

**VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES  
Meeting, Monday, June 2, 2014  
PROPOSED EXECUTIVE/CLOSED SESSION 6:00-7:00 P.M.  
Regular Meeting: 7:00 P.M.  
VILLAGE JUSTICE COURTROOM  
350 North Main Street  
Port Chester, New York  
AGENDA**

**TIME: 6:00 P.M. to 6:30 P.M.**

	<b>MEETING OF THE BOARD OF TRUSTEES IN THEIR CAPACITY AS A BOARD OF POLICE COMMISSIONERS</b>	<b>ACTION</b>
1.	Board of Police Commissioners to meet with the Acting Chief of Police. <ul style="list-style-type: none"> <li>Recruitment update.</li> </ul>	

**TIME: 6:30 P.M.**

	<b>PROPOSED MOTION FOR EXECUTIVE SESSION</b>	<b>ACTION</b>
1	Consultation with Attorney Mark A. Chertok regarding Starwood/United Hospital.	
2	Consultation with Village Attorney regarding lease of space to the Town of Rye.	

**TIME: 7:00 P.M.**

<b>I</b>	<b>AWARD PRESENTATION</b>	<b>ACTION</b>
	<b>Port Chester Police Association Awards Ceremony</b>	
<b>II</b>	<b>WORK SESSION</b>	
	William J. Villanova - Zoning Commission Chairman.	
<b>III</b>	<b>PUBLIC COMMENTS</b>	<b>ACTION</b>
<b>IV</b>	<b>PRESENTATION</b>	<b>ACTION</b>
	Grant Work Group	
<b>V</b>	<b>RESOLUTIONS</b>	<b>ACTION</b>
	<b>Administration</b>	
1	Authorizing the Village Attorney to execute a Stipulation of Settlement in the matter of PC 406 BPR, LLC and PC High Street Corp. v. Village of Port Chester et al.	

2	Assume Lead Agency Status, issue positive declaration and set public scoping hearing under State Environmental Quality Review Act (SEQRA) with regard to the petition of PC 406 BPR, LLC and PC 999 High Street Corp.	
3	Authorizing execution of agreement and establishment of escrow account to facilitate compliance with the State Environmental Quality Review Act (SEQRA) with regard to the petition of PC 406 BPR, LLC and PC 999 High Street Corp.	
4	Authorizing release of a request for proposals to facilitate compliance with State Environmental Quality Review Act (SEQRA) with regard to the petition of PC 406 BPR, LLC and PC 999 High Street Corp.	
5	Requesting assistance from the County of Westchester due to impasse with regard to Community Development Block Grant program.	
6	Adjustment to Building Department and Code Enforcement Fees.	
	<b>Appointment(s)</b>	
7	Re-appointment of John Pauletti to the Traffic Commission with term expiring on 12-31-2016.	
8	Re-appointment of Andrew Matturro to the Traffic Commission with term expiring on 12-31-2014	
9	Re-appointment of Joe Gianfrancesco Jr. to the Traffic Commission and Chairman with term expiring on 12-31-2014	
10	Re-appointment of Concettina Thalheimer to the Park Commission with term expiring on 12-31-2017.	
11	Re-appointment of Heather Paul to the Park Commission with term expiring on 12-31-2017.	
12	Re-appointment of Jerry Terranova to the Park Commission and Chairman with term expiring on 12-31-2016.	
	<b>Finance</b>	
13	Standard Work Day for Elected & Appointed Officials	
	<b>Grant Work Group</b>	
14	Village to apply for grant funds to be used to develop the Port Chester Dog Park.	
15	Village of Port Chester seeking state funding to perform a historical preservation and programming feasibility study and design for the restoration of the Bush- Lyon Homestead in Lyon Park.	
16	Village of Port Chester seeking state funding to redevelop land to enhance public access and open recreation space in Edgewood Park.	
17	Village Of Port Chester seeking state funding to install recreational non-motorized watercraft launch on Byram River/Long Island Sound.	
18	Village of Port Chester seeking additional state funding to replace the Village Marina Bulkhead and facilitate economic development.	

19	Village of Port Chester seeking state funding from the Empire State Development Agency for a new Municipal Center.	
<b>VI</b>	<b>REPORT OF THE VILLAGE MANAGER</b>	<b>ACTION</b>
	Sewer Rent program update	
<b>VII</b>	<b>CORRESPONDENCE</b>	<b>ACTION</b>
1	From Ginger Corbia regarding membership on the Park Commission.	
2	From Charles A. Geraci regarding membership on the Traffic Commission.	
3	From Thomas Edison School PTO requesting the closure of Rectory Street in front of the school between Locust Avenue and Orchard Street on June 6, 2014 to celebrate Fun Day.	
4	John Reavis Resignation from Parks Commission	
5	From Bryan Diaz regarding consideration for the Board of Ethics position.	
6	From Corpus Christi Church regarding Banner Request for Carnival.	
7	From Donald Ray Hensley, Jr. regarding membership on the Port Chester Waterfront Commission.	
8	From Luigi Del Bianco regarding Memorial Reception Invitation.	
<b>VII</b>	<b>MINUTES</b>	
1	Minutes from May 19, 2014	
<b>IX</b>	<b>PUBLIC COMMENTS AND BOARD COMMENTS</b>	<b>ACTION</b>

**TIME:** \_\_\_\_\_

MEETING OF THE BOARD OF  
TRUSTEES IN THEIR CAPACITY AS A  
BOARD OF POLICE COMMISSIONERS

**PROPOSED MOTION  
FOR  
EXECUTIVE SESSION**

# **AWARD PRESENTATION**

## Awards Notice

Congratulations to the following officers and civilians on their awards:

### Exceptional Merit with Honor Bar

Martello Roman

### Certificate of Merit with Honor Bar

Kumano (2) A. Conetta(2) Munnelly (3) Sanchez(2) C. Krzeminski (4) Kliveros(2)  
Vaccaro Monroe Bykowski D. Conetta(2) Cammarota Savage Martello Ferraro  
Rivera Krempa Smith Rubin Ceccarelli Moore (Rye Brook PD)

### Life Saving Certificate with Honor Bar

Nieves Roman(2) J. Garcia(2) Kumano Cammarota (2) Nielsen Ferraro Ten  
Eyck Rivera DiMeglio Chalmers Krempa Bykowski A. Garcia Rattiner  
Bellantoni

### Honorable Mention

Baldo J. Garcia Rattiner (2) Salerno Munnelly(2) C. Krzeminski (2) DiMeglio  
Ceccarelli(2) Conway Sanchez D. Conetta Bellantoni

### Civilian

Roman Rodriguez Jay Merkel Brandon Hermoza Monica Santamaria  
Miguel Monoroy Hayyan Amro Gabriel Rojas

WORK SESSION

# **PUBLIC COMMENTS**

# **PRESENTATION**

# RESOLUTIONS



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Choose a Department**

**Village BOT Meeting Date:** June 2, 2014

**Item Type:** Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact		x	Public Hearing Required		x
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
			Business & Economic Development		
Agreement	x		<b>Manager Priorities</b>		
Strategic Plan Related	x		Choose a Manager Priority		

**Sponsor's Name:** Anthony Cerreto, Village Attorney

**Heading Title**  
*(Will appear as indicated below on Agenda)*

AUTHORIZING STIPULATION OF SETTLEMENT IN THE MATTER OF PC 406 BPR and  
 PC 999 HIGH STREET CORP v. VILLAGE OF PORT CHESTER, ET AL. WITH REGARD  
 TO THE REDEVELOPMENT OF THE FORMER SITE OF UNITED HOSPITAL AND 999  
 HIGH STREET

**Summary**

**Background:**

Special Counsel Mark Chertok has recommended the proposed agreement which is in the form of a court stipulation.

You recall that Starwood (PC 406 BPR, LLC and PC 999 High Street Corp) brought suit against the Village of Port Chester and Board of Trustees on various grounds challenging the Planned Mixed Use (PMU) zoning amendment adopted by the Board on

March 18, 2013.

In view of ongoing discussions, the parties agreed to adjourn the usual deadlines for the filing of court papers. Last month, the court called the parties in for a status conference. The court was advised that the Board of Trustees had most recently adopted a resolution that advanced an amended petition for zoning amendments for consideration and commence the SEQRA process. .

In short, the stipulation is essentially a "stand-still" agreement that would defer the litigation of the case pending the SEQRA review and determination of the amended petition. The claim involving the Board's review of the original petition is formally withdrawn and cannot be revived.

Mr. Chertok will be present to discuss the stipulation and answer any questions you may have. We have set aside a time for a closed session for that purpose.

The next court conference date is June 23<sup>rd</sup>.

<b>Proposed Action</b>
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That the Board of Trustees adopt the Resolution
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<b>Attachments</b>
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Stipulation of Settlement
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AUTHORIZING STIPULATION OF SETTLEMENT IN THE MATTER OF PC 406 BPR and  
PC 999 HIGH STREET CORP v. VILLAGE OF PORT CHESTER, ET AL. WITH REGARD  
TO THE REDEVELOPMENT OF THE FORMER SITE OF UNITED HOSPITAL AND 999  
HIGH 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, on or about July 16, 2013, PC 406 BPR. LLC and PC 999 High Street Corp. ("plaintiffs") brought suit against the Village of Port Chester in State Supreme Court, Westchester County, challenging on various grounds the zoning amendments adopted by the Board of Trustees on March 18, 2013 as affecting their properties located at 406 Boston Post Road and 999 High Street; and

WHEREAS, on April 23, 2014, Judge Sam Walker directed the parties to appear for a status conference wherein the court was advised by counsel that on April 21, 2014 the Board of Trustees had accepted for consideration a superseding application for zoning amendments so as to commence the environmental review process under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the parties desire to avoid the time and expense and accompanying distraction of litigating this matter pending the review of the new application which determination is ultimately entrusted to the discretion of the Board of Trustees. Now, therefore, be it

RESOLVED, that the Village Attorney is hereby authorized to enter into a Stipulation of Settlement in the matter of PC 406 BPR, LLC and PC 999 High Street Corp. in the form annexed.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

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In the Matter of the Application of,

PC 406 BPR, L.L.C. and PC 999 HIGH STREET CORP.,

Petitioners/Plaintiffs,

For a Judgment pursuant to Article 78 of the CPLR and  
for Declaratory Judgment Relief,

- against -

THE VILLAGE OF PORT CHESTER and  
THE BOARD OF TRUSTEES OF THE VILLAGE OF  
PORT CHESTER,

Respondents/Defendants.  
----- x

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:  
: Index No. 13-2851  
:  
Assigned Judge:  
: Hon. Sam D. Walker  
:  
:

**STIPULATION  
OF SETTLEMENT**

**WHEREAS**, on or about July 16, 2013, Petitioners/Plaintiffs (“Plaintiffs”) commenced this action against Respondents/Defendants (“Defendants”), challenging on various grounds the zoning amendments adopted by Defendants on March 18, 2013 (the “Rezoning”), insofar as the Rezoning affects Plaintiffs’ properties in the Village of Port Chester (the “Village”), which properties measure approximately 15.4 acres, and are located at 406 Boston Post Road and 999 High Street (the “Property”); and

**WHEREAS**, the Property consists of the former United Hospital site and the adjacent residential apartment building; and

