

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Monday, May 20, 2013
PROPOSED EXECUTIVE SESSION 5:30-7:00PM
Regular Meeting: 7:00 P.M.
VILLAGE JUSTICE COURTROOM
350 North Main Street
Port Chester, New York
AGENDA**

TIME: 5:30 P.M.

	PROPOSED MOTION FOR EXECUTIVE SESSION	ACTION
1	Thomas S. Ceruzzi requesting to be considered for the open position of Chairman of the Port Chester Waterfront Commission	
2	Bart Didden requesting to be considered for the open position of Chairman of the Port Chester Waterfront Commission	
3	Alejandro Payan requesting to be considered for appointment to the Board of Ethics.	
4	Mathew John, Jr. requesting to be considered for appointment to the Board of Ethics	
5	Ernie Tigani requesting to be considered for appointment to the Port Chester Parks Commission	
6	Gerald Donahue requesting to be considered for appointment to the Port Chester Parks Commission	
7	Michael Scarola requesting to be considered for re-appointment to the Planning Commission.	
8	Robert K Ortiz requesting to be considered for appointment to the Planning Commission.	
9	Brenda M Crandell Esq requesting to be considered for appointment to the Industrial Development Agency	
10	Allen S. Carroll requesting to be considered for appointment to the Traffic Commission.	

TIME: 7:00 P.M.

I	AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:	ACTION
1	Hearing to consider a Local Law amending Chapter 319 VEHICLE and TRAFFIC to suspend certain parking restrictions and add provisions for handicapped parking on a temporary basis to anticipate closure of the parking garage at 395 Westchester Avenue	

	<u>Resolution</u>	
2	Public Hearing on Special Exception Use for drive-in/fast food restaurant at 275 Boston Post Road.	
	<u>Resolution</u>	
3	Public Hearing to consider a Local Law with regard to hours of parking meter enforcement.	
	<u>Resolution</u>	
II	PUBLIC COMMENTS	ACTION
III	RESOLUTIONS	ACTION
	Building & Code Enforcement	
1	Resolution to Set a Public Hearing RE: Update to Amnesty Program	
	Administration	
2	To set a Public Hearing on increasing parking meter time limit to three hours.	
3	Changing parking regulation on Putnam Avenue.	
	Appointments	
4	Appointment of a Member to the Port Chester Waterfront Commission and appointment of Chairman of the Port Chester Waterfront Commission	
5	Appointment of a Member to the Board of Ethics.	
6	Appointment of a Member to the Port Chester Parks Commission.	
7	Appointment of a Member to the Port Chester Parks Commission.	
8	Appointment of a Member to the Planning Commission.	
9	Appointment of a Member to the Alternate seat on Planning Commission.	
10	Appointment of a Member to the Industrial Development Agency and to the Local Development Corporation.	
11	Appointment of a Member to the Traffic Commission	
	Courts	
12	Authorize the Village Manager to enter into an agreement with Court Interpreter Olga Hurtado for another two (2) years.	
13	Authorize the Village Manager to enter into an agreement with Court Reporter Gail Letizia for another two (2) years.	

IV	REPORT OF THE VILLAGE CLERK	
1	Oak and Grove Street Parking Lot Decals	
2	Update on Boards and Commissions	
V	DISCUSSIONS	ACTION
1	Streamlining planning application procedure	
2	Library Budget	
3	Clay Art Center (CAC) request for \$5,000.	
4	Handicap Parking on North Main Street, South Main Street and Westchester Avenue	
VI	CORRESPONDENCE	ACTION
1	From Corpus Christi Church requesting permission to place a banner across Westchester Ave for their Carnival	
2	From Park Avenue School requesting closure of Park Avenue from College Ave to Columbus Ave on June 7 th from 9:00 a.m. to 2 p.m. and on June 17 th from 9:00 a.m. to 12 p.m.	
3	From Jerry Terranova and the Park Commission supporting Richard Cuddy's suggestion for relocation of memorial plaques	
4	From Richard Cuddy regarding relocation of the memorial plaques in Lyon Park	
5	From Gerald Donahue requesting to be considered for appointment to the Parks Commission	
6	From Allen S. Carroll requesting to be considered for appointment to the Traffic Commission.	
VII	MINUTES	
1	Minutes from April 1, 2013	
VIII	PUBLIC COMMENTS AND BOARD COMMENTS	ACTION
	PROPOSED MOTION FOR EXECUTIVE SESSION	ACTION
1	Bond Shoeneck & King - potential renewal of retainer of law firm as Labor Attorney	
2	Health insurance benefits litigation - consultation with the Village Attorney	

TIME: _____

**PROPOSED MOTION
FOR
EXECUTIVE SESSION**

AFFIDAVIT OF PUBLICATION
AND
NOTICE OF PUBLICATION RE

**A LOCAL LAW AMENDING CHAPTER 319
VEHICLE AND TRAFFIC TO SUSPEND CERTAIN PARKING RESTRICTIONS
AND ADD PROVISION FOR HANDICAP PARKING
ON A TEMPORARY BASIS TO ANTICIPATE THE CLOSURE OF THE PARKING
GARAGE AT 395 WESTCHESTER AVENUE**

SECTION 1: Purpose and Intent. The Board of Trustees has been advised by the Board of Manager of the residential cooperative located at 395 Westchester Avenue that the parking garage located thereon must be closed to make repairs as soon as possible. The cooperative has been unsuccessful in obtaining a suitable location to park their vehicles during the time of such repairs which is estimated to be a period of 120 days. Therefore, to anticipate the closure of the parking garage and provide for the orderly displacement of such vehicles to neighboring streets, a parking plan has been developed by the Police Department. The plan would suspend certain parking restrictions and provision for handicap parking in the immediate vicinity on a temporary basis. The Traffic Commission concurred with the recommended plan. In adopting this local law, the Board has limited its action in time and scope to the minimum extent necessary to promote and protect the public safety.

SECTION 2: The provisions of Chapter 319 of the Code of the Village of Port Chester, Vehicle and Traffic, Schedule XV, Section 319-76 pursuant to the provisions of Section 319-22, “Parking Prohibited Certain Times” (Street Cleaning 8:30am-11:30am) is hereby suspended as follows for a period of 120 days.

Name of Street	Side	Time	Location
Leicester Street	West	Friday 8:30am – 11:30am	From Westchester Avenue to Irving Avenue
Leicester Street	East	Thursday 8:30am – 1130am	From Westchester Avenue to Irving Avenue
Prospect Street	West	Tuesday 8:30am – 1130am	Entire Length
Prospect Street	East	Wednesday 8:30am– 1130am	Entire Length
Soundview Street	West	Wednesday 8:30 – 1130am	Entire Length
Soundview Street	East	Tuesday 8:30am – 1130am	Entire Length
Exchange Place	West	Friday 8:30am – 1130am	From Westchester Avenue to Irving Avenue
Exchange Place	East	Thursday 8:30am – 1130am	From Westchester Avenue to Irving Avenue

SECTION 3: The provisions of Chapter 319 of the Code of the Village of Port Chester, Vehicle and Traffic, Schedule XIV, Section 319-75A pursuant to the provisions of Section 319-21A “Nighttime Parking Prohibited Certain Hours” 1AM-6 AM is hereby suspended as follows for a period of 120 days.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Irving Avenue	South	From North Regent Street Haseco Avenue
Westchester Avenue	North	From Leicester Street to Haseco Avenue
Westchester Avenue	South	From Soundview Street to Spring Street
Leicester Street	East	From Irving Avenue to Columbus Avenue
Clark Place	East	From Irving Avenue to Columbus Avenue
Clark Place	West	From Irving Avenue to Columbus Avenue

SECTION 4: The provisions of Chapter 319 of the Code of the Village of Port Chester, Vehicle and Traffic, Schedule XV, Section 319-74 pursuant to the provisions of Section 319-20 “No Parking or Standing Anytime: is hereby suspended as follows for a period of 120 days.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Prospect Street	East	From Westchester Avenue to the south curb of Summit Avenue

SECTION 5: The provisions of Chapter 319 of the Code of the Village of Port Chester, Vehicle and Traffic, Schedule XXIX, Section 319-90 pursuant to the provisions of Section 319-46.1 Handicap parking is hereby amended as follows for a period of 120 days.

<u>Name of Street</u>	<u>Side</u>	<u>Number of Spaces and Location</u>
Add Leicester Street	West	2, 20 feet north of the northwest corner of Westchester Avenue at Leicester Street

SECTION 5: The 120-day time periods specified herein shall commence from the date that the work on the parking garage at 395 Westchester Avenue starts.

SECTION 6: Upon a demonstrable showing of public necessity, the Board of Trustees may, in its discretion, extend the time-periods herein by resolution.

SECTION 7: This local law shall be effective immediately upon filing with the Secretary of State.

RESOLUTION
AMENDING CHAPTER 319 OF THE CODE OF THE VILLAGE OF PORT
CHESTER TO SUSPEND CERTAIN PARKING RESTRICTIONS AND ADD
PROVISIONS FOR HANDICAP PARKING ON A TEMPORARY BASIS TO
ANTICIPATE THE CLOSURE OF THE PARKING GARAGE AT 395
WESTCHESTER AVENUE

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, Local Law # 11 of the year 2013 AMENDING CHAPTER 319 OF
THE CODE OF THE VILLAGE OF PORT CHESTER TO SUSPEND CERTAIN
RESTRICTIONS AND ADD PROVISIONS FOR HANDICAP PARKING ON A
TEMPORARY BASIS TO ANTICIPATE THE CLOSURE OF THE PARKING
GARAGE AT 395 WESTCHESTER AVENUE. Now, therefore, be it

RESOLVED, that the Village of Port Chester Board of Trustees hereby adopts
Local Law # 11 of 2013.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE: May 20, 2013

**RESOLUTION
SET PUBLIC HEARING
FOR A SPECIAL EXCEPTION USE TO PERMIT A DRIVE-IN FAST FOOD
RESTAURANT AT 275 BOSTON POST ROAD**

On motion of TRUSTEE KENNER ,seconded by TRUSTEE ADAMS. the following resolution was adopted by the Board of Trustees of the Village of Port Chester,

New York. :

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, May 20, 2013, at 7:00 P.M., at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider the application of Gils Pride, Inc.for a special exception use to permit a drive-in fast food restaurant at 275 Boston Post Road.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano

NOES: None

ABSENT: Trustee Brakewood

DATE: May 6, 2013



ARCHITECTURE · FACILITY PLANNING · INTERIORS

May 3, 2013

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

Re: 275 Boston Post Road

Dear Mayor Pagano and Board of Trustees Members:

We are the architects and planners representing Hashimi Management Group, which proposes to alter and renovate a long-vacant restaurant property for use as a Popeye's Louisiana Kitchen Restaurant with drive-through. The site and building will be completely renovated including, but not limited to: new curbing, pedestrian walks, new paving, fencing, site plantings and controlled lighting. The complete restaurant building interiors and exterior shall be renovated in its entirety in accordance with the proprietary franchise aesthetic. The property is located on the south side of Boston Post Road with the proposed westerly parking area occurring in a CD Design Shopping Center Zoning District as it currently exists and the building lies in a C4 General Commercial Zoning District where restaurants are a permitted use and fast food restaurants are permitted by Special Exception Use. This project will require site plan approval by the Planning Commission and Special Exception Use approval by the Board of Trustees.

The Boston Post Road is a 4-lane major East/West thoroughfare, somewhat centrally located through the Village. Existing land use in the vicinity is mixed commercial; however, similar fast food restaurants with drive-through are located near or on adjoining properties, such as Burger King, McDonald's, and the recently-vacated Wendy's.

The proposed Popeye's Louisiana Kitchen Restaurant property has always been utilized for food service purposes: ±1969 Arthur Treacher's Fish & Chips; ±1980 Lum Yen Express Restaurant (72 seats); ±1990 Pizza Hut (90 seats); and from ±2000 to 2009 Mary Ann's Mexican Restaurant.

The Popeye's proposal presented herein eliminates 957 square feet of existing restaurant building area for a total building area of 2,202 square feet, it eliminates 818 square feet of existing cellar space, reduces seating from 90 persons with 23 parking spaces to 38 persons with 22 parking spaces, eliminates 1,400 square feet of existing impervious surface to now be planted, and lowers the building height by 1'-6".

The one-way in/one-way out and existing curb cuts are to remain unchanged. Off-street loading is indicated in the vicinity of the renovated trash enclosure. Refuse pick up will be scheduled at off hours and deliveries will be scheduled at off hours or when the restaurant is not open to the public. A Popeye's Restaurant is typically open 7 days a week at 10:30 AM. Typical hours of operation are Sunday until 11:00 PM, and Friday and Saturday to 1:00 AM.

545.5 WESTCHESTER AVENUE
RYE BROOK, NY 10573
914-937-5596
914-939-1255 FAX
INFO@ARCONICS.NET

The on-site pylon sign location previously used by Pizza Hut and Mary Ann's Mexican Restaurant is intended to be retrofitted with Popeye's proprietary signage.

The reduced restaurant size with drive-through serving fast food in an aesthetic building should have no negative effects on government services nor should the neighborhood character be altered by a property which has historically been utilized for food services since at least 1969.

The expectation is that water, sewer, and utility demands will be less than prior operational levels for the previous restaurants. The proposed size of the building to be heated and cooled is 30% smaller than the existing restaurant building, reducing gas and electric consumption. Seating has been reduced from 90 to 38, representing a reduction of 42% with regard to restroom water usage. In addition, the renovated Popeye's restaurant will utilize new energy-efficient HVAC and kitchen equipment and will utilize water saving plumbing fixtures. The windows will be new insulated panes and reroofing will include added rigid insulation under the new membrane. This is an extensive renovation and as such the building must comply with New York State's stringent energy code where the current building does not.

Based on a meeting with the Village Engineer on April 2, 2013 it was concluded that stormwater would be handled as it currently is by utilizing the existing area drain at the rear of the property in the vicinity of parking space #8. The proposed Popeye's site development will utilize the existing curb cut and finished floor elevations and the finished site grades will be in general conformance with what currently exists, pitching to the rear drain.

The proposed site plan has received a positive recommendation from the Village Traffic Commission. Similarly, on April 24, 2013 the Village's traffic consultant, Adler Consulting, concluded that the proposed Popeye's Restaurant with drive-thru will not have a negative impact on site with regard to parking, circulation, access and, further, no negative impact on the traffic operating conditions in the vicinity of the site.

This proposed Popeye's Restaurant with drive-thru will require site plan approval by the Planning Commission and Special Exception approval by the Board of Trustees. This proposed drive-thru and restaurant is a Special Exception Use and is in conformance with the General Standards enumerated in Section 345-60 as follows:

- (1) *Such use will be in harmony with and promote the general purposes and intent of this Regulation, as stated in Section 345-1.*
For many of the reasons noted within this cover letter, this Special Exception Use will function more efficiently, with less intensity and greater safety for users, and with enhanced aesthetics for users and adjacent neighbors.
- (2) *The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.*
The project proposes a reduction of building area. The lot area exceeds the

minimum Zoning requirements and the property has operated as a restaurant since 1969.

- (3) *The proposed use will not prevent the orderly and reasonable use of adjacent properties in adjacent use districts.*

The proposed Popeye's use, which is self-contained on the site, will not have any effect on adjacent properties. Access in/out of the property remains unchanged.

- (4) *The site is particularly suitable for the location is such use in the community; and*

- (5) *The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.*

The site, located on the Boston Post Road, is most suitable to serve as a restaurant location. There are other similarly situated restaurants with drive-thru in the vicinity. The characteristics of the current use in its current location is not unsuitably near any use noted above.

- (6) *The proposed use, particularly in the case of a nonnuisance industry, conforms with the Regulation definition of the special exception use where such definition exists, or with the generally accepted definition of such use where it does not exist in the Regulation.*

The proposed use, with drive-thru, is in conformance with the Regulation's definition of restaurant with drive-thru.

- (7) *Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion; and further, that vehicular entrances and exits shall be clearly visible from the street and not be within 75 feet of the intersection of street lines at a street intersection except under unusual circumstances.*

The dedicated one-way-in / one-way-out access facilities to the property are adequate and unchanged. The site has functioned safely as a restaurant and without incident since developed for this use in 1969.

- (8) *All proposed curb cuts have been approved by the street or highway agency which has jurisdiction.*

All curb cuts are existing and will be unaltered by the proposed project.

- (9) *There are off-street parking and truck loading spaces at least in the number required by the provisions of Section 345-14, but in any case an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and further, that the layout of the spaces and driveways is convenient and conducive to safe operation.*

Off-street parking exceeds the minimum Zoning requirements. The proposed site improvements will make the on-site parking more convenient while also making for a safer operation for users.

- (10) *Adequate buffer yards, walls, fences and screening are provided where necessary to protect adjacent properties and land uses.*

The proposed site improvements with plantings and fencing creates a buffer and screening where none currently exists.

- (11) *Adequate provisions will be made for the collection and disposal of stormwater runoff from the site, and of sanitary discharge, refuse or other waste, whether liquid, solid, gaseous or of other character.*

Since the site's impervious surface is reduced by 1,400 square feet on the proposed site plan, there should be less runoff and/or disposal of stormwater.

