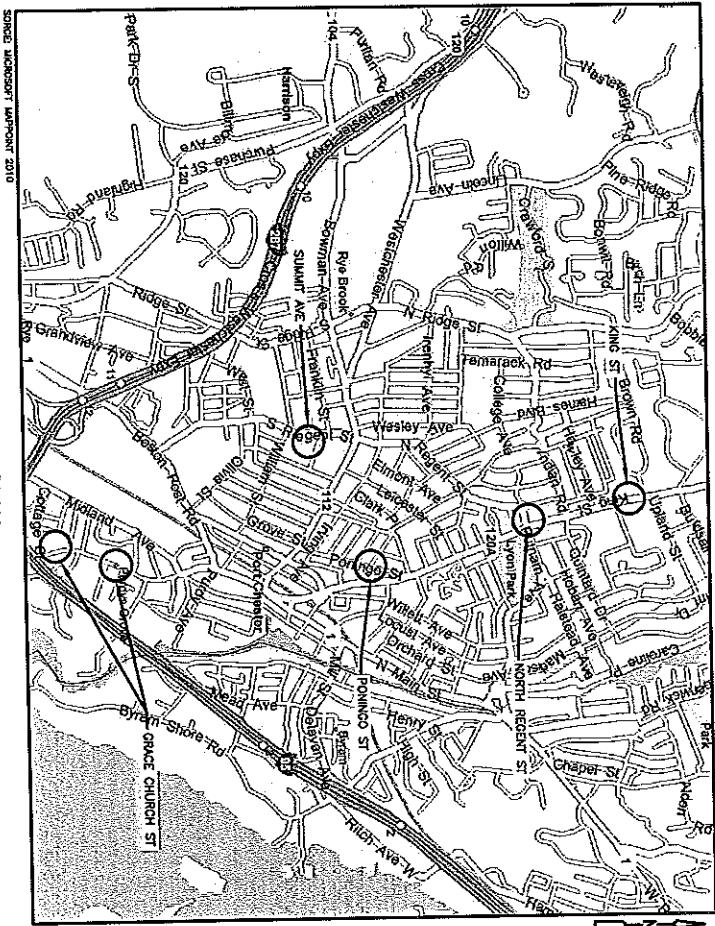
cc: Ed Hackney, Director Engineering System, United Water
Gary Stuart, Project Manager, CDM



UNITED WATER WESTCHESTER, INC.
 NEW ROCHELLE, NEW YORK

AMI WESTCHESTER PROJECT VILLAGE OF PORT CHESTER

DECEMBER 2011



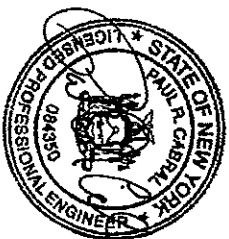
SOURCE: MAPCORP MAPPOINT 2010

SITE PLAN
 NOT TO SCALE

CAMP DRESSER & MCKEE
 ALBANY, NEW YORK

DRAWING INDEX

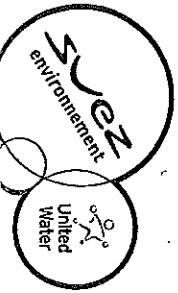
- COVER SHEET
- GRACE CHURCH STREET PLAN
- KING STREET PLAN
- NORTH REBERT STREET PLAN
- PONNOCO STREET PLAN
- SUMMIT AVENUE PLAN
- GENERAL SCHEMATIC
- UTILITY POLE SIZE AND DETAILS



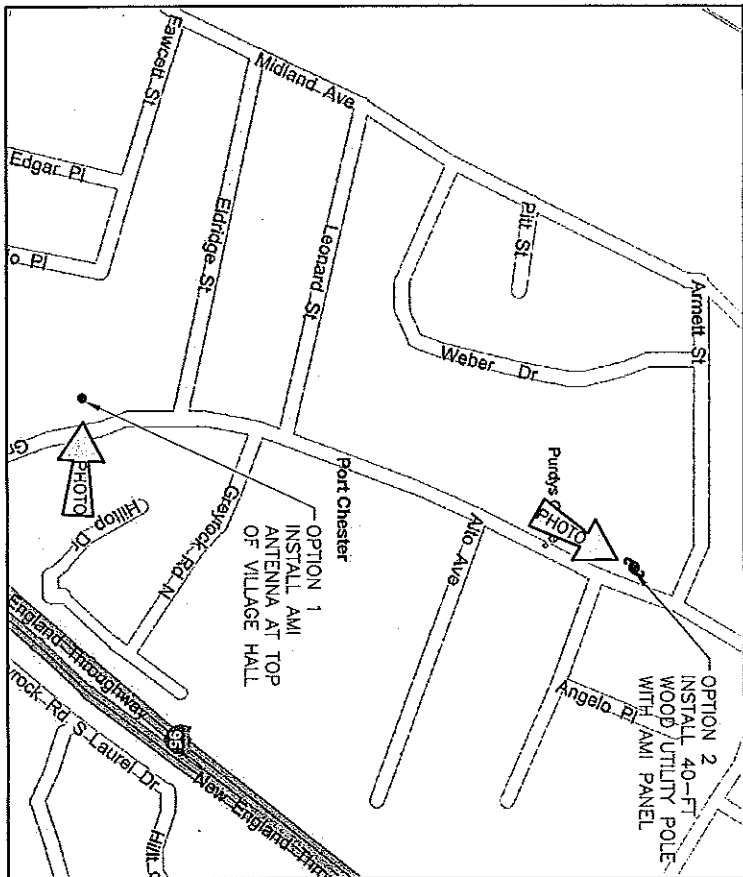
WARNING:
 IT IS A VIOLATION OF SECTION 2209, SUB-DIVISION 2
 OF THE NYS ENGINEERING AND SURVEYING LAW TO
 REPRODUCE OR TRANSMIT IN ANY MANNER OR UNDER THE
 AUTHORITY OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR
 TO ANY OTHER PERSON OR ENTITY WITHOUT THE WRITTEN
 PERMISSION OF THE ENGINEER OR SURVEYOR TO WHOM THE SEAL OF A PROFESSIONAL
 ENGINEER OR SURVEYOR HAS BEEN ATTACHED.

CDM
 Camp Dresser & McKee
 11 Brien Avenue Blvd.
 Latham, NY 12110
 Tel: (518) 782-5400

www.cdm.com



SOURCE: MICROSOFT MAPPOINT 2010

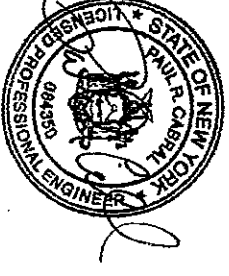


NOTES: - OPTION 1

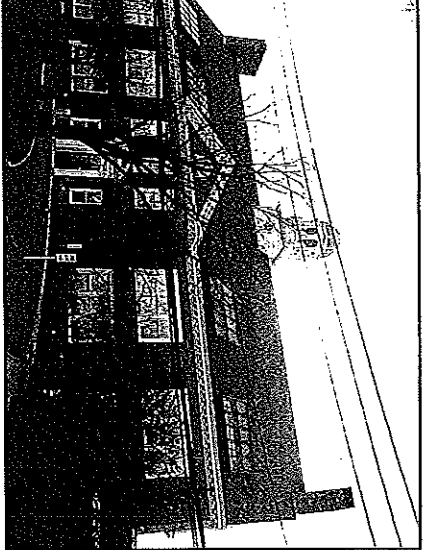
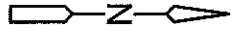
NOTES: - OPTION 2

1. UNITED WATER PROPOSES TO LOCATE THE AMI ANTENNA AT THE TOP OF THE VILLAGE HALL. THE AMI ANTENNA WILL BE LOCATED EITHER ON THE CUPOLA OR CHIMNEY.
2. ALL WIRING WILL BE LOCATED INSIDE THE VILLAGE HALL.
3. AMI PANELS WILL BE LOCATED WITHIN THE VILLAGE HALL ATTIC (ADDRESSED FROM THE THIRD FLOOR)

1. OPTION 2 WILL ONLY BE USED IF CELLULAR TRANSMISSION AT THE TOP OF VILLAGE HALL INTERFERES WITH AMI RECEPTION.



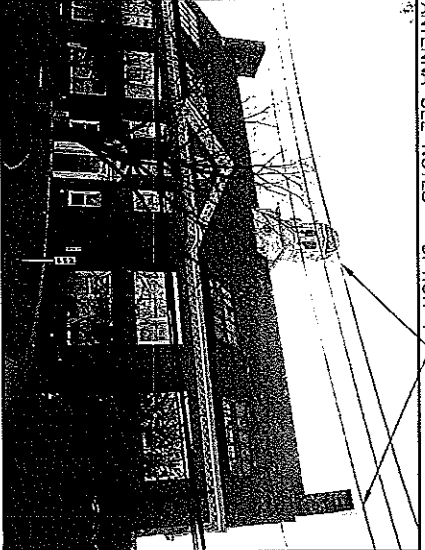
WARNING:
IT IS A VIOLATION OF SECTION 2209, SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON UNLESS HE OR SHE IS A LICENSED PROFESSIONAL ENGINEER TO PREPARE, SIGN, SEAL, OR STAMP THE DRAWINGS, SPECIFICATIONS, PLANS OR REPORTS TO WHICH THE SEAL OF A PROFESSIONAL ENGINEER OR SURVEYOR HAS BEEN ATTACHED.



EXISTING SITE - OPTION 1
PHOTOGRAPH



EXISTING SITE - OPTION 2
PHOTOGRAPH

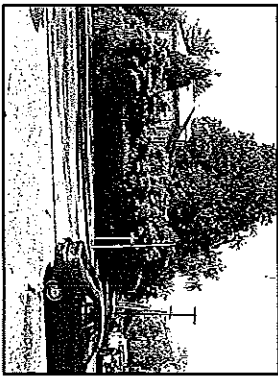
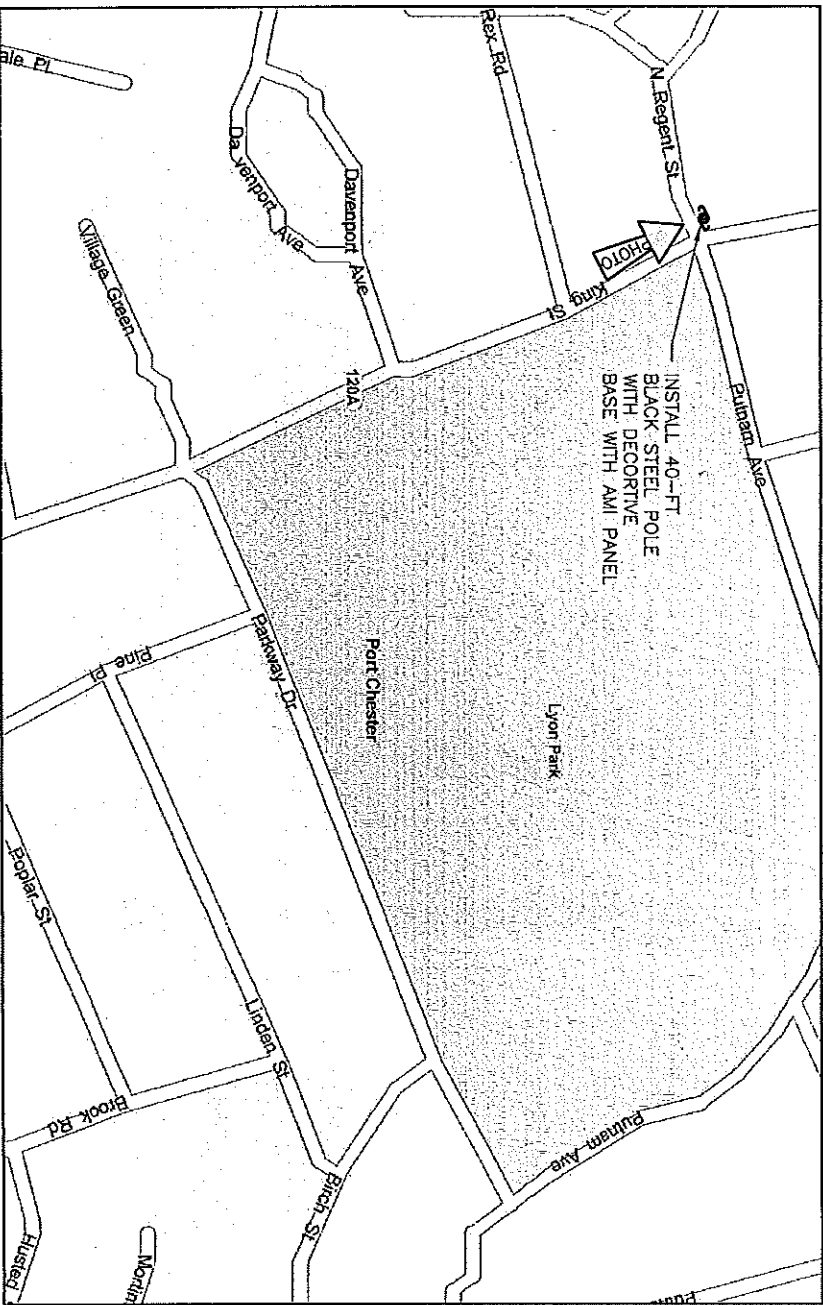


PROPOSED SITE - OPTION 1
PHOTOGRAPH

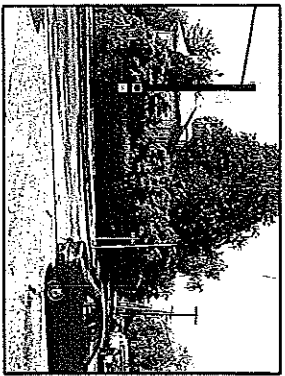


PROPOSED SITE - OPTION 2
PHOTOGRAPH

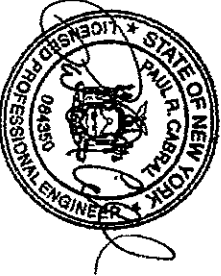
SOURCE: MICROSOFT MAPPOINT 2010



EXISTING SITE
PHOTOGRAPH
N/S

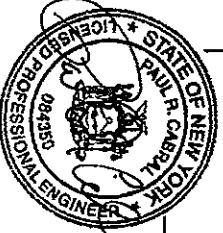
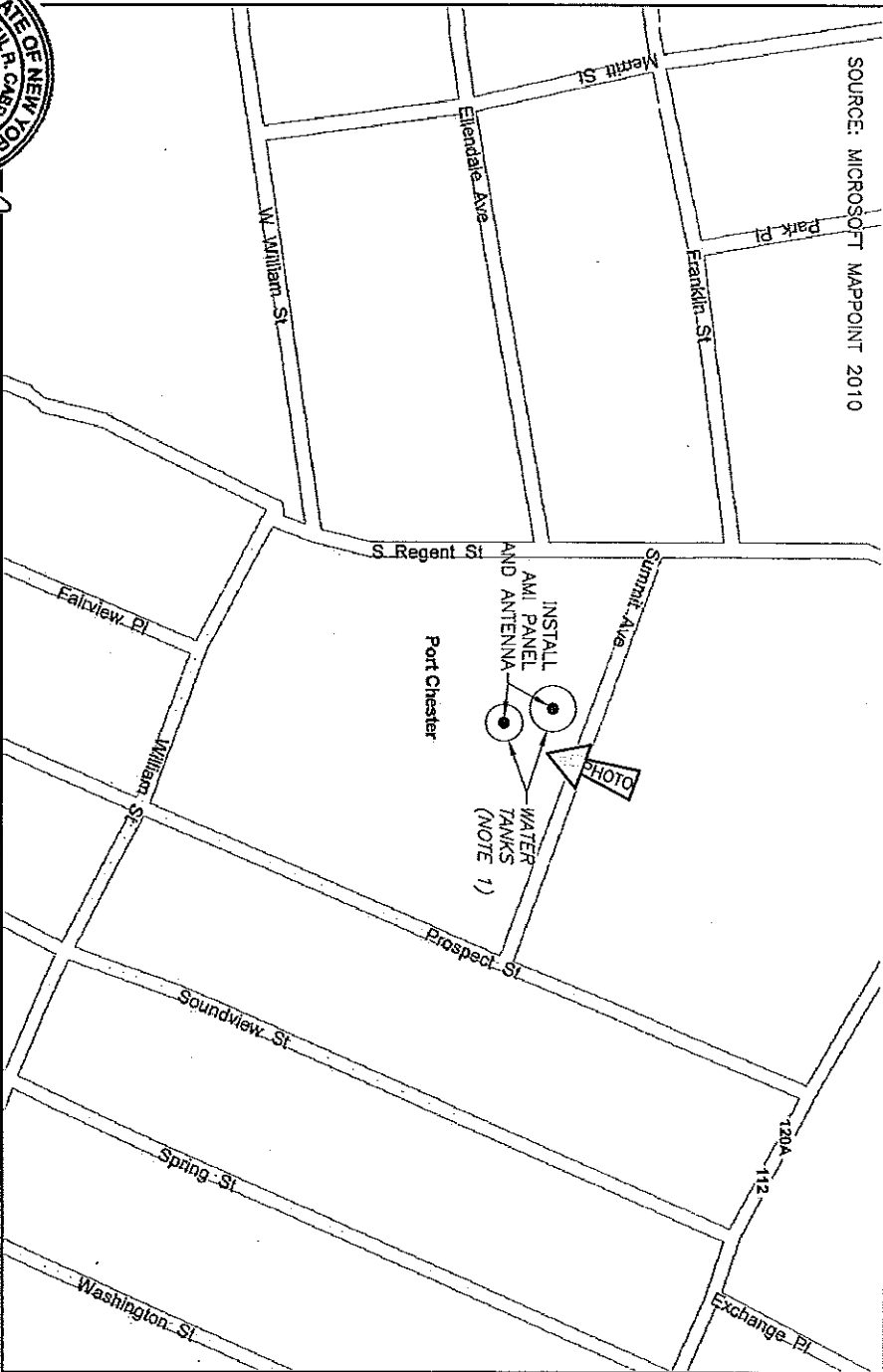


PROPOSED SITE
PHOTOGRAPH
N/S

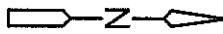


WARNING:
It is a violation of section 2209, sub-section 2 of the Engineering Law to practice as a Licensed Professional Engineer under the direction of a Licensed Professional Engineer who is not a duly Licensed Professional Engineer. A PROFESSIONAL ENGINEER OR ARCHITECT HAS BEEN ADVISED.