**WHEREAS**, under the Rezoning, the Property was rezoned from a Two-Family Residential District to a Planned Mixed Use District; and

**WHEREAS**, prior to the date hereof, Plaintiffs discontinued the First Cause of Action in the Verified Petition and Complaint, without prejudice to reinstate said First Cause of Action in Plaintiffs’ sole discretion at any time upon written notice to Defendants and the Court, pursuant to a Stipulation between the Parties dated August 16, 2013 (the “2013 Stipulation”); and

**WHEREAS**, on or about May 18, 2012, prior to Defendants' adoption of the Rezoning, Plaintiffs submitted to the Village an Application to Amend Chapter 345 (Zoning) of the Village Code in connection with the Property (the "BPR Application"); and

**WHEREAS**, in this action, Plaintiffs also sought relief requiring Defendants to process the BPR Application in good faith; and

**WHEREAS**, following the filing of this action, the Parties conducted discussions regarding a potential further rezoning of the Property to facilitate the prospective redevelopment thereof; and

**WHEREAS**, in furtherance of those discussions, on or about April 16, 2014, Plaintiffs submitted an Amended Application to the Village seeking, among other things, (i) a text amendment to the Village Zoning Code to create a Southern Gateway Mixed Use Overlay District (the "Overlay District") and/or to modify the existing PMU District, and (ii) a modification to the Village's Official Zoning Map to apply the Overlay District to the Property (collectively, the "2014 Rezoning Petition"); and

**WHEREAS**, the 2014 Rezoning Petition, if granted, would allow the redevelopment of the Property as a mixed-use project, including multi-family residential, age restricted residential, hotel, retail, restaurants, and offices, together with associated parking and open space (the "Proposed Project"); and

**WHEREAS**, more specifically, the Proposed Project would include approximately 500 market residential units, 230 age restricted residential units, 90,000 square feet of retail space, 138-room hotel, and between 100,000 and 200,000 square feet of market-based office space geared towards accommodating wellness and out-patient medical uses; and

**WHEREAS**, on or about April 21, 2014, Defendant Board of Trustees of the Village of Port Chester (the "Village Board") commenced the formal rezoning and environmental review

processes of the 2014 Rezoning Petition, including, declaring its intent to act as Lead Agency under the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, in an effort to resolve the disputes and claims presented in this action, the Parties are entering into the Stipulation of Settlement.

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the Parties that:

1. Each of the Parties hereto has the power and the authority to enter into this Stipulation, and upon the full and final execution thereof by the Village Attorney pursuant to a duly adopted resolution of the Village Board, this Stipulation shall be submitted to the Hon. Sam D. Walker, Justice of the Supreme Court of the State of New York, Westchester County, for approval, and shall thereafter constitute an Order in this action.

2. In furtherance of the settlement of this action, the Village Board shall take all steps to process the 2014 Rezoning Petition diligently and in good faith, it being specifically understood and agreed by and between the Parties that a rezoning of the Property is subject to and conditioned upon the Village Board’s exercise of its legislative discretion, following compliance with SEQRA, Section 345-34 (Procedure for amendment) of the Village Code, and any other applicable laws.

3. All proceedings in this action are stayed. The stay will terminate upon whichever of the following occurs first:

- a. Fourteen (14) months from the date of the filing of the 2014 Rezoning Petition if the Village Board has failed to make a determination with regard to a rezoning of the Property;

- b. An Article 78 proceeding challenging a rezoning of the Property is commenced within four months after the Village Board determines (if it exercises its discretion to do so) to rezone the Property; or
- c. The Village Board denies a rezoning of the Property.

4. If the Village Board approves a rezoning of the Property and no Article 78 proceeding is filed within four months of the rezoning, this litigation shall be discontinued with prejudice and without costs, disbursements or attorneys' fees for any party, and the Parties shall promptly file a Stipulation of Discontinuance with such terms with the Court.

5. The Parties by mutual agreement and for reasonable cause may extend the time period set forth in Paragraph 3(a).

6. The Supreme Court of the State of New York, by the Hon. Sam D. Walker, shall continue to exercise jurisdiction over this action for the purposes of periodic review to determine the progress of the within settlement, and to specifically enforce those provisions of this Stipulation which are capable of specific enforcement to the extent permitted by law, and of making such other or further order or judgment as it finds appropriate under the circumstances at the time of such application by any Party.

7. In the event that the stay is terminated as set forth in paragraph 3 above or in the event that final discontinuance of this action shall not have occurred within eighteen (18) months from the date of the filing of the 2014 Rezoning Petition, or any later date as may be agreed upon in writing by the Parties, then Plaintiffs shall have the right to apply to the Hon. Sam D. Walker to continue this action, in which case a Preliminary Conference shall be held with the Court to schedule the next proceedings in this action.

8. The 2013 Stipulation referenced above shall remain in full force and effect, provided, however, that if Plaintiffs reinstate the First Cause of Action, it shall be stayed as provided in Paragraph 3, above.

9. Notwithstanding any other provisions of this Stipulation, Plaintiffs hereby discontinue, with prejudice, the Sixth Cause of Action in the Verified Petition and Complaint, relating to the Village's processing of the BPR Application, which has been superseded by the 2014 Rezoning Petition and any termination of the stay shall not cause a reinstatement of the Sixth Cause of Action.

10. This Stipulation may not be amended or modified without the written consent of the Parties, in which event an Amended Stipulation of Settlement shall be signed by the Parties.