- (12) *The proposed use recognizes and provides for the further special conditions and safeguards required for particular uses in Section 345-60, if any.*

The proposed Special Exception Use with the proposed site and building improvements is in conformance with the specific special conditions and safeguards for a restaurant with drive-thru as listed in Section 345-61D as follows:

D. Drive-in bank facility, drive-in restaurant or other drive-in establishment.

- (1) *The operator or the owner of such drive-in establishments shall furnish to the Village of Port Chester a public liability and property damage insurance policy naming the Village of Port Chester as assured or coassured, in the sum of \$500,000 for each person, \$1,000,000 per accident and \$50,000 property damage limits, and covering all operations of said drive-in establishment, including adjoining sidewalks and roadways, said policy to be approved by the Corporation Counsel.*

The applicable insurance will be a condition of final site plan approval and provided prior to issuance of Certificate of Occupancy in accordance with the Village's past practice for these uses.

- (2) *The layout of any such establishment shall be in accordance with recommendations thereon by any designated consulting engineer and the Traffic Commission regarding engineering and traffic considerations, including peak-hour and vehicular storage space requirements.*

The proposed site plan has received positive recommendations from the Traffic Commission and the Village's traffic consultant.

- (3) *The operator or owner shall provide sufficient storage space outside the limits of the highway right-of-way in order that the paved surface of the highway and roadway shoulders will be not obstructed by cars or patrons.*

The site area is adequate for vehicular storage and parking exceeds that which is required.

- (4) *If requested to do so by the Chief of Police, the operator or owner shall furnish a deputized officer or officers to direct traffic entering and leaving the establishment in order that dangerous or illegal traffic movements may be avoided, and, further, should dangerous traffic conditions caused by approach roads occur, the operator or owner shall take such steps as may be determined by the Chief of Police in order to correct such conditions.*

The applicant acknowledges and will consent to the possible requirement in the future; however, it is not believed to be required.

- (5) *The operator or owner shall perform at his own cost and expense the revision, relocation or removal of driveways if required by the construction or maintenance in subsequent developments of the public highway.*

Site access and exit remain unchanged.

(6) *All buildings shall be set back at least 20 feet from any street lot line and at least 30 feet from the boundaries of any residential district.*

The existing restaurant building to be renovated by this proposed use is currently located approximately three feet from the front property line.

(7) *There shall be no more than two driveways on any street nor shall any driveway be more than 35 feet nor less than 20 feet wide at the curbline nor shall any driveway be closer together than 15 feet at the lot line nor shall any driveway be located less than five feet from any lot line other than a street lot line. All driveways, parking and storage space shall be permanently improved with a paved surface.*

The site plan as proposed addresses this by utilizing the existing curb cuts.

(8) *The Planning Commission or Board of Trustees may, at its discretion, impose conditions and safeguards, taking into consideration such items as protection from sign and headlight illumination, reduction of noise and fumes and regulation of hours of business.*

The applicant acknowledges and will consent to compliance of these possible future requirements.

We look forward to presenting this project at the Board of Trustee meeting and public hearing on May 20, 2013, at which time we can answer any questions you may have.

Sincerely,


Gary Gianfrancesco, AIA, AICP, LEED AP

encl.

cc: R. Hashimi



SITE IDENTIFICATION INFORMATION

Application Name: <u>Popeye's</u>	Application #	Date Submitted:
Site Address: <u>No. 275 Street: Boston Post Rd Hamlet:</u>		
Property Location: (Identify landmarks, distance from intersections, etc.) <u>275 Boston Post Rd, +400' w of intersection of BPR, Pearl & S. Main</u>		
Village of Port Chester Tax Map Designation: <u>Section 142.45 Block 1 Lot(s) 9</u>	Zoning Designation of Site: <u>CD and C4</u>	

APPLICANT/OWNER INFORMATION

Property Owner: <u>Gils Pride Inc.</u>	Phone #: <u>330-4951</u>	Email:
Owners Address: <u>No.31 Street: Seville Ave Town: Rye State: NY Zip: 10580</u>		
Applicant (If different than owner): <u>Arconics Architecture PC</u>	Phone #: <u>937-5596</u>	Email: <u>gary@arconics.net</u>
Applicant Address (If different than owner): <u>No.545 1/2 Street: Westchester Ave Town: Rye Brook State: NY Zip: 10573</u>		
Individual/ Firm Responsible for Preparing Site Plan: <u>Arconics ARchitecture PC</u>	Phone #: <u>937-5596</u>	Email: <u>gary@arconics.net</u>
Address: <u>No.545 1/2 Street: Westchester Ave Town: Rye Brook State: NY Zip: 10573</u>		
Other Representatives:	Phone #:	Email:
Owners Address: <u>No. Street: Town: State: Zip:</u>		

SPECIAL EXCEPTION USE INFORMATION

Proposed Special Exception Use: renovate and reduce existing vacant food svc establishment into Popeye's franchise w/drive thru

Will the use prevent or substantially impair either the reasonable or orderly use or the reasonable and orderly development of other properties in the neighborhood?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Will the hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained by either the neighborhood of the Village by authorizing the special exception use permit?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Will the health, safety, welfare, comfort, convenience and order of the Village be adversely affected by the authorized use?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Will the special exception use be in harmony with and promote the general purposes and intent of the town's zoning ordinance?	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>

On a separate sheet, describe how the proposed special exception use complies with the *General Standards* set forth in §345-60

On a separate sheet, describe how the proposed special exception use complies with the *Special Conditions and Safeguards for Certain Uses* set forth in §345-61 (if applicable).

APPLICANTS ACKNOWLEDGEMENT

I hereby depose and certify that all the above statements and information, and all statements and information contained in the supporting documents and drawings attached hereto are true and correct.

Gary Gianfrancesco
Applicants Name

Gary Gianfrancesco
Applicants Signature

Sworn before me this 5th day of March 2013

Odette Stanger
Notary Public

ODETTE STANGER
Notary Public, State of New York
Exp. 03/31/2014
Qualified in the Town of Rye County
Commission Expires February 28, 2014


Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Arconics Architecture, P.C.	2. PROJECT NAME Popeye's
3. PROJECT LOCATION: Municipality Port Chester County Westchester	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 275 Boston Post Road. South side of Boston Post Road approximately 400' west of intersection of Boston Post Road, Pearl Street, and S. Main Street	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Renovate and reduce existing vacant restaurant space and add drive-thru	
7. AMOUNT OF LAND AFFECTED: Initially <u>0.46</u> acres Ultimately <u>0.46</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Gary Gianfrancesco</u> Date: <u>3/4/2013</u> Signature: 	

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

OVER

1

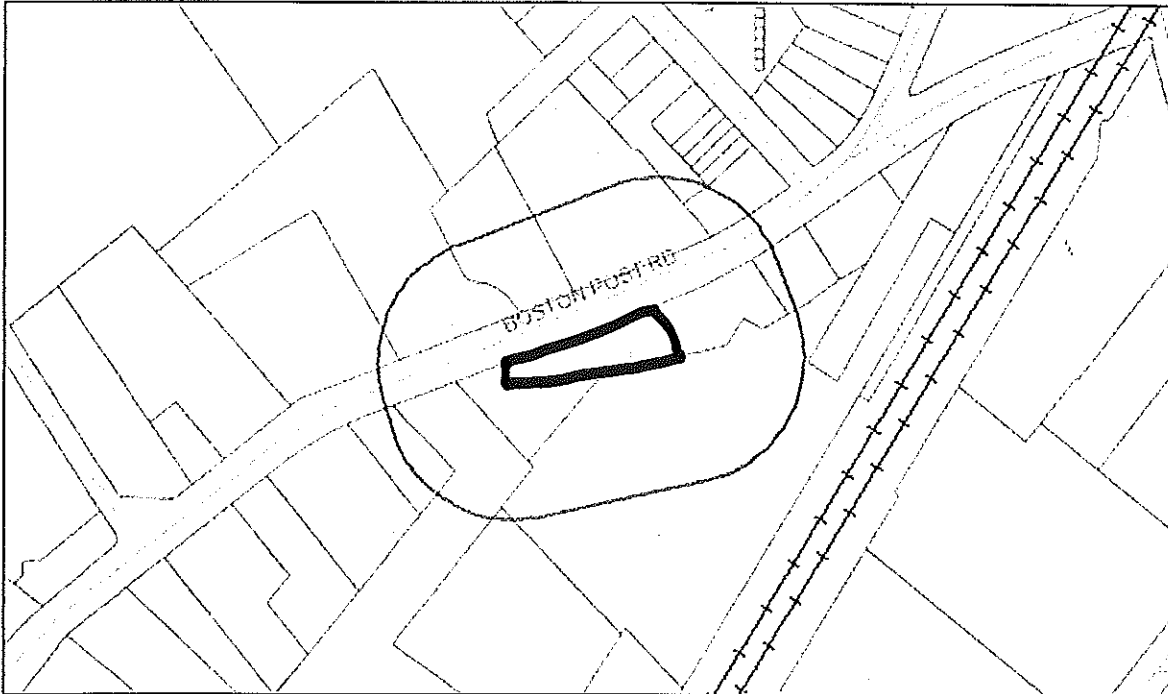
Reset

Tax Parcel Maps

Address: 275 Boston Post Rd

Print Key: 142.45-1-9

SBL: 14204500010090000000



Disclaimer:

This tax parcel map is provided as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should **NOT** be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact the assessor's office of the municipality.

275 Boston Post Road

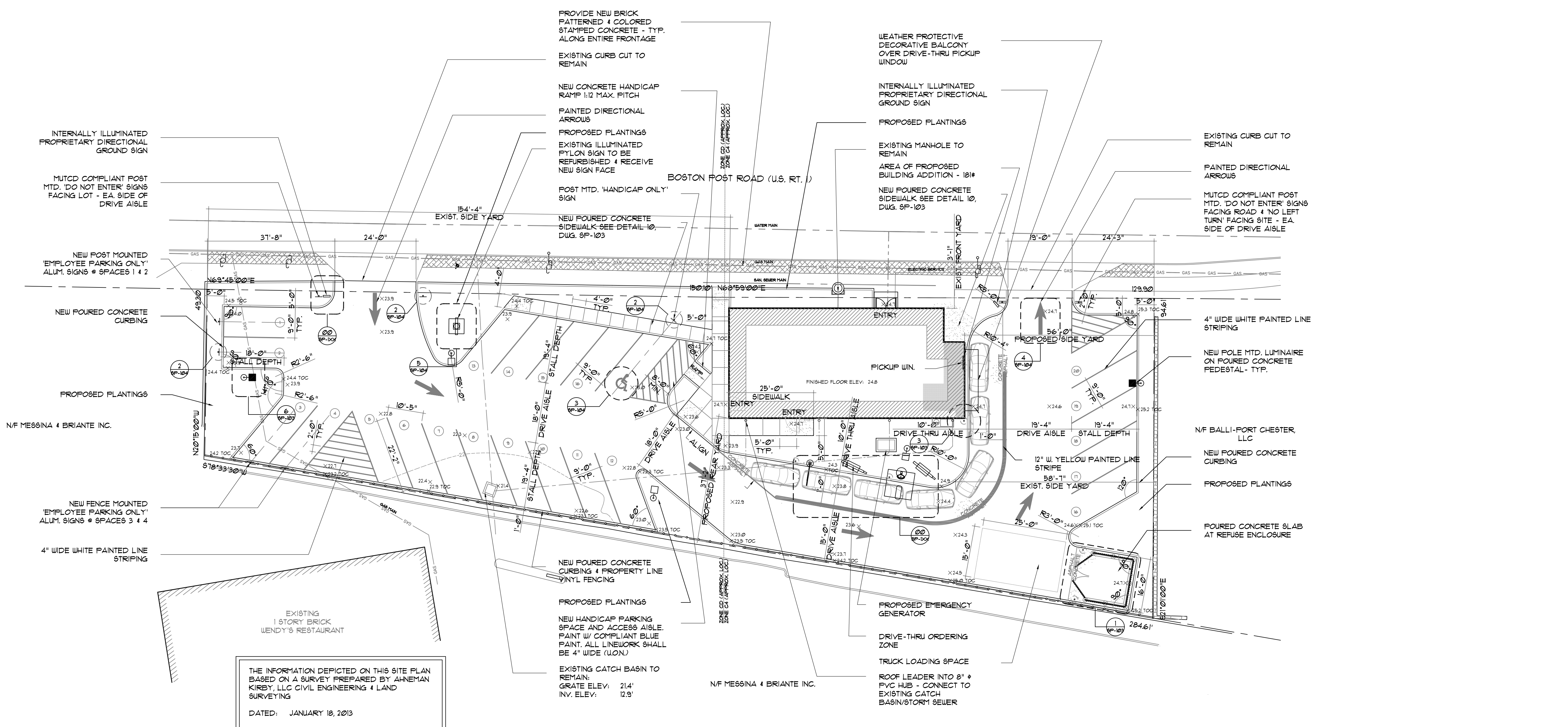
OWNER NAME	ADDRESS	CITY	ZIPCODE	PRINTKEY
230 Boston Post Road LLC	230 Boston Post Rd	Port Chester	10573	142.37-1-5
Messina & Briante Inc	303 Boston Post Rd	Port Chester	10573	142.45-1-10
Messina & Briante Inc.	303 Boston Post Rd	Port Chester	10573	142.45-1-8
B S Car Wash Inc	301 Boston Post Rd	Port Chester	10573	142.45-1-13
BS Car Wash Inc	27 Hillandale Rd	Rye Brook	10573	
DPPC Holdings L.P.	Boston Post Rd	Port Chester	10573	142.53-1-1
Rooney Motors	250 Boston Post Rd	Port Chester	10573	142.37-1-3
Rooney Motors	133 State Route 22	Pawling	12564	
Post Road Realty LLC	262 Boston Post Rd	Port Chester	10573	142.37-1-2
Balli-Port Chester LLC	Boston Post Rd	Port Chester	10573	142.45-1-7, 7.1
Balli-Port Chester LLC	P.O. Box 95	Armonk	10504	
Moises Ochoa	6 Olivia St	Port Chester	10573	142.37-1-6
Post Road Realty LLC	260 Boston Post Rd	Port Chester	10573	142.45-1-4
Post Road Realty LLC	1250 Water Place	Bronx	10461	
Port Chester Project II Inc	299 Boston Post Rd	Port Chester	10573	142.45-1-11
Arredondo & Co	1 Station Pl	Stamford	6902	
Gils Pride Inc	275 Boston Post Rd	Port Chester	10573	142.45-1-9
Gils Pride Inc	31 Seville Avenue	Rye	10580	
Burger King Corp	264 Boston Post Rd	Port Chester	10573	142.45-1-5
Burger King Corp Attn: BK911	P.O. Box 020783	Miami	33102	
Nestor Cacsire	18-20 Olivia St	Port Chester	10573	142.37-1-11



545.5 WESTCHESTER AVENUE
RYE BROOK, NY 10573
914-937-5596

**PROPOSED
POPEYES RESTAURANT**
HASHIMI MANAGEMENT
275 BOSTON POST ROAD
PORT CHESTER, NY

DATE	ISSUE TO	PR	TO
5 MAR 2013	CLIENT - REVIEW & COORD.	1	
5 MAR 2013	PLANNING COMMISSION	16	
5 APR 2013	CLIENT - REVIEW & COORD.	1	
5 APR 2013	PLANNING COMMISSION	16	
3 MAY 2013	BOARD OF TRUSTEES	10	



NO	DATE	REVISIONS	BY
2	5-1-13	GENERAL REVISIONS AS PER VILLAGE ENGINEER & TRAFFIC ENGINEER COMMENTS 4-24-13.	GTG
1	4-8-13	GENERAL REVISIONS AS PER VILLAGE ENGINEER, STAFF COMMENTS, ADDED SITE LIGHTING & LANDSCAPE	GTG

SITE DEVELOPMENT PLAN

	PROJECT NO. : 21229
	SCALE: NOTED
	DRAWN BY: GTG
	CHECKED BY: GG
	DATE: 1-7-13

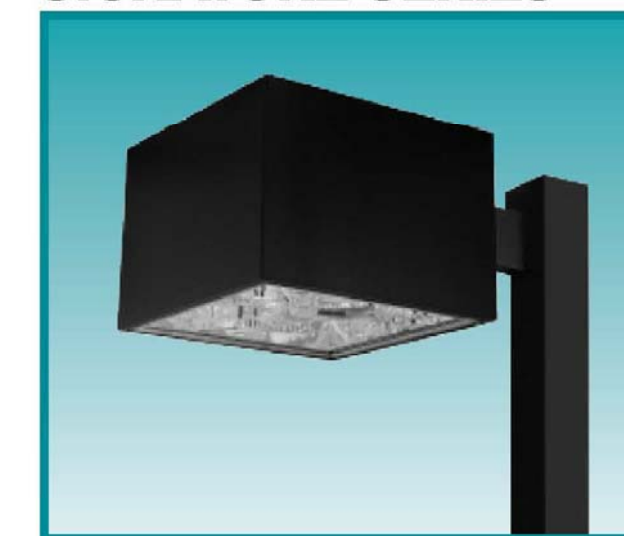
SP-101

LUMINAIRE SCHEDULE				
SYMBOL	LABEL	CATALOG NUMBER	LAMP	EPA
■	L-1	HEAD: RSB/RCS-320PSMH-4-MT-H6 POLE: SSP-418-GL-44" HEIGHT: 22 FEET	320W PULSE START METAL HALIDE	210
□	L-2	HEAD: RSB/RCS-320PSMH-3-MT-H6 POLE: SSP-418-GL-44" HEIGHT: 22 FEET	320W PULSE START METAL HALIDE	210

** COLOR TO BE SELECTED

2 SITE LIGHTING SCHEDULE
SCALE: NONE

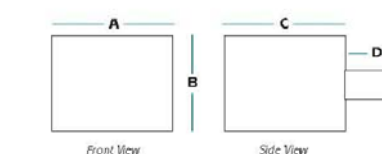
SIGNATURE SERIES



A universally styled lighting system that offers the aesthetic appeal of optional accent striping and high performance through a wide range of photometry that is sure to be architecturally pleasing in today's competitive marketplace. Ideally suited for automotive dealerships, restaurants, retail and other general outdoor area lighting applications.

