

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Wednesday, April 24, 2013
Meeting: 6:30 P.M.
VILLAGE HALL CONFERENCE ROOM
222 Grace Church Street
Port Chester, New York
AGENDA**

TIME: 6:30 P.M.

I	WORK SESSION	ACTION
1	Workshop on Village of Port Chester Tentative Budget for FY 2013-2014	
II	RESOLUTIONS	ACTION
1	Authorize the Village Manager to enter into an agreement with Mariner Port Chester, LLC that the \$600,000.00 payment made by Mariner's predecessor in interest may be used by the Village in any manner that it deems appropriate and in sole discretion for the public benefit.	
II	CORRESPONDENCE	ACTION
1	From Port Chester Cares Community Coalition requesting permission to fly a banner over North Main St. and Westchester Ave. from May 1 to May 22, 2013, announcing Family U.	
2	From The American Legion Port Chester Post 93 requesting the Village of Port Chester appropriation for the 2013 Memorial Day Ceremonies and parade.	
3	From Michael Scarola requesting to be considered for re-appointment to the Planning Commission.	

WORK SESSION

RESOLUTIONS

AGREEMENT FOR THE USE OF THE PROFFER
WITH REGARD TO THE MARINER 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 resolution adopted on March 23, 2006, the Village Board of Trustees declared its intent to establish an "Affordable Housing Incentive Fund" that would assist qualified moderate income families to acquire affordable housing; and

WHEREAS, by resolution adopted January 25, 2010, the Village Planning Commission granted site plan approval in connection with a 100-unit residential development on Abendroth Avenue requiring Mariner's predecessor in interest to deposit \$600,000 into an "Affordable Housing Fund"; and

WHEREAS, Mariner's predecessor in interest made such \$600,000 payment to the Village on or about January 28, 2011; and

WHEREAS notwithstanding the language of the Planning Commission's resolution, the parties recognize and acknowledge that such \$600,000 was a voluntary proffer; and

WHEREAS, that final approval for the Mariner Project was obtained and the Village issued a certificate of occupancy; and

WHEREAS, Mariner has vested rights in the Mariner Project and has no further obligation to the Village; and

WHEREAS no such Affordable Housing Incentive Fund has been established by the Village; and

WHEREAS, it is the desire of the Board of Trustees to utilize these funds for code enforcement and building compliance purposes.

RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with Mariner Port Chester LLC, c/o J.P. Morgan Investment Management, Inc., 270 Park Avenue, New York, New York 10017, that the \$600,000 payment made by the predecessor in interest may be used by the Village of Port Chester in any manner that it deems appropriate and in its sole discretion for the public benefit, including, but not limited to, code enforcement and building code compliance.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

Date: April 24, 2013

AGREEMENT

This Agreement made this 17th day of April, 2013 by and between the Village of Port Chester (hereinafter "Village"), a municipal corporation organized under the laws of the State of New York, with offices at 222 Grace Church Street, Port Chester, New York 10573 and Mariner Port Chester, LLC, a Delaware limited liability company c/o J.P. Morgan Investment Management, Inc., with its principal place of business at 270 Park Avenue, New York, New York 10017 (hereinafter "Mariner").

WITNESSETH:

WHEREAS, by resolution adopted on March 23, 2006, the Village Board of Trustees declared its intent to establish an "Affordable Housing Incentive Fund" that would assist qualified moderate income families to acquire affordable housing; and

WHEREAS, by resolution adopted on January 25, 2010, the Village Planning Commission granted site plan approval in connection with a 100 unit residential development on Abendroth Avenue (the "Mariner Project") requiring Mariner's predecessor in interest to deposit \$600,000 into an "Affordable Housing Fund"; and

WHEREAS, Mariner's predecessor in interest made such \$600,000 payment to the Village on or about January 28, 2011; and

WHEREAS, notwithstanding the language of the Planning Commission's resolution, the parties recognize and acknowledge that such \$600,000 was a voluntary proffer; and

WHEREAS, that final approval for the Mariner Project was obtained and the Village issued a certificate of occupancy; and

WHEREAS, Mariner has vested rights in the Mariner Project and has no further obligation to the Village; and

WHEREAS, no such Affordable Housing Incentive Fund has been established by the Village; and

WHEREAS, it is the desire of the Board of Trustees to utilize these funds for code enforcement and building compliance purposes.