SOURCE: MICROSOFT MAPPOINT 2010



WARNING:
 IT IS A VIOLATION OF SECTION 1204, SUB-DIVISION 2, OF THE ENGINEERING LAW TO PRACTICE AS AN ENGINEER OR TO SIGN ANY DOCUMENTS, CONTRACTS, SPECIFICATIONS, OR ANY OTHER DOCUMENTS, WITHOUT BEING A LICENSED PROFESSIONAL ENGINEER. ANY VIOLATION OF THIS SECTION IS A VIOLATION OF THE PROFESSIONAL ENGINEERING LAW AND IS A CRIMINAL OFFENSE. A PROFESSIONAL ENGINEER OR SURVEYOR HAS BEEN ATTACHED.



EXISTING SITE PHOTOGRAPH
 NTS

- NOTES:**
1. UNITED WATER PROPOSES TO INSTALL AN ANTENNA ON EACH EXISTING TANK.
 2. AMI PANEL WILL BE LOCATED ON THE TANK SITE, WHICH IS OWNED BY UNITED WATER.



PROPOSED SITE PHOTOGRAPH
 NTS



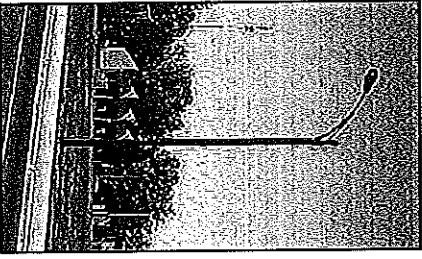
FIBERGLASS POLE



WOOD POLE



GALVANIZED POLE



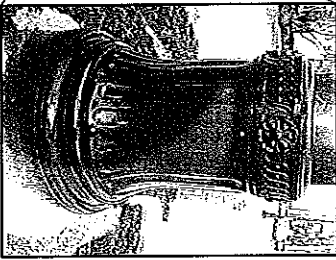
PAINTED STEEL POLE



FLAGPOLE



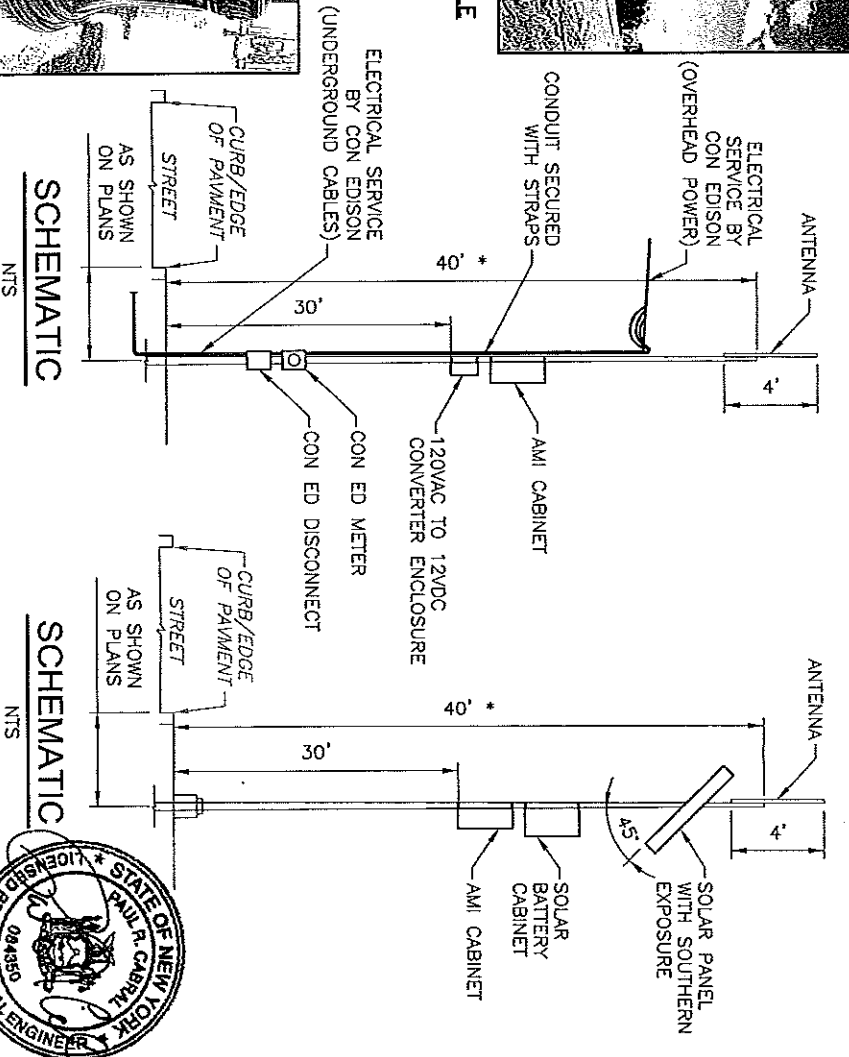
BLACK PAINTED STEEL POLE WITH DECORATIVE BASE



BLACK STEEL POLE WITH DECORATIVE BASE

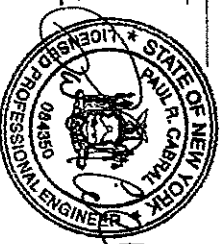
GRID POWER OPTION

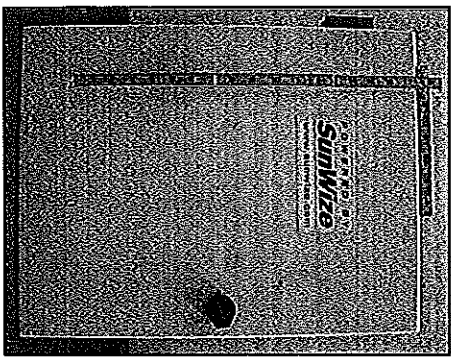
SOLAR POWER OPTION



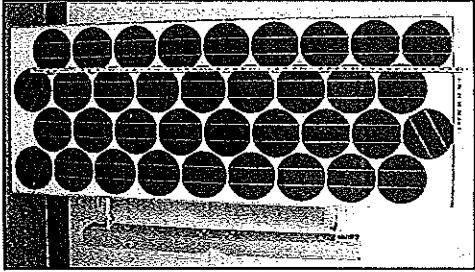
* HEIGHT OF POLE AND POLE MATERIAL CAN VARY ACCORDING TO THE REQUIREMENTS OF EACH MUNICIPALITY AND CURRENT POLE STANDARDS.

WARNING: SECTION 2309, SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON UNLESS HE OR SHE IS LICENSED AS A REGISTERED PROFESSIONAL ENGINEER, ARCHITECT, PLUMBER OR MECHANIC, OR A PROFESSIONAL DESIGNER OR SURVEYOR HAS BEEN APPROVED.

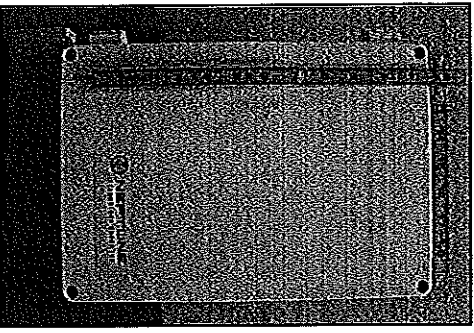




SOLAR BATTERY CABINET (OPTIONAL)



SOLAR PANEL (OPTIONAL)



AMI COLLECTOR PANEL

Utility Pole Size and Details		
Location	Material (1)	
Anderson Hill Road (UWW Pump Station)	Wood	
Belle Fair Boulevard - Option 1	Top of Bell House	
Belle Fair Boulevard - Option 2	Flag Pole	
Berkley Drive - Option 1	Wood	
Berkley Drive - Option 2	Flag Pole	
Hillcrest Avenue Part 1 - Option 1	Wood	
Hillcrest Avenue Part 1 - Option 2	Wood	
Hillcrest Avenue Part 1 - Option 3	Wood	
Hillcrest Avenue Part 2 - Option 4	Wood	
Hillcrest Avenue Part 2 - Option 5	Wood	
Hillcrest Avenue Part 2 - Option 6	Wood	
King Street Ball Field	Flag Pole	
Loch Lane Plan - Option 1	Wood	
Loch Lane Plan - Option 2	Wood	
Parkwood Place	Wood	
Fairlawn Parkway	Wood	
North Ridge Street	Wood	

Height (ft)	Butt (ft)	Circumference (inches)
40	6.5	41
40	6.5	38.5
40	6.5	36
40	6.5	33.5
40	6.5	31
40	6.5	28.5

Height (feet)	40-FT Fiberglass		Class
	Butt	Groundline	
40	21.43	20.59	H6
40	21.43	20.59	H5
40	21.31	20.47	H4
40	21.21	20.37	H3
40	16.92	16.08	H2
40	16.85	16.01	H1
40	15.96	15.12	1
40	15.82	14.98	2
40	15.82	14.98	3
40	15.82	14.98	4

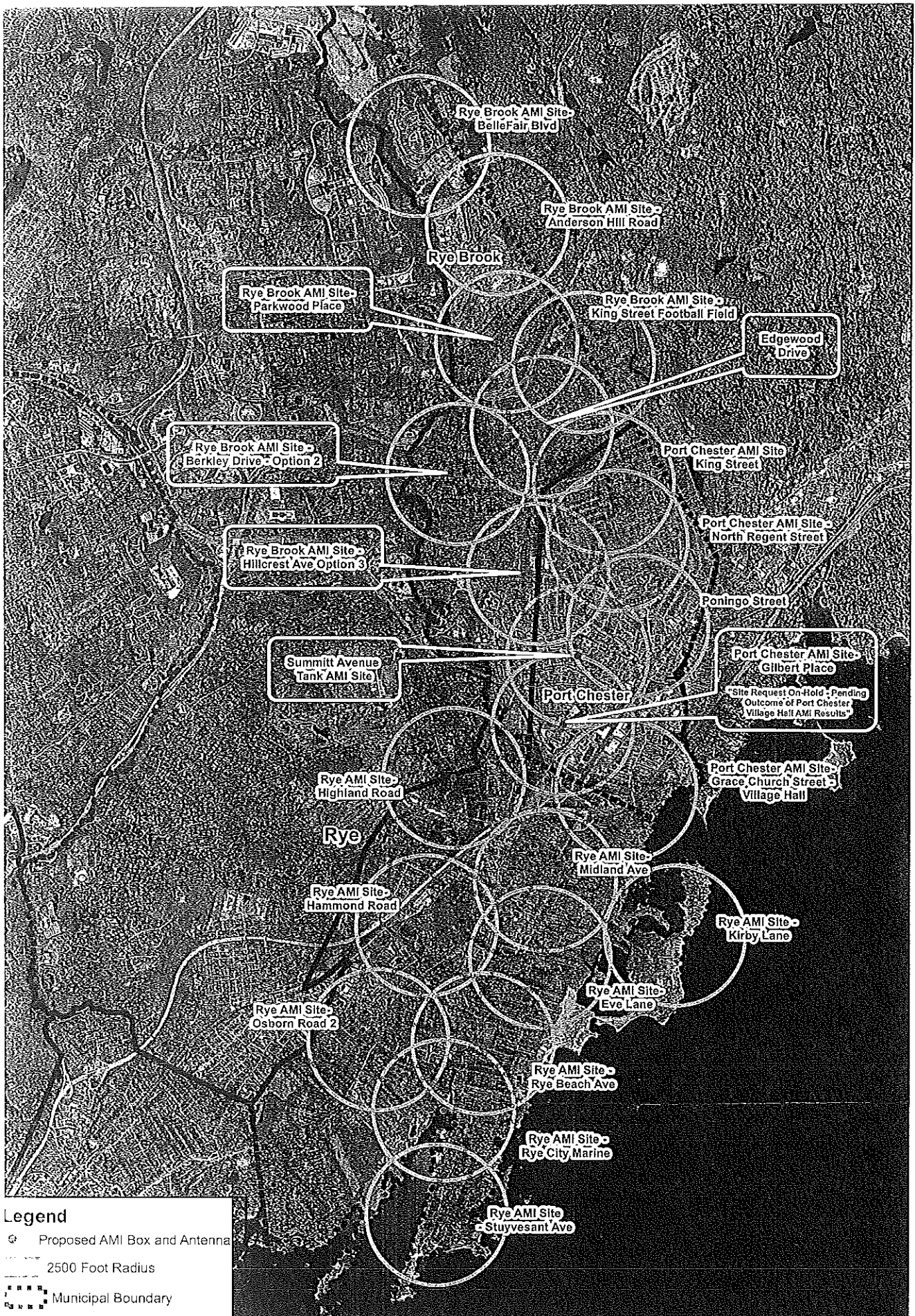
Height	40-FT Galvanized Steel / Painted Steel				
	Butt	Groundline	Tip	Class	OD
40	10.75	10.75	10.75	1	8.625
40	9.625	9.625	9.625	2	8.625
40	8.625	8.625	8.625	3	8.625
40	8.625	8.625	8.625	4	9.625
40	8.625	8.625	8.625	5	10.75

Utility Pole Size and Details		
Location	Material (1)	
Eve Lane - Option 1	Wood	
Eve Lane - Option 2	Black Painted Steel Pole	
Hammond Road	W/ Decorative Base	
Highland Road	Wood	
Kirby Lane - Option 1	Wood	
Kirby Lane - Option 2	Black Painted Steel Pole	
Midland Avenue - Option 1	W/ Decorative Base	
Midland Avenue - Option 2	Wood	
Osborn Road - Option 1	Traffic Pole	
Osborn Road - Option 2	Wood	
Rye Beach Avenue - Option 1	Wood	
Rye Beach Avenue - Option 2	Black Painted Steel Pole	
Rye Beach Avenue - Option 3	W/ Decorative Base	
Rye City Marina	Flag Pole	
Stuyvesant Avenue	Wood	
Grace Church Street - Village Hall	Antenna only	
Grace Church Street - Option 2	Wood (2)	
King Street	Black Painted Steel Pole	
North Regent Street	W/ Decorative Base	
Ponings Street	Black Painted Steel Pole	
Summit Avenue (UWW Tank)	W/ Decorative Base	
	Wood	
	Antenna only	

1 UNITED WATER CAN INSTALL OTHER TYPES OF POLES TO MEET MUNICIPALITY REQUIREMENTS AS SHOWN ON THE GENERAL SCHEMATIC SHEET AND DETAILED ABOVE.
 2 GRADE CHURCH STREET OPTION 2 WILL ONLY BE USED IF VILLAGE HALL CAN'T BE USED DUE TO RADIO FREQUENCY INTERFERENCE FROM CELLULAR ANTENNAS.