Fixture Specifications

- One-piece formed aluminum housing with vertical lamp orientation
- Rotatable optics standard
- Easy access to lamp and ballast compartments
- Tempered clear glass lens or sag glass lens available
- Luminaire finished in weatherproof powder-coat paint
- Available with color band accent stripe
- Lamp and arm included
- UL listed for wet locations



A	B	C	D	E	EPA
21.0"	15.0"	21.0"	10.0"	5.0"	3.2

ORDERING INFORMATION

SAMPLE CATALOG NUMBERS

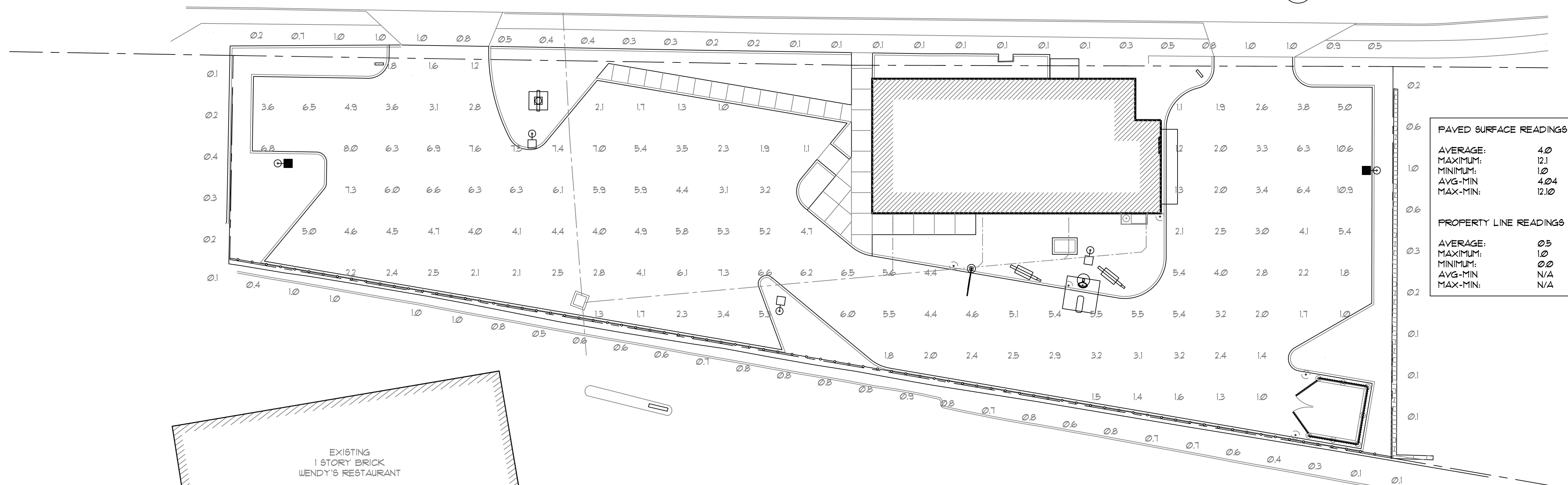
SL XXXXXXXX XX X X XX

Series	Wattage/Source	Finish	Distribution	Lens	Voltage
SL	Signature Series				
FINISH		DB	Dark Bronze		
		BK	Black		
		WH	White		
		PS	Polished Silver		
VOLTAGE					120, 208, 240, 277V
					AG 480V
WATTAGE/SOURCE					
200PMH	200 watt pulse start metal halide				
400PMH	400 watt pulse start metal halide				
700PMH	700 watt pulse start metal halide				
1000MH	1000 watt metal halide				
400HPS	400 watt high-pressure sodium				
1000HPS	1000 watt high-pressure sodium				
DISTRIBUTION					
1	Full Flood				
2	Spot Flood				
3	Type III				
4	Type IV				
5	Type V				
LENS					
					Clear Glass
					Sag Glass



Performance Designed Lighting Products
1085 Johnson Drive • Buffalo Grove, IL 60089 • TOLL-FREE: 800-544-4848 • PHONE: 847-279-0627 • FAX: 847-279-0642

4 FIXTURE TYPE L-1 & L-2



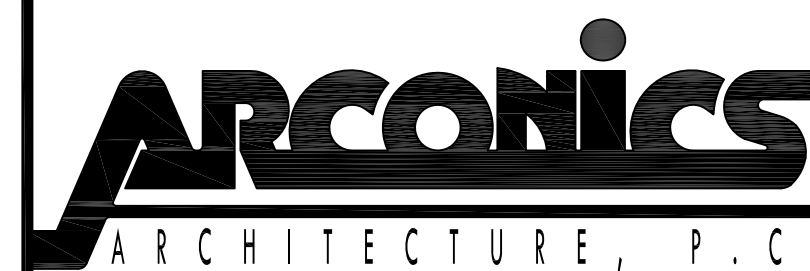
PAVED SURFACE READINGS	
AVERAGE:	4.0
MAXIMUM:	12.1
MINIMUM:	1.0
AVG-MIN:	4.04
MAX-MIN:	12.10

PROPERTY LINE READINGS	
AVERAGE:	0.5
MAXIMUM:	1.0
MINIMUM:	0.0
AVG-MIN:	N/A
MAX-MIN:	N/A

EXISTING 1 STORY BRICK WENDY'S RESTAURANT

THE INFORMATION DEPICTED ON THIS SITE PLAN BASED ON A SURVEY PREPARED BY AHNEMAN KIRBY, LLC CIVIL ENGINEERING & LAND SURVEYING
DATED: JANUARY 18, 2013

1 SITE LIGHTING PLAN
SCALE: 1/8" = 1'-0"



545.5 WESTCHESTER AVENUE
RYE BROOK, NY 10573
914-937-5596

PROPOSED
POPEYES RESTAURANT
HASHIMI MANAGEMENT
275 BOSTON POST ROAD
PORT CHESTER, NY

DATE	ISSUE TO	PR	TO
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1	4-8-13	GENERAL REVISIONS AS PER VILLAGE ENGINEER STAFF COMMENTS. ADDED SITE LIGHTING & LANDSCAPE	GTG

SITE LIGHTING PLAN

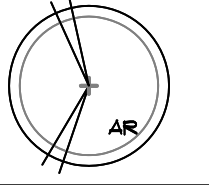

PROJECT NO.:	21229
SCALE:	NOTED
DRAWN BY:	GTG
CHECKED BY:	GG
DATE:	1-7-13


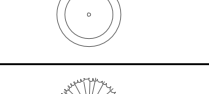
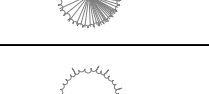
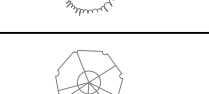
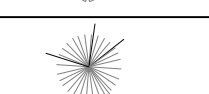


SP-102


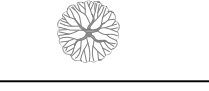



LANDSCAPING NOTES

- CONTRACTOR SHALL PROTECT ALL EXISTING PAVEMENT, UTILITIES, STRUCTURES AND THE LIKE FROM DAMAGE AND SHALL REPAIR OR REPLACE ANY SUCH DAMAGE AT NO COST AND TO THE SATISFACTION OF THE OWNER.
- LANDSCAPE CONTRACTOR SHALL REPORT ANY DISCREPANCIES BETWEEN THE CONTRACT DOCUMENTS AND THE FIELD CONDITIONS TO THE ARCHITECT AND THE OWNER IN WRITING FOR DECISION, PRIOR TO SUBMISSION OF A PROPOSAL.
- LANDSCAPE CONTRACTOR SHALL COORDINATE AND BE RESPONSIBLE FOR CONTACTING THE AUTHORITIES JURISDICTION OVER UNDERGROUND UTILITIES. DO NOT DIG PRIOR TO LEGAL REQUEST AND EXECUTION OF MARK OUT OF UNDERGROUND UTILITIES HAS BEEN COMPLETED.
- LANDSCAPE CONTRACTOR SHALL COORDINATE THE LOCATIONS OF ALL EXISTING AND PROPOSED UNDERGROUND UTILITIES WITH GENERAL CONTRACTOR PRIOR TO PLANTING.
- LANDSCAPE CONTRACTOR SHALL COORDINATE WORK GENERAL CONTRACTOR TO ELIMINATE POTENTIAL CONFLICTS.
- THE LANDSCAPE CONTRACTOR SHALL WARRANT ALL PLANT MATERIAL TO BE ALIVE AND GROWING FOR ONE YEAR FOLLOWING ACCEPTANCE OF THE WORK BY ARCHITECT AND/OR OWNER. THE OWNER SHALL RETAIN 5% OF THE CONTRACT PRICE DURING THE DURATION OF THE WARRANTY PERIOD. THIS AMOUNT SHALL BE INCLUSIVE OF ANY OTHER CONDITIONS SET FORTH IN THESE DOCUMENTS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN, WATER, PRUNE, ETC. ALL MATERIAL DURING THE PERIOD OF INSTALLATION. FOLLOWING ACCEPTANCE OF THE WORK BY THE ARCHITECT OR OWNER, THE LANDSCAPE CONTRACTOR SHALL PERIODICALLY VISIT THE SITE, INSPECT THE QUALITY OF MAINTENANCE PROVIDED BY THE OWNER AND ISSUE A WRITTEN EVALUATION TO THE ARCHITECT AND OWNER WITHIN (5) BUSINESS DAYS. IF IN HIS OPINION THE OWNER IS PROVIDING INADEQUATE MAINTENANCE, HE SHALL NOTIFY THE ARCHITECT AND OWNER IN WRITING OF THE CONDITIONS REQUIRING ATTENTION AND THE REMEDIAL MEASURES REQUIRED TO CORRECT THE SITUATION. IF THE OWNER DOES NOT CORRECT THE SITUATION TO THE SATISFACTION OF THE LANDSCAPE CONTRACTOR, THE LANDSCAPE CONTRACTOR SHALL BE RELIEVED OF WARRANTY RESPONSIBILITIES FOR THE SPECIFIC PLANTS AND CONDITIONS. IF THE LANDSCAPE CONTRACTOR DOES NOT PERIODICALLY VISIT THE SITE, INSPECT THE QUALITY OF THE MAINTENANCE AND PROVIDE A WRITTEN SUMMARY OF SUCH IN A TIMELY MANNER, HE SHALL NOT BE ALLOWED TO CLAIM THAT THE PLANT FAILURE IS A RESULT OF THE OWNER'S MAINTENANCE PROCEDURES.
- ALL PLANTS USED SHALL BE TRUE TO NAME AND SIZE IN CONFORMITY WITH THE AMERICAN STANDARD OF NURSERY STOCK AND SHALL BE TYPICAL OF THE SPECIES OR VARIETY. ALL PLANTS SHALL HAVE NORMAL, WELL DEVELOPED BRANCHES AND VIGOROUS ROOT SYSTEMS. THEY SHALL BE SOUND, HEALTHY AND FREE FROM DISFIGURING KNOTS, ABRASIONS OF THE BARK, SUNSCALD INJURIES, PLANT DISEASES, INSECT EGGS, BORERS AND ALL FORMS OF INFECTIONS. ALL PLANTS SHALL BE NURSERY GROWN.
- ALL PLANT MATERIAL SHALL CONFORM TO EXCEED THE STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN AND THE THE 'PLANT LIST SIZE' OR SHALL BE REJECTED BY THE ARCHITECT OR OWNER.
- NO SUBSTITUTIONS FOR PLANT MATERIAL TYPE OR SIZE SHALL BE ALLOWED AND WILL BE REJECTED AT THE SOLE EXPENSE OF THE LANDSCAPE CONTRACTOR, UNLESS SPECIFICALLY REQUESTED IN WRITING TO THE ARCHITECT AND OWNER, IN ADVANCE. THE ARCHITECT OR OWNER MAY REJECT ANY SUBSTITUTION FOR ANY REASON, WITH CAUSE.
- CONTRACTOR SHALL PROVIDE ALL TREES, EVERGREENS, SHRUBS WHETHER NEW OR EXISTING WITH 3" MINIMUM DEPTH OF PREMIUM DARK BROWN MULCH AROUND THE ROOT BALL AND PLANTING BEDS. MULCH AREA TO BE A MINIMUM OF TWICE THE DIAMETER OF THE ROOT BALL OR CONTAINER. WHERE PLANT MATERIAL IS LOCATED WITHIN A DEFINED AREA OR PLANTING BED, THE ENTIRE AREA SHALL RECEIVE MULCH.
- LANDSCAPE CONTRACTOR SHALL INSPECT PLANTING PITS AND DETERMINE WHETHER THEY WILL SUPPORT PLANT GROWTH. IF THE LANDSCAPE CONTRACTOR DETERMINES THE SOIL IS INADEQUATE OR LEDGE ROCK IS FOUND HE SHALL NOTIFY THE ARCHITECT AND OWNER IN WRITING PRIOR TO PLANT INSTALLATION. THE ARCHITECT AND OWNER IN CONSULTATION WITH THE LANDSCAPE CONTRACTOR SHALL DETERMINE REMEDIAL MEASURES IF REQUIRED.
- PLANTS AND TREES SHALL BE LOCATIONS SHALL BE DETERMINED BY THE APPROXIMATE LOCATIONS SHOWN ON THE CONTRACT DOCUMENTS, SIZE OF THE PLANTED MATERIAL AND BEST INDUSTRY PRACTICES. NOTES OR DIMENSIONS SHALL PREVAIL. PLACE PLANTED MATERIAL IN THEIR ORIGINAL CONTAINERS OR CONDITION IN THEIR PROPER LOCATION FOR REVIEW AND ACCEPTANCE BY THE ARCHITECT AND OWNER.
- ALL NEW TREES AND EVERGREENS SHALL BE STAKED ACCORDING TO THE MINIMUM STANDARDS SET FORTH IN THESE DOCUMENTS OR TO THE PROVIDING NURSERY'S STANDARDS.
- ALL SHRUBS AND GROUND COVER PLANTS SHOWN SHALL BE PLACED IN A STAGGERED PATTERN UNLESS OTHERWISE NOTED.
- LANDSCAPE CONTRACTOR SHALL REMOVE ALL TREE STAKES, ASSOCIATED IMPLEMENTS AND DEAD WOOD ON ALL TREES AND SHRUBS ONE YEAR AFTER PROVISIONAL ACCEPTANCE. OWNER SHALL RETAIN 5% OF THE CONTRACT PRICE FOR THE DURATION OF THE WARRANTY PERIOD AND UNTIL SUCH TIME AS THE ABOVE IS COMPLETED.

PLANT LIST

TREES & EVERGREENS				
SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
	4	CARPINUS BETULUS 'FASTIGIATA'	FASTIGIATE HORNBEAM	2" CALIPER
	4	THUJA OCCIDENTALIS 'SMARAGO'	EMERALD GREEN ARBORVITAE	5' - 6' HEIGHT

SHRUBS				
SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
	14	BUXUS SEMPERVIRENS	BOXWOOD	24"-30" HEIGHT
	14	CLETHRA ALNIFOLIA 'HUMMINGBIRD'	HUMMINGBIRD SWEET PEPPER	3 GALLON
	9	ITEA VIRGINICA 'LITTLE HENRY'S GEMET'	SWEETSPIRE	3 GALLON
	21	JUNIFERUS SQUMATA	BLUE STAR JUNIPER	3 GALLON
	12	MISCANTHUS GRACILLIUS	MADIAN GRASS	3 GALLON
	3	PIERIS JAPONICA 'RED HEAD'	RED HEAD JAP. ANDROMEDA	3 GALLON
	33	SPIREA X MAGIC CARPET	MAGIC CARPET SPIREA	3 GALLON