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements contained herein, the value of which is hereby acknowledged, the parties do hereby agree as follows:

The \$600,000 payment made by Mariner's predecessor in interest may be used by the Village in any manner that it deems appropriate and in its sole discretion for the public benefit, including, but not limited to, code enforcement and building code compliance.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed by their authorized officials on the date hereinabove written.

MARINER PORT CHESTER, LLC

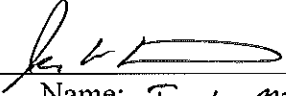
VILLAGE OF PORT CHESTER

BY: Mariner PC Development, LLC
Its sole member

BY: _____
Christopher D. Steers
Village Manager

BY: Commingled Pension Trust Fund
(Special Situation Property)
of JP Morgan Chase Bank, N.A.

BY: JP Morgan Chase Bank, N.A., not individually,
But solely in its capacity as Trustee

BY:  _____
Name: *Jay L. Minchilli*
Title: *Executive Director*

CORRESPONDENCE



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April 1, 2013

Mayor Neil Pagano and
Members of the Village Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, New York 10573

Phil Mutino
Carlos Sanchez
Co Chairs

Karen Fink
Treasurer & Secretary

Chelsea Bodansky
Coordinator

**Coalition
Committees**

*Governance
Committee*
Byron Womack
Judy Diaz

Community Profile
Richard Conway

Adolescent Health
Mario Coronado
Augustina Santucci

Outreach Committee
Lauren Martinez
Arturo Hartnack

Executive Committee
Carlos Sanchez
Philip Mutino

Youth Committee
Patrick O'Connor

**Sectors
Represented**

- Youth
- Parents
- Education
- Recreation
- Law Enforcement
- Government
- Health Services
- Substance Abuse
- Services
- Mental Health
- Services
- Faith Community
- Business
- Civic Organizations
- Seniors & Older Adults
- Media
- Youth Services

Dear Mayor Pagano and Members of the Board of Trustees:

Based on the success of our event "Family U", with over 350 attendees, last March, we have scheduled another one for Tuesday, May 21st, 2013.

We need the following Village support to make this a reality:

- Permission to fly a banner over North Main Street, from May 1st to May 22nd, announcing Family U
- Permission to fly a banner over Westchester Avenue, from May 1st to May 22nd, announcing Family U

We plan to present a series of eight (8) workshops in both English and Spanish to educate families with children in 5th through 12th grade about important topics such as college preparation, substance abuse prevention, internet safety, and parenting skills. We will also be serving a community wide dinner in between the two (2) workshop sessions. The event is entirely free to those who attend. The event is currently sponsored by Open Door Family Medical Center, Family Services of Westchester, Carver Center and The Council of Community Services.

It promises to be a grand event, but is contingent upon the Village's approval to allow us to advertise this to the community properly.

We look forward to hearing from you at your next Board meeting, so that we can move forward with our plans. We are most grateful for your consideration and look forward to working with you in the future.

Sincerely,

Chelsea Bodansky
Coalition Coordinator

Port Chester is a healthy, caring and thriving community where everyone contributes to serve and benefit all.



**Coalition
Officers**

Phil Mutino
Carlos Sanchez
Co Chairs

Karen Fink
Treasurer & Secretary

Chelsea Bodansky
Coordinator

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- Media
- Youth Services

How it all started : Family University was established in 1994. It was formed following a town meeting when 300 members of the Katonah Lewisboro School District gathered to address the large numbers of alcohol and drug related accidents involving John Jay High School Students. Family University is a community-based organization made up of dedicated teachers, parents, students, counselors and other professionals. Family University is based on the belief that fostering effective parenting skills and enhancing communication among family members will help prevent the misuse of drugs and alcohol and encourage children to make good choices. Family University is a valuable community resource that has impacted a growing number of parents and children. Its reach has expanded dramatically from 400 people in 1994 to over 6000 people in 2006

Subject: give parents the education they need to help their families

Target Audience: all parents and their teens (5th graders, middle and high school aged students).