AMI Components Table		
Components	Height	Width
AMI Collector Panel	17	10
Solar Battery Cabinet	21	16
Solar Panel	57	30
Grid Power AC/DC Converter	8	8
Grid Power Meter Box	8	12
Grid Power Disconnect	8	12

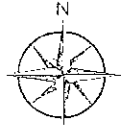




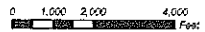
Legend

- Proposed AMI Box and Antenna
- 2500 Foot Radius
- Municipal Boundary

Proposed AMI Box and Antenna Location Map



Source: Westchester County GIS
 United Water New York
 Date: 1/23/2012



UNITED WATER

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Appt. - 1</u>	<input type="checkbox"/> Defeated
Motion 1 <u> </u> 2 <u> </u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

RESOLUTION
APPOINTMENT TO THE WATERFRONT COMMISSION

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

WHEREAS, currently there are two vacancies on the Waterfront Commission; and

WHEREAS, Gene Ceccarelli is the alternate member of the Waterfront Commission whose term expires on December 2, 2012; and

WHEREAS, it is the intention of the Board to elevate Mr. Ceccarelli as a full member; and

RESOLVED, that GENE CECCARELLI, residing at 91 Munson Street, Port Chester, New York, be and he hereby is appointed as a full member of the Port Chester WATERFRONT COMMISSION, effective upon his resignation as the alternate member for the remaining of the unexpired term of Alejandro Payán whose term expires December 2, 2013.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

B/T Mtg. Date <u>2/6/12</u>	Action: <input type="checkbox"/> Adopted
Resolution # <u>Appt. - 2</u>	<input type="checkbox"/> Defeated
Motion 1 <u>2</u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
	<input type="checkbox"/> Amended

RESOLUTION
APPOINTMENT TO THE WATERFRONT COMMISSION

On motion of TRUSTEE _____, seconded by TRUSTEE _____, the

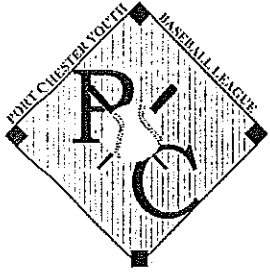
following resolution was adopted by the Board of Trustees of the Village of Port Chester,

New York:

RESOLVED, that TAV PASSERELLI, residing at 117 Neuton Avenue, Port Chester, New York, be and he hereby is appointed as a full member of the Port Chester WATERFRONT COMMISSION, effective immediately in place and instead of the unexpired term of Mary Kelley with said term to expire December 2, 2013.

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Marino				
Kenner				
Pilla				

VII Correspondence #1
BIT mtg. 2/6/12



PORT CHESTER YOUTH BASEBALL LEAGUE

PO Box 1351

Port Chester, NY 10573

914-939-8619

PCYBL is a 501(c)(3) Not-for-Profit Organization

January 5, 2012

Mr. Christopher Russo
Village Manager
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Dear Mr. Russo:

The Port Chester Youth Baseball League is holding our annual Fun Run through the streets of Port Chester on Saturday, April 21, 2012. As you know, the annual Fun Run kicks off the PCYBL season and is attended by hundreds of village residents, both children and adults. It's a great community event, and an important fund raiser for the league. We also use this opportunity to distribute uniforms, schedules and other important items to all teams, parents and league participants.

The course is the same as in previous years. We will begin at the Lyon Park Gazebo. There is a 1-mile and a 3-mile race. The 1-mile race will kick off first at 10 am. The racers will start on the road in front of the gazebo, proceed north on Putnam Drive around the perimeter of the Park, make a right on Parkway Drive, a right on King Street, right on Putnam, back into the Park to finish in front of the gazebo.

The 3-mile race will begin at 10:30am. The race will also start on Putnam Drive in front of the gazebo. Participants will go south on Putnam Avenue, across King Street, right on Browndale Place, left on Indian Road, right on West Glen Avenue, right onto Betsy Brown Road, left onto King Street, right on Upland Street, right on Francis Lane, right on Quintard Drive, left on Austin Place and back into the Park at the gazebo.

We will work with Sgt. Vaccaro of the Port Chester Police Department to ensure public safety and proper police presence at the event. As in past years, we are writing to you to request formal approval from the village, which we will, in turn, provide to Sgt Vaccaro and the PCPD. Accordingly please respond with your approval so that we can forward to Sgt. Vaccaro in a timely manner.

Please confirm village approval for this annual event as soon as possible, and please feel free to call Marc Hewlitt, Bob Vyskocil or John Sorbella if you have any questions. As always, we thank you for your support of the PCYBL!

Sincerely,

John Sorbella
PCYBL President
914-447-5063 (C)

Bob Vyskocil
PCYBL Vice President
914-671-9114 (C)

Marc Hewlitt
PCYBL Board and Fun Run Coordinator
203-223-7557 (C)

MEETING HELD JANUARY 3, 2012

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, January 3, 2012 at 6:00 P.M., in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

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

Also present were Village Manager, Christopher Russo; Village Clerk, Joan Mancuso; Assistant Village Manager, Christopher Steers and Village Treasurer, Leonie Douglas.

It should be noted that Trustee Bart Didden arrived at 6:55 p.m., and Police Chief Joseph Krzeminski joined the meeting at 7:10 p.m.

On motion of Trustee Kenner, seconded by Trustee Marino, the meeting was opened at 6:11 p.m.

ROLL CALL

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

Mayor Pilla noted that the agenda had scheduled an exit report from the Village Auditor's Drescher & Malecki, LLP regarding the Village's audit for fiscal Year 2010-2011 but this work session needed to be rescheduled for the next Board meeting which will be held on January 17, 2012. He said that instead he would ask for a motion for an executive session for the purpose of consulting with Special Counsel, Justin Miller of the firm Harris Beach via telephone regarding the G&S Modified Marina Redevelopment Project.

At 6:12 p.m., Trustee Kenner made a motion for this executive session as indicated by the Mayor, Trustee Marino seconded the motion.

ROLL CALL

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

No action was taken in executive session.

On motion of Trustee Branca, seconded by Trustee Marino, the executive session was closed at 6:52 p.m., and the public portion of the meeting was reopened.

ROLL CALL

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

Mayor Pilla said that before they take public comments he would like to make one of his closing comments at this time. He said that one of his resolutions this new year is working together more noting that there is diversity of opinions on this Board that may have never been seen before and that is due to the outcome of the cumulative voting process so we need to work together on win-win outcomes for the Village. The Mayor spoke about author Stephen Covey's book "The 7 Habits of Highly Effective People" which he follows and provided a copy to each of the Trustees and the staff members. He then asked if anyone in the audience would like to speak at this time then recognized Goldie Solomon.

Ms. Solomon wished everyone a healthy, safe and happy New Year to the Board, police, fire, EMS, staff and citizens. She said that taxes are too high that we need to get down taxes and the assessments are too high by the Town. Ms. Solomon said that we have eleven group homes and understands that one more is coming to Port Chester. She said that these types of facilities are off the tax rolls and the Village has too much off the tax rolls between the non-profits and municipal property. Ms. Solomon said that we are a low to moderate income community and cannot take any increases to our taxes and more properties off our tax rolls and the School District cannot also. She told the Board to stop hiring out of towners' who do not know our history and is costing us more money in higher salaries and cost for more gas. Ms. Solomon concluded her comments that our Police and Fire Departments are overworked and put their lives on the line everyday so help us get our taxes down but we need more police officers and firefighters.

The Mayor recognized Mario Karas.

Mr. Karas also wished everyone a happy New Year. He asked about the status of his request to remove the stop sign on Quintard Drive telling the Mayor he is willing to solve this problem and spoke further about his situation regarding the stop sign so wants to work on this.

Mayor Pilla told Mr. Karas that the Traffic Commission did meet in December but the Board has not received yet anything formally from them. He said that once that is received by the Board a discussion can be held regarding their recommendation.

Mr. Karas spoke further about the stop sign and made a recommendation for a solution to move back the sign. He also told the Board to instead of the sign consider speed bumps and spoke about a location in Stamford that uses these with no issues by the City.

The Mayor asked that when the minutes of the last Traffic Commission meeting is received that they be provided to Mr. Karas. Mr. Karas provided his contact information to the Clerk in order to send the record to him. Mayor Pilla recognized Gene Ceccarelli.

Mr. Ceccarelli asked if the auditor's work session that will be held at the meeting will be opened to the public or an executive session.

Mayor Pilla said that it will be an open session.

Mr. Ceccarelli said that the first resolution on the agenda is to hire additional administrative interns and asked if residents can be considered for these positions over non-residents.

Christopher Russo, the Village Manager said that these positions for administrative interns have civil servant requirements of a master degree in business administration or public administration and will be fully advertised.

* * * * *

The Clerk presented the first resolution on the agenda authorizing the filling of two additional Administrative Intern positions for the Building Department.

Trustee Branca made a motion for discussion, Trustee Terenzi seconded the motion.

Christopher Steers, the Assistant Village Manager spoke on these two positions which would improve customer service within the Building Department specifically improving the Village's ability to deliver information regarding searches for certificates of occupancy, open violations, open permits and Zoning verifications. He said that these interns would be focused on completing searches and accelerating the ongoing document scanning project and that each position salary would be \$45,000.00 plus about \$20,250 in benefits. Mr. Steers said that the intention of these hires is to reduce the current 4-8 week timeline for searches to 2-4 weeks for regular searches and allow those who request it to have an expedited search completed within 1-2 weeks which expedited search fee is on for a discussion item later on the agenda.

Trustee Marino asked why are we paying a salary for these interns that it is his understanding that intern positions are generally free help. He said that we have increased the number of new personnel in this Department and is not for paying for more.

Mr. Russo said that the Administrative Intern is a civil service title which is a full time one year non-union position that is why there is a salary and benefits associated with the position and part of the requirements is that the individual has a master degree in business or public administration.

Trustee Terenzi asked that the Village Treasurer, Leonie Douglas provide the Board at a later date a forecast of the projected costs regarding the personnel line for the Building Department.

Trustee Brakewood asked if the amount of the benefits is what we have to provide or can it be less.

Mr. Russo said that he would need to look at the aspect regarding benefits since it is a civil service title.

Trustee Kenner inquired can a lower level position fill this need. There was further discussion between the Board and staff regarding the salary amount and benefits for these Administrative Intern positions along with what these positions will be doing including the search time and completion of the scanning of documents and how the positions will be advertised.

Mayor Pilla suggested that the Board also have the discussion regarding the expedited search fee at this time also. Mr. Steers discussed this proposed expedited search process which would include a fee in the amount of \$200.00 which is based on an overtime rate, with benefits of a regular fulltime Senior Office Assistant at three hours plus administrative

overhead. The Board discussed what might be the anticipated revenue of this type of fee and Mr. Steers said that he might equate to between \$20,000 and \$30,000.

Trustee Didden spoke about the reduced search time that Mr. Steers is anticipating with these additional positions and inquired if the processing can be completed sooner than one year which the position can be held for can it be less time.

Mr. Russo said that he would need to check on that question.

Trustee Kenner made a motion to amend the resolution to add that these positions will not exceed the proposed annual salary of \$45,000 plus \$20,250 for benefits for each position, Trustee Didden seconded the motion.

ROLL CALL

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

ADDITIONAL PERSONNEL FOR BUILDING DEPARTMENT

On motion TRUSTEE BRANCA, seconded by TRUSTEE TEREZI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester,

New York:

RESOLVED, that the Village Manager is hereby authorized to fill the requested positions for two additional Administrative Intern positions for the Building Department and that the annual salary is not to exceed \$45,000.00 plus \$20,250.00 for benefits for each position.

ROLL CALL

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

The Board further discussed with Mr. Russo and Mr. Steers the expedited search fee and what would be the next steps. Mr. Russo and Mr. Steers said it may be as simple as a resolution to change the fee schedule or a local law and they need to speak with the Village Attorney. The Board told staff to confer with the Village Attorney and come back with the necessary legislation and or resolution.

The Clerk presented the next resolution on the agenda under Finance of the closeout of Capital Projects.

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

Leonie Douglas, the Village Treasurer explained that these projects have been researched to be closed out and any balances of these projects will be going toward the Sidewalk / Curb Improvements for this current fiscal year which is an active project. She said that the balance left in these projects is not Community Development Block Grant (CDBG) funds but funding by the Village through bonds.

Mr. Russo further explained that there is a need of repairs of sidewalks in several Village parks which he would come back with a plan for the use of these funds.

The Board continued this discussion with Ms. Douglas and raised some questions regarding the CDBG projects and the percentage of that funding. She was asked by the Board for a narrative on each of the CDBG projects before acting on these closeouts.

Trustee Didden made a motion to table the resolution regarding the closeout of Capital Projects to February 2, 2012, Trustee Kenner seconded the motion.

ROLL CALL

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

* * * * *

The Clerk presented the next resolution on the agenda under Finance regarding the Assessment and Appropriation of Phase II of the Sidewalk Betterment Program.

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

Trustee Branca said that he would recuse himself on this matter because he is part of this program.

Ms. Douglas said that all of the properties within this Phase II portion have been completed and the work has been calculated with the attached schedule of assessment and appropriation. She said that adopting this resolution will authorize the initial invoice to be sent to these property owners with notification to pay amount within thirty days or if they chose not within that time frame that they can pay the balance over a ten year period which will include the interest rate of the bond and be on their Village tax bill.

The Board discussed this further with Ms. Douglas.

RESOLUTION APPROPRIATING COSTS OF PHASE II OF THE SIDEWALK IMPROVEMENT AREA IN AND FOR THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK

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

WHEREAS, a public hearing was held on July 27, 2009 and August 17, 2009 relating to the establishment of construction, acquisition, improvement and financing of Phase II of a sidewalk improvement area in the Village, and including pavement, curbs, driveways, but excluding storm sewers drains and improvements, if any, to streets (the "Project"), and including all necessary materials, equipment, machinery and apparatus, land and rights-in-land required in connection therewith in and for the Village; and

WHEREAS, notice and such map or plan of the Project was given by publication and United States mail to owners of all lands benefitted by such Project; and

WHEREAS, such map or plan was also duly filed in the office of the Village Clerk and was available for public inspection in the office of the Village Clerk of the Village located at 222 Grace Church Street, Port Chester, New York; and

WHEREAS, all interested parties received due notice of the public hearing as aforesaid and were given an opportunity to be heard at the public hearing; and

WHEREAS, such map or plan was also duly filed in the office of the Village Clerk and was available for public inspection in the office of the Village Clerk of the Village located at 222 Grace Church Street, Port Chester, New York; and

WHEREAS, such plan or map was prepared for the Board by Dolph Rotfeld Engineering, P.C., duly licensed by and doing business in the State (the "Engineer"), showing the boundaries of the Project as co-terminus with the boundaries of the Village, with specific locations of areas proposed to be included and an estimate of the total cost of the Project; and

WHEREAS, a second public hearing was scheduled for September 19, 2011 and adjourned to October 17, 2011 when it was closed relating to such map and plan and the apportionment and assessment of the several benefited lands in the Village and the allocation of apportionment and assessment between the benefited lands and the Village at large, the method of determining the apportionment and assessment, and to hear reports and to hear all persons interested in the subject thereof as is required or authorized by law and to hear all objections that may be raised to the Project.

WHEREAS, all interested parties received due notice of the public hearing as aforesaid and were given an opportunity to be heard at the public hearing; and

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Port Chester, County of Westchester, New York, as follows:

Section 1. Due notice of the public hearing was given to all affected parties as required by law.

Section 2. All parties interested in the subject of the public hearing were given an opportunity to be heard at the public hearing and their views were taken into consideration by said Board of Trustees in making required determinations.

Section 3. The Board of Trustees hereby finds that the apportionment of the sidewalk improvement area is in the public interest and hereby determines to apportion and assess a portion of the costs of the Project to be raised by local assessments upon the benefited lands subject to real property taxation in the Village and to determine the actual amount to be expended for the Project.

Section 4. The Board of Trustees is authorized to levy and collect taxes and hereby determines that such assessments be paid in annual installments and hereby grants the Village Manager the authority to set a confirmation date for the purposes of payment of such assessments and to require that such assessments be paid in full within a period of thirty (30) days from the date of such confirmation pursuant to Section 5-518 of the Village Law.

Section 5. The Board of Trustees is further authorized to levy and collect taxes in the amounts pursuant to Section 5-518 of the Village Law and with respect to the corresponding properties listed on the attached Exhibit A.

Section 6. Tax bills shall be payable on the same date as the payment of the first installment of real property taxes for the Village in June.