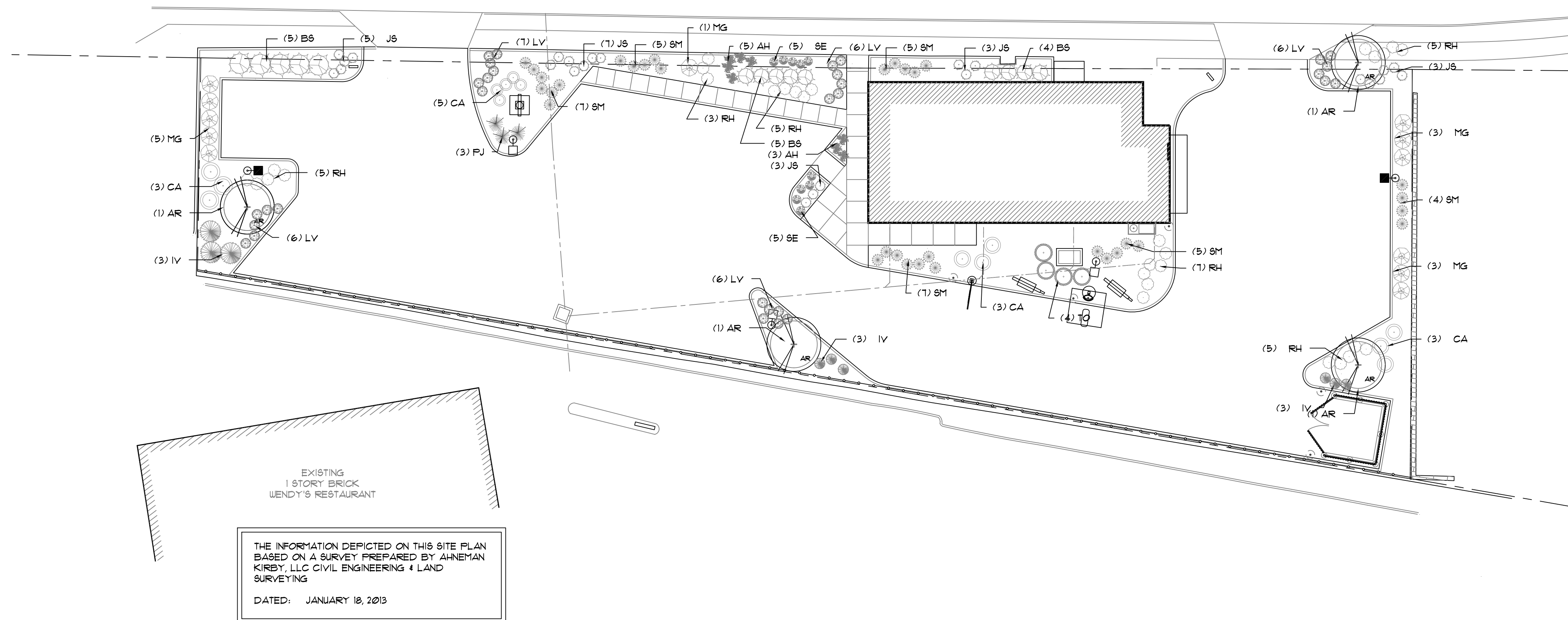
PERENNIALS				
SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
	8	ASTILBE X HYBRID	ASTILBE	2 GALLON
	8	HOSTA X HYBRID 'HALCYON'	HALCYON HOSTA	2 GALLON
	31	LIRIOPE X VARIGATA	VARIEGATED LILLY TURF	1 GALLON
	30	RUDEBECKIA X HYBRID	BLACK EYED SUSAN	1 GALLON
	10	SEDUM X HYBRID	SEDUM	1 GALLON



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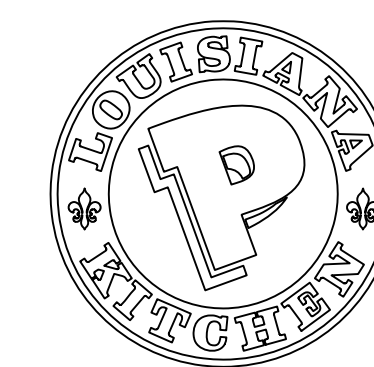
PROPOSED
POPEYES RESTAURANT
 HASHIMI MANAGEMENT
 275 BOSTON POST ROAD
 PORT CHESTER, NY

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LANDSCAPING PLAN

PROJECT NO. : 21229
SCALE: NOTED
DRAWN BY: GTG
CHECKED BY: GG
DATE: 1-7-13



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RYE BROOK, NY 10573
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PROPOSED
POPEYES RESTAURANT
HASHIMI MANAGEMENT
275 BOSTON POST ROAD
PORT CHESTER, NY

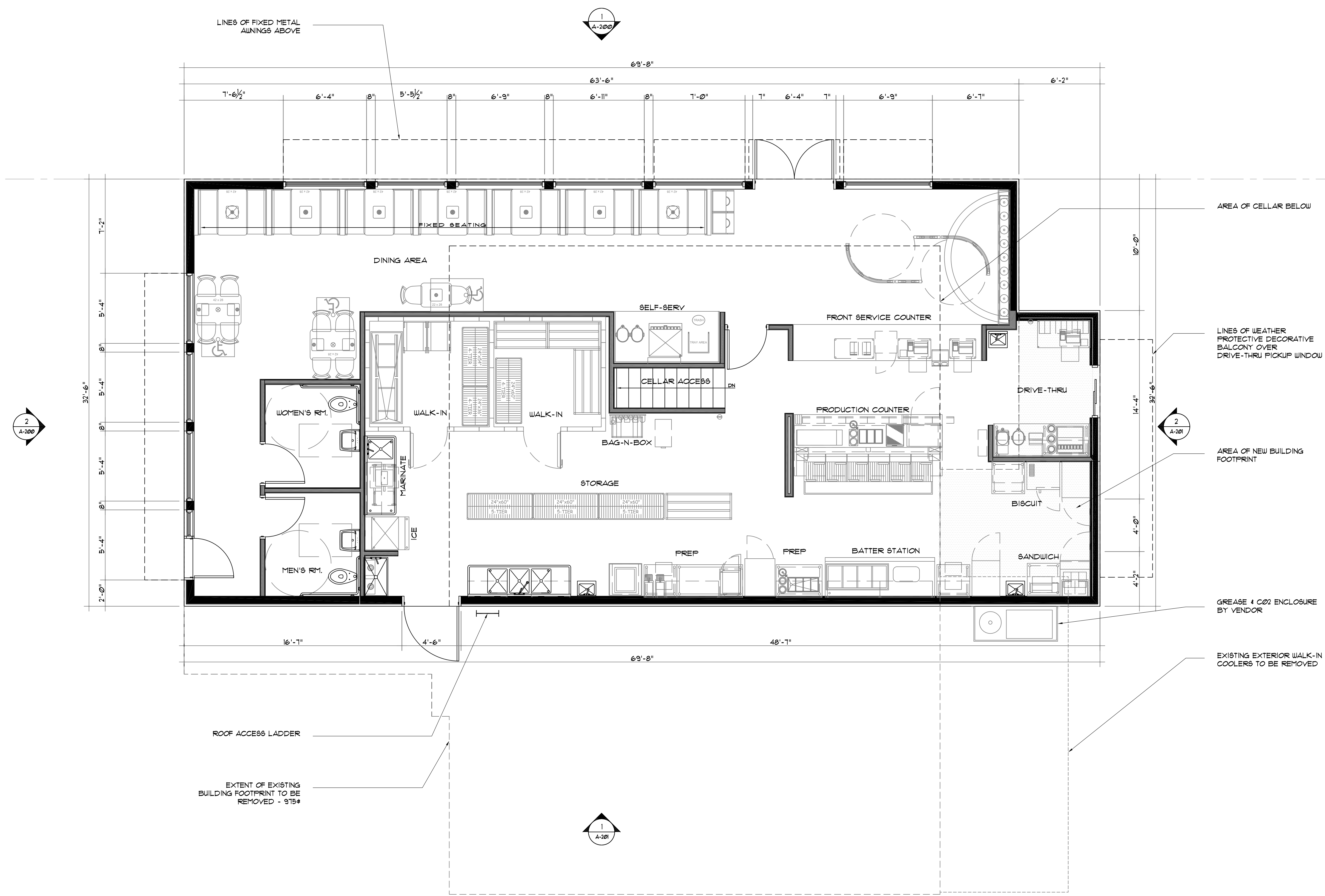
DATE	ISSUE TO	PR	TO
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1	4-8-13	GENERAL REVISIONS AS PER VILLAGE ENGINEER, STAFF COMMENTS, ADDED SITE LIGHTING & ESCAPE.	GTG

FIRST FLOOR PLAN

PROJECT NO. : 21229
SCALE: NOTED
DRAWN BY: GTG
CHECKED BY: GG
DATE: 1-7-13

A-101



1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

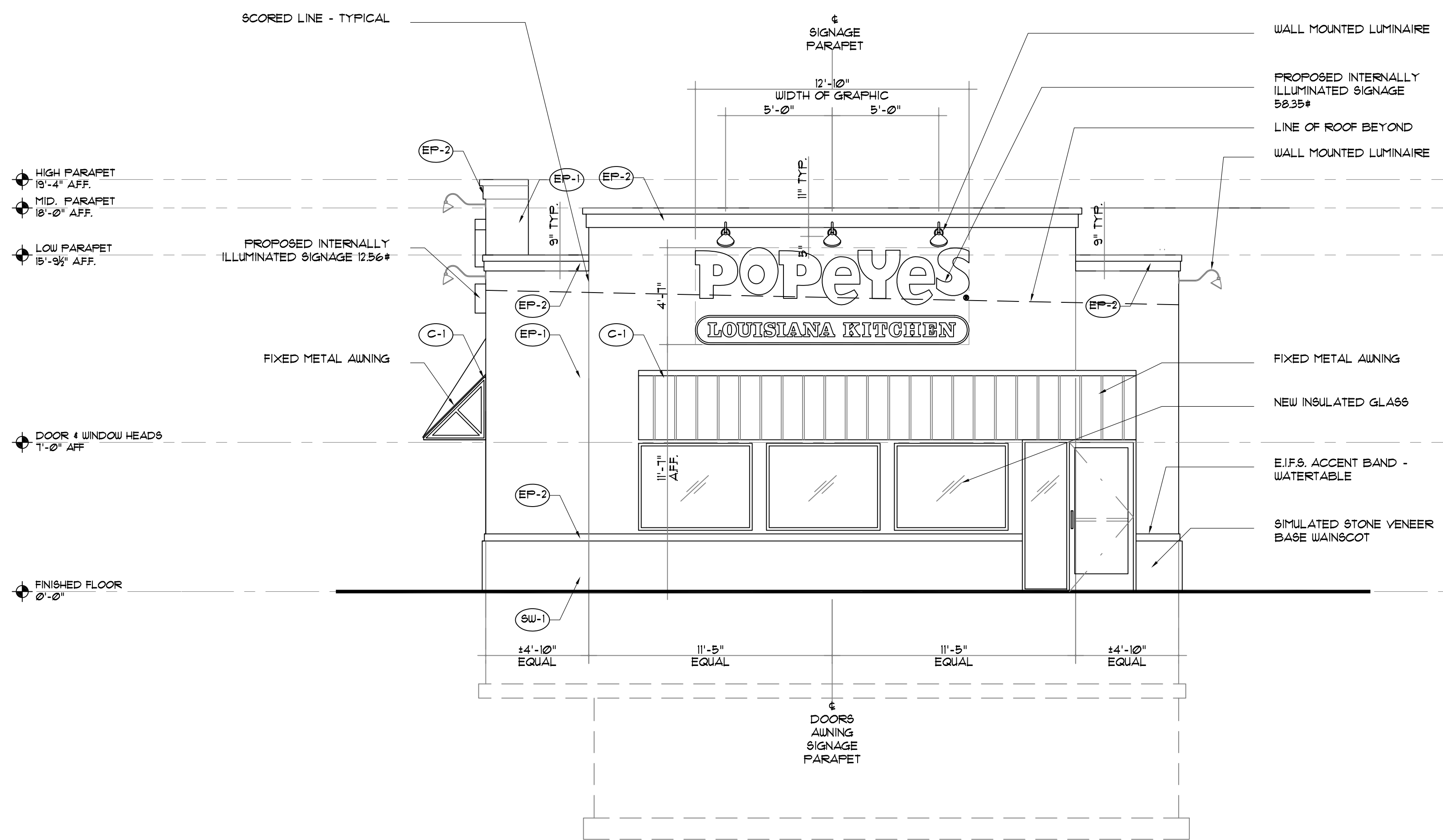


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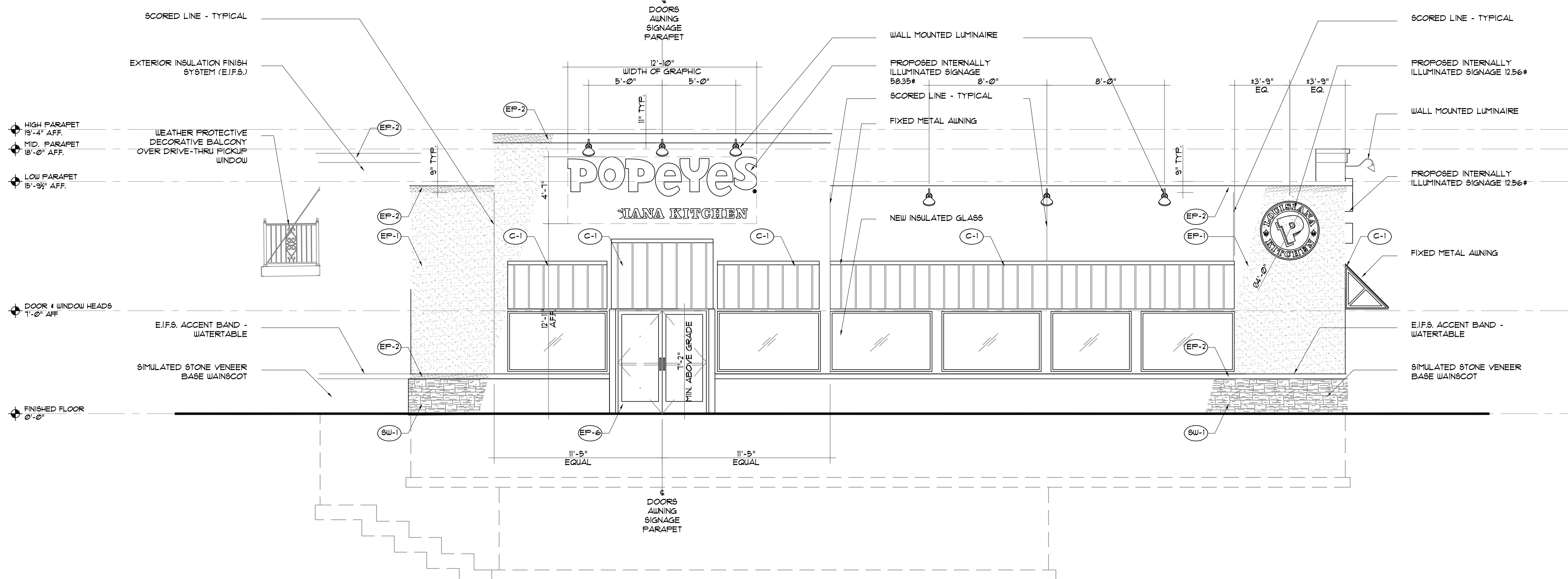
PROPOSED POPEYES RESTAURANT
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275 BOSTON POST ROAD
PORT CHESTER, NY

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POPEYES LOUISIANA KITCHEN			Exterior Finish Schedule			
New Construction and Reimaging			Update: 5/3/2012			
Mark	Location	Supplier / Manuf.	Material	Specification	Color	Finish / Notes
EP-1	MAIN WALL SURFACE ABOVE ACCENT TRIM	BENJAMIN MOORE	PAINT OR EIFS FORMULA	#2158-30	DELIGHTFUL GOLDEN	185 Low Lustre
EP-2	WALL SURFACE ACCENT / SHUTTER BORDERS		PAINT OR EIFS FORMULA	#2086-10	EXOTIC RED	185 Low Lustre
EP-3	WAINSCOT BELOW ACCENT TRIM		EIFS / METAL / PAINT	#2107-20	MOCHA BROWN	185 Low Lustre
EP-4	SHUTTERS	SHUTTERCONTRACTOR.COM	14 1/2"x60" VINYL SHUTTERS (Balcony)	L2 - VINYL	UNFINISHED	030 - PAINTABLE
		BENJAMIN MOORE	25 1/2"x19" VINYL SHUTTERS (Building)	L7S - VINYL	UNFINISHED	030 - PAINTABLE
EP-5	BALCONY AND RAILINGS	RAILING VENDOR / TIGER DRYLAC	METAL / POWDER COAT	RAL 6009	HUNTER GREEN	SMOOTH
EP-5 (ALT)	BALCONY AND RAILINGS	RAILING VENDOR / BENJAMIN MOORE	METAL / PAINT	#2040-10	RAINFOREST FOLIAGE	P-29 DTM Semi Gloss
EP-6	STORE FRONT GLAZING	YKK AP	ANODIZED ALUMINUM	#YBSN	DARK BRONZE	21-28 DAYS
EP-6 (ALT)	STORE FRONT GLAZING			#64 (2134-20)	RM BRONZETONE	P-29 DTM Semi Gloss
EP-7	DUMPSTER WALLS / GATES	BENJAMIN MOORE	METAL / PAINT	#2107-20	MOCHA BROWN	185 Low Lustre
EP-8	BOLLARDS / LOT STRIPING		METAL / ASPHALT / PAINT		SAFETY & ZONE ACRYLIC MARKING	RM SAFETY YELLOW P58-10
SW-1	STONE WAINSCOT	CORONADO STONE	SIMULATED STONE VENEER		GASCADE MOUNTAIN LEDGE	FOUR RIVERS OVERLAPPING STAIR STEP
SG-1	BOLLARDS	QUIKRETE	VENEER STONE MORTAR		POLYMER MODIFIED	MOCHA BROWN 1137-85
G-1	AWNING GRATE (OPT.)	AWNING SUPPLIER	METAL / POWDER COAT	RAL 6009	HUNTER GREEN	SMOOTH
C-1	STANDING SEAM CANOPY	COPPER SALES, INC.	UNA-CLAD	UC-4 ALUMINUM	REGAL RED	12" OC / GAUGE PER LOCAL CODE REQUIREMENTS
EP-9	ANTI-GRAFFITI	BENJAMIN MOORE	PAINT		ALIPHATIC ACRYLIC URETHANE	CLEAR GLOSS M74-00 / M75 (2 COATS)