11. This Stipulation may be executed in counterpart and facsimile copies shall be deemed originals.

Dated: White Plains, New York  
May \_\_, 2014

ZARIN & STEINMETZ  
Attorneys for Petitioners/Plaintiffs  
81 Main Street, Suite 415  
White Plains, New York 10601  
(914) 682-7800

By: \_\_\_\_\_  
BRAD K. SCHWARTZ

Dated: Port Chester, New York  
May \_\_, 2014

VILLAGE ATTORNEY  
Attorneys for Respondents/Defendants  
Village Hall  
222 Grace Church Street  
Port Chester, New York 10573  
(914) 939-5208

By: \_\_\_\_\_  
ANTHONY M. CERRETO

This Stipulation of Settlement is “So Ordered” at Supreme Court of the State of New York, Westchester County, on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Hon. Sam D. Walker, J.S.C.



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Choose a Department**

**Village BOT Meeting Date:** June 2 2014

**Item Type:** Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact		X	Public Hearing Required		x
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
			Business & Economic Development		
Agreement		x	<b>Manager Priorities</b>		
Strategic Plan Related	x		N/A		

**Sponsor's Name:** Anthony Cerreto, Village Attorney

**Heading Title**  
*(Will appear as indicated below on Agenda)*

ASSUME LEAD AGENCY STATUS, ISSUE POSITIVE DECLARATION AND SET PUBLIC SCOPING HEARING UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH REGARD TO THE PETITION OF PC 406 BPR, LLC and PC 999 HIGH STREET CORP.

**Summary**

**Background:**

On April 21, 2014 the Board adopted a resolution accepting the petition of PC 406 BPR, LLC and PC 999 High Street Corp. (the "Applicant") for consideration of proposed zoning amendments.

At that time, the Board noticed its intention to be lead agency to conduct the environmental review under the State Environmental Quality Review Act (SEQRA). The

SEQRA regulations provide that if more than 30 days has elapsed since notification or if there is no objection to such designation, the Board may act as lead agency.

This resolution confirms the Board's lead agency status, finds that the proposed action may result in one or more significant adverse environmental impacts and therefore issues a "positive declaration" requiring the preparation of an Environmental Impact Statement ("EIS"), and sets a public scoping hearing for Monday, June 23, 2014 at 7:00 p.m. at the Police Justice Court Courtroom.

As you recall, scoping, while not mandatory, is commonly utilized by lead agencies, and has been used by the Village, to serve as the road-map for the applicant to follow in preparing the EIS. The applicant has prepared a draft scope which will be the subject of discussion at the hearing. The Board and the public are encouraged to make comment with respect to the draft scope and refer to staff for the preparation of a Final Scoping Document.

<b>Proposed Action</b>
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That the Board of Trustees adopt the Resolution

<b>Attachments</b>
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Positive Declaration DEIS Scoping Outline
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**ASSUME LEAD AGENCY STATUS, ISSUE POSITIVE DECLARATION AND SET  
PUBLIC T SCOPING HEARING UNDER STATE ENVIRONMENTAL QUALITY  
REVIEW ACT (SEQRA) WITH REGARD TO THE PETITION OF PC406 BPR, LLC  
and PC 999 HIGH STREET CORP.**

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, on April 21, 2014, the Board of Trustees (herein referred to as “Board”) adopted a resolution accepting the petition of PC406 BPR, LLC and PC 999 High Street Corp. (together the “Applicant”) for consideration of proposed zoning text and map amendments to the Village Code, Chapter 345 relating to a proposed Southern Gateway Mixed Use Overlay District or, in the alternative, to a text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62, with respect to 406-408 Boston Post Road and 999 High Street (the “Subject Property”); and

WHEREAS, the Applicant seeks to develop the Subject Property for a mixed multi-family residential and commercial use development, consisting of 500 dwelling units designed to appeal to “Millennial” or young, childless working professionals, together with 230 age-restricted dwelling units, as well as 90,000 square feet of retail space, an approximately 138-room hotel and between 100,000 and 200,000 square feet of market-based office space geared towards accommodating wellness and out-patient medical uses (the proposed zoning amendments and development are, collectively, the “Proposed Action”); and

WHEREAS, the Board has found that the Proposed Action is a Type I Action pursuant to the State Environmental Quality Review Act and the regulations at 6 NYCRR Part 617 and has noticed its intent to serve as Lead Agency for the purposes of a coordinated review; and

WHEREAS, the Village Clerk forwarded a copy of such notice of intent, petition and supporting materials to all designated involved and interested agencies; and

WHEREAS, all involved agencies have advised that they do not object to the Board’s designation as lead agency or more than 30 days have elapsed since notification of the Board’s notice of intent; and

WHEREFORE, the Applicant has provided a draft scoping document for an Environmental Impact Statement (“EIS”), and thereby requested to prepare an EIS. Now, therefore, be it

RESOLVED, the Board of Trustees hereby accepts and assumes the responsibility to act as lead agency for the environmental review of the Proposed Action under SEQRA; and be it further

RESOLVED, that based upon the Board's review, the Board hereby determines that the Proposed Action may result in one or more significant adverse environmental impacts and, consistent with the request by the Applicant, issues a Positive Declaration in the form annexed hereto; and be it further

RESOLVED, that the Applicant shall prepare an EIS for review and that will aid in the decision-making process requiring the Board to weigh and balance relevant environmental impacts (including cumulative impacts) with social, economic and other essential considerations among the reasonable alternatives available; and be it further;

RESOLVED, that the Village Clerk is directed to notify all involved and interested agencies of the Board's Lead Agency Status, provide the Positive Declaration to all involved agencies and the Applicant, file the Positive Declaration with the Offices of the Clerk and Mayor of the Village of Port Chester, publish the Positive Declaration in the State Environmental Notice Bulletin ("ENB") in accordance with SEQRA regulations and take any other necessary actions in accordance with same; and be it further

RESOLVED, the Board schedules a public scoping hearing on the draft scoping document filed by the Applicant for June 23, 2014, at 7:00 p.m. at the Police Justice Court Courtroom, 350 North Main Street, 2<sup>nd</sup> Floor, Port Chester and directs the Village Clerk to cause the requisite public notice to be made.