ROLL CALL

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

NOES: None

ABSENT: None

Exhibit A
Description
Sidewalk Improvement Area (The Project – Phase II)
Village of Port Chester, County of Westchester, State of New York

House #	Street	SBL	Total S.F. Installed	50% of Total S.F.	50% of S.F.Total x(\$10.5034SF)
FIRST YEAR					
43	Adams Ave.	136.45-1-62	530.5	265.25	\$2,786.03
34	Barton Pl.	135.76-2-59	472.5	236.25	\$2,481.43
125	Breckenridge Ave	135.76-2-30	125	62.50	\$656.46
127	Breckenridge Ave	135.76-2-29	295.25	147.63	\$1,550.56
137	Breckenridge Ave	135.76-2-27	237.5	118.75	\$1,247.28
142	Breckenridge Ave	135.76-2-22	247.5	123.75	\$1,299.80
153	Breckenridge Ave	135.76-2-25	194.25	97.13	\$1,020.14
16	Clermont Avenue	136.62-1-5	239.38	119.69	\$1,257.15
20	Clermont Avenue	136.62-1-6	287.5	143.75	\$1,509.86
24	Elmont Avenue	136.77-1-24	708	354.00	\$3,718.20
49	Elmont Avenue	136.69-1-75	25	12.50	\$131.29
59	Elmont Avenue	136.69-2-23	331.34	165.67	\$1,740.10
56	Grandview Ave	141.44-2-72	156.5	78.25	\$821.89
62	Grandview Ave	141.44-2-44	181.65	90.83	\$953.97
65	Grandview Ave	141.44-2-62	256.5	128.25	\$1,347.06
67	Grandview Ave	141.44-2-69	147.95	73.98	\$776.99
68	Grandview Ave	141.44-2-41	166.19	83.10	\$872.78
69	Grandview Ave	141.44-2-70	324.12	162.06	\$1,702.18
70	Grandview Ave	141.44-2-46	806.75	403.38	\$4,236.81
71	Grandview Ave	141.44-3-1	101.5	50.75	\$533.05
73	Grandview Ave	141.44-3-2	175	87.50	\$919.05
75	Grandview Ave	141.44-3-3	245	122.50	\$1,286.67
76	Grandview Ave	141.44-2-67	297.93	148.97	\$1,564.64
77	Grandview Ave	141.44-2-40	556.58	278.29	\$2,922.99
78	Grandview Ave	141.44-2-65	301	150.50	\$1,580.76
80	Grandview Ave	141.44-2-64	109	54.50	\$572.44
82	Grandview Ave	141.44-2-66	281	140.50	\$1,475.73
83	Grandview Ave	141.44-2-63	113.35	56.68	\$595.28
90	Grandview Ave	141.44-2-61	618.75	309.38	\$3,249.49
100	Grandview Ave	141.44-2-71	37.5	18.75	\$196.94
104	Grandview Ave	141.44-2-73	211.5	105.75	\$1,110.73
-	Grant St	141.44-2-48	672.05	336.03	\$3,529.40
20	Grant St	141.44-3-42	75	37.50	\$393.88
31	Grant St	141.44-2-22	405	202.50	\$2,126.94
37	Grant St	141.44-2-24	182.5	91.25	\$958.44
38	Grant St	141.44-2-26	299.87	149.94	\$1,574.83
44	Grant St	141.44-2-29	209.1	104.55	\$1,098.13
70	Grant St	141.44-2-52	281.88	140.94	\$1,480.35
79	Grant St	141.44-2-59	137.38	68.69	\$721.48
179	Grant St	141.44-2-60	401.94	200.97	\$2,110.87
72	Hawley Avenue	136.45-2-13	150	75.00	\$787.76
76	Hawley Avenue	136.45-2-12	202.08	101.04	\$1,061.26
36	Indian Rd	136.45-1-59	410.71	205.36	\$2,156.93
68	Indian Rd	136.53-2-19	321.25	160.63	\$1,687.11
80	Indian Rd	136.53-2-17	50	25.00	\$262.59

86	Indian Rd	136.53-2-16	134.25	67.13	\$705.04
96	Indian Rd	136.53-2-14	387.5	193.75	\$2,035.03

3	Inwood Ave	141.44-3-12	320	160.00	\$1,680.54
5	Inwood Ave/Bent Ave	141.44-3-13	306.15	153.08	\$1,607.81
81	Inwood Ave	141.44-3-15	460.93	230.47	\$2,420.67
83	Inwood Ave	141.44-3-16	266.25	133.13	\$1,398.27
84	Inwood Ave	141.44-2-37	150	75.00	\$787.76
85	Inwood Ave	141.44-3-17	61	30.50	\$320.35
86	Inwood Ave	141.44-2-36	195.85	97.93	\$1,028.55
87	Inwood Ave	141.44-3-18	108.9	54.45	\$571.91
95	Inwood Ave	141.44-3-20.1	98.75	49.38	\$518.61
96	Inwood Ave	141.44-2-33	227.5	113.75	\$1,194.76
99	Inwood Ave	141.44-3-21	471.75	235.88	\$2,477.49

11	Irenhyl Ave	135.76-2-60	291.25	145.63	\$1,529.56
12	Irenhyl Ave	135.76-3-86	229.38	114.69	\$1,204.63
20	Irenhyl Ave	135.76-3-81	176.25	88.13	\$925.61
21	Irenhyl Ave	135.76-2-49	467.5	233.75	\$2,455.17

428	Irving Ave	135.84-3-46	49	24.50	\$257.33
525	Irving Ave	135.84-3-34	682.73	341.37	\$3,585.49
381	Irving Ave	136.77-1-33	419.25	209.63	\$2,201.78
391	Irving Ave	136.77-1-21	842.5	421.25	\$4,424.56
395	Irving Ave	136.77-1-20	23.8	11.90	\$124.99
398	Irving Ave	136.77-1-48	175	87.50	\$919.05

600	King St	136.45-1-53	227.5	113.75	\$1,194.76
620	King St	136.45-1-42	1238	619.00	\$6,501.60

61	Munson St	136.45-1-61	1142.63	571.32	\$6,000.75
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92	North Regent St	136.69-1-9	316.12	158.06	\$1,660.17
155	North Regent St	136.69-2-27	309.44	154.72	\$1,625.09
165	North Regent St	136.69-2-26	475.93	237.97	\$2,499.44
145	North Regent St	136.69-2-28	732.5	366.25	\$3,846.87
220	North Regent St.	136.61-2-19	580	290.00	\$3,045.99

9	Park Ave	136.69-1-31	25	12.50	\$131.29
35	Park Ave	136.61-1-12	222.72	111.36	\$1,169.66
37	Park Ave	136.61-1-11	18	9.00	\$94.53
43	Park Ave	136.61-1-9	308.75	154.38	\$1,621.46
45	Park Ave	136.61-1-8	58.75	29.38	\$308.54
46	Park Ave	136.61-1-3	298.5	149.25	\$1,567.63
47	Park Ave	136.61-1-7	197.5	98.75	\$1,037.21
48	Park Ave	135.68-2-8	201.67	100.84	\$1,059.11
51	Park Ave	136.61-1-5	151.25	75.63	\$794.32
54	Park Ave	135.68-2-11	131.25	65.63	\$689.29

54	Perry Ave	135.84-3-26	70	35.00	\$367.62
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75	Shelley Avenue	136.45-2-29	160	80.00	\$840.27
89	Shelley Avenue	136.45-2-33	231.25	115.63	\$1,214.46

26	Sherman St	141.44-3-14	200	100.00	\$1,050.34
38	Sherman St	141.44-3-7	380	190.00	\$1,995.65
40	Sherman St	141.44-3-6	298.75	149.38	\$1,568.95
44	Sherman St	141.44-3-5	102.5	51.25	\$538.30
46	Sherman St	141.44-3-4	553.75	276.88	\$2,908.13

115	Touraine Ave.	141.44-2-4	207.45	103.73	\$1,089.47
127	Touraine Ave.	141.52-1-26	95.58	47.79	\$501.96

110	Washington St	142.29-3-56	231.25	115.63	\$1,214.46
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112	Washington St	142.29-3-55	142.5	71.25	\$748.37
114	Washington St	142.29-3-54	47.5	23.75	\$249.46
121-123	Washington St	142.29-3-48	257.5	128.75	\$1,352.31
125	Washington St	142.29-3-49	322.5	161.25	\$1,693.67
128	Washington St	142.29-3-52	160	80.00	\$840.27
129	Washington St	142.37-1-29	161.98	80.99	\$850.67
130	Washington St	142.29-3-51	202.68	101.34	\$1,064.41
132	Washington St	142.29-3-50	164.38	82.19	\$863.27
133	Washington St	142.37-1-30	291.18	145.59	\$1,529.19
134	Washington St	142.37-1-28	255.3	127.65	\$1,340.76
135	Washington St	142.37-1-31	284.01	142.01	\$1,491.54
136	Washington St	142.37-1-27	219.25	109.63	\$1,151.44
138	Washington St	142.37-1-26	626.65	313.33	\$3,290.98
139	Washington St	142.37-1-32	276.48	138.24	\$1,451.99
107/105	Washington St	142.29-3-45	200	100.00	\$1,050.34

1	Webster Pl	136.69-1-69	245	122.50	\$1,286.67
14	Webster Pl	136.77-1-25	289.65	144.83	\$1,521.15
15	Webster Pl	136.69-1-68	313.9	156.95	\$1,648.51
18	Webster Pl	136.77-1-26	275.23	137.62	\$1,445.43
23	Webster Pl	136.69-1-67	506.25	253.13	\$2,658.67
24	Webster Pl	136.77-1-27	491.68	245.84	\$2,582.16
25	Webster Pl	136.69-1-66	1294.83	647.42	\$6,800.06
28	Webster Pl	136.69-1-1	597.58	298.79	\$3,138.31

-	Wesley & WWII Park	135.84-3-50	175		\$0.00
11	Wesley Ave	135.84-3-49	127.5	63.75	\$669.59
18	Wesley Ave	135.84-2-70	126.25	63.13	\$663.03
22	Wesley Ave	135.84-2-71	285	142.50	\$1,496.73
24	Wesley Ave	135.84-2-72	155	77.50	\$814.01
26	Wesley Ave	135.84-2-73	65	32.50	\$341.36
43	Wesley Ave	135.84-3-40	2.5	1.25	\$13.13
53	Wesley Ave	135.76-3-91	437.21	218.61	\$2,296.10
60	Wesley Ave	135.76-3-74	311.67	155.84	\$1,636.80
74	Wesley Ave	135.76-3-78	237.01	118.51	\$1,244.71
92	Wesley Ave	135.76-3-79	152.5	76.25	\$800.88
96	Wesley Ave	135.76-3-80	227.5	113.75	\$1,194.76
114	Wesley Ave	135.76-2-50	326.88	163.44	\$1,716.68
118	Wesley Ave	135.76-2-51	216.75	108.38	\$1,138.31
122	Wesley Ave	135.76-2-52	189.5	94.75	\$995.20
126	Wesley Ave	135.76-2-53	168.12	84.06	\$882.92

SECOND YEAR

14	Austin Pl	136.54-1-31	107.5	53.75	\$564.56
17	Austin Pl	136.54-1-50	180	90.00	\$945.31

43	Bent Ave.	141.44-3-41	375.03	187.52	\$1,969.55
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37	Browndale Place	136.53-2-33	366.75	183.38	\$1,926.06
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12	Clark Pl	136.77-2-12	50	25.00	\$262.59
15	Clark Pl	136.77-2-35	175	87.50	\$919.05
19	Clark Pl	136.77-2-34	175	87.50	\$919.05
29	Clark Pl	136.77-2-31.2	102.5	51.25	\$538.30

3	Columbus Avenue	136.78-1-43	228.75	114.38	\$1,201.33
11	Columbus Avenue	136.69-2-5	234.88	117.44	\$1,233.52

16	Elizabeth St	136.69-1-53	341.37	170.69	\$1,792.77
22	Elizabeth St	136.69-1-54	260	130.00	\$1,365.44
28	Elizabeth St	136.69-1-57	337.23	168.62	\$1,771.03

8	Glen Avenue	136.78-1-38	225	112.50	\$1,181.63
33	Glen Avenue	136.70-1-13	317.5	158.75	\$1,667.41

49	Glen Avenue	136.70-1-9	672.5	336.25	\$3,531.77
52	Glen Avenue	136.69-2-2	290	145.00	\$1,522.99
315	Glen Avenue	136.53-1-19	70	35.00	\$367.62
319	Glen Avenue	136.53-1-18	1146.25	573.13	\$6,019.76

88	Glendale Pl	136.61-2-51	278.25	139.13	\$1,461.29
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74	Halstead Avenue	136.47-2-58	193.5	96.75	\$1,016.20
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35	Hobart Ave	136.54-1-47	119	59.50	\$624.95
36	Hobart Ave	136.46-1-12	50	25.00	\$262.59
38	Hobart Ave	136.46-1-13	132.5	66.25	\$695.85
39	Hobart Ave	136.54-1-46	47.5	23.75	\$249.46
40	Hobart Ave	136.46-1-14	197.35	98.68	\$1,036.42
43	Hobart Ave	136.54-1-45	309.13	154.57	\$1,623.46
56	Hobart Ave	136.46-1-18	325.6	162.80	\$1,709.95
60	Hobart Ave	136.46-1-19	199.75	99.88	\$1,049.03
63	Hobart Ave	136.54-1-40	319.5	159.75	\$1,677.92
68	Hobart Ave	136.46-1-22	187.31	93.66	\$983.70
75	Hobart Ave	136.46-1-7	135	67.50	\$708.98
76	Hobart Ave	136.46-1-24	206.9	103.45	\$1,086.58
84	Hobart Ave	136.46-1-26	100	50.00	\$525.17
85	Hobart Ave	136.46-1-5	175	87.50	\$919.05
93	Hobart Ave	136.46-1-3	301.75	150.88	\$1,584.70
97	Hobart Ave	136.46-1-2	259.85	129.93	\$1,364.65
106	Hobart Ave	136.47-1-12	76.25	38.13	\$400.44
109	Hobart Ave	136.47-1-10	50	25.00	\$262.59
116	Hobart Ave	136.47-1-15	262.44	131.22	\$1,378.26
127	Hobart Ave	136.47-2-21	131.5	65.75	\$690.60
131	Hobart Ave	136.47-2-20	50	25.00	\$262.59
135	Hobart Ave	136.47-2-19	187.75	93.88	\$986.01
136	Hobart Ave	136.47-1-20	120	60.00	\$630.20
139	Hobart Ave	136.47-2-18	210.45	105.23	\$1,105.22
145	Hobart Ave	136.47-2-17	52.5	26.25	\$275.71
147	Hobart Ave	136.47-2-16	268.5	134.25	\$1,410.08
150	Hobart Ave	136.47-1-24	227	113.50	\$1,192.14
158	Hobart Ave	136.47-1-26	224.5	112.25	\$1,179.01
162	Hobart Ave	136.47-2-4	105	52.50	\$551.43
165	Hobart Ave	136.47-2-12	200	100.00	\$1,050.34

62	Leicester Street	136.77-1-38	83.5	41.75	\$438.52
66	Leicester Street	136.77-1-39	211	105.50	\$1,108.11
70	Leicester Street	136.77-1-40	127	63.50	\$666.97
78	Leicester Street	136.69-1-79.3	279.25	139.63	\$1,466.54
82	Leicester Street	136.69-2-9	130	65.00	\$682.72
83	Leicester Street	136.77-2-1	137.1	68.55	\$720.01
86	Leicester Street	136.69-2-10	82.5	41.25	\$433.27
88	Leicester Street	136.69-2-10	60	30.00	\$315.10
100	Leicester Street	136.69-2-12	337.5	168.75	\$1,772.45
115	Leicester Street	136.70-1-50	200	100.00	\$1,050.34

576	Locust Street	136.55-1-72	99	49.50	\$519.92
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222	Madison Avenue	136.55-2-21	261.64	130.82	\$1,374.05
226	Madison Avenue	136.55-2-22	76.25	38.13	\$400.44
229	Madison Avenue	136.56-1-12	175	87.50	\$919.05
231	Madison Avenue	136.56-1-11	154	77.00	\$808.76
232	Madison Avenue	136.55-2-24	25	12.50	\$131.29
233	Madison Avenue	136.56-1-10	86.75	43.38	\$455.58
238	Madison Avenue	136.55-2-27	100	50.00	\$525.17
240	Madison Avenue	136.55-2-28	151	75.50	\$793.01
245	Madison Avenue	136.56-1-8	73.25	36.63	\$384.69
250	Madison Avenue	136.55-2-30	230	115.00	\$1,207.89
258	Madison Avenue	136.55-2-33	232.75	116.38	\$1,222.33

224	Mortimer Street	136.63-1-59	75	37.50	\$393.88
233	Mortimer Street	136.63-1-66	260.25	130.13	\$1,366.75
235	Mortimer Street	136.63-1-65	231.43	115.72	\$1,215.40
237	Mortimer Street	136.63-1-64	62.5	31.25	\$328.23

108	Munson Street	136.45-2-82	172.5	86.25	\$905.92
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117	Neuton Avenue	135.68-2-15	175.5	87.75	\$921.67
115	Neuton Avenue	135.68-2-14	347.5	173.75	\$1,824.97

16	Oak Street	142.22-1-12	78.32	39.16	\$411.31
20	Oak Street	142.22-1-11	119.69	59.85	\$628.58
22	Oak Street	142.22-1-10	195	97.50	\$1,024.08
29	Oak Street	142.30-1-18	259.26	129.63	\$1,361.56
30	Oak Street	142.30-1-28	121.25	60.63	\$636.77
35	Oak Street	142.30-1-20	267.5	133.75	\$1,404.83
36	Oak Street	142.30-1-26	75	37.50	\$393.88
39	Oak Street	142.30-1-21	62	31.00	\$325.61
40	Oak Street	142.29-3-26	72.5	36.25	\$380.75
44	Oak Street	142.29-3-25	76.44	38.22	\$401.44
55	Oak Street	142.30-1-25	83.25	41.63	\$437.20
57	Oak Street	142.29-3-27	378	189.00	\$1,985.14
61	Oak Street	142.29-3-29	371.42	185.71	\$1,950.59
62	Oak Street	142.29-3-20	414.01	207.01	\$2,174.26
70	Oak Street	142.29-3-18	280.85	140.43	\$1,474.94
71	Oak Street	142.29-3-30	177.5	88.75	\$932.18
72	Oak Street	142.29-3-17	109.15	54.58	\$573.22
75	Oak Street	142.29-3-31	285.8	142.90	\$1,500.94
118	Oak Street	142.29-3-39	250.53	125.27	\$1,315.71
129	Oak Street	142.37-1-44	282.5	141.25	\$1,483.61
130	Oak Street	142.37-1-42	301.42	150.71	\$1,582.97
132	Oak Street	142.37-1-41	264.4	132.20	\$1,388.55
137	Oak Street	142.37-1-45	182.1	91.05	\$956.33
138	Oak Street	142.37-1-39	265.75	132.88	\$1,395.64
139	Oak Street	142.37-1-46	25	12.50	\$131.29
142	Oak Street	142.37-1-38	236.03	118.02	\$1,239.56
146	Oak Street	142.37-1-37	157.5	78.75	\$827.14
120/122	Oak Street	142.29-3-38	194.75	97.38	\$1,022.77
141/143	Oak Street	142.37-1-47	200.83	100.42	\$1,054.70
31/33	Oak Street	142.30-1-19	166.5	83.25	\$874.41