2 WEST ELEVATION (RIGHT SIDE)
SCALE: 1/4" = 1'-0"



1 NORTH ELEVATION (FRONT)
SCALE: 1/4" = 1'-0"

NORTH & WEST ELEVATIONS

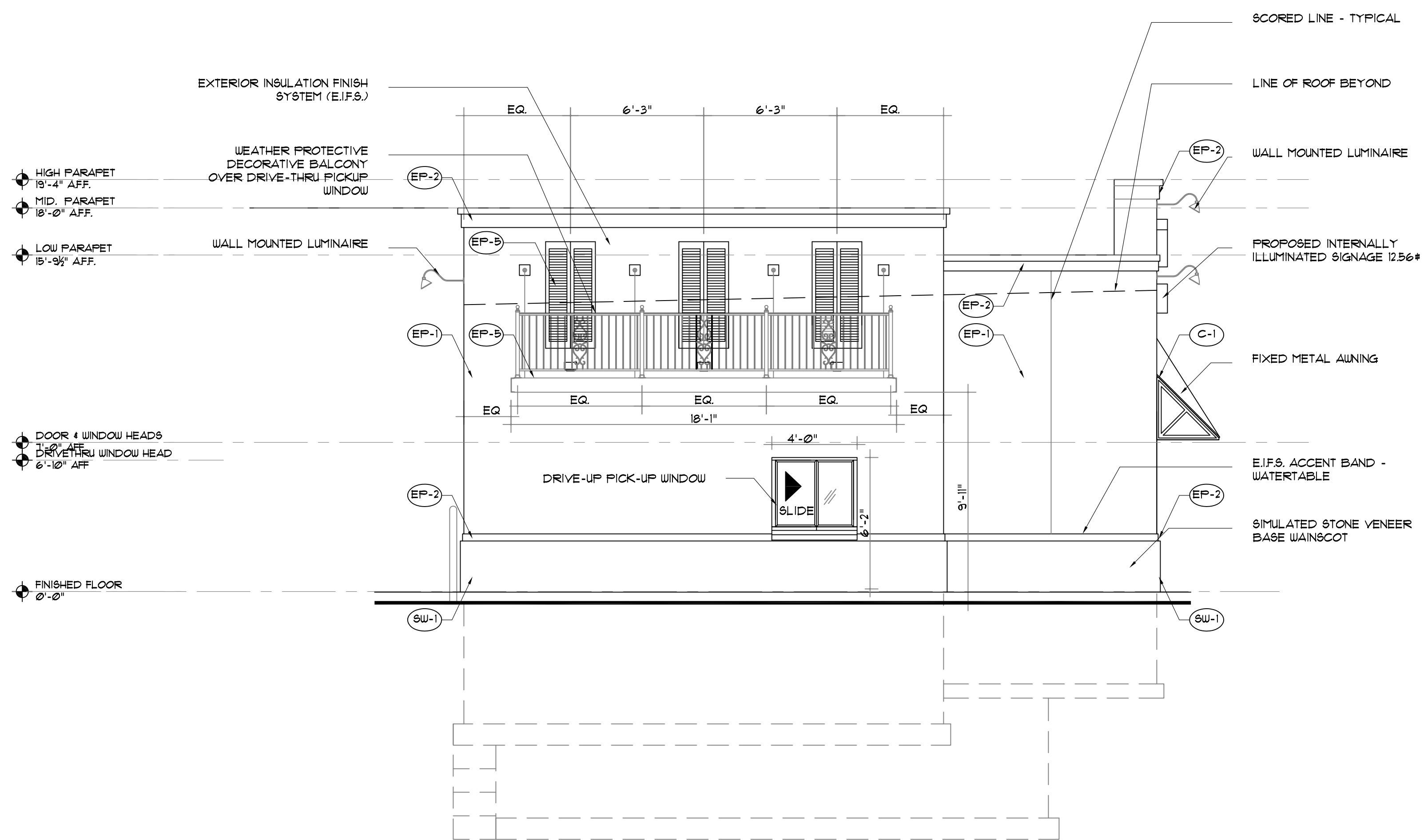
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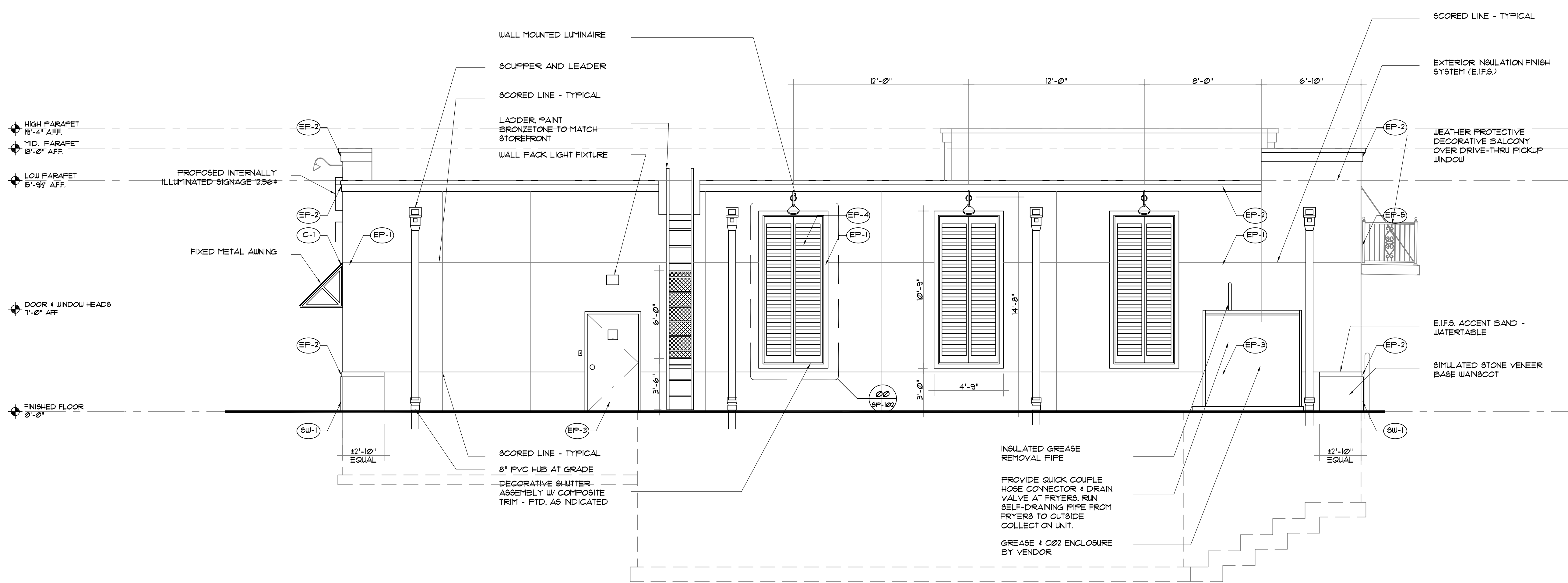
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PROPOSED POPEYES RESTAURANT
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2 EAST ELEVATION (LEFT SIDE)
SCALE: 1/4" = 1'-0"



1 NORTH ELEVATION (REAR)
SCALE: 1/4" = 1'-0"

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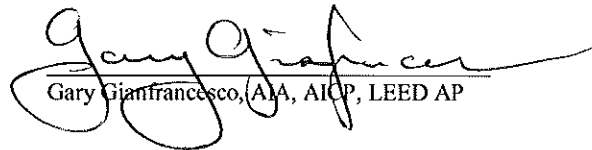
SOUTH & EAST ELEVATIONS

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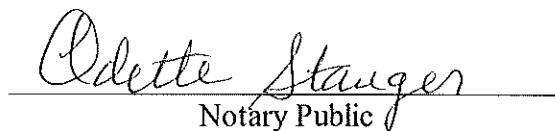
**ARCHITECTURAL PLANS
AVAILABLE AT
VILLAGE CLERK'S OFFICE**

Date: May 13, 2013
To: Board of Trustees
Village of Port Chester
Re: Popeye's
275 Boston Post Road
Port Chester, NY 10573

I certify that a public notice sign was posted at the subject property on
Wednesday, May 8, 2013.


Gary Gianfrancesco, AIA, AICP, LEED AP

Sworn to before me this 13th day
of May, 2013


Notary Public

ODETTE STANGER
Notary Public, State of New York
No. 4828993
Qualified in Westchester County
Commission Expires February 28, 2014

PUBLIC NOTICE

**PUBLIC MEETINGS WILL BE HELD BY THE PORT CHESTER
BOARD OF TRUSTEES MAY 20, 2013 AT 7:00 PM
AND THE PORT CHESTER PLANNING COMMISSION**

ON MAY 30, 2013 AT 7:00 PM

AT THE COURTROOM, 350 N. MAIN STREET

**TO CONSIDER A SITE PLAN &
SPECIAL EXCEPTION USE APPLICATION FOR**

**A RESTAURANT WITH DRIVE-THRU
PORT CHESTER BUILDING DEPT. 939-5203**



**SPECIAL EXCEPTION USE APPROVAL
RESOLUTION OF THE VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES**

May 20, 2013

275 BOSTON POST ROAD
Section 142.45, Block 1, Lot 9

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 proposed Popeyes Louisiana Kitchen, 275 Boston Post Road, is within both the C4 General Commercial District and CD Design Shopping Center District and requires a special exception use permit in accordance with Sections 345-60 and 345-61 of the Village Code to operate as a drive-in bank facility, drive-in restaurant or other drive-in establishment; and

WHEREAS, the Village Board of Trustees retains jurisdiction to approve a drive-in bank facility, drive-in restaurant or other drive-in establishment as a special exception use in accordance with Section 345-59(D)(1)(g) of the Village Code; and

WHEREAS, the proposed improvements satisfy the general standards outlined in Section 345-60 General Standards of the Village Code, and whereby the special exception use is in harmony with the surrounding environment; and

WHEREAS, the proposed Popeyes Louisiana Kitchen is in compliance with the use and dimensional regulations required by Section 345-61 Special Conditions and Safeguards for Certain Special Exception Uses, including size of lot, frontage, and setbacks; and

WHEREAS, the Board of Trustees conducted a public hearing on May 20, 2013 wherein all interested parties were given a full and complete opportunity to be heard; and now therefore be it

RESOLVED, that the Village Board of Trustees hereby grants the special exception use to the Popeyes Louisiana Kitchen, 275 Boston Post Road, as a drive-in bank facility, drive-in restaurant or other drive-in establishment.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

AYES:

NOES:

ABSENT:

A LOCAL LAW AMENDING CHAPTER 319 OF THE CODE OF THE VILLAGE OF PORT
CHESTER WITH REGARD TO DECREASING THE HOURS OF PARKING METER
OPERATION

SECTION 1: The Code of the Village of Port Chester, Chapter 319, Schedule XXVI, Section 319-87 “Parking Meter Zones” is hereby amended as follows:

Section 319-87A. Two- hour limit

Parking meter zones are hereby established pursuant to Section 319-33 on the following streets. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and [9:00 p.m.] 8:00 p.m. for more than two hours, except Sundays and holidays.

Section 319-87B. Twelve-hour limit.

Parking meter zones are hereby established pursuant to Section 319-33 on the following streets. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and [9:00 p.m.] 8:00 p.m. for more than twelve hours, except Sundays and holidays.

Section 319-87C. Parking Lot Use.

Parking meter zones are hereby established pursuant to Section 319-33 on the following parking lots. No vehicle shall be parked Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and [9:00 p.m.] 8:00 p.m. for longer than the time limit specified below, except Sundays and holidays

Section 319-87E. Parking Lot Use

Parking meter zones are hereby established pursuant to Section 319-33 on the following parking lots. No vehicle shall be parked Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and [9:00 p.m.] 8:00 p.m. for longer than the time limit specified below, except Sundays and holidays.

Section 319-87 F. Four-hour limit.

Parking meter zones are hereby established pursuant to Section 319-33 on the following streets. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of 9 a.m. and [9:00 p.m.] 8:00 p.m. for more than four hours, except Sundays and holidays.

SECTION 2: This local law shall be effective immediately upon filing with the Secretary of State.

RESOLUTION
AMENDING CHAPTER 319 OF THE CODE OF THE VILLAGE OF PORT
CHESTER WITH REGARD TO INCREASING THE HOURS OF PARKING METER
OPERATION

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, Local Law # 12 of the year 2013 AMENDING CHAPTER 319 OF THE CODE OF THE VILLAGE OF PORT CHESTER WITH REGARD TO INCREASING THE HOURS OF PARKING METER OPERATION. Now, therefore, be it

RESOLVED, that the Village of Port Chester Board of Trustees hereby adopts Local Law # 12 of 2013.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE: May 20, 2013

PUBLIC COMMENTS

RESOLUTIONS

SET PUBLIC HEARING TO CONSIDER AN INTERIM LOCAL LAW MODIFYING THE
PERMIT AMNESTY PROGRAM SO AS TO PROVIDE ADDITIONAL RELIEF FOR
OWNERS OF ONE AND TWO-FAMILY RESIDENCES

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 June 17, 2013 at 7:00 p.m. at the
Police Headquarters/Justice Court Courtroom, 2nd Floor, 350 North Main Street, Port Chester, to
consider the advisability of a local law modifying the permit amnesty program so as to provide
additional relief to owners of one and two-family residences, and be it further

RESOLVED, that the Board hereby refers this matter to the Planning Commission for
their study and report.

APPROVED AS TO FORM:

Anthony M. Cerreto
Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

Additional Amnesty for One and Two Family Residences as defined under the NYS Residential Code and Local Zoning Code

The NYS Fire prevention and building code treats one and two family residences a little differently than multi-family and commercial properties. In fact one and two family residences are the only occupancy types relegated to the NYS Residential Code. As such, it stands to reason that locally we can treat them differently as well. For instance we can amend the amnesty program to allow the following:

PART I

- Allow for self certification (no **interim** inspections by the building department are required, only inspections as needed by the licensed design professional hired by the home owner)
- **Only the final inspection for the CO shall be required.**
- Allow for minor improvements to be documented through a reasonable floor plan (not full construction documents) from a licensed professional
- Other similar documentation as required

Self certification does several things for us;

1. Removes all liability from us and puts it on the design professional and home owner
2. Eliminates the need for a building inspection
3. Removes our bureaucracy from the majority of the process which can ultimately save time for the property owner

A reasonable floor plan;

1. Lowers costs on the homeowner while still documenting the improvement in an adequate way.

A definition will be needed for the term “Minor improvement” i.e. “Less than 10,000 in cost and/or less than 500 square feet”?

All this should save significant time and expense and give relief to the target properties. We will however require a design professionals sign off prior to their application for CO and reserve the right to inspect the property as warranted. At that point CO issuance is ministerial.

Additional Amnesty for One and Two Family Residences as defined under the NYS Residential Code and Local Zoning Code

PART II

- As a companion to Section 4 of the current program add additional relief for one and two family residences for pre-existing structures / additions built prior to 1975 with a proper building permit having been issued.

SECTION 4: Zoning (Existing law)

For those applications under the Permit Amnesty Program regarding open expired permits issued prior to the effective date of the 1975 Zoning Regulation that may involve the need for some dimensional variance from the requirements under the applicable zoning regulation, the Building Inspector is authorized to accept deviance from certain of the requirements as “de minimis”. To qualify as eligible for this determination, the following standards must be strictly satisfied:

1. The building or structure must be pre-existing and have been issued a building permit prior to the effective date of the 1975 Zoning Regulation.
2. The subject building or structure must otherwise comply with the applicable building code at the time of construction or alteration.
3. The area or dimensional requirement involves front, rear, and/or side yard setback(s).
4. The set-back encroachment is ten (10) inches or less.
5. The building or structure complies with all other aspects of the Village of Port Chester planning and zoning regulations.

Such deviances may be deemed “de minimis” as prescribed above and shall not require waiver or variance from the Zoning Board of Appeals.

(Proposed Amendment)

Those applications under the Permit Amnesty Program regarding open expired permits issued prior to the effective date of the 1955 Zoning Regulation, relating to structures that were preexisting the code change, that may involve the need for some dimensional and or use variance from the requirements under the applicable zoning regulation; are hereby deemed to be lawfully non-conforming. To qualify as eligible for this determination, the following standards must be strictly satisfied:

1. The building or structure must be pre-existing and have been issued a lawful building permit prior to the effective date of the 1955 Zoning Regulation.
2. The building or structure complies with all other aspects of the Village of Port Chester planning and zoning regulations and the Building Code in effect at the time of construction.

Such structures are deemed “Lawfully non-conforming” as prescribed above and shall not require waiver or variance from the Zoning Board of Appeals.

Additional Amnesty for One and Two Family Residences as defined under the NYS Residential Code and Local Zoning Code

NOTE I:

Section 345-13 speaks to additional regulations relating to lawful non-conforming. There are specific regulations as to how when and if these uses can continue, be expanded, and/or abandoned

Section 345-13 F; speaks further as to the Boards authority to order the compulsory termination of any non-conforming use or non-conforming structure.

F. Compulsory termination of nonconforming structure or use.

- 1) A nonconforming building or structure or nonconforming use may be subject to compulsory termination by the Village Board of Trustees when it is found to be detrimental to the conservation of the value of the surrounding land and improvements or to future development of surrounding lands and, therefore, is tending to deteriorate or blight the neighborhood.**
- 2) In ordering the compulsory termination of a nonconforming structure or nonconforming use, the Village Board of Trustees shall establish a definite and reasonable amortization period during which the nonconforming use may continue while the investment value remaining after the date of the termination order is amortized. Determination of the amount to be amortized shall be based on the value and condition of the land and improvements for the nonconforming use less their value and condition for a conforming use, and such other reasonable costs as the termination may cause. The rate of amortization shall be in accordance with reasonable economic practice.**

NOTE II:

Expedited searches continue to be provided within the 10 business day guideline. However, regular searches continue to take in excess of 8 weeks to complete which quite frankly is an unacceptable level of service delivery.