Approved as to form:

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Anthony M. Cerreto, Village Attorney

State Environmental Quality Review  
**POSITIVE DECLARATION**  
Notice of Intent to Prepare a Draft EIS  
Determination of Significance

**Project Number** \_\_\_\_\_

**Date** \_\_\_\_\_

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The \_\_\_\_\_ as lead agency, has determined that the proposed action described below may have a significant impact on the environment and that a Draft Environmental Impact Statement will be prepared.

**Name of Action:**

**SEQR Status:** Type 1

Unlisted

**Scoping:** No  Yes  If yes, indicate how scoping will be conducted:

**Description of Action:**

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

**Reasons Supporting This Determination:**

**For Further Information:**

Contact Person:

Address:

Telephone Number:

**A copy of this notice must be sent to:**

Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of \_\_\_\_\_

Any person requesting a copy

All Involved agencies

Applicant (If any)

Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany, NY 12233-1750

LOCATION MAP – PROPOSED SITE FOR UNITED HOSPITAL SITE REDEVELOPMENT, PORT CHESTER NY 10573



**PREPARED BY APPLICANT PURSUANT TO  
6 NYCRR 617.8**

**DEIS Scoping Outline**  
United Hospital Redevelopment  
May 27, 2014

This document identifies the issues to be addressed in a Draft Environmental Impact Statement ("DEIS") for the proposed Port Chester Gateway Mixed Use Development. Accordingly, this Scoping Document addresses the items identified in paragraphs (f)(1) through (7) of Section 617.8 of the State Environmental Quality Review Act ("SEQRA") Regulations.

**DESCRIPTION OF THE PROPOSED ACTION:**

The Proposed Action is a Zoning Text Amendment/Map Change to accommodate the redevelopment of the former United Hospital site (the "Site") in the Village of Port Chester, NY replacing a complex of approximately 600,000± square feet of abandoned hospital and ancillary buildings with a new mixed use project, including a combination of multi-family residential, age restricted residential, hotel, retail and office uses, as well as onsite parking facilities and open space. The Site's location, near the intersection of the 1-287 and 1-95 corridors, with frontage on Boston Post Road (US Route 1) and proximate to mass transportation, is well-positioned to serve as a gateway to the Village of Port Chester. The Proposed Action is sometimes referred to in this Scope as the "Project."

The Site consists of three tax parcels totaling approximately 15.4 acres, identified on the Village Tax Maps as Section 141.052, Block 1, Lots 2, 2.4 and 2.1, with street addresses of 406 Boston Post Road and 999 High Street, respectively. The existing Site currently consists of multiple abandoned buildings with related parking areas connected by an interior roadway system, totaling approximately ten acres of impervious surface area. The hospital has been inoperative since 2005. The current zoning is Planned Mixed Use ("PMU").

In addition to including mixed-use buildings throughout the Site, encompassing multi-family residential, age-restricted residential, hotel, office space with retail at street level below the other uses, the Project will provide parking via a combination of structured parking facilities located under the buildings as well as at grade, surface parking areas. This mixed use project will be anchored by significant public spaces and will provide pedestrian access throughout the site and from Boston Post Road to Abendroth Park.

**GENERAL GUIDELINES:**

The analyses of the Project shall be performed for the expected first year of full occupancy and operation and, if necessary, for an earlier time frame if significant adverse impacts would be expected to occur at such earlier time.

The DEIS shall cover all items in this Scoping Document. Each impact area shall be analyzed in a separate subsection that includes a discussion of existing conditions, future conditions without the Proposed Action, future conditions with the Proposed Action, and mitigation measures designed to minimize any identified and potential adverse environmental impacts. There shall be a separate chapter to analyze alternatives that would achieve the basic objectives of the Proposed Action, as well as the No Action Alternative.

**PREPARED BY APPLICANT PURSUANT TO  
6 NYCRR 617.8**

Narrative discussions should be accompanied by appropriate tables, charts, graphs, and figures whenever possible. If a particular subject can be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the Site should include adjacent properties (if appropriate), neighboring uses and structures, roads, and water bodies, as appropriate.

Information should be presented in a manner which can be readily understood by the public. Efforts should be made to avoid the use of technical jargon. Discussions of mitigation measures should include an explanation of how those measures would be implemented, any potential environmental impacts of such implementation, the costs and the time frame associated with such implementation, and the entity that would be responsible for implementing and paying for the mitigation. The discussion should indicate any proposed improvements that have been incorporated into the Proposed Action. The document and any appendices or technical reports should be written in the third person (i.e., the terms "we" and "our" should not be used). The Applicant's conclusions and opinions, if given, should be identified as those of "the Applicant." All methods used by the Applicant to arrive at conclusions should be stated. Any assumptions incorporated into assessments of impact should be clearly identified.

**ENVIRONMENTAL IMPACT STATEMENT CONTENT**

Introductory Material - Cover Sheet that includes:

- A. Title (i.e., Draft Environmental Impact Statement)
- B. Identification of the Proposed Action, including name and Location
- C. Identification of the Village Board of the Village of Port Chester as the Lead Agency for the Project
- D. The following contact information:
- E. Janusz Richards  
Village Clerk  
222 Grace Church St.  
Port Chester, NY 10573  
[Jrichards@portchesterny.com](mailto:Jrichards@portchesterny.com)
- F. (914) 939-2200
- G. Date submitted and any revision dates
- H. Date of acceptance of the DEIS
- I. Deadline by which comments on the DEIS are due
- J. Name and address of Sponsor of Proposed Action, and the name, address and email address for a contact person representing the Sponsor
- K. The name and address of the primary preparer(s) of the DEIS and a list of consultants involved with the Project for the Applicant
- L. List of Consultant involved with the Project for the Village
- M. Table of Contents
- N. List of Exhibits
- O. List of Tables
- P. List of Appendices