39	Olivia Street	142.37-1-50	230.94	115.47	\$1,212.83
22	Olivia Street	142.37-1-12	190.1	95.05	\$998.35
245	Olivia Street	142.37-1-36	384.03	192.02	\$2,016.81
259	Olivia Street	142.37-1-33	410.86	205.43	\$2,157.71

44	Puritan Drive	136.61-2-10	290	145.00	\$1,522.99
52	Puritan Drive	136.53-2-55	285	142.50	\$1,496.73
55	Puritan Drive	136.53-1-45	265.25	132.63	\$1,393.01
88	Puritan Drive	136.53-2-27	175	87.50	\$919.05
91	Puritan Drive	136.53-1-46	1157.5	578.75	\$6,078.84
100	Puritan Drive	136.53-2-24	280	140.00	\$1,470.48
103	Puritan Drive	136.53-1-48	293.25	146.63	\$1,540.06
107	Puritan Drive	136.53-1-49	432.5	216.25	\$2,271.36
108	Puritan Drive	136.53-2-21	463.5	231.75	\$2,434.16
111	Puritan Drive	136.53-1-51	1123.35	561.68	\$5,899.50

81	Putnam Ave	136.55-1-2	153.67	76.84	\$807.03
99	Putnam Ave	136.55-1-14	775	387.50	\$4,070.07
111	Putnam Ave	136.55-1-31	324.6	162.30	\$1,704.70

22	Putnam Drive	136.55-1-3	148	74.00	\$777.25
24	Putnam Drive	136.55-1-4	235.83	117.92	\$1,238.51
59	Putnam Drive	136.55-1-36	130	65.00	\$682.72

63	Putnam Drive	136.55-1-35	153	76.50	\$803.51
75	Putnam Drive	136.55-1-32	385	192.50	\$2,021.90

115-117	Smith Street	142.38-1-12	149.63	74.82	\$785.81
119	Smith Street	142.38-1-13	175.88	87.94	\$923.67
129	Smith Street	142.37-1-61	202.18	101.09	\$1,061.79
130	Smith Street	142.37-1-59	298.5	149.25	\$1,567.63
134	Smith Street	142.37-1-58	131.4	65.70	\$690.07
135	Smith Street	142.37-1-62	238.64	119.32	\$1,253.27
136	Smith Street	142.37-1-57	301.65	150.83	\$1,584.18
137-139	Smith Street	142.37-1-63	111.94	55.97	\$587.88
140	Smith Street	142.37-1-56	286.65	143.33	\$1,505.40
144	Smith Street	142.37-1-55	124.24	62.12	\$652.47
147	Smith Street	142.37-1-65	78.35	39.18	\$411.47
148	Smith Street	142.37-1-54	288.22	144.11	\$1,513.64
149	Smith Street	142.37-1-66	74	37.00	\$388.63
143/141	Smith Street	142.37-1-64	194	97.00	\$1,018.83
152	Smith Street	142.37-1-53	749.75	374.88	\$3,937.46

16	Summit Ave	142.21-1-6	172.5	86.25	\$905.92
18	Summit Ave	142.21-1-7	175	87.50	\$919.05
19	Summit Ave	142.21-1-29	25	12.50	\$131.29
25	Summit Ave	142.21-1-27	157.5	78.75	\$827.14
31	Summit Ave	142.21-1-26	121.2	60.60	\$636.51
34	Summit Ave	142.21-1-10	105	52.50	\$551.43
36	Summit Ave	142.21-1-11	203.75	101.88	\$1,070.03
46	Summit Ave	142.21-1-13	235.29	117.65	\$1,235.67

435	Westchester Ave	135.84-2-68	132.9	66.45	\$697.95
454	Westchester Ave	141.28-3-58	218.3	109.15	\$1,146.45
460	Westchester Ave	141.28-3-59	235.8	117.90	\$1,238.35
238	Westchester Ave	142.22-1-8	285.25	142.63	\$1,498.05
240	Westchester Ave	142.22-1-14	66	33.00	\$346.61

227	William Street	142.29-3-16	643.3	321.65	\$3,378.42
242	William Street	142.29-3-57	175	87.50	\$919.05

75714.86	37769.93	\$396,712.68
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Total S.F. installed without WW II Park	75539.86
50/50 Split	37769.93

Total Construction Cost (Incl. Engineering, Legal and Bonding)	\$944,939.60
Minus (Cost of Handicap/Curbs/Asphalt/Public Sidewalks & WWII Park)	\$151,514.01
50/50 Cost to be split between Village/ Residents	\$793,425.59
Cost to Residents	\$396,712.80
Cost to Village	\$648,226.81

The Clerk presented the next resolution on the agenda listed under Police for a parking enforcement directive for the Police Department.

Mayor Pilla said that this was part of a parking meeting with staff and that he would ask to amend the resolution to remove the third bullet portion under the first resolved paragraph dealing with establishing appropriate, auditable directives for Police Officers and Parking Enforcement Officers to (on the spot) correct parking tickets issued in error due to error conditions. He said that he has spoken further to the Police Chief and the Village Treasurer and since the new Court Clerk will be coming in later this month they would like to

review the process before establishing those directives because they may be able to accomplish this in other ways.

Trustee Brakewood made a motion to amend the resolution pursuant to the Mayor's request, Trustee Marino seconded the motion.

ROLL CALL

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

Trustee Didden said that he did not think the last resolve paragraph is necessary that the Police Chief undertake an analysis and report back to the Board within 30 days whether to increase the parking time restriction in the vicinity of the Village Court from 2 to 4 hours limit. He said that the Chief already knows the situation with the hours of the Court and instead of directing the Chief he would suggest that instead to have the Chief and the Traffic Sergeant send to staff the necessary information to make that adjustment.

Trustee Didden made a motion to amend the resolution to remove from the last resolve paragraph after "the Police Chief is hereby directed" the following language "to undertake an analysis and report back to the Board within 30 days whether" and the following language at the end of the sentence from the coma "if their findings are to increase the time restriction as such", Trustee Brakewood seconded the motion to amend.

ROLL CALL

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

PARKING ENFORCEMENT DIRECTIVE FOR POLICE DEPARTMENT

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, the Board of Trustees collectively acts as Commissioners of Police, with responsibility to direct the Police Chief, pursuant to the Village Charter and NY Unconsolidated Law 5711-q; and

WHEREAS, the Board of Trustees proactively seeks short-term improvements to downtown parking to improve parking availability and the positive perception of shopping in the Central Downtown Business District as a major goal; and,

WHEREAS, several short-term parking improvement recommendations were presented and discussed between the Board of Trustees and Police Chief on December 5, 2011. Now therefore be it

RESOLVED, that the Board of Trustees, acting collectively in their capacity as Commissioners of Police, hereby directs the Police Chief to implement the following recommendations in the Central Downtown Business District:

- Work with the Village Manager to establish additional, more visible "Pay and Display" signage for on-street parking in the areas that utilize parking pay stations,
- Consistently enforce all signed "time limit" parking restriction ordinances, and be it further

RESOLVED, that the Police Chief is hereby directed to increase the parking time restriction in the vicinity of the Village Court (350 North Main Street) from a 2- to 4- hour limit, and provide related ordinances for Board consideration.

ROLL CALL

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

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The Clerk presented the next resolution on the agenda listed under Police for a budget amendment for use of DEA Funds for the purchase of ID Card Printer and supplies for the Police Department in the amount of \$2,471.45.

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

Police Chief Joseph Krzeminski spoke on the proposed equipment.

Trustee Didden noted that the resolution is for a total amount of \$3,238.45 which also includes \$767 for a laptop computer for this equipment not \$2,471.45 as indicated on the agenda.

There was further discussion regarding the purchase of the laptop and remaining money in the DEA funds. Ms. Douglas noted that the resolution needs to be amended that the General Fund Budget year should be 2011-2012 not 2010-2011.

Trustee Kenner made a motion to amend the resolution that the modification be for the 2011-2012 General Fund Budget, Trustee Marino seconded the motion.

ROLL CALL

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

BUDGET AMENDMENT – DEA FUNDS
 ID CARD EQUIPMENT UPGRADE

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

WHEREAS, the Police Chief recommends the use of DEA Funds to upgrade the equipment for its ID Card process at a total cost of \$3,238.45: \$2,471.45 for printer and supplies from ID Wholesaler, 18640 Lake Drive East, Chanhassen, MD 55317; and \$767 for Dell Laptop computer from Dell Computer, Dell Public Sales, North East a NYS contract vendor. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2011-12 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695 Deferred Revenue DEA \$(3,238.45)

Revenues:

001-0001-2613 Use of Deferred DEA Funds \$3,238.45

Appropriations:

001-3120-0200 Police Equipment \$3,016.95

001-3120-0406 Office Supplies \$221.50

ROLL CALL

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

NOES: None

ABSENT: None

* * * * *

Mayor Pilla noted that Trustee Didden had requested an add-on for tonight's agenda to set a public hearing regarding a proposal to establish a community residential facility in the Village.

There being no objections, Trustee Didden made a motion to add this resolution on the agenda, Trustee Kenner seconded the motion.

ROLL CALL

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

NOES: None

ABSENT: None

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

Trustee Didden said that the Village has been notified by an agency, Ability Beyond Disability that they are seeking to build a community residential facility on vacant property adjacent to 51 Betsy Brown Road and that the Village has the opportunity to schedule a hearing on this matter to hear from the public. He said that he is a resident of Betsy Brown Road and residents of that area are asking for further information on this proposal so would like to schedule this hearing so the agency can present their proposal and we could hear from the public.

Trustee Branca noted that the Village of Port Chester has a large number of these facilities already in the Village. He said that there are State laws which allows these facilities and basically they cannot be denied. Trustee Branca spoke about property values which are more appropriate for these agencies to buy properties in our Village compared to surrounding communities which are much higher so we are have a much higher number of these types of tax exempt facilities which causes additional tax burden to the rest of our property owners. He said that what we need is help from the State on this issue because our Village is much more impacted than other Village in the County. Trustee Branca said that our State Representatives need to come to this hearing because they need to do something on this issue and its effect on our Village.

The Board further discussed this matter regarding the number of current facilities in the Village and in the surrounding areas and the need for review by the State of the current laws.

Trustee Branca made a motion to amend the resolution to invite State Assemblyman George Latimer and State Senator Suzi Oppenheimer and if they cannot attend to send a representative for them, Trustee Marino seconded the motion.

ROLL CALL

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

SETTING PUBLIC HEARING
PROPOSAL OF ABILITY BEYOND DISABILITY
COMMUNITY RESIDENTIAL FACILITY
BETSY BROWN ROAD

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

RESOLVED, that a hearing be scheduled for Tuesday, January 17, 2012 at 6:30 p.m., in the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to hear public comments on the proposal of Ability Beyond Disability to establish a community residential facility for developmentally disabled persons on vacant property adjacent to 51 Betsy Brown Road, Port Chester, New York; and be it further

RESOLVED, that New York State Senator Suzi Oppenheimer and Assemblyman George Latimer are to be notified of this hearing for their or their representative's attendance.

ROLL CALL

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

* * * * *

The Clerk presented correspondence from the Port Chester Cares Community Coalition requesting permission to place banners to promote their "Family U" event scheduled for March 27, 2012.

The Board of Trustees directed this request to staff for their implementation with any necessary conditions.

* * * * *

The Clerk presented reports from the Putnam Engine & Hose Co. No. 2 on the election to active membership of Auriel Fernandez and Brandon Hall.

The Board noted the action taken by Putnam Engine & Hose Co. No. 2.

* * * * *

Mayor Pilla said that the Board will take add-on of additional reports from Mellor Engine & Hose Co. No.3 on the election to active membership of Esteban Hernandez, German Garcia, Andrew Mutz and Simon Campana.

The Board noted the actions taken by Mellor Engine & Hose Co. No. 3.

The Clerk presented the minutes of the Board of Trustees meeting held on November 7, 2011, November 15, 2011, November 21, 2011, December 5, 2011 and December 19, 2011.

Trustee Kenner noted that there needs to be a correction on page 2 of the minutes of December 5, 2011 that list him as an Assistant to the County Legislator which should be changed to County Executive.

The Clerk noted that the correction will be made to the minutes of December 5, 2011.

Trustee Didden made a motion to approve all of the minutes as corrected, Trustee Marino seconded the motion.

ROLL CALL

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

The Mayor asked if anyone from the audience would like to speak at this time. He recognized Mario Karas.

Mr. Karas said that there was a discussion earlier that there will be extra money for sidewalks in the Village and asked that consideration be made that this funding also be used for curbing on Quintard Drive which lacks curbing.

Mayor Pilla asked if any of the Trustees had any comments.

Trustee Brakewood noted that the Board package contained the findings of the Main Street Shoppers Surveys from Ferrandino & Associates and asked what steps would be happening next will the consultant come in to present or something else. He continued asking if the survey could be expanded to be done one or twice more and include surveying during the nighttime hours and weekends because these findings show that these surveys were done during the daytime hours during the week so we did not receive a full analysis of the shoppers.

Mayor Pilla suggested that Trustee Brakewood's comments regarding these surveys be part of the next Board meeting when we have the workshop on the Comprehensive Plan.

Trustee Brakewood said that would be fine. He said that he would like to make a presentation at the February 6th meeting of his analysis of the Parking Amnesty Program.

Trustee Didden said that he has done an analysis also so asked that Trustee Brakewood provide him and the rest of the Board with his so he could compare the two.

Trustee Brakewood said that he would provide his analysis to the Board prior to the meeting. He also noted that he had requested copies of the resolutions on the Mariner and Castle projects and the Community Development Block grant application regarding funding for a Housing Rehabilitation Program. Trustee Brakewood said that the Board also needs to hold a workshop with Rose Noonan of the Housing Action Council regarding implementing this program.

Trustee Terenzi asked the Village Manager about the timeline regarding a proposed Sewer District.

Mr. Russo said that the Village Engineer, Dolph Rotfeld is working on the numbers and the estimate. He also told the Board that next week they will be having a meeting at the New Jersey Headquarters of United Water Company on this subject.

Trustee Terenzi thanked the Village Treasurer for providing to the Board this fiscal year's six month budget information and also last year's six month figures for comparison and that the Board will be reviewing this information at the next Board meeting. He noted that there are a group of residents who each Christmas morning conduct a dedication at the Vietnam Vets memorial in Lyon Park and that this group indicated that there may be one name that may be omitted on this memorial that will be followed up on. Trustee Terenzi applause this group for holding this annual observance.

Trustee Didden welcomed everyone to 2012 and said that he looks forward to a productive year. He said that the earlier discussion about redoing Village owned sidewalks made him think about the sidewalk area in Lyon Park on Putnam Avenue along the baseball field area. Trustee Didden asked if we could talk about moving the curbing back in this area to help with the sight line of vehicles when these fields are being used because of parking of cars along this road. He noted that he saw Ms. Noonan from the Housing Action Council and had a conversation with her that the Castle Project is now back before the Planning Commission and we should consider new language regarding their contribution of fees to the Housing Rehabilitation Program. The Board was agreeable to review and consider new language regarding the fee for this project.

Trustee Branca wished all of the staff and their families, residents and the Board a healthy and all happiness for the New Year.

Trustee Marino asked the Village Manager what is the status about using Fire Department personnel for Code Enforcement.

Mr. Russo said that there have been numerous discussions on this subject and that it would have to go to civil service to amend their job descriptions. He said that due to the number of Fire Department personnel we have now does not see using them for this type of work now and noted that other Villages are not utilizing fire personnel for code enforcement.

Mayor Pilla said that it is his understanding that other Villages have this process and noted that the Board adopted a standing resolution a few years ago directing the Fire Department to accomplish this and that there was not time restriction.

Trustee Kenner also wished everyone a happy New Year. He said that he will not be able to attend the Board meeting on January 17th dealing with the Comprehensive Plan and will follow up with Mr. Steers on his comments this week.

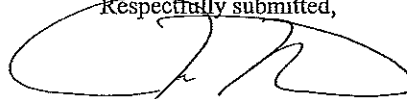
Mayor Pilla stated that he made the majority of his comments at the start of the meeting and said that he will work toward a win-win situation in the Village and wished everyone a happy and healthy Ne Year.