Objective:

- To provide a series of workshops addressing different issues which face our youth and how parents can approach them
- Workshops have addressed the following in past events:
 - Prescription drugs
 - Dealing with disappointment
 - Enhancing your child's social skills
 - Developing problem solving techniques, resourcefulness and risk taking
 - Nutrition, supplements and your body
 - High school peer leaders presenting "a day in the life"
- Last year attracted over 400 community members and this year we are hoping for an even larger attendance.

Communities that have done this:

Bedford, Katonah-Lewisboro, Ardsley, Pelham, New Rochelle, Port Chester

What this will look like in Port Chester:

DATE: May 21st, 2013

TIME: 6 – 8:30pm

PLACE: Port Chester Middle School

This Spring, The Port Chester Cares Community Coalition will be hosting an event called Family University for Port Chester High School and Middle School children and their parents.

Family University is an evening where a series of workshops will be held to help educate and inform parents and children about pertinent issues in the community. Some workshops will be for parents to attend with their children, others will be designated just parents and like wise, just kids. Workshops will be available in both Spanish and English. There will also be workshops that promote overall wellness and health, physical exercise as well as financial and college planning.

Along with the educational component of the evening there will also be a community dinner for all those who have registered to attend, between the 2 workshop series.

Family U has been successfully implemented in many communities in the county, including: Katonah-Lewisboro, Bedford and New Rochelle.

An event like Family University is meant to bring the entire community together. To provide them the skills and opportunities parents and students need during those tough early adolescent years. According to the Katonah-Lewisboro School District , which started Family U in 1994, "Family University is based on the belief that fostering effective parenting skills and enhancing communication among family members will help prevent the misuse of drugs and alcohol and encourage children to make good choices." The goal of the event is to provide a series of workshops addressing different issues which face our youth and how parents can approach them.

Port Chester is a healthy, caring and thriving community where everyone contributes to serve and benefit all.

Emailed to Village Clerk
for next BOT mtg.
4-19-13

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VILLAGE OF PORT CHESTER

APR 19 2013

RECEIVED M



The American Legion
Port Chester Post 93
Department of New York
78 Pearl Street
Port Chester, NY 10573
Unity and Service for America

April 6, 2013

Honorable Mayor Pagano
& Board Of Trustees, Village of Port Chester
222 Grace Church Street
Port Chester, NY. 10573

Dear Honorable Mayor & Trustees:

The American Legion is completing plans for the 2013 Memorial Day Ceremonies and parade.

We are in the process of contracting for wreaths, flags, flowers, etc, for the ceremonies at Veterans Memorial Park, Marina, our Eight War Memorials And for decorations of Veterans' Graves in various cemeteries.

We respectfully Request that the Village of Port Chester appropriation of \$1,000 Dollars for the 2013 year be mailed to the above address with" the check made out to the American Legion"

As directed by the Three local Governments (Rye Brook, Port Chester, Rye Town) all bills must be paid by the American Legion.

Sincerely,

A handwritten signature in cursive script that reads "Howard Weiss".

Howard Weiss
Finance Officer

emailed to Village
Clerk for BOT
4-19-13

4/14/2013

Mayor Pagano and Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

VILLAGE OF PORT CHESTER

APR 19 2013

RECEIVED

Michael Scarola
14 Marathon Place
Port Chester, NY 10573

Dear Mayor Pagano and Board of Trustees,

With this letter, I would like to express my interest to serve the Village with another term on the Planning Commission.

For your benefit:

- Planning Commission
 - 7/19/2006 – 6/17/2009
 - 7/6/2009 – Present
 - Chairman 2012- Present
- Comprehensive Plan Advisory Committee (CPAC)
 - 7/16/2007 – Present
 - Honorary Chairman of 2/23/2012 CPAC Public Hearing

During the past 7 years, I've developed constructive, positive relationships with members of CPAC, Planning Commission, Waterfront Commission, Zoning Board of Appeals (ZBA) and Village staff. This has helped me to improve the exchange of information between Planning and other Village entities.

Since 2012, the Planning workshops with the Building Department have improved communications, sharing of ideas and the willingness to work together to develop solutions that are vetted by Village staff and benefit the Village. Looking forward, it is my hope to continue guiding Planning's partnership with the Building Department and other Boards/ Commissions to achieve continuous improvements on the Village's application process, related code and zoning, to support the Village's long term goals.

Thank you for your consideration.

Regards,
Michael Scarola



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