**I. Executive Summary**

The summary should provide the reader with a clear and cogent understanding of the

**PREPARED BY APPLICANT PURSUANT TO  
6 NYCRR 617.8**

information found elsewhere in the main body of the DEIS and should be organized as follows:

- A. Brief but complete description of the Proposed Action, including Site history and background leading to the proposed development and anticipated build year.
- B. Potentially Significant Adverse Impacts identified in the Positive Declaration.
- C. Reasons for Modifying Project/Proposed Action.
- D. Listing of required approvals and permits.
- E. List of Involved and Interested Agencies (including neighboring municipalities).
- F. Brief Description of Anticipated Impacts and Proposed Mitigation Measures.
- G. Brief Description of Alternatives to the Proposed Action.
- H. Table comparing impacts of the Proposed Action with the various alternatives.

**II. Description of Proposed Action**

- A. Project Location (including appropriate descriptive graphics).
- B. Project Sponsor (including experience and objectives).
- C. Description of Site's existing character.
- D. Inventory of existing structures on the Site, including identification of buildings to be removed.
- E. Description of surrounding land use, in narrative and graphic form, including hospital operations and use and operation of 999 High Street
- F. Project description, including building locations, square footages, arrangements, dimensions, height, general character, architecture, number and type of dwelling units, compliance with affordable housing requirements, commercial/retail areas, common areas, recreational spaces and amenities (including public access and ownership and maintenance, if applicable), access, off-street parking and traffic circulation, site infrastructure, internal traffic circulation, internal pedestrian circulation, streetscape enhancements and associated site improvements, lighting, description of views from and to Site, connection to surrounding neighborhoods and relationship to public transit, including Metro North train stations.
- G. General description of utilities and stormwater management.
- H. Description of the proposed Southern Gateway Mixed Use Overlay Zone and alternative PMU (Planned Mixed Use) zoning amendment.
- I. Construction scheduling, including any phasing and description of project construction, including site preparation (demolition, erosion and sedimentation controls and earthwork).
- J. Purpose, need and benefits of the Proposed Action.

**III. Required Permits and Approvals, Involved and Interested Agencies**

- A. Listing of all Village, County, State and federal permits and approvals that may be required to implement the Project.
- B. Listing of all Involved Agencies.
- C. Listing of all Interested Agencies (including neighboring municipalities).

**IV. Existing Environmental Conditions, Anticipated Impacts and Proposed Mitigation**

For the specific issues identified in this Scope, the DEIS should provide a topic-

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by-topic analysis of existing environmental conditions, future conditions without the Project, potential impacts of the Project, and potential measures to mitigate adverse environmental impacts. Where applicable, a description of the conditions associated with the former United Hospital should also be included. Where relevant, cumulative impacts should be discussed, including both on-Site and off-Site impacts. The identification of potential mitigation measures in this Scope is illustrative only and not intended to be all-inclusive or specifically required. Where mitigation is identified, the DEIS should discuss any adverse impacts associated with and approvals required for any such measures and identify the entity responsible for implementing any such improvements and the funding therefor.

**A. Land Use and Zoning**

1. Existing Conditions
  - a. Include maps and narrative describing generalized land use patterns and neighborhood character in the Village of Port Chester, City of Rye and Village of Rye Brook and more specifically for a primary land use study area within a quarter mile of the Project site.
  - b. Describe the existing zoning districts generally, and within a quarter mile of the Project site.
  - c. Identify any existing use of the Site by the Sponsor and/or neighboring properties and/or residents (e.g., for parking).
  - d. Describe development trends and approval activity in the area.
  - e. Discuss consistency with Land Use Plans and Policies; including:
    - i. Village of Port Chester existing Comprehensive Plan;
    - ii. Patterns for Westchester;
    - iii. Westchester 2025; and
    - iv. Third Regional Plan for New York-New Jersey-Connecticut Metropolitan Area.
2. Anticipated Impacts
  - a. Identify the relationship of the proposed development to overall land use patterns within the study area, and to adjacent properties, including impacts on neighborhood character (e.g., from visual perspective, traffic), and discuss the proposed Project's compliance or non-compliance with local land use regulations and its relationship to local, County and regional Plans.
  - b. Describe how the proposed Southern Gateway Mixed Use Overlay Zone and alternative PMU (Planned Mixed Use) zoning amendment integrates with the existing Village zoning hierarchy and the Project's compliance with existing zoning and the Village's PMU SEQRA Findings Statement.
  - c. Address elimination of any use of the Site by neighboring properties and/or residents (e.g., parking).
  - d. Address potential for commercial and retail components of the proposed Project to affect key retail stores/anchors stores in the vicinity of the site and to cause a change in community character.

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- e. Evaluate proposed site plan and/or special permit application for the redevelopment of the Site as part of the rezoning application SEQRA review.
- 3. Proposed Mitigation Measures (as applicable)