There being no further business, on motion of Trustee Didden, seconded by Trustee Kenner the meeting was closed at 8:50 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

MEETING HELD JANUARY 17, 2012

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, January 17, 2012 at 6:00 P.M., in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

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

It should be noted that Trustee Daniel Brakewood arrived at 6:10 p.m., and Trustee Joseph Kenner was absent.

Also present were Village Manager, Christopher Russo; Village Clerk, Joan Mancuso; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Assistant Village Manager, Christopher Steers; Planning Director, Christopher Gomez. Police Chief Joseph Krzeminski arrived at 7:38 p.m.

On motion of Trustee Didden, seconded by Trustee Marino, the meeting was opened at 6:08 p.m.

ROLL CALL

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

Work Session: Auditor's Report for Fiscal Year 2010-2011

The first item on the agenda is a work session with Tom Malecki, of Drescher & Malecki, LLP, the Village Auditor's regarding the Village's audit for Fiscal Year 2010-2011.

Mr. Malecki reviewed with the Board an audit summary for the May 31, 2011 Audit. He said that his firm's opinion based on their audit and the report of other auditors, that the financial statements referred to present fairly, in all material respects, the respective financial position of the governmental activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Village as of May 31, 2011, and the respective changes in financial position and the respective budgetary comparisons for the General Fund for the year then ended in conformity with account principles generally accepted in the United States of America. He then instructed the Board on the financial statement highlights which included comparison of the revenues versus the expenditures for the last five fiscal years noting that for 2010-2011 the expenditures were slightly over the revenues due to New York State Retirement Pension, the early retirement incentive and transportation which includes the cost of the very heavy snow removal last winter.

Mr. Malecki then reviewed the fund balance for the last five fiscal years of the amounts that have been designated as reserved and the unreserved amounts noting that the unreserved amount for the 2010-2011 fiscal year is about 13.4% of the total Village Budget which is in line of what the State Comptroller recommends. He noted that the Village's debt service payments over the five year review have been much higher than all of the New York villages' average.

The observations submitted by the audit firm were detailed by Mr. Malecki noting that there are three that have been provided to the Board. He said that the first is regarding journal entry policy and procedures with the recommendation that the Village adopt a formal policy regarding the posting of journal entries. Mr. Malecki said that the second observation is regarding capital projects deficit and it is recommended that the Village monitor their capital projects to ensure that any deficits are remedied through adequate funding and additionally that the Village should enforce a policy that appropriately closes out inactive or completed projects. He said that the Treasurer's office has been working on closing out old capital projects in regarding this to observation. Mr. Malecki concluded that the third observation is regarding the segregation of duties with the recommendation that the Village should implement a formal policy in which an individual independent of the cash receipts function will be delegated to prepare deposits and perform reconciliations.

Trustee Terenzi and Mayor Pilla commented on the observations and noted that action has been taken by the Board to increase the personnel in the Treasurer's office regarding the segregation of duties.

Mr. Malecki continued that there are proactive basis observations for the Board including a financial planning model which can have different levels of complexity, user charges and fees, policies and procedures manual and capital assets.

The Mayor commented on these proactive observations and noted that there will be a discussion later on in the meeting regarding user charges in reference to a sanitary sewer rent project.

Trustee Terenzi asked Mr. Malecki to speak on his opinion regarding how should the handing of over expenditures be done during the fiscal year. He said that it is his position that the Board sets the budget but for example there is a need to hire extra personnel during the year that we would use the under-expended lines toward this over expenditure.

Mr. Malecki said that it comes down to the Board's philosophy on this issue. He spoke about Section 112 of the law on this subject and further explained. There was further discussion on this subject between Trustee Terenzi and Mayor Pilla. The Mayor said that the Board needs to review on a quarterly basis the budget to address any over expenditures. Mr. Malecki said that strict interpretation of the law is not to spend if the budget is not there. Trustee Terenzi inquired what do most municipalities do on this topic. Mr. Malecki said that it is usually a balance between the two, the law and paying for example overtime when you have major snow storms or other activities but it needs to be the final determination of the Board. The Board continued this discussion about over expending budget lines and it was noted that the Manager has the ability to shift funds between lines in departments' budgets.

Mayor Pilla said that our next Board meeting, Leonie Douglas, the Village Treasurer will be reviewing with the Board the six month revenues and expenditures and would expect to act on the following four items; policy on fund balance, policy of fund adjustments, half year financial review and adjustments of the current budget. He asked if the auditors could be available by phone for the next meeting scheduled for February 6th. Mr. Malecki said that they could.

Trustee Brakewood noted that there needs to be correction of the audit report on page 21 that it states that the elected board is five council members and that the Clerk is elected.

Mr. Malecki said that was an error that listed the elected members of a town not a village which will be corrected.

Trustee Brakewood also asked about liability listed on page 16 of the audit.

Mr. Malecki explained what the actual liability is and it was noted that this is over a thirty year period and that we are in the third year of the thirty years.

Trustee Terenzi noted that this notion in the audit is not a funded liability.

Mayor Pilla and the Board thanked Mr. Malecki and the firm of Drescher & Malecki, LLP for their report of the audit for Fiscal Year 2010-2011 along with Leonie Douglas, the Village Treasurer.

Executive Session:

Mayor Pilla said that a motion for an executive session was listed as the last item on the agenda tonight for consultation with Counsel regarding the Modified Marina Redevelopment Project but Trustee Branca has requested that this session be held earlier. He asked for a motion for this executive session.

At 6: 55 p.m., Trustee Branca made a motion for consultation with Counsel regarding the Modified Marina Redevelopment Project, Trustee Marino seconded the motion. Beside the Village Attorney, also included in the executive session was the Village Manager, the Village Treasurer and the Village Clerk.

Trustee Didden stated that he recuses himself from all matters regarding G&S who is the developer of this project.

ROLL CALL

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

The Board members excluding Trustee Didden and the mentioned staff left the Courtroom and convened in the Detective Bureau downstairs in the Police Department.

No action was taken in the executive session.

At 7:08 p.m., on motion of Trustee Branca, seconded by Trustee Marino, the executive session was closed and the Board returned to the Courtroom to continue the public portion of the meeting.

ROLL CALL

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

Public Hearing:

The Clerk read Affidavits of Publication stating that the following Public Notice were duly published in the Westmore News and Journal News on January 6, 2012, certified by Angelina Brescia, Office Manager of the Westmore News and Florence Bonilla, Principal Clerk of the Journal News.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Tuesday, January 17, 2012, at 6:30 P.M., in the Courtroom, 350 North Main Street, Port Chester, New York, to hear public comments on the proposal of Ability Beyond Disability to establish a community residential facility for six (6) developmentally disabled persons on vacant property adjacent to 51 Betsy Brown Road, Port Chester, New York.

Interested persons will be afforded the opportunity to be heard at this time.

JOAN MANCUSO
Village Clerk

Mayor Pilla said that this public hearing was scheduled from notice to the Village from Ability Beyond Disability of their proposal to establish a community residential facility for six developmentally disabled persons at this location on Betsy Brown Road. He said that the Village received a letter from this organization dated January 11, 2012 that they have been instructed by the New York State Office of Persons with Developmental Disabilities (OPWDD) that they need to rescind the notice to the Village because OPWDD has not completed its due diligence review on this project. The Mayor asked Anthony Cerreto, the Village Attorney since the organization has made this notice to rescind what would be the required procedure of the Board.

Mr. Cerreto said that there should be a motion of the Board to cancel the public hearing.

Trustee Didden made a motion to cancel the hearing, Trustee Marino seconded the motion.

Before the roll call on the motion, Trustee Branca said that he understands that this group is rescinding but said that this is not going away since they have indicated that it is under State review they will be back and then we will still need to have a hearing.

Mayor Pilla said that is correct that is why this hearing is being cancelled. He said that the Board does not want to prejudge this proposal and that later on the agenda there is a resolution to set a public hearing on the law regarding these community residences and what the impacts to the Village on this subject.

The Clerk then called on the vote for the motion to cancel the hearing.

ROLL CALL

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

NOES: None

ABSENT: Trustee Kenner

Work Session: Comprehensive Plan

Mayor Pilla said that this work session will be a joint meeting of the Board of Trustees, the Comprehensive Plan Advisory Committee (CPAC), the Planning Commission and the Zoning Board of Appeals with BFJ Planning regarding the synthesis of the Comprehensive Plan. He said that Frank Fish and Sarah Yackel of BFJ Planning is here for this work session and will give the floor to Mr. Fish to continue.

Mr. Fish had provided the Board and the members of CPAC, Planning and Zoning in attendance with an agenda that covers the project schedule, the working draft of Comprehensive Plan Synthesis dated January 17, 2012, Chapters 13 and 14 of the Comprehensive Plan covering Land Use Strategies and Zoning Recommendations, State Environmental Quality Review (SEQR) intent to be Lead Agency by the Board of Trustees and a Public Hearing on the plan by CPAC. He then reviewed the project schedule and said that they are recommending moving up the public hearing to June instead of July and that the zoning adjustments would be ready for April. Mr. Fish said that Vince Ferrandino of Ferrandino & Associates is also here this evening and that his firm is responsible for the SEQRA and would be available for June. Mr. Fish then spoke on the plan, the zoning changes and the draft generic environmental impact statement.

Mayor Pilla asked if they should have the plan hearing now instead of June.

Mr. Fish said that the State law recently changed and if you have a Committee on the Plan that the Committee would have a public hearing so CPAC could have a public hearing sooner so the public can make comments then after that period CPAC can give the plan to the Board of Trustees.

Ms. Yackel said that the draft working plan of today can be provided to be placed on the Village website so the public can review.

The Mayor asked the Assistant Village Manager, Christopher Steers and Planning Director, Christopher Gomez if they can set this up for a CPAC hearing for February.

Trustee Didden inquired the status of the CPAC and if they need to be reconstituted.

Greg Gregory a former member of CPAC and member of the Planning Commission said that it was his understanding that when CPAC initially submitted the plan their function stopped so they may need to be a reconstituted.

Mr. Cerreto said that he would provide the Board with an opinion on this subject.

The Planning Commission was asked to officially convene their meeting.

Michael Scarola on behalf of the Planning Commission asked for a motion to call their meeting to order.

Commissioner Greg Gregory at 7:30 p.m., made a motion to open the meeting of the Planning Commission, Commissioner Peter Coperine seconded the motion.

ROLL CALL

AYES: Commissioners Coperine, Gregory, Baxter and Scarola

NOES: None

ABSENT: Commissioners Cervinka, Pellon and Chairman Antaki

Mr. Fish continued his presentation and reviewed the table of contents and that comments from the previous meeting of the Board, CPAC and Planning have been considered for Chapters 1 through 12. He said that Chapters 13 and 14 have been provided to all the members of the Board, CPAC, Planning and Zoning by email and that they have received some comments on those particular chapters.

Ms. Yackel reviewed the map in the Plan regarding the Planning Intensity Zones which shows neighborhood protection and enhancement zones, limited intensity planning zones in the Purdy Avenue, Fox Island, Kohl Shopping Center and United Hospital areas and the higher intensity planning zones of the central waterfront, Abendroth Avenue and South

Main Street and the downtown train station areas. Ms. Yackel then spoke about the proposed top zoning priorities which include the following:

Downtown:

Port Chester Train Station:

- Mixed-use commercial / residential development (Contextual / Form Based Zoning)
- Maintain building heights to 8 stories, *bonusable to 120 feet.*
- Density bonus permitted in exchange for public benefit (i.e. public parking, open space, etc.)
- Eliminate the Planned Railroad Station Plaza Development floating zone.

Abendroth Avenue, South Main Street and Pearl Street:

- Mixed-use commercial / residential development (Contextual / Form Based Zoning)
- Decrease building heights to 5 stories (1 commercial / 4 residential) between Route 1 and Abendroth Avenue and Pearl between Westchester Avenue and Route 1 / Boston Post Road.

Central Waterfront:

- Eliminate Marina Urban Redevelopment District (MUR)
- Mixed-use commercial / residential development (Contextual / Form Based Zoning)
- Decrease building heights to 4 stories between Abendroth Avenue / Brick Oven Road and the waterfront.

Fox Island:

- Permit both "wharf-type" development (mix of restaurants and residential) and a mix of commercial / office uses with additional open space, with the possibility of light industrial uses.
- Limit heights to 4 stories (50')
- Allow residential uses by special permit to eliminate potential conflicts between uses.
- Provide public waterfront open space and access.

United Hospital:

- Allow a mix of uses (retail, hotel, restaurant, residential, senior housing, office park, conference building, convention center) – see table below.
- Require connectivity to Boston Post Road.
- Rezone the site from R2F to a new mixed-use district.

Proposed Zoning Requirements: United Hospital Site

Dimensional Characteristics	Standards and Requirements
Maximum Floor Area Ratio (FAR) for hotel / convention center	0.40
Maximum FAR for commercial uses	0.20
Maximum FAR for residential uses	0.20
Maximum FAR for senior housing / assisted living	0.15
Maximum FAR for community facility	0.10
Maximum site coverage	70%
Maximum building height for hotel	8 stories
Maximum building height for commercial / residential uses	<ul style="list-style-type: none"> • 5 stories, or 55 feet (4 residential floors over ground floor commercial) • 8 stories, or 85 feet, by special permit only
Residential Apartments	Only efficiency (studio), one-bedroom and two-bedroom dwelling units shall be permitted

Note: The proposed maximum FAR of 0.80 would be comprised of any combination of permitted uses.

Residential Neighborhoods:

- Strategic upzonings in four existing multi-family residential neighborhoods.
- Decrease residential floor area ratios (FARs) in ALL residential Districts.
- Decrease "Maximum Height of Buildings" as follows:
 - RA3 District from 8 to 6 stories
 - RA4 District from 10 to 7 stories
- Require site plan review for all two- and multi-family districts.
- Eliminate the conservation subdivision (cluster development) regulations.

Other:

- Purdy Avenue
- Kohl's Shopping Center

Ms. Yackel said that their firm is also involved with the update to the Local Waterfront Revitalization Plan (LWRP) and spoke about open space in the Department of Public Works area on Fox Island Road.

Mr. Fish spoke further about the recommendations being made for the United Hospital site that Ms. Yackel had reviewed including the building heights for this site.

Trustee Terenzi noted that on this site exists buildings that are fourteen stories and would these buildings be grandfathered with these proposed new regulations.

Mr. Fish said that yes the existing buildings would be grandfathered that new construction would be subject to new regulations.

Trustee Terenzi asked if we took the grid for the hospital site and do a build out with the recommendations from the Plan and if they kept the fourteen story nonconforming use there and renovated it how many additional units would they be able to get on that property.

Mr. Fish spoke about the calculations of the floor area ratios (FARs) and what those maximums would be and it would allow for all the different type of proposals for the site including hotel, conference center, commercial, retail and residential. He noted that the FARs would provide for more units that would be of smaller sized and spoke about what the current zoning allows which is two family dwellings.

Mayor Pilla said that the United Hospital site is zoned now to have a hospital there and two family units that would equate to over one hundred two-family dwellings and that what is being discussed here is to change the zoning so going forward with the final zoning and adopting the plan will provide what is by right of what the developer of this site could build and it would be a marketing vision. He said that the Comprehensive Plan document and the zoning with it would give two important points that the site can be redeveloped and along with that the taxing of the new development.

Trustee Terenzi inquired what is the process regarding the United Hospital site with the owner of the property and have they been involved at all with these discussions of the site.

Mr. Fish said that every option that they wanted is included in the plan for this site with less density which was a concern of the Village.

Ms. Yackel noted that this site could have more senior housing.

The Mayor said that Starwood Capital had purchased this property and we have been very consistent in aligning them and the development community as a whole with the Master Plan. He said that the more that they become engage in what will be the by right for them or any successor would be the most beneficial to them. Mayor Pilla continued that this proposal

for the hospital site offers a wide variety of development options from what the existing zoning allows of two-family units but is not sure what the current needs for a hotel or commercial space are because he has been told that there is not this need which concerns him.

Trustee Terenzi asked if anyone from the marketing end has reviewed the proposals and does it make sense.

Mr. Fish noted that Urbanomics is their economic personnel that provided the housing study for the Village. He spoke about the vacancy rates of commercial space and noted that condo units are not selling due to the fact that banks are not giving mortgages for those types of units so developers are marketing rental units more which the Village has demand for. Mr. Fish said that the proposals for the United Hospital site is much like a menu that the property owner can pick and choose from.

Mayor Pilla said that this should be refined and then a meeting can be arranged with the property owner Starwood.

Mr. Fish spoke about what most contractors are doing now which is not buying property but contract vendee and the fact that the real estate market has gone down since Starwood brought the property is out of their and the Village's control.

Trustee Terenzi said that they have noted their error of buying this property during that market but the question is who is going to pay for that mistake the Village of Port Chester or them.

Mr. Ferrandino told the Board that they have not done an analysis regarding the hotel and office market but noted that there is additional demand for retail space.