A typical and pragmatic response to this, from a project management perspective, is to “Crash the Project”. Meaning throwing more resources at the project to hasten its completion. In essence the labor required is what it is; we just need more boots on the ground to keep up with the demand. I recommend at least two additional staff members if only on a temporary basis to help us overcome the backlog and allow us to deliver better service to the community. The question is, where will the funding come from?

SET PUBLIC HEARING TO CONSIDER A LOCAL LAW AMENDING THE CODE OF THE
VILLAGE OF PORT CHESTER TO INCREASE THE MAXIMUM METER LIMIT IN THE
METERED DOWNTOWN AREA TO THREE HOURS

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 June 17, 2013 at 7:00 p.m. at the
Police Headquarters/Justice Court Courtroom, 2nd Floor, 350 North Main Street, Port Chester, to
consider the advisability of a local law amending the Code of the Village of Port Chester to
increase the maximum meter limit in the metered downtown area to three hours.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER,
CHAPTER 319, VEHICLE AND TRAFFIC, TO INCREASE THE MAXIMUM METER
LIMIT IN THE METERED DOWNTOWN AREA TO THREE HOURS

SECTION1: The Code of the Village of Port Chester, Schedule XXVI: Parking Meter Zones, is hereby amended as follows:

A. Three [two] hour limit. Parking meter zones are hereby established pursuant to Section 319-33A on the following streets for the parking of vehicles for not more than [two] three hours at a rate as set forth in Chapter 175, Fees.

...

B. Parking lot use 7:00 a.m. to [7:00 p.m.] 9:00 p.m. Monday through Saturday except Sundays and holidays, parking meter zones are hereby established pursuant to Section 319-33A on the following parking lots for the parking of vehicles for not more than the time limit specified at the rate specified in Chapter 175, Fees.

Name of Lot	Time Limit (hours)	Location
Parking Lot No. 4	[2] <u>3</u>	Between Westchester Avenue and Irving Avenue, all except 12 spaces at the west side of the lot facing post office
Parking Lot No. 11	[2] <u>3</u>	Both sides of Highland Street, from North Main Street to Abendroth Avenue
Parking Lot No. 13	[2] <u>3</u>	Between Oak Street and Grove Street, both sides of center mall
Parking Lot No. 16	[2] <u>3</u>	Between Willett Avenue and Adee Street, from the Willett Avenue entrance of Parking Lot No. 16, south, to Parking Lot 17, 23 spaces.
Parking Lot No. 17	[2] <u>3</u>	Between Adee Street and Willett Avenue, from the King Street entrance of Parking Lot No. 17, north, to Parking Lot 16, 43 spaces.

SECTION 2. This local law shall be effective immediately on filing with the Secretary of State.

Traffic Bureau
 Port Chester Police Department
 350 North Main Street
 Port Chester, New York 10573

To: Joseph M. Krzeminski, Chief of Police
 From: Sergeant Charles Vaccaro, Traffic Bureau
 Re: Meter Time Limit Parking Change
 Date: 5/15/2013

Concurrent with the increase of meter parking hours (Local Law #9) adopted April 29th, 2013 was the intent to increase the two hour parking limit to a three hour limit from 6pm to 9pm Monday thru Saturday. In the previous Memo dated 4/10/2013 I detailed the changes regarding signage, staffing and other concerns. The change from a two hour parking limit to a three hour parking limit from 6pm to 9pm Mon-Sat can easily be accomplished at the 29 Paystations in the Village. This programming can be accomplished to cover Westchester Avenue, part of North Main Street, South Main Street and the municipal parking lots. However, the 450 single and double head meters cannot be programmed to change the parking limit at a specific time as required at 6pm. These meters are located in the business district on Abendroth Avenue, Adee Street, Broad Street, Grace Church Street, Horton Avenue, Irving Avenue, King Street, New Broad Street, North Pearl Street, Poningo Street and Willett Avenue.

Considering the impossibility of programming the single and double head meters, I would recommend increasing the current two hour limit meters to three hours. The signage would be easier for the drivers to understand as there would not be two separate time rules. The increase of an hour would not considerably affect enforcement or the turnover of meters. It will allow shoppers and restaurant patrons the opportunity to stay an extra hour. In order to change the limited time parking from two hours to three hours in the metered downtown area these are the changes required:

319-87 Schedule XXVI: Parking Meter Zones

- A. Two-hour limit. Parking meter zones are hereby established pursuant to § 319-33A on the following streets for the parking of vehicles for not more than [two] three hours at a rate as set forth in Chapter 175, Fees.
- C. Parking lot use 7:00 a.m. to 7:00 p.m. Monday through Saturday except Sundays and holidays, parking meter zones are hereby established pursuant to § 319-33A on the following parking lots for the parking of vehicles for not more than the time limit specified at the rate specified in Chapter 175, Fees.

<u>Name of Lot</u>	<u>Time Limit (hours)</u>	<u>Location</u>
Parking Lot No. 4	[2] <u>3</u>	Between Westchester Avenue and Irving Avenue, all except 12 spaces at the west side of the lot facing post office
Parking Lot No. 11	[2] <u>3</u>	Both Sides of Highland Street, from North Main Street to Abendroth Avenue
Parking Lot No. 13	[2] <u>3</u>	Between Oak Street and Grove Street, both sides of center mall

- Parking Lot No. 16 [2] 3 Between Willett Avenue and Adee Street, from the Willett Avenue entrance of Parking Lot No. 16, south, to Parking Lot No. 17, 23 spaces
- Parking Lot No. 17 [2] 3 Between Adee Street and Willett Avenue, from the King Street entrance of Parking Lot No. 17, north, to Parking Lot No. 16, 43 spaces

EFFECTING PARKING CHANGES AS PART OF A WORK PLAN TO PROTECT THE PUBLIC SAFETY ON PUTNAM AVENUE BETWEEN PARKWAY DRIVE AND KING STREET

On motion of TRUSTEE _____, seconded by TRUSTEE _____

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

WHEREAS, the Board of Trustees has received citizen complaints as to the need to address pedestrian and vehicular safety issues on Putnam Avenue between Parkway Drive and King Street, especially when there are seasonal activities at Lyons Park ongoing; and

WHEREAS, with the assistance of the Village's consulting engineer, Dolph Rotfeld Engineering, P.C., a work plan has been developed that would restripe and make lane designation changes to the roadway so as to remedy these issues; and

WHEREAS, pursuant to the May 10, 2013 report from the Traffic Bureau to the Chief of Police, certain minor parking changes to the Village Code are required; and

WHEREAS, the Board desires that the road work proceed without delay. Now, therefore, be it

RESOLVED, that Schedule XXIX, Section 319-90, pursuant to the provisions of Section 319-46.1 Handicap Parking, of the Code of the Village of Port Chester is amended as follows:

	<u>Name of Street</u>	<u>Number of Spaces and Location</u>
Delete	Putnam Avenue	1 on the south side opposite Austin Place west of the curb cut entrance to the park
Add	Putnam Avenue	1 on the south side opposite Austin Place east of the curb cut entrance to the park; and be it, further

RESOLVED, that Schedule XIII, Section 319-74, pursuant to the provisions of Section 319-20 No Parking or Standing Anytime, of the Code of the Village of Port Chester is amended as follows:

	<u>Name of Street</u>		<u>Side</u>	<u>Location</u>
Add	Putnam	Avenue	South	From King Street to Austin Place

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

Memo

To: Joseph M. Krzeminski, Chief of Police
From: Sergeant Charles Vaccaro, Traffic Bureau
Date: 5/10/13
Re: Handicap Parking/Prohibited Parking-Changes Putnam Avenue

On 5/10/13 a meeting was held on Putnam Avenue with Dan Peluso of Dolph Rotfeld Engineering and a representative of Safety Marking the vendor for roadway striping. The meeting was a result of the approval of the final roadway marking plan for the restriping and lane designation changes effecting Putnam Avenue between Parkway Drive and King Street. Dolph Rotfeld and I have been working with the NYS DOT regarding lane shifts and pedestrian safety of Putnam Avenue for almost two years.

The final approved NYS DOT plan reduces the westbound lane from Parkway Drive to Austin Place in order to allow a wider eastbound lane and eight foot parking lane adjacent to the park. The plan also allows for 2 westbound lanes between Austin Place and King Street enabling a right turn lane from Putnam Avenue onto King Street North.

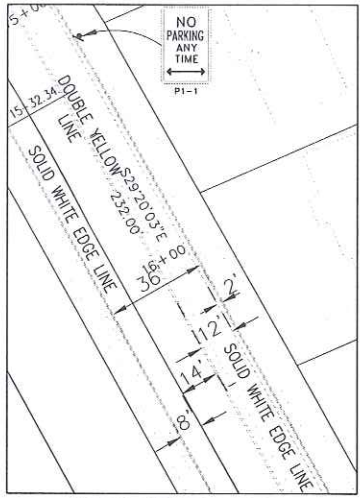
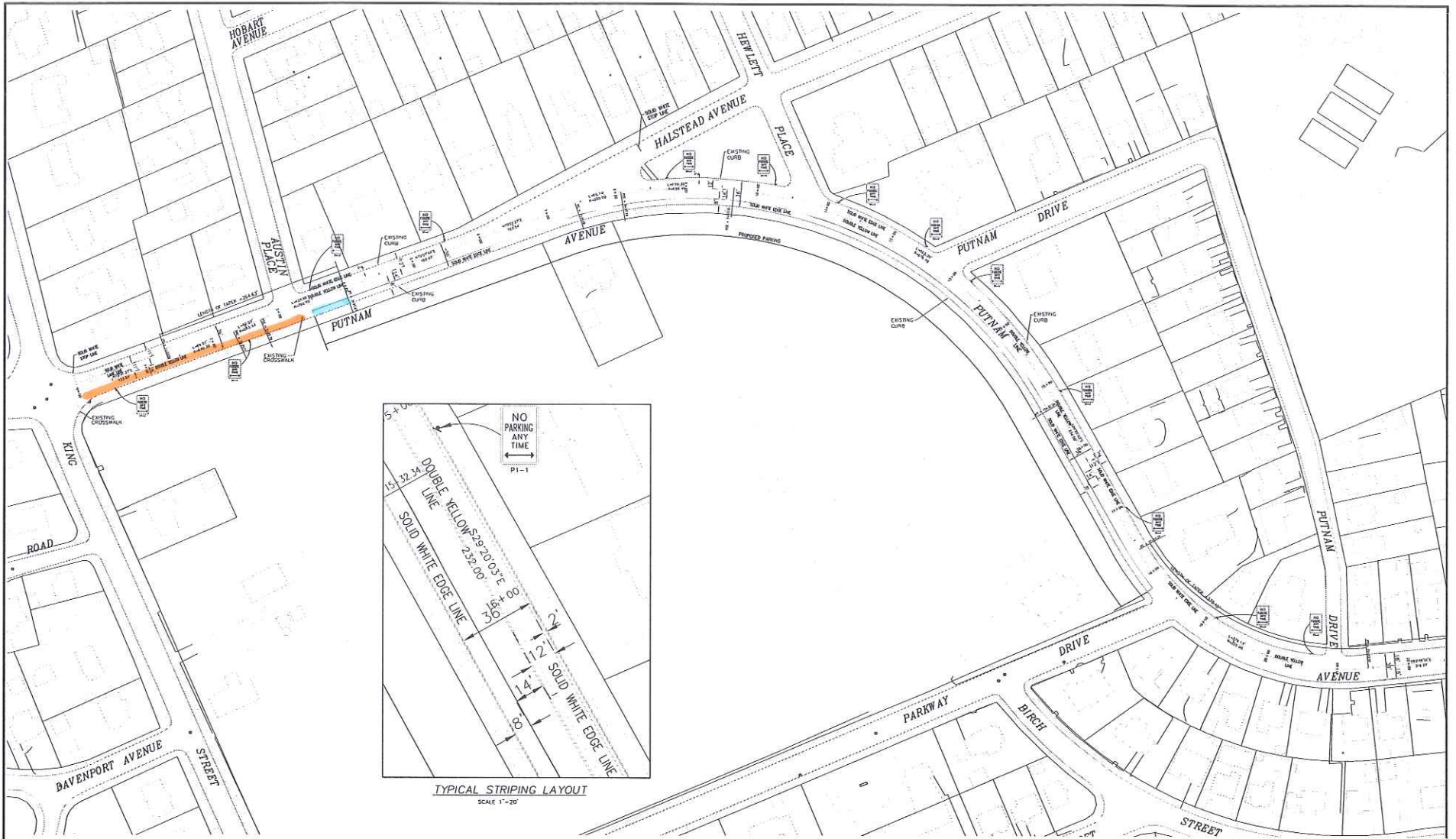
Due to the required travel lane shift eastbound on Putnam Avenue just west of Austin Place the handicap space on Putnam Avenue needs to be moved to the east side of the crosswalk. Additionally, the eastbound parking from King Street to Austin Place needs to be prohibited due to the change in lane configuration. The necessary changes to the Village Code are listed below.

Village Code on Vehicle and Traffic, Schedule XXIX, Section 319-90 pursuant to the provisions of Section 319-46.1: Handicap Parking.

	<u>Name of Street</u>	<u>Number of Spaces and Location</u>
Delete	Putnam Avenue	1 on the south side opposite Austin Place west of the curb cut entrance to the Park
Add	Putnam Avenue	1 on the south side opposite Austin Place east of the curb cut entrance to the park

Village Code on Vehicle and Traffic, Schedule XIII, Section 319-74 pursuant to the provisions of Section 319-20: No Parking of Standing Anytime.

	<u>Name</u>	<u>Side</u>	<u>Location</u>
Add	Putnam Avenue	South	From King Street to Austin Place



PLAN
SCALE 1"=40'



ANY ALTERATIONS OR REVISIONS OF THESE PLANS, UNLESS DONE BY OR UNDER THE DIRECTION OF THE NYS LICENSED AND REGISTERED ENGINEER THAT PREPARED THEM, IS A VIOLATION OF THE NYS EDUCATION LAW.

THIS PLAN NOT VALID FOR CONSTRUCTION WITHOUT INDETERMINATE SEAL & SIGNATURE Date: 4/2/23 Drawn by: [initials] Check by: [initials] Date: 4/2/23 Scale: 1"=40'	PUTNAM AVENUE STRIPING PLAN VILLAGE OF PORT CHESTER WESTCHESTER COUNTY, NEW YORK		1 1
	dolph reitfeld engineering, p.c. 8000 White Plains Road, Tarrytown, NY 10591 (914) 235-2000		

Changes

No Parking
Handicap space



RESOLUTION
APPOINTMENT OF MEMBER TO 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:

RESOLVED, that _____, residing in Port Chester, New York, be and hereby is appointed as a full member of the Port Chester WATERFRONT COMMISSION; and

BE IT FURTHER RESOLVED, that _____ be and hereby is appointed CHAIRMAN of the Port Chester WATERFRONT COMMISSION, effective immediately with said term to expire 12/02/2013.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

RESOLUTION
APPOINTMENT OF MEMBER TO
BOARD OF ETHICS

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:

RESOLVED, that _____, residing, Port Chester, New York, be and she hereby is appointed as a member of the Port Chester BOARD OF ETHICS to fill the seat held by Gerald Washington, effective immediately and to serve at the pleasure of the Board of Trustees.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE

RESOLUTION
APPOINTMENT OF MEMBER TO PARKS 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:

RESOLVED, that _____, residing in Port Chester, New York, be and hereby is appointed as a member of the Port Chester PARKS COMMISSION, effective immediately with said term to expire 12/31/2017.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:
NOES:
ABSENT:
DATE:

RESOLUTION
APPOINTMENT OF MEMBER TO PARKS COMMISSION

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

RESOLVED, that _____, residing in Port Chester, New York, be and hereby is appointed as a member of the Port Chester PARKS COMMISSION, effective immediately with said term to expire 12/31/2015.

APPROVED AS TO FORM:

Anthony M. Cerreto
Village Attorney

ROLL CALL

AYES:
NOES:
ABSENT:
DATE:

RESOLUTION
APPOINTMENT OF MEMBER TO PLANNING COMMISSION

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

RESOLVED, that MICHAEL SCAROLA, residing in Port Chester New York be and hereby is appointed as a member of the Port Chester PLANNING COMMISSION, effective immediately with said term to expire 06/16/2015.

APPROVED AS TO FORM:

Anthony M. Cerreto
Village Attorney

ROLL CALL

AYES: Trustee Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano.

NOES: None.

ABSENT: None.

DATE: May 20, 2013

RESOLUTION
APPOINTMENT OF MEMBER TO PLANNING COMMISSION

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

RESOLVED, that ROBERT K. ORTIZ, residing in Port Chester New York, be and hereby is appointed as an ALTERNATE member of the Port Chester PLANNING COMMISSION, effective immediately with said term to expire 06/16/2014.

APPROVED AS TO FORM:

Anthony M. Cerreto
Village Attorney

ROLL CALL

AYES: Trustee Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pagano.

NOES: None.

ABSENT: None.

DATE: May 20, 2013

RESOLUTION

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 _____ residing in Port Chester, New York, be and he hereby is appointed as a member of the Port Chester INDUSTRIAL DEVELOPMENT AGENCY in place and in the stead of Dennis Pilla; effective immediately, and to serve at the pleasure of the Board of Trustees. and

BE IT FURTHER RESOLVED, that _____ be and hereby is appointed as a member of the Port Chester LOCAL DEVELOPMENT CORPORATION in place and in the stead of Dennis Pilla, effective immediately, and to serve at the pleasure of the Board of Trustees.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:
NOES:
ABSENT:

DATE:

RESOLUTION
APPOINTMENT OF MEMBER TO TRAFFIC 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:

RESOLVED, that _____, residing in Port Chester, New York, be and hereby is appointed as a member of the Port Chester TRAFFIC COMMISSION, effective immediately with said term to expire 12/31/2015.