**B. Visual Resources**

- 1. Existing Conditions
  - a. Document the visual character of the Site and the immediately surrounding area through photographs, cross sections and narrative.
- 2. Anticipated Impacts
  - a. Identify views to and from the proposed development from surrounding roads and properties, including Abendroth Park and the residential areas to the north, approaching the site from both Rye and Port Chester on Boston Post Road, from the Kohl's Shopping Center, from the west along High Street and from 1-287. Specific views to the proposed development should include the following locations:
    - i. Abendroth Park;
    - ii. Grandview Avenue and Grant Street as part of the residential neighborhood to the north
    - iii. US Route 1/Olivia Street looking back towards the site;
    - iv. Kohl's Shopping Center;
    - v. US Route 1 in the City of Rye looking back towards the site on the south side of US 1 in the vicinity of the Rye Country Day School field entrance;
    - vi. Grandview and High Street.
  - b. Describe impacts on the overall aesthetic quality and character of the surrounding area.
  - c. Describe the relationship of the proposed Gateway development to the surrounding community, including the Project height, general character, bulk and scale in relation to the surrounding area.
  - d. Utilize photographs, cross sections and elevations of the proposed development and/or photo simulations will be utilized as appropriate to describe the resulting visual impact (i.e., before and after conditions), including a comparison of views of the existing buildings to views of the proposed Project and images of typical proposed project buildings. This assessment should include consideration of rooftop facilities, such as antennae, etc.
- 3. Proposed Mitigation Measures (as applicable)

**C. Stormwater Management**

- 1. Existing Conditions
  - a. Including a description of local drainage patterns and their relationship to the Site. Stormwater flow peak rates of runoff would be provided for 1-, 2-, 10-, 25-, 50- and 100-year storm events as required by Village and NYSDEC Phase II regulations.
- 2. Anticipated Impacts
  - a. Describe proposed drainage and stormwater management facilities.
  - b. Discuss compliance with Village of Port Chester MS4 stormwater

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- requirements.
  - c. Compare projected impervious surface coverage with existing coverage conditions and any anticipated changes in runoff conditions.
3. Proposed Mitigation Measures (as applicable)
- a. Describe proposed stormwater management system and implementation of Best Management Practices based on NYSDEC Phase H regulation, including methods to maintain and enhance water quality standards and peak runoff rates.

**D. Utilities**

1. Water Supply
- a. Existing Conditions
    - i. Include a description of existing water lines within study area and water system capacities.
    - ii. Include usage under previous hospital use.
    - iii. Include flow tests.
  - b. Anticipated Impacts
    - i. Describe proposed water mains, including pipe-sizing, location, and routing.
    - ii. Identify proposed connection points to the existing systems.
    - iii. Identify potential impacts of construction on infrastructure, including during peak usage periods.
    - iv. Compare projected water use with previous hospital use to demand during anticipated peak usage periods.
    - v. Discuss sufficiency of water resources for domestic and commercial use, as well as fire fighting purposes as well.
  - c. Proposed Mitigation Measures (as applicable)
    - i. Use of water saving devices and other water conservation techniques.
    - ii. Evaluate storage and system looping.
2. Sanitary Sewage
- a. Existing Conditions
    - i. Include a description of existing sanitary sewer lines servicing the development, including capacity and pipe location.
    - ii. Include estimated sewage flows under previous hospital use.
    - iii. Discussion of capacities of Port Chester Sewage Treatment Plant.
  - b. Anticipated Impacts
    - i. Analysis of proposed development's sewage generation and compare with sewage generated by previous hospital use.
    - ii. Description of proposed sewage system.
    - iii. Identify proposed connection points to existing systems.
    - iv. Discuss sufficiency of treatment capacity.
    - v. Discuss any effects on sanitary sewer line capacity.

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- c. Proposed Mitigation Measures (as applicable)
  - i. Provide details of improvements and projections for proposed future demand in the area in addition to the Project.

- 3. Gas, Electrical, Cable, Telephone & Telecom
  - a. Existing Conditions
  - b. Anticipated Impacts
  - c. Proposed Mitigation Measures (as applicable)

**E. Traffic and Transportation**

- 1. Existing Conditions
  - a. Inventory existing road conditions in the site vicinity, including access, street and lane width, number of lanes, posted speed limits, types of roadways, parking and traffic controls.
  - b. Describe the study area.
  - c. Determine existing traffic volumes in the weekday AM, PM and Saturday peak hours by conducting manual traffic movement surveys at three locations and using the previous traffic counts or using other comparable available data and determine existing levels of service for each of the study intersections following procedures from the 2000 Highway Capacity Manual (latest edition of computer program). The study intersections are as follows:
    - i. Site Access and High Street;
    - ii. US Route 1 (Boston Post Road) and Slater Street;
    - iii. US Route 1 (Boston Post Road) and Pearl Street;
    - iv. US Route 1 (Boston Post Road) and South Regent Street;
    - v. US Route 1 (Boston Post Road) and Kohl's Shopping Center Driveway/Proposed Site Driveway;
    - vi. US Route 1 (Boston Post Road) and High Street;
    - vii. US Route 1 (Boston Post Road) and 1287 Westbound On-ramp/I-95 Northbound Off-ramp;
    - viii. US Route 1 (Boston Post Road) and 1-287 Eastbound Off-ramp/I-95 Southbound On-ramp;
    - ix. US Route 1 (Boston Post Road) and Hillside Road;
    - x. Ridge Street and High Street;
    - xi. High Street and Grandview Avenue;