Mr. Terenzi asked what would be the potential of the office space in Port Chester when we are competing with Connecticut that has dramatic tax incentives and cities like White Plains and New Rochelle who can keep their taxes.

Mr. Ferrandino stated that Port Chester has certain strengths waiting to be exercised. He said that there is tremendous potential and will test our economics of this with the State Environmental Quality Review Act (SEQRA) process. Mr. Ferrandino further explained that the impacts will be tested out through the generic impact statement.

The Mayor said that he has spoken to some developers and was told that a commercial group building out of Stamford and asked them what the incentives were for them to leave Manhattan and was told that there really wasn't much of an incentive but the allure of the Stamford and overall taxes of Connecticut is lower. He noted that banks will only lend 50% for commercial properties and spoke further about the commercial vacancy rates. Mayor Pilla said that it is really important to increase the ratable here.

Trustee Terenzi stated that we are fully value assessed Town which also affects us.

Mayor Pilla noted that there is no bonuses proposed for the hospital site and the proposal is downsizing residential in some areas. He spoke further on this aspect and asked about considering density for something at this site maybe providing for senior housing or something like that for a public benefit.

Mr. Fish said that they can look at that if the Board is of a consensus. There was further discussion between the Board and Mr. Fish on this subject.

Trustee Brakewood said that he has brought up the subject that the Village consider acquiring land in certain areas of the Village to increase park area and access and should that be included in the plan.

Christopher Steers, the Assistant Village Manager said that would be vetted through the SEQRA process but is hearing that the Board would like some mention of that in the plan. He said that he believes that was what was discussed with the Comprehensive Plan Advisory Committee.

Gene Ceccarelli, a member of CPAC said that he is concerned with the density in the Village. He said that if a developer provides retail / commercial space that is the risk that they take but is not sure if we should be encouraging more residential.

Trustee Brakewood mentioned the information provided with the Housing Study and thought there were about eight hundred units that were currently empty and believes that the average size of those units could accommodate about twenty-three hundred people. He continued that this is what is currently available before any of the pending residential developments are completed.

Mayor Pilla mentioned his suggestions of building bonus for senior housing and asked Mr. Ceccarelli if he would be in favor of something like that.

Mr. Ceccarelli said that he would be fine with that.

Trustee Didden said that he has concerns of the residential impacts because there are no formulas or examples in the Plan regarding residential impacts.

Mr. Ceccarelli noted the impacts to the School District regarding more residential in some areas and asked if there is still a 10% set aside for affordable housing.

The Mayor said that the 10% set aside is not part of this plan.

Mr. Ceccarelli said that if CPAC will have a public hearing in February that they would need a prior meeting of CPAC, staff and the planners to fully discuss the plan before the public hearing.

Mr. Fish clarified that the CPAC hearing would only be the on the plan that only the Board of Trustees could have a public hearing on the zoning.

Trustee Brakewood said that there is nothing in this plan that speak about what types of residential units could be developed whether it be rentals, condos, co-ops, affordable and also for the commercial uses whether it be medical uses, retail like home improvements store or other retail type stores.

Mr. Fish said that is correct.

Trustee Brakewood said that the plan provides for broad categories.

Richard Hyman said that the hospital site is critical to Port Chester and the proposal by Mr. Fish and BFJ Planning provides for creative ways to use this site but if you over restrict this site nothing will get developed there. He spoke about the Planning Commission who has received reports on residential developments in the Village where it was stated that there would be zero school children. Mr. Hyman said that the Village needs to be fully informed on this subject.

The Mayor asked Mr. Hyman to tell the Board and the public his professional qualifications.

Mr. Hyman said that he was Deputy Commissioner of Planning in Mount Vernon under Vince Ferrandino and then become the Commissioner in Mt. Vernon when Mr. Ferrandino started his own firm. He continued that he was also the Deputy Commissioner of Planning for the City of White Plains. Mr. Hyman talked about his higher education and noted that he is a lifelong resident of Port Chester.

Marvin Ravikoff said that a program should be provided so that you can plug in all the aspects of the dream that the plan proposes and what would be the results if this total dream came true and would this benefit the property owners with reduced taxes.

Trustee Terenzi said that there is no way that residential development would reduce the tax burden.

Mr. Ravikoff said that what he is saying is has the overall dream been considered and what the results would be.

Mayor Pilla told Mr. Ravikoff that the program he is referring to is called a build out and that our new Planner, Chris Gomez can explain.

Christopher Gomez, the Director of Planning & Development said that there is such a program that the Mayor referred to regarding build out of proposals and spoke further on the aspects of the program.

Mr. Ravikoff said that we as the Village are broken in a lot of ways and we need to face that. He said that business owners can do more but the Village is missing the pieces. Mr. Ravikoff spoke about a commercial shopping center that he owns on Irving Avenue that should have taken six months to get approvals on but took a year and half and it was his rights to develop this site.

Robert Weinberg, on behalf of G&S Developers said that G&S has put a lot of money into the Village with their project and the required improvements. He said that G&S has presented a plan to actually do what the Comprehensive Plan is calling for downtown. Mr. Weinberg continued that this plan was supposed to be referred to the Planning Commission for their review and it did not happen. He said that we had money for this project but with the lagging may shift to other areas / projects.

Trustee Terenzi said that the G&S proposal of this type of housing in the Village square may be the exception of the notion that housing in a village does not pay for itself.

Mr. Weinberg said that he would agree with Trustee Terenzi if you go out of town. He said that the reason that CPAC noting that he thinks CPAC has done a wonderful job they have concentrated on mixed-use and density downtown. Mr. Weinberg said that area is willing to pay taxes, fundamentally retail and residential housing developers are willing to pay taxes based on rent and the more successful they are the more they pay rent so then more will be what the assessor says they owe in taxes. He said that is why tax increment technique will get you a garage built noting that he designed that garage seven – ten years ago.

Mayor Pilla spoke about G&S proposal for the Retail D site at the corner of Westchester Avenue, North Main Street and Abendroth Avenue.

Trustee Brakewood said that the proposal is consistent with the Master Plan.

The Mayor said that it is and that the proposal should be place on the agenda for the next Board meeting to refer the matter to Planning.

Mr. Weinberg said that residential out of the downtown is not beneficially but residential downtown would be. He said that their proposal for the Retail D site was created pursuant to what the plan is calling for in this area. Mr. Weinberg urged the Board to refer the matter to Planning and see how it goes from there.

Mr. Cerreto noted that the Board considered a motion to refer this proposal to the Planning Commission which did not carry. He said what the Mayor is asking for is a motion to reconsider so in order for that to move forward one of the voters against this proposal would have to make a motion for the return.

The Mayor asked if any of the Trustees here tonight would make a motion for this return, it was indicated for this to be a separate discussion of the Board.

Mr. Scarola said that in regard to the proposed building bonus that the feedback that the bonus be used as a tool is fine and CPAC understands that but should be within limits.

Mr. Fish noted that in the plan there is a cap in the downtown of the use for bonus.

Trustee Didden spoke about the proposed caps stories versus feet. There was further discussion about the current heights regulations versus what is being proposed.

Mr. Fish and Ms. Yackel noted that the bonus is only proposed for used at the train station and spoke further on those bonus amounts.

Rev. Bruce Baker said that he hopes that affordable housing and the set asides are included in the Master Plan stating that it should be Village wide not just certain districts. He said that the previous Board thought it was important and would like it continued.

Trustee Branca expressed his concern regarding affordable housing stating that we have done more than our fair share in this area. He noted that the Village is exempt from the County Fair Housing Settlement because of the housing we already have. Trustee Branca said that affordable housing does not pay its fair share which is a burden to the rest of the tax payers who subsidize this type of housing.

The Mayor spoke about other options that the Board is considering regarding this subject being a fee in lieu of housing rehabilitation program which would not create more units.

Rev. Baker said that the medium income in Port Chester is about half of what it is in the rest of the County so there is still a great need for affordable housing here.

Trustee Terenzi asked what would be the medium income in this Village if we took away the housing projects, Section 8 housing and affordable housing we would be the same as the rest of the County. He spoke about the different housing in the Village and the Mitchell Lama housing at the South Regent Street apartments and have been told that people living there have a much higher income than what is required for their rent and the rest of us are subsidizing that property. Trustee Terenzi said that he is looking for fairness here.

Mayor Pilla spoke about the statistics of the percentage of people in Port Chester who find it unaffordable and spoke more about these fees in lieu of funds.

Trustee Terenzi said that he does not want to tell Starwood that they have to provide eighty units of affordable housing because it will not be economically viable.

The Mayor agreed with Trustee Terenzi on that topic and there was further discussion between the two of them regarding the makeup of where residents are coming from that live in subsidized housing in our Village.

Trustee Didden said that later in the meeting he will provide information on group homes in the Village which is something else that the rest of the tax payers contribute to because they are taxed exempt. He said that he disagrees with Rev. Baker who uses the label of fair / affordable housing and that he believes that everyone should have fair housing but not at the expense of the other taxpayers.

The Mayor said that it sounds like the policy decision of this body of shifting from set aside to fee in lieu of rehabilitation. There was further discussion on this topic and the Board members present were agreeable with going in the direction of the fee in lieu of.

Trustee Branca noted that for anyone who owns a single family home in this Village knows we are one of the highest taxed communities in the County. There was further discussion amongst the Board about tax rates in other communities. Trustee Branca continued that Port Chester has done a lot in this area, our population is large and we have a large segment of senior citizens on fixed incomes trying to stay here which is tough for them. He said that this Board is trying to keep the tax rate down.

Rev. Baker said that he is sensitive to that issue and there was further discussion between Rev. Baker and Trustee Branca. Rev. Baker said that he would encourage the Board to include the 10% set aside.

Tom Kissner said that he is here representing the Reavis on behalf of the NAACP stating that there is a tendency to confuse affordable housing and low income housing. He said that affordable housing is for middle income people and restricting lower income discourages middle income persons like police, fire and school teachers. Mr. Kissner said that he is in support of the 10% set aside.

Trustee Didden said that he respects Mr. Kissner's comments and he is all for providing for municipal employees but we have not done an analysis on the need of housing for these employees. He said that if a developer comes and has to do 10% of so many units and there is not a need for all those units, the remaining ones would go out to anyone in the County.

Trustee Terenzi spoke about current available units in the Village such as co-ops and that he does not believe that municipal or school employees wouldn't be able to afford those types of units without having to create more affordable units.

Mr. Kissner said that he still thinks there are people who are struggling to afford to live here. He continued that in response to Trustee Didden comment about other property owners subsidizing for others that he justifies this because there is still a need for affordable housing here.

Hattie Adams spoke about 330, 340 & 350 South Regent Street Apartments which are mainly middle income residents, working families and seniors trying to keep it affordable to us. She said that these facilities are down to their final payment through the initial Mitchell Lama program and there is talk about a buy out for the residents.

Trustee Terenzi said that calculating what the taxes are if broken down by apartment it would be embarrassing for all the people in Port Chester to know what are the taxes generated per unit.

There was further discussion between Trustee Terenzi and Mrs. Adams regarding this property.

Mr. Scarola said that CPAC supports the fee in lieu of especially for rehabilitation of existing properties. He said that the housing study that was presented last month provides a great amount of information and would like the representatives from BFJ to complete their presentation.

Mr. Hyman told the Board that the law of the State of New York is that you need to provide housing needs of the community but also regional needs. He noted the loss of affordable housing at 999 High Street. Mr. Hyman said that the Village cannot use community development block grant funds for relocation – downsizing of multi-families even if they are illegal units. He also spoke about the Castle project and their fee in lieu of. There was further discussion between Mr. Hyman and the Board. Trustee Terenzi noted that the housing at 999 High Street was for the workers at United Hospital to provide housing for that specific group of employees that the hospital has closed and there are still residents in that housing location.

Mr. Hyman spoke about Chapter 7 in the Plan entitled “housing” and the ETPA should not be included under affordable housing and explained further. He also noted that Section 8 vouchers are portable that they can go anywhere else in the County if the holder of that voucher relocates out of the Village.

Trustee Branca said that there have been several statements that Port Chester has done its fair share and asked Mr. Hyman if he thinks we have done our fair share.

Mr. Hyman said that in the past yes Port Chester has done its fair share.

Trustee Branca continued asking Mr. Hyman if he thinks we have done more than our fair share.

Mr. Hyman said no because we have more need. He spoke more about the rehabilitation housing project that the Board is speaking of and believes it is a good idea but there are restrictions for the use of these funds.

Trustee Brakewood asked about ETPA and what it is based on. Mr. Hyman explained ETPA and that it deals with rentals for certain number of units and there was further discussion on this subject.

Mayor Pilla noted that during the initial public workshops on the Comprehensive Plan that the second only to lowering my taxes that during the SWOT analysis was to make Port Chester more affordable. He noted that the Village of Port Chester has received more Community Development Block Grant money than any other Village in the County because of our low to moderate income areas.

Trustee Terenzi said that when he was on the Board fifteen years ago he had done an analysis regarding the subsidized housing in the Village and spoke further on all of the housing that the Village does provide and what the cost is to the rest of the taxpayers.

The Mayor inquired as to the consensus of the Board regarding the fee in lieu of plan.

Trustee Branca said that he thinks that the fee in lieu of payment for housing rehabilitation is a good plan but the Board needs further discussion on a plan for this program.

Trustee Didden said in response to the Mayor’s comments that Port Chester needs more affordable housing that anyone would say that our community should be more affordable no matter what their income level bracket is.

Mr. Fish reviewed the proposed up-zoning in residential neighborhoods noting that in an effort to preserve the existing built character of certain residential neighborhoods as well as to prevent future increases in density within the Village's residential neighborhoods, this Plan proposes the up-zoning of four residential areas. He spoke about the four selected residential areas that would go from an R2F (two-family residence) zone to a R5 (one family residence) zone or RA3 (multi-family residence) zone to a R2F (two-family residence) zone. Mr. Fish noted that these particular areas are largely under-built in terms of the densities allowed under their existing zoning and that these areas were also selected in that they provide for an additional transition zone between lower density and adjacent higher-density residential uses.

Trustee Brakewood spoke about these proposed areas and noted that up-zoning is a two prong approach along with code enforcement.

Ms. Yackel noted that in what has been provided code enforcement was not included because it is not something new that the Village is providing but that it is one of the first things talked about under the residential zoning portion of the plan.

Mr. Fish said that their firm has received all the comments regarding this draft of the plan which will be placed on the website so that CPAC can hold their public hearing.

Mayor Pilla asked that the copy to be placed on the website to include the bonus in the plan regarding the United Hospital site.

Trustee Didden asked about other downsizing areas.

Ms. Yackel spoke further on that topic and there was further discussion between Trustee Didden and Ms. Yackel.

Trustee Didden spoke about transition areas in the single family areas.

Mr. Fish said that they do not want to go too far to make properties nonconforming so that is why they are proposing the four target areas. He told the Board that the next step for them regarding the Comprehensive Plan is for the Board to declare Lead Agency Intent and suggested that this could be done at the next Board meeting on February 6th along with doing the same Lead Agency Intent for the update to the Local Waterfront Revitalization Plan.

Mayor Pilla asked if the CPAC public hearing on the plan along with tonight's feedback will provide for the zoning and SEQRA portion of the plan by the end of May.

Ms. Yackel said that they would meet with the Board in March or April on the zoning section of the Plan.

Trustee Brakewood said that the housing study done compared us to just the other Villages in the County and has concerns that is the only comparison. He said that it is misleading and spoke about the population comparison.

Mr. Fish said that their firm provided the Village with a proposal to expand the housing study to provide further comparisons.

Mr. Steers told the Board that our new Planner will work on the additional comparisons.

There was a final discussion between the Board, Mr. Fish and Ms. Yackel on the timing of the process and that the Lead Agency Intent resolutions for the Comprehensive Plan and the LWRP will be on the February 6th Board meeting. Mayor Pilla and the Board thanked Mr. Fish and Ms. Yackel for this review of the synthesis of the Plan.

Trustee Branca was excused at 9:25 p.m.

Public Comments:

Mayor Pilla said that the Board would take public comments at this time and recognized Bea Conetta.

Mrs. Conetta complimented the Board for their last meeting that they all worked together and that they spoke about saving money for the Village. She said that regarding the issue of group homes that she had contacted Assemblyman Latimer and Senator Oppenheimer offices on this issue and that she was told that the State Law does not allow the issue of lost taxes to be considered with these applications. Mrs. Conetta said that these residences serve a great purpose for the developmentally disabled but believes that we have done our fair share because we have a number of these homes in our Village. She said that she was told that one reason to fight this issue is on saturation. Mrs. Conetta noted that she lives on King Street and there is one a block up on Upland Street, another block or so down King Street and now this proposal a block away on Betsy Brown Road. She said that Assemblyman Latimer said that he is willing to talk to the Board for changes to the law and consideration of payment in lieu of taxes (pilot) for these properties. Mrs. Conetta said that she is not against these types of facilities but surrounding communities should take on some of the burden. She said that she is also in agreement with the payment in lieu of for affordable housing instead of 10% set asides. Mrs. Conetta concluded her remarks that she heard that a night club was opening on North Main Street stating that we do not need those types of establishments here.