APPROVED AS TO FORM:

Anthony M. Cerreto
Village Attorney

ROLL CALL

AYES:
NOES:
ABSENT:

DATE:

**RESOLUTION
COURT INTERPRETER AGREEMENT**

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, Olga Hurtado, 170 Elm Street, New Rochelle, New York, has long provided court interpreter services to the Port Chester Justice Court; and

WHEREAS, Ms. Hurtado has proposed a renewal of her agreement with the Village for an additional two years at no increase in rates of compensation; and

WHEREAS, the Village Manager recommends such renewal. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement with Olga Hurtado, 170 Elm Street, New Rochelle, New York, as Interpreter for the Justice Court and the Village Attorney for a term of two years, commencing on June 1, 2013 and ending on May 31, 2015, compensation to be as provided in the fee proposal dated May __, 2013, as follows: Monday, Wednesday, Thursday, Friday, Traffic and Criminal Court @225.00 per day (starting at 9:00 a.m. until conclusion of calendar), Tuesday evenings Traffic Court and on Wednesday evenings Small Claims session at \$150.00 per night until conclusion of calendar.

APPROVED AS TO FORM:

Anthony M. Cerreto
Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

OLGA HURTADO

170 Elm Street
New Rochelle, New York 10805

(914) 469-6555

May 1, 2013

Mr. Christopher Steer
Village Manager
222 Grace Church St.
Port Chester, New York 10573

RE: Contract Renewal Court Interpreter

To Whom It May Concern:

It has come to my attention that my contract with the Village as Court Certified Interpreter is due for renewal. I have been employed since 1999 with the Village.

My fee schedule has been \$225.00 per day court session and \$150.00 per night court session. The Village is paid a fee of \$25.00 by the County of Westchester for each day Court is in session.

I understand that my services shall be provided at the request of the Court, and also when the Village Attorney requires an interpreter for 50-H hearings and depositions in his defense of claims against the Village.

I look forward to my continued service to the Village.

Very truly yours,

Olga Hurtado

AGREEMENT

THIS AGREEMENT, made the ____ day of May 2013, by and between VILLAGE OF PORT CHESTER, (hereinafter referred to as "Village "), a municipal corporation with an office at 222 Grace Church Street, Port Chester, New York, and OLGA HURTADO (hereinafter referred to as "Contractor "), 170 Elm Street, New Rochelle, New York 10805.

WHEREAS, the Village of Port Chester is a municipal corporation responsible, under law, for the health and welfare of its residents, and

WHEREAS, there has been a shift in the population of the Village so that more and more of its residents are people who speak Spanish not as a second language, but as their only language, and

WHEREAS, as a result the Justice Court requires a court certified Spanish interpreter so that it can properly hear matters before it. Now, therefore, the parties do mutually agree as follows:

1. This is a contract for professional services.
2. The services to be provided will be Spanish translating and interpreting.
3. The services to the Justice Court will be shall be provided on an "as- needed" Basis for the Justice Court with schedule and compensation to be as follows: Monday, Wednesday, Thursday and Friday, - Flat rate of \$225.00 per day; session starting at 9:00 a.m. until 5:00 p.m. or conclusion of calendar. Tuesday evenings – Traffic Court – and Wednesday evenings — Small Claims Session — Flat rate of \$150 per evening until conclusion of calendar.
4. That the Contractor will make herself available to the Court on reasonable notice for pre -trial conferences and jury trials or other such additional proceedings available at a rate of \$225 per day.
5. That the Contractor may not assign this agreement or make any substitutions without reasonable notice and the prior consent of the Court Clerk and the presiding judge.
6. This agreement shall be for a term commencing on June 1, 2013 and ending on the 31st day of May, 2015, subject, however, to the right of either party to terminate this agreement at any time on sixty (60) days written notice to the other at the address shown above.
8. In performing these services, it is mutually agreed and understood that the Contractor shall be and all times acting and performing same as independent contractor. Nothing in this agreement is intended to create an employer /employee relationship, or to allow the Village to exercise control or direction over the manner or method by which the Contractor performs the services which are the subject of this agreement.

9. This agreement is entire and shall not be altered or amended except by a writing signed by the parties hereto.

10. In the event of a dispute or controversy between the parties arising out of or relating to this agreement, the parties agree that such disputes will be adjudicated in a court of competent jurisdiction in the State of New York.

11. This agreement shall be governed by and construed in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

VILLAGE OF PORT CHESTER

By _____
Christopher D. Steers,
Village Manager

OLGA HURTADO

Memo

To: Mr. Chris Steers, Village Manager

From: Regina Hill *RH*

CC:

Date: May 17, 2013

Re: Gail Letizia and Olga Hurtado

After speaking to Judge Sisca and Judge Troy, we highly recommend renewing the resolutions for Gail Letizia as Court Stenographer and Olga Hurtado as Spanish Interpreter for the Village Court. Thank you.

**RESOLUTION
COURT REPORTER AGREEMENT**

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, Gail Letizia, P.O. Box 588, Bronxville, New York 10708, has long provided court reporter services to the Port Chester Justice Court; and

WHEREAS, Ms. Letizia has proposed a renewal of her agreement with the Village for an additional two years at no increase in rates of compensation; and

WHEREAS, the Village Manager recommends such renewal. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement with Gail Letizia, P.O. Box 588, Bronxville, New York, as Court Reporter for the Justice Court for a term of two years, commencing on June 1, 2013 and ending on May 31, 2015, compensation to be as provided in the fee proposal dated May _____, 2013, as follows: Monday, Thursday and Friday. \$225 per day (starting time 9:00 a.m. until 5:00 p.m.) any session running past 5:00 p.m. an additional \$50 per hour, and on Wednesday evenings Small Claims session at \$150.00 per night until 10:00 p.m. and any session past 10:00 p.m. an additional \$150.00.

APPROVED AS TO FORM:

Anthony M. Cerreto
Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

To Village Clerk for BOT
5-3-13

VILLAGE OF PORT CHESTER

MAY 03 2013

RECEIVED *vm*

Gail M. Letizia, Court Reporter
16 Saxon Woods Park Drive
White Plains, New York 10605

Christopher Steers, Village Manager
Village of Port Chester
222 Grace Church Street
Port Chester, New York 10573

May 2, 2013

Dear Mr. Steers:

It has come to my attention that my contract with the Village of Port Chester as Court Stenographer is due for renewal.

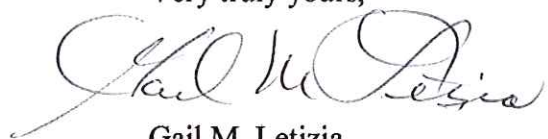
I have been employed with the Village since 1993. My contract expired May 31st, 2013. With your approval, I would like to continue my contract for another two (2) years at the same rates:

Monday, Thursday, Friday @\$225.00 per day, starting time 9:00 a.m. until 5:00 p.m. Any session running past 5:00 p.m. an additional \$50 per hour will be charged.

Wednesday night Small Claims Session @ \$150.00 per night until 10:00 p.m. Any session running past 10:00 p.m. an additional \$150.00 will be charged.

If, in the event, the need to hire an outside agency arises due to a conflict in my scheduling, the Village will pay fee of agency.

Very truly yours,



Gail M. Letizia

Cc: Regina Hill, Court Clerk

AGREEMENT

THIS AGREEMENT, made the ____ day of May 2013 by and between VILLAGE OF PORT CHESTER, (hereinafter referred to as "Village "), a municipal corporation with an office at 222 Grace Church Street, Port Chester, New York, and GAIL LETIZIA, P.O. Box 588, Bronxville, New York 10708, (hereinafter referred to as "Contractor "), party of the second part.

WITNESSETH:

WHEREAS, the Village requires the services of a court reporter for the Port Chester Village Justice Court; and

WHEREAS, the Reporter wishes to be retained in such capacity all on the following terms and conditions: Now, therefore, the parties do mutually agree as follows:

1. This is a contract for professional services.
2. That such services will be provided on an "as needed" basis for the Justice Court with schedule and compensation to be as follows: Monday, Wednesday, Thursday and Friday, flat rate of \$225.00 per day; session starting at 9:00 a.m. until 5:00 p.m. After 5:00 p.m., an additional \$50/hour. Wednesday evenings, Small Claims Session — Flat rate of \$150.00; session starting at 7:00 p.m. until 10:00 p.m. Any session that is past 10:00 p.m. an additional flat rate of \$150.00 until conclusion of calendar.
3. That the Reporter will make herself available to the Court on reasonable notice for pre-trial conferences and jury trials or other such additional proceedings at a flat rate of \$225 per day.
4. That the Reporter may not assign this agreement or make any substitutions without reasonable notice and the prior consent of the Court Clerk and the presiding judge.
5. This agreement shall be for a term commencing on June 1, 2013 and ending on the 31 day of May, 2015, subject, however, to the right of either party to terminate this agreement at any time on sixty (60) days written notice to the other at the address shown above.
6. In performing these services, it is mutually agreed and understood that the Reporter shall be and all times acting and performing same as an independent contractor. Nothing in this agreement is intended to create an employer /employee relationship, or to allow the Village exercise control or direction over the manner or method by which the Reporter performs the services which are the subject of this agreement.
7. This agreement is entire and shall not be altered or amended except by a writing signed by the parties hereto.

8. In the event of a dispute or controversy between the parties arising out of or relating to this agreement, the parties agree that such disputes will be adjudicated in a court of competent jurisdiction in the State of New York.

9. This agreement shall be governed by and construed in accordance with the laws of the State of New York

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

VILLAGE OF PORT CHESTER

By _____
Christopher D. Steers,
Village Manager

GAIL LETIZIA

Memo

To: Mr. Chris Steers, Village Manager

From: Regina Hill *RH*

CC:

Date: May 17, 2013

Re: Gail Letizia and Olga Hurtado

After speaking to Judge Sisca and Judge Troy, we highly recommend renewing the resolutions for Gail Letizia as Court Stenographer and Olga Hurtado as Spanish Interpreter for the Village Court. Thank you.

DISCUSSION



May 2, 2013

Port Chester Village
22 Grace Church Street
Port Chester, NY 10573

Dear Mr. Mayor and Port Chester Village Board of Trustees,

Thank you for the opportunity to come before you at the Public Hearing on April 29, 2013 and for your consideration to be included for funding in this year's budget. We respectfully request \$5,000 from your Youth line item in the proposed budget in order to expand our reach to Port Chester youth through free after school classes and family workshops. We are aware the village has contracted organizations to provide artistic services to Port Chester residents, and we seek to begin a similar contract.

As you know, Clay Art Center (CAC) is a nationally recognized 501(c)(3) non-for-profit arts center. Clay Art Center has been a champion for the arts in the community and is the largest and most active ceramic facility in the tri-state area, offering classes, camps and workshops for all ages and skill levels seven days a week. Our gallery and shop are open to the public 6 days a week, and admission is free. Believing strongly that the arts have the ability to touch and enrich lives, our mission is to offer a stimulating space for studio practice, exhibition and educational opportunities to better serve the community. Our vision is to "kindle a passion for the ceramic arts and provide a community for that passion to flourish."

Clay is a metaphor for what anyone can achieve when given the opportunity. It is a unique medium. It's messy. It's tactile. You start with a moist, dark lump of clay and from these humble beginnings, magic happens. You work with your hands, slowly creating something from nothing. After your piece is fired, it is transformed into something radically different; something solid and beautiful.

Working with clay is enriching and it helps develop patience, self-discipline and creative problem-solving skills. We have repeatedly observed that students improve their ability to listen, to concentrate and to communicate when they are engaged and challenged. Students are truly transformed through clay. The head of Don Bosco Community Center's youth programs declares that they send us kids with the most severe behavioral issues and is amazed how clay "whips them into shape."

Project Description: Our goal is to expand our connection to underserved members of the Port Chester community by increasing the amount of free programming we offer. We would like to help amend the lack of arts programming in the Port Chester School District and in the Village itself by offering free after school clay classes and family workshops to residents in great financial need.

Objectives: We seek to provide a place that is welcoming to local residents and where they will feel empowered and comfortable entering our doors. We hope that residents will integrate regular visits to our center into their lives, and Clay Art Center as a valuable community resource that makes their lives more meaningful. This programming will also serve as a feeder program to identify talented youth who show capacity for and interest in creating with clay and who will be likely scholarship recipients for longer periods of time. As these students begin to develop their artistic skill through this initial programming we will provide long-term scholarships to further their growth.

Gaps in Services: As the only non-profit arts organization in Port Chester, our program supports our local community, which unfortunately does not have an art instructor in the elementary schools or arts resources for adults. As you well know, the percentage of families living below the poverty level is more than double the average for Westchester. About 75% of these families have children under the age of 18 and right across the street from us are 96 HUD subsidized housing units for working families, primarily African-American. Since receiving our non-profit status, we have worked to foster partnerships with recreation, community, and after school programs in Port Chester to meet the needs of our community. We recently received notification that we have been awarded a New York State Arts Council grant for Arts-in-Education, which will allow us to give third, fourth and fifth graders at Thomas Edison Elementary an in-depth hands-on-clay education during school hours beginning this spring. Additionally, thanks to our supporters, scholarships are awarded to 175 Port Chester children annually to attend free clay classes and camps.

This is only the tip of the iceberg; we seek to reach more residents. Our goal is to reach as many Port Chester families, adults, seniors and people with disabilities as possible to encourage them to join our community. Already we have many community partners here in Port Chester who collaborate with us on a regular basis for our community arts and outreach programming including:

- The Port Chester Elementary schools serving 1,040 annually
- The Port Chester Middle School serving 90 teens annually
- The Port Chester High School serving 36 teens annually
- The Port Chester Recreation Department serving 72 children annually
- SER of Westchester and The Children's Village offering 6 paid internships to Port Chester teens annually
- Hope House serving 25 adults with special needs annually

Should we receive support from the Village of Port Chester, our Community Arts Director will begin planning an after school program and family workshops in collaboration with the Port Chester Recreation office.

Thank you so much for your consideration, and please let me know if you have any additional questions.

Warm Regards,



Leigh Taylor Mickelson
Executive Director



Robert Rattet
Board President

Budget:

12 classes held once a week during after school hours in Fall 2013 and Winter 2014

4 Free family workshops held throughout the year

Expenses

Teachers Fees	\$2250
Supplies (clay, glaze, tools)	\$900
Firing (firing technician + firing costs)	\$1100
Administration (at 15%)	<u>\$750</u>
	\$5000

CORRESPONDENCE

Carnival
Corpus Christi Church
136 South Regent Street
Port Chester, NY 10573

VILLAGE OF PORT CHESTER

MAY 13 2013

RECEIVED

M

May 8, 2013

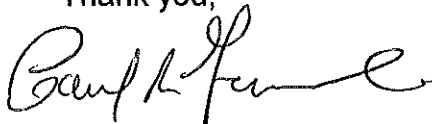
Mayor Neil J. Pagano
& Village Board
222 Grace Church Street
Port Chester, NY 10573

Dear Mayor Pagano & Village Board:

On behalf of the Corpus Christi Church Carnival, we are once again seeking permission to place a banner across Westchester Ave to advertise this year's carnival. The information as in the past would read: the date, the place, and the name of the sign company sponsoring the banner.

If permission is granted, we are also seeking permission for the Village Highway Department to place the sign for us. The carnival dates are August 12th through August 17th. I can be reached at (914) 937-1455 or at the church rectory (914) 933-3169.

Thank you,



Paul R. Gerardi
Carnival Chairman

PARK AVENUE ELEMENTARY SCHOOL

Port Chester, New York 10573
(914) 934-7895 Fax (914) 939-9243

Rosa I. Taylor, Principal

VILLAGE OF PORT CHESTER

MAY 13 2013

RECEIVED



"Success For Every Student"

May 9, 2013

Mayor Dennis Pilla
And Board Members
Village of Port Chester
222 Grace Church St.
Port Chester, New York 10573

Dear Mayor and Board Members:

On Friday, June 7th, we have our annual Fun Day scheduled at Park Avenue School. This event will be held outdoors.

I am requesting that Park Avenue from Columbus Ave to College Ave be closed to vehicular traffic on Fun Day 9:00 A.M. through 2:00 P.M.

Also, on Monday, June 17th, we will be holding our Fifth Grade Moving up Ceremony outdoors on Park Avenue.

I am requesting that Park Avenue from Columbus Ave to College Ave be closed to vehicular traffic from 9:00am to 12pm

On behalf of our school community, I thank you for considering the request.

Cordially,

Rosa I Taylor

Rosa I. Taylor
Principal

cc: Dr. Edward Kliszus

CERTIFICATE OF LIABILITY INSURANCE

05/09/2013

PRODUCER NEW YORK SCHOOLS INSURANCE RECIPROCAL 333 Earle Ovington Blvd. Uniondale NY, 11553	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURERS AFFORDING COVERAGE	
INSURED Port Chester-Rye UFSD 113 Bowman Avenue Port Chester, NY 10573	INSURER A: NEW YORK SCHOOLS INSURANCE RECIPROCAL INSURER B: INSURER C: INSURER D: INSURER E:

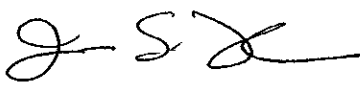
COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> <input type="checkbox"/> GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	SSPPCR001	07/01/2012	07/01/2013	EACH OCCURRENCE	\$ 1,000,000
	FIRE DAMAGE (Any one fire)				\$ 1,000,000	
	MED EXP (Any one person)				\$ 5,000	
	PERSONAL & ADV INJURY				\$ 1,000,000	
	GENERAL AGGREGATE				\$ UNLIMITED	
	PRODUCTS - COMP/OP AGG				\$ 1,000,000	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/>					
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> NON-OWNED AUTOS					AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$	
A	EXCESS LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$	ECLPCR001	07/01/2012	07/01/2013	EACH OCCURRENCE	\$ 10,000,000
	AGGREGATE				\$ UNLIMITED	
					\$	
	SCHOOL BOARD LIABILITY <input type="checkbox"/> <input type="checkbox"/>				OCCURRENCE \$ AGGREGATE \$ DEDUCTIBLE \$	
	OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

Certificate holder is named Additional Insured only as respects to the use of premises/facilities for Port Chester-Rye UFSD, Street Closing of Park Avenue on 6/7/2013 for Fun Day and 6/17/2013 for 5th Grade Moving Up Day.

CERTIFICATE HOLDER <input checked="" type="checkbox"/> ADDITIONAL INSURED Village of Port Chester 222 Grace Church Street Port Chester, NY 10573	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <div style="text-align: right; font-family: cursive; font-size: 2em;">  </div>
--	--



The New York Schools Insurance Reciprocal
333 Earle Ovington Blvd. • Uniondale NY, 11553 • (516) 227 3355 • (800) 476-9747 • Fax: (516) 227-2352

Named Insured Port Chester-Rye UFSD		Endorsement Number 22
Policy Number SSPPCR001	Policy Period 07/01/2012 - 07/01/2013	Effective Date of Endorsement 05/09/2013
Issued by (Name of Insurance Company) NEW YORK SCHOOLS INSURANCE RECIPROCAL		

THIS ENDORSEMENT CHANGES THIS POLICY. PLEASE READ IT CAREFULLY

In consideration of no additional premium, it is hereby understood and agreed that the policy is amended as follows:

Form CG2026 has been amended to include the following as Additional Insured:

Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

as respects to the use of premises/facilities for Port Chester-Rye UFSD, Street Closing of Park Avenue on 6/7/2013 for Fun Day and 6/17/2013 for 5th Grade Moving Up Day.

All other terms and conditions to remain the same.

Authorized Representative

**PARK COMMISSION
VILLAGE OF PORT CHESTER**

May 7, 2013

Mayor and Board of Trustees
Port Chester, New York

Dear Mayor and Board of Trustees:

At a recent meeting of the Park Commission Richard Cuddy presented a new view of the placement of plaques for the military who died during war time.

As you are aware, the latest endeavor to place these plaques in Lyon Park was thwarted by someone removing a number of them. Mr. Cuddy proposed placing the plaques all together at a location near the walls of the park off King Street. The area will also be enhanced by flags, lights, benches and cameras. The plaques would be imbedded in blocks of concrete and bolted in place. He also proposed setting memorial bricks (pavers), the cost of which would be offset by a fund raiser.

The Park Commission supports Mr. Cuddy's new endeavor and petitions you, Mr. Mayor and Board of Trustees for your approval.

Very truly yours,

Jerry Terranova

Jerry Terranova, Chairman
& Park Commissioners

**RICHARD CUDDY
58 WOODLAND DRIVE
PORT CHESTER, NEW YORK 10573**

May 8, 2013

Mayor Neil Pagano & Board of Trustees
Village of Port Chester
Port Chester, New York 10573

Dear Mayor Pagano & Board of Trustees:

As you are aware the project to restore and replace the memorial plaques in Lyon Park has been thwarted by persons who removed some of these plaques. All the plaques have now been removed and I would like to propose placing the plaques all together in a location near the walls off King Street. The plaques would be imbedded in blocks of concrete and bolted in place. I would also like to set memorial bricks (pavers) around the plaques and have flags, lights, benches and cameras in the area. Of course the cost of this project will be covered by a fund raiser.

At a recent meeting of the Park Commission I made a presentation explaining this new project and they support it whole heartedly. I hope to be able to attend a meeting of the Board of Trustees and present the details of this project.

Very truly yours,

Richard Cuddy

Richard Cuddy

Gerald Donahue
88 Hobart Avenue
Port Chester, NY 10573
914-937-4028

VILLAGE OF PORT CHESTER

MAY 14 2013

RECEIVED

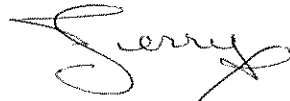
Honorable Neil J. Pagano, Mayor
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Dear Neil,

As you are aware, I am a lifetime resident of our village. I have had the opportunity to enjoy many of the parks in Port Chester from the time I was a small child through the present day. While we have seen many, many changes in our village, the beauty and recreational opportunities our parks have provided have been one of the constant pleasures the people of Port Chester have been able to enjoy.

It has come to my attention that there is presently an open position on the Parks Commission. I would like to apply for that position and serve our village by doing my best to insure our parks will be properly maintained and available to our residents for many years to come.

Sincerely,



Gerald Donahue

*emailed to
Janusz for
BOT 5/15/13*

Allen S. Carroll
340 South Regent Street, #2A
Port Chester, NY 10573
(914) 494-9466

VILLAGE OF PORT CHESTER

MAY 15 2013

RECEIVED *M*

May 15, 2013

To The Honorable Mayor Neil Pagano and Board of Trustees:

I am writing with interest of being considered for an appointment to the Traffic Commission.

I was a member of the Port Chester Auxiliary Police for 19 years; The last eight years I was Director of the unit commanding over 30 members as a liaison to the Port Chester Police Department.

My duties were to work with the Traffic Sergeant on traffic control assignments for parades in the village and assist the department with traffic and crowd control for manmade and natural disasters. Auxiliary officers were deployed throughout the village to provide traffic control. I also worked under the command of the Chief and the Captain of the Port Chester Police Department on other various events in the village, including Port Chester Day, Sunday church crossing, carnivals, concerts in the park, etc. All of these events involved traffic control.

I am a Village of Port Chester Justice Court Marshal and have held this appointment for 28 years. I have traveled the Streets of Port Chester providing service for the Justice Court and am very familiar with the streets of Port Chester.

I hope you will consider me for this position. I look forward to meeting with you and discussing my qualifications in more detail.

Sincerely,

Allen Stephen Carroll

Allen Stephen Carroll

MINUTES

MEETING HELD APRIL 1, 2013

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, April 1, 2013 at 7:00 P.M., in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

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

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Police Chief, Joseph Krzeminski and Administrative Aide, Christopher Ameigh.

On motion of Trustee Didden, seconded by Trustee Marino, the meeting was declared opened at 7:07 p.m.

Roll Call

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

NOES:

ABSENT:

AWARD PRESENTATION

To the Port Chester Junior Varsity Cheerleaders on their win at the State Championship.

Mayor Pilla and the Board of Trustees congratulated and recognized the Port Chester High School Junior Varsity Cheerleaders Team on their championship win at the Empire State Cheerleading competition.

PUBLIC COMMENTS

Mayor Pilla asked if there was anyone from the audience who would like to make any comments.

Ms. Goldie Solomon thanked the Board for recognizing the Port Chester High School Junior Varsity Cheerleaders on their win at the Empire State Cheerleading competition. Ms. Solomon thanked Dennis Pilla and Bart Didden on everything they have done in the village and wished them good luck and a healthy happy life. Ms. Solomon also commented that the Board is here to represent the village and hopes the new Board will work on lowering the taxes.

Mr. Giangrande commented about the new Board, Police and EMT departments, and the Dog Park.

Ms. Bea Conetta commented about the March 2013 election and the departing Mayor Dennis Pilla and Mayor elect, Neil Pagano. Ms. Conetta thanked departing Trustee Bart Didden for running in the March 2013 election.

Mr. Adams commented about the departing Mayor, Dennis Pilla and his accomplishments as being the Mayor.

Mayor Pilla spoke to the public about the passing of Trustee John Branca. Mayor Pilla commented that Trustee John Branca cared deeply about people and the Village of Port Chester. Mayor Pilla asked everyone to keep the family in their prayers. Mayor Pilla and the Board asked for a moment of silence on the passing of Trustee John Branca.

PRESENTATION

Dog Park

Ms. Dina Goren of the Port Chester Dog Park Group presented to the Board funding and location considerations for the proposed Dog Park. Mr. Jerry Terranova, Chairman & Park Commissioner commented about the proposed Dog Park and the correspondence that was given to the Board. The Board acknowledged Mr. Terranova's correspondence regarding the proposed Dog Park.

Add-on Resolution

Trustee Kenner made a motion to add-on the following resolution to set a public hearing to establish a Dog Park. The motion was seconded by Trustee Marino:

ROLL CALL

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

NOES:

ABSENT:

DATE: April 1, 2013

RESOLUTION SET PUBLIC HEARING TO ESTABLISH A DOG PARK

On motion of TRUSTEE, KENNER seconded by TRUSTEE, DIDDEN the

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

New York:

RESOLVED, that a public hearing is to be held on April 15, 2013 at 7:00 p.m. at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider establishing a Dog Park to be operated by the Village of Port Chester, New York, in Abendroth Park.

ROLL CALL

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

NOES:

ABSENT:

DATE: April 1, 2013

RESOLUTIONS

RESOLUTION AUTHORIZE EXECUTION OF STIPULATION WITH INTERVENOR IN UNITED STATES OF AMERICA VS. VILLAGE OF PORT CHESTER

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:

WHEREAS, on December 15, 2006, the United States of America commenced an action against the Village of Port Chester claiming that the at-large election of Village Trustees violated Section 2 of the Voting Rights Act; and

WHEREAS, by Memorandum and Order dated April 6, 2007, the court granted the application of Mr. Cesar Ruiz to intervene as a plaintiff in this matter; and

WHEREAS, since that date, the Plaintiff/Intervenor has participated throughout the proceedings; and

WHEREAS, in lieu of the expense and uncertain result of litigation, the Village and Plaintiff-Intervenor had entered into a stipulation as to the Plaintiff-Intervenor's entitlement of attorney's fees at an earlier stage of the matter; and

WHEREAS, with the conclusion of the 2013 Village Election, the attorneys for the Plaintiff-Intervenor and the Village have similarly negotiated an amount of such attorney's fees. Now, therefore, be it

RESOLVED that the Village's special counsel is hereby authorized to execute a stipulation with Randolph M. McLaughlin, Esq., C/O Newman Ferrara LLP, 1250 Broadway, 27th Floor, New York, New York 10001, attorney for the Intervenor, Cesar Ruiz, with regard to the Village's payment of attorney fees in the amount of \$6,000.00 for the 2013 Village Election.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES:

ABSENT:

DATE: April 1, 2013

**RESOLUTION
SET PUBLIC HEARING
VILLAGE TENTATIVE BUDGET FOR FY 2013-2014**

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 Village Manager has presented to the Board of Trustees the Tentative Budget prepared by the Budget Officers for the fiscal year June 1, 2013 through May 31, 2014 and desires to make provision for the adoption of said Budget in the manner prescribed by law.

Now, therefore, be it

RESOLVED, that a PUBLIC HEARING to consider said Budget shall be held by the Board of Trustees at the time and place specified in the notice herein after set forth; and be it further

RESOLVED, that said Tentative Budget remain open to the public inspection in the office of the Village Clerk until the holding of the public hearing hereinafter provided for; and be it further

RESOLVED, that the Village Clerk be and he hereby is directed to publish, in the manner prescribed by law, a notice of such PUBLIC HEARING, in substantially the following form:

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES:

ABSENT:

DATE: April 1, 2013

Add-on Resolution

Trustee Brakewood made a motion to add-on the following resolution authorizing the Village Clerk of the Village of Port Chester to certify a Home Rule request for the enactment of special state legislation allowing a pilot program relative to electronic bidding. The motion was seconded by Trustee Marino:

ROLL CALL

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

NOES:

ABSENT:

DATE April 1, 2013

RESOLUTION

AUTHORIZING THE VILLAGE CLERK OF THE VILLAGE OF PORT CHESTER TO CERTIFY A HOME RULE REQUEST FOR THE ENACTMENT OF SPECIAL STATE LEGISLATION TO ALLOW FOR A PILOT PROGRAM RELATIVE TO ELECTRONIC BIDDING

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

RESOLVED, that the Board of Trustees of the Village of Port Chester authorizes the Village Clerk to certify a Home Rule Request for enactment of Assembly Bill A.5307 and S. 2055 to allow for a pilot program for the Village of Port Chester and the City of New Rochelle relative to electronic bidding.

ROLL CALL

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

NOES:

ABSENT:

DATE April 1, 2013

CORRESPONDENCE

From Jerry Terranova, Chairman & Park Commissioners to approve the location for the Dog Park.

The Board acknowledged receipt of correspondence during the Dog Park presentation.

From Council of Community Services seeking co-sponsorship of the Village of Port Chester "Port Chester Fest."

The Board referred the correspondence to staff for their recommendation.

From Gene Ceccarelli resigning from the Waterfront Commission.

The Board acknowledged receipt of Mr. Ceccarelli's resignation.

MINUTES

Approval of the Board of Trustees minutes of March 18, 2013 and March 21, 2013.

On motion of Trustee Kenner, seconded by Trustee Didden, the minutes of March 18, 2013 and March 21, 2013 were adopted.

Roll Call

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

NOES:

ABSENT:

PUBLIC COMMENTS AND BOARD COMMENTS

Public:

Ms. Linda Turturino commented regarding Port Chester Fest.

Ms. Goldie Solomon also commented about Port Chester Fest.

Ms. Bell thanked Mayor Pilla and Trustee Didden on a job well done while serving on the Board and hopes the new Board will work together.

Ms. Bea Conetta commented about the passing of Sam Acerbo and John Branca. Ms. Conetta also commented about Starwood Capital and the former United Hospital property.

Mr. Giangrande commented about Bush Homestead.

Mr. Ceccarelli thanked the Board and staff and appreciated everything that they have done.

Mr. Ceccarelli commented that he is looking forward to working with the new Mayor, Board and staff. Mr. Ceccarelli thanked Mayor Dennis Pilla and Trustee Bart Didden and wished them both the best.

Mr. Abel commented about the March 2013 election. Mr. Abel commented that Trustee Didden and Mayor Pilla both served the village well and asked that the new Board do the village's work and be civil to each other.

Mayor Elect Neil Pagano thanked Mayor Pilla and the Board for their work and for ushering in the village at the point that it is today. Mayor Elect Neil Pagano commented that Dennis Pilla and Bart Didden have a love for the village and thanked Dennis Pilla for making the village a much better place than it was. Mayor Elect Pagano thanked Bart Didden and asked him to not

go away. Mayor Elect Neil Pagano also commented that he is looking forward to working with the new Board and the great professional staff.

Board:

Trustee Brakewood commented on the passing of Sam Acerbo and recognized all the hard work he had done for the village. Trustee Brakewood also commented on the passing of Trustee Branca and how dedicated he was to the Village of Port Chester. Trustee Brakewood recognized Trustee Bart Didden on all the work he has done on the Board. Trustee Brakewood thanked Mayor Pilla on all his accomplishments for the six years he has been on the Board. Trustee Brakewood commented about Starwood Capital and asked the Village Clerk to give the new Board all the information regarding the Starwood Capital proposal.

Trustee Terenzi thanked Mayor Pilla and Trustee Didden on their service for the Village of Port Chester.

Trustee Marino thanked everyone for their support for voting for him. Trustee Marino commented that he looking forward to working with the new Board. Trustee Marino thanked Mayor Pilla for his service and wished him good luck in the future. Trustee Marino also thanked Trustee Didden for his service and good luck in the future.

Trustee Kenner gave his condolences to the Branca family as well as the Acerbo family. Trustee Kenner commented that he appreciated Mayor Pilla's service and commitment to the village and thanked Trustee Didden for his service and commitment to the village as well.

Trustee Didden gave his condolences to the Acerbo family and Branca family. Trustee Didden thanked all of the dedicated village staff, Police, DPW, Fire Chiefs and volunteer Fire Fighters. Trustee Didden congratulated the new Board and thanked the residents of Port Chester. Trustee Didden thanked Mayor Dennis Pilla and commented that he felt privileged and enjoyed working with him.

Mayor Pilla gave his condolences to the Acerbo family and Branca family and asked to keep both families in prayer. Mayor Pilla thanked the residents for letting him serve as Mayor for six years. Mayor Pilla thanked the staff and wished Mayor Pagano, Trustee Adams and Trustee Ceccarelli on their success. Mayor Pilla wished Trustee Didden success and enjoyed working with him.

Mr. Steers thanked Mayor Pilla and the departing Board for their service and thanked them for letting him serve as the Village Manager for the last six months. Mr. Steers commented that this departing Board was the most engaged, intelligent and caring Board that he has ever worked with and he is sorry to see Trustee Didden go. Mr. Steers commented that he is looking forward to working with the new Board and Mr. Steers gave his condolences to the Branca family.

At 9:05 p.m., on motion of Trustee Kenner, seconded by Trustee Didden, the meeting session was closed.

Roll Call

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

NOES:

ABSENT:

Respectfully submitted,

Jacqueline Johnson
Deputy Village Clerk

**PUBLIC COMMENTS
AND
BOARD COMMENTS**

**PROPOSED MOTION
FOR
EXECUTIVE SESSION**