The Mayor recognized Mario Karas as the next speaker. Mr. Karas asked the Board if they have considered his recommendation for the placement of curbing on Quintard Drive. Mayor Pilla told Mr. Karas that to put curbs on Quintard involves more than just curbing but drainage too. The Mayor noted that the Village cannot just put in new curbs because the homeowners may have to pay that would require a special assessment district for this improvement. Mr. Karas said that he would like some type of curbing that it does not have to be concrete but how about asphalt. Christopher Russo, the Village Manager said that this topic of curbing came up when we were discussing the use of the remaining funding of capital projects to use toward sidewalks, curbs and walkways in Village parks. Mr. Karas said that he understand this use for the parks but what about the curbs that were done in other areas. Mr. Russo said that the repairs that Mr. Karas has mentioned were for existing curbs that were damaged by our plows. Trustee Brakewood said that he has heard from residents of Quintard Drive that they do not want curbing. Mayor Pilla suggested that that a community event be held for this neighborhood to discuss this topic. Mr. Karas asked if he could put in his own curbing and if he did and the Village decides to put it on the whole street would you take it away. He said that another neighbor has done this. Mr. Russo said that putting in a curb would require a permit and engineering plans. The Mayor said that we were using this funding for sidewalks and curbs in parks so a further discussion is required with the whole neighborhood so will arrange for a community meeting. Mr. Karas then asked what is the status of his request to remove the stop sign on Quintard Drive. Mayor Pilla said that the Traffic Commission reviewed this request at their last meeting and the Board has received a

letter from them with their minutes and that their recommendation is to remove the stop sign on Quintard Drive (east bound) at Renshaw Place and the result is to return the stop sign in front of 44 Quintard Drive which will control traffic in the east bound lane of Quintard Drive at Field Place. Mr. Karas told the Board not to move the stop sign that he just wants them removed on Quintard altogether. He said that this should be part of the community discussion. Police Chief Krzeminski said it has been recommended from the start that a traffic consultant review this roadway and make a report. There was further discussion about the stop sign and that there would be a cost for a consultant to review this matter. The Mayor suggested that before anything is considered that this community meeting be arranged and held with the residents of Quintard Drive.

The next speaker recognized was Aldo Vitagliano, Esq. Mr. Vitagliano said that he is here representing an estate regarding a property on Shelley Avenue which they are trying to sell. He said that they have an offer which is being held up because of outstanding permits. Mr. Vitagliano further explained the situation regarding this property that required additional fees and much longer search times than what has been told to the Board. He said that this property received a certificate of occupancy in the mid 1980's from an addition that required a zoning variance that was granted and now they are being told that at that time there should have been an additional variance regarding that application that they were never told of and that they have to go back to the Zoning Board of Review which will take two more months or longer to get a zoning variance which may cause the loss of this sale. He said that something has to be done with the situation that property owners, title companies and lawyers are facing dealing with the Village that has become a very long, complicated, costly and burdensome process which is killing the housing market in our Village. Mayor Pilla responded to Mr. Vitagliano's comments noting that the Village wants to make sure that all properties are safe and in compliance with all of the regulations which takes time. Trustee Didden noted that a meeting was held with members of the Port Chester - Rye BAR Association on this subject and spoke about a possible amnesty program. There was further discussion on that subject and the zoning process which Mr. Cerreto and Mr. Steers made clarification of the Zoning Board of Appeals process. The Mayor said that further discussion is required on the topic of certificates of occupancies so asked that it be included as a discussion item for the second February meeting of the Board.

Mayor Pilla then recognized Thomas Kissner. Mr. Kissner said that Doris Bailey-Reavis asked him to raise some issues to the Board. He said that any residential developments in the Village will put more pressure on our school system and municipal services. Mr. Kissner said that they also receive complaints about absentee landlords and how they maintain and operate their buildings.

The next speaker recognized was Richard Abel. Mr. Abel said that he is property owner and resident of Quintard Drive and that he likes the rustic nature of their street and noted that because of the width of the street does not believe curbing can be done due to the municipal property lines. He said that 999 High Street was mentioned earlier and that there are antennas on that building that have leases for a number of years so that building is not going to be taken down anytime soon because then all funding received by the building owner would have to be paid back. Mr. Abel said that the discussions regarding affordable

housing and group homes are good discussions to have. He continued his comments asking if anything was put in place to rein in the overtime costs for the police and fire budgets besides cutting their overtime lines. Mr. Abel said that he believes that cutting the overtime lines is not responsible and that if the Board had a plan that would be the more responsible thing to do. Trustee Didden noted that the Board spoke to the Chiefs of the Police and Fire Departments regarding their overtime lines and that is why they were cut. Trustee Marino noted that the overtime budget for the Fire Department is due to a shortage of personnel. He said that the Board has already met with the Police Chief and is supposed to meet with the Fire Chief so asked that this be included on the next Board meeting. Mayor Pilla noted that the next Board meeting has quite a large agenda so asked that it be scheduled for the second February meeting.

* * * * *

Resolution:

The Clerk presented the only resolution on the agenda to set a public hearing to facilitate a general discussion regarding the location of community residences.

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

Trustee Didden made a presentation on what is a group home and how the New York State Padavan Law of 1978 occurred which allows group homes to bypass local zoning, as long they met state codes. The presentation noted that the Padavan Law allows community protests on limited grounds if an area was oversaturated with group homes or if a better site could be found, the timetables of the law and the uniform procedures of the code. Trustee Didden noted that besides the fruitless appeals what can we do and indicated a possible solution to seek a legislative remedy which will set the criteria for the applicant when selecting a location and for the hearing officer to consider which the code states that the nature and character of areas within the municipality would be substantially altered such as but not limited to community density of the existing number of group homes to households, existing number of group homes per square mile or existing number of group homes to the population.

Trustee Didden then showed slides comparing the number of group homes by Villages as of the State Registry dated September 19, 2011 as follows:

Tuckahoe	1	Tarrytown	8
Sleepy Hollow	1	Scarsdale	5
Rye Brook	3	Port Chester	12
Pleasantville	9	Town & Village of Pelham	1
Pelham Manor	1	Town & Village of Ossining	20
Mount Kisco	10	Town & Village of Mamaroneck	8
Larchmont	3	Irvington	2
Hasting-on-Hudson	3	Harrison	3
Elmsford	2	Dobbs Ferry	11
Croton-on-Hudson	4	Buchanan	2
Bronxville	1	Briarcliff Manor	6
Ardsley	2		

Trustee Didden noted that we are the community with the second highest number of facilities. He then showed the number of facilities for the following towns.

Yorktown	22	Somers	6
Pound Ridge	3	North Salem	4

North Castle	1	New Castle	1
Mount Pleasant	23	Lewisboro	3
Greenburg	3	Eastchester	2
Cortlandt	9	Bedford	7

And besides the Towns of Yorktown and Mount Pleasant the Village of Port Chester is higher than any of the other towns in the County. He then showed the number of facilities located in the following cities:

Yonkers	51	White Plains	43
Rye	3	Peekskill	11
New Rochelle	26	Mount Vernon	19

Trustee Didden noted that we have more than the Cities of Rye and Peekskill and that two of the facilities in the City of Rye are at the Osborn. He then showed a comparison of group homes per square mile for the Villages with Port Chester having the highest number of 5.02 per square mile, Pleasantville following that with 5 per square mile and our neighbors in Rye Brook only 0.86 per square mile and Mamaroneck with 0.81 per square mile. Trustee Didden continued with the comparison per square mile of Port Chester (5) compared to the Towns and none of the Town even reached 1 per square mile. Then he showed the same comparison between Port Chester and the cities and Port Chester was still the highest with Mount Vernon coming in second with just over 4 per square mile. Trustee Didden then compared the number of group homes to households for villages which showed that nine other communities were higher in this category than Port Chester and fourteen were less than Port Chester. He continued this comparison regarding households to the towns and Port Chester was tied for the fifth place of the twelve towns and compared to cities Port Chester was in second place with Peekskill and White Plains leading in this category of the six cities and Port Chester.

Trustee Didden then showed a comparison to population with the villages and that is a category that Port Chester was less than the other categories with ten other villages having a higher percentage. The next slide showed this same comparison to the towns and that Port Chester was in fifth place of the twelve towns and the comparison to the cities Port Chester was third of the six cities shown.

Trustee Didden continued with his presentation that maybe there is something more than density and how about social economic issues and what is the existing percentage of the population living at or below the poverty level, housing values for owner occupied units and how does the cost of Port Chester housing units compare to other villages. He showed a slide of the twenty three villages and Port Chester regarding the percentage of population living in poverty with Port Chester being second with 11.5% only following Sleepy Hollow which was 12.6% and that seventeen of the villages ranged from 0.09% to 5.50% and three villages ranged from 6.9% to 9.3%. The slide show continued with this comparison of the towns showing that Port Chester is at the top of this comparison with Rye being 9.8% and Ossining at 8.4% and all other towns under 5%. He concluded this category with the comparison of the cities and that Port Chester was fourth in this category compared to the six cities at 11.5% and the City of Rye at 1.4%. Then he showed a comparison of the median value of owner

occupied housing units for seventeen of the villages which Port Chester was one of the lowest for the median value.

Trustee Didden concluded his presentation regarding Port Chester's percentage of subsidized housing for these categories, Section 8 18.79%, Public Housing 42.39%, subsidized affordable housing units 24.07%, other categories 16.02% and the state listing of group homes 10.17%. He compared the Village to the other villages regarding Section 8 units with Port Chester having the highest number 228 and sixteen villages have none, the number of public housing with Port Chester again the highest at 340 units, Tuckahoe with 149, Tarrytown with 151, Sleepy Hollow with 86 and Mount Kisco with 76 and all the other village none, the subsidized affordable housing units show that Port Chester leads greatly all other villages with 714 units with the next closest being Sleepy Hollow with 384 and that the only category that Port Chester is not the highest is under the all other categories where Port Chester comes in second with 181 with Tarrytown the highest with 228.

There was further discussion on the information that Trustee Didden provided.

The Clerk indicated that the resolution did not include a date and time for the public hearing so the resolution needs to be amended with this information. There was a brief discussion amongst the Board on what meeting date this hearing will be scheduled for in February.

Trustee Marino made a motion to amend the proposed resolution to schedule the date of the public hearing for February 21, 2012 for 7:00 p.m., Trustee Terenzi seconded the motion.

ROLL CALL

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

**SETTING PUBLIC HEARING REGARDING
COMMUNITY RESIDENCES**

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 a public hearing is hereby scheduled for February 21, 2012 at 7:00 p.m., in the Village Justice Courtroom, 350 North Main Street, Port Chester, to facilitate a general discussion with regard to the location of community residences.

ROLL CALL

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

Discussion Item: Sanitary Sewer Rent Project Status

Mayor Pilla said that he requested the first discussion item regarding the status of a Sanitary Sewer Rent Project. He said that he wanted to update the Board and informed them that he and the Village Manager, the Village Treasurer and the Village Attorney went to the headquarters of United Water the private water provider for the Village and spoke to them about this project. The Mayor said that United Water does Sanitary Sewer Rent Projects for other municipalities so that is beneficially to the Village to move forward on this project. Mr.

Russo noted that we have to provide them with property data. The Mayor stated that there also needs to be a financial review by Ms. Douglas.

Discussion Item: Parking Ticket Amnesty Analysis

The Mayor noted that Trustee Brakewood had requested this discussion item and has an analysis for the Board.

Trustee Brakewood provided the Board with a presentation of an analysis of the Parking Ticket Amnesty Program putting November Parking Ticket performance in perspective. He reviewed the month-to-month parking ticket revenue over a 35 month period from January of 2009 through October of 2011 showing the ups and downs of these revenue periods noting that the average revenue over this entire period is \$112,000. Trustee Brakewood then showed a comparison of the revenue of November 2009, November 2010 and October 2011 to the standard baseline performance with the average gross impact being \$54,000. He then compared the revenue from tickets paid within 30 days to after 30 days noting that revenue from tickets paid within 30 days has been increasing since October 2010 and that revenue from tickets paid after 30 days has been on a random walk and has dropped significantly in September (\$35K) and October (\$33k).

There was a great deal of discussion between the Board members on this data and certain periods where the revenue had decreased. They spoke about management of the personnel and consideration of investing in more parking pay stations for Irving and Abendroth. Trustee Didden also relayed information that was told to him that regarding the pay stations that there is a delay of information on the ones with the solar panels and that they would work better if they had direct line voltage. More discussion followed regarding Trustee Didden's comments.

Discussion Item: Fire Department – Increase Membership of Fire Patrol & Rescue Co.

Mayor Pilla said that Trustee Marino has requested this discussion item so will give him floor to explain.

Trustee Marino said that he has been advised that within the Village Charter, the Fire Patrol & Rescue Company has a limitation of twenty (20) members and the rest of the volunteer companies can have membership up to sixty (60). He said that he has spoken to the Village Attorney and the Clerk and that a public hearing is required to increase the membership for Fire Patrol & Rescue.

Mr. Cerreto said that this would be a simple local law change.

Trustee Didden said that he does not want to disqualify any volunteer because they have reached their number so asked Trustee Marino to go back to the companies of what amount of active members are needed for fires.

Trustee Marino said that the membership number of sixty members would be fine.

The Board requested that a resolution be placed on the next Board agenda with the proposed law to set a public hearing on this matter.

Reports:

The Clerk presented a report from Putnam Engine & Hose Co. No. 2 on the election to active membership of Claudio Ocasio.

The Board of Trustees noted the action taken by Putnam Engine & Hose Co. No. 2.

The Clerk presented a report from Harry Howard Hook & Ladder Co. No. 1 on the election to active membership of Sam Sciavillo.

The Board of Trustees noted the action taken by Harry Howard Hook & Ladder Co. No. 1.

Correspondence:

The Clerk presented correspondence from Joseph Poletsky resigning from the Traffic Commission.

The Board of Trustees noted the resignation of Joseph Poletsky and thanked him for his service to the Village on this commission.

Public Comments:

Mayor Pilla asked if anyone from the audience would like make any other comments. He recognized Richard Abel.

Mr. Abel said that regarding the discussion of the parking amnesty program and parking tickets that we should be encouraging people to come to Port Chester. He said that Rye has free parking on their main street noting that he does not want us to be Rye but we should not discourage people because of parking violation issues. Mr. Abel said that we should also make it easier for some to pay for parking tickets and that the writing of tickets is out of control.

Board Comments:

Trustee Brakewood thanked Trustee Didden for his presentation and information regarding group homes. He said that it shows that we are higher on the aspect of the number of facilities within a square mile but not in other areas of the number of households and population so it does not appear that it is an out of control situation. Trustee Brakewood then spoke about the subject of parking tickets and enforcement noting that there are many different ways to pay for improvements and get rid of parking fees. He recommended that the Chamber of Commerce make a proposal for a business improvement district.

Trustee Terenzi said that it was great that our auditors were here tonight and that our finances are in great shape. He commended Ms. Douglas and her staff for all the work they are doing. Trustee Terenzi said that he thinks the Village can do a few initiatives in the next six to twelve months that could be done because of the borrowing rates that will be exciting and beneficial to the Village.

Trustee Didden told Trustee Brakewood that he is proposing taxing more to our small business owners with a business improvement district. Trustee Brakewood said that he is fine with continuing parking revenue noting that a good majority is paid by people outside our community. Trustee Didden suggested increasing the time of enforcement until midnight and spoke about a valet parking process used by a city in another state.

Trustee Marino asked when the Board would be meeting with the Fire Chief. Mayor Pilla said at one of the meetings in February if not the first meeting then the second one. Trustee Marino asked the Manager what is the status for the use of the career firefighters for code enforcement. Mr. Russo told the Board that he meet with the career fire fighters last week with that being one of the subjects.

Trustee Didden also noted that the Port Chester High School Debate Team will be on the MSG Cable Channel tomorrow.

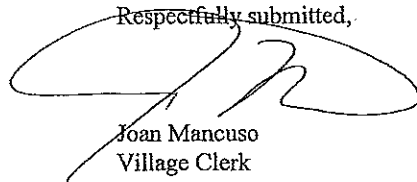
Mayor Pilla noted that the next Village Election is fourteen months away and one item that needs to be addressed is regarding Early Voting which is allowed for the Trustees seats but not the Mayoral seat. He said that we need to speak to the Department of Justice and the Court on this issue and asked that Mr. Cerreto be authorized to send a letter and/or have a meeting with the parties and that he would like to be included in these discussions. There was no objection from the Board members present that Mr. Cerreto to send a letter on this topic. The Mayor also told the Board that he and Mr. Russo met with the City of New Rochelle on their purchasing process of reverse auctions of goods that he further explained. He said that this process has been on the Governor's Executive Budget and there have been discussions for State Home Rule legislation for the Village to pilot such a program which would be of no cost to the Village.

There being no further business, on motion of Trustee Didden, seconded by Trustee Marino the meeting was closed at 11:58 p.m.

ROLL CALL

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

Respectfully submitted,



Joan Mancuso
Village Clerk