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- xii. High Street and Evergreen Avenue;
  - xiii. U.S. Route I (Boston Post Road) and Cedar Street;
  - xiv. U.S. Route I (Boston Post Road) and Peck Avenue;
  - xv. Peck Avenue and Midland Avenue;
  - xvi. Hillside Avenue and Purchase Street;
  - xvii. Hillside Avenue and Grandview Avenue; and
  - xviii. US Route 1 (Boston Post Road) and Grace Church/South Main Street.
- d. Explain the basis for the selection of peak hours (including an explanation of the need, if any, for including a Sunday peak hour analysis).
  - e. Describe existing off-street and on-street parking resources.
  - f. Compare traffic generated by the proposed Project to traffic generated by previous hospital use.
    - i. Explain the basis of the previous hospital use.
  - g. Explain the basis of the previous hospital use.
  - h. Describe existing public and private transit options in the site vicinity.
  - i. Provide accident data from NYSDOT and Port Chester Police Department.
  - j. Document school bus traffic.
  - k. Document truck traffic, particularly 1-95 by-pass traffic.
  - l. Document pedestrian patterns
2. No-Build Analysis
- a. Compare, balance and increase traffic counts to reflect normal growth in the Project study area, and any proposed/approved material developments in the vicinity of the Project that would generate traffic at the intersections identified in E.1.c above, to constitute the No-Build traffic volume.
  - b. Include future truck traffic as applicable.
3. Anticipated Impacts
- a. Estimate traffic generation from the residential and commercial portion of Project as well as proposed parking demand. The combination of new traffic coupled with the No-Build traffic will result in the design year Build traffic volumes.
  - b. Provide distribution of Project-generated traffic and explanation therefor.
  - c. Perform detailed capacity analysis to establish levels of service under Existing, No-Build and Build conditions for the AM, PM and Saturday peak hour periods (and a Sunday peak hour analysis if needed) at each study intersection, using the same Highway Capacity Manual methodology.
  - d. Conduct a parking demand analysis.
  - e. Assess adequacy of future sight distance conditions at proposed Site driveways and discuss type of traffic controls to be employed at each driveway location.
  - f. Analyze anticipated truck activity, including loading and staging activities.
  - g. Discuss pedestrian conditions.
4. Proposed Mitigation Measures (as applicable)
- a. Recommend traffic improvements if mitigation is required. These would include but not be limited to standard engineering measures, such as signalization changes, striping, etc.
  - b. Describe any changes to Post Road/Site Access/Kohl's Shopping Center intersection.

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- c. Consider a shuttle bus services to a nearby train station.
- d. Consider shared parking to reduce parking demand.
- e. Consider need for traffic control measures.

**F. Socio-Economic, Community Facilities and Services**

- 1. Demographics
  - a. Existing and No-Build Conditions
    - i. Discuss existing Village population and housing trends and other demographic characteristics (including as relevant neighboring areas), including income and ethnicity. Supplement 2000 census data with additional source materials where available.
  - b. Anticipated Impacts
    - i. Describe projected population at the proposed Project, including potential number of schoolchildren, public and private.
  - c. Proposed Mitigation Measures (as applicable)
- 1. Schools
  - a. Existing and No-Build Conditions
    - i. Provide overall description of schools and enrollment in the Port Chester School District and expected increase or decrease in enrollment.
  - b. Analyze anticipated impacts related to projected increase in enrollment utilizing standard and accepted schoolchildren generation formulas, as well as actual data from comparable projects in the region.
    - ii. Consider applicability of different schoolchildren generation rates for different types of housing
  - c. Proposed Mitigation Measures (as applicable)
- 3. Police, Fire, Ambulance and Other Emergency Services
  - a. Existing and No-Build Conditions
    - i. Describe police department location, staffing and operations.
    - ii. Describe fire department location, staffing and operations.
    - iii. Describe ambulance service location, staffing and operations.
    - iv. Describe hospitals and similar health service facilities, locations, staffing and operations.
    - v. Describe other emergency services
    - vi. Describe relevant mutual aid agreements
  - b. Anticipated Impacts
    - i. Describe impact on calls to service and ability of each provider to handle.
    - ii. Demonstrate adequate water supply/pressure for fire protection purposes.
    - iii. Describe any impacts on mutual aid agreements
  - c. Proposed Mitigation Measures (as applicable)
- 4. Solid Waste
  - a. Existing and No-Build Conditions

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- i. Describe current garbage collection and recycling disposal services.
  - b. Anticipated Impacts
    - i. Explain responsibilities for garbage collection and recycling following redevelopment.
  - c. Proposed Mitigation Measures (as applicable)
- 5. Energy
  - a. Existing and No-Build Conditions
    - i. Describe of energy use of existing site.
  - b. Anticipated Impacts
    - i. Project energy demand for proposed action.
    - ii. Analyze direct and indirect greenhouse gas emissions from both stationary and mobile sources.
  - c. Proposed Mitigation Measures (as applicable)
- 6. Fiscal Impacts
  - a. Existing and No-Build Conditions
    - i. Describe existing tax generation from the site for all affected tax districts.
  - b. Anticipated Impacts
    - i. Provide anticipated tax generation by the Project for all affected taxing districts during construction and upon Project completion.
    - ii. Discuss effects of any governmental subsidies associated with the proposed Project.
    - iii. Describe potential impacts of the proposed Project on the nearby commercial areas, stores and businesses, as well as the local economy.
  - c. Proposed Mitigation Measures (as applicable)
- 7. Employment
  - a. Existing and No-Build Conditions
    - i. Describe existing business activity and employment.
  - b. Anticipated Impacts
    - i. Describe Project generated employment, retail, office and residential.
    - ii. Estimate construction period employment and employment upon Project completion.
  - c. Proposed Mitigation Measures (as applicable)
- 8. Workforce (Affordable) Housing
  - a. Existing and No-Build Conditions
    - i. Describe workforce housing issues in central Westchester County and the Village of Port Chester.
    - ii. Describe historical Village-wide efforts to provide workforce housing, including participation in HUD, Mitchell-Lama and Westchester County Urban County Consortium programs.
  - b. Anticipated Impacts
    - i. Describe compliance with Village workforce housing provisions.
    - ii. Analyze the implications of Proposed Action on Westchester County affordable housing policy.

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- c. Proposed Mitigation Measures (as applicable)
  - i. Consider inclusion of affordable units in the proposed Project or
  - ii. units outside of the Project
  - iii. Consider provision of replacement housing
  
- 9. Recreation
  - a. Existing and No-Build Conditions
    - i. Describe recreational opportunities in the Project area.
  - b. Anticipated Impacts
    - i. Discuss impacts from both residential and commercial site uses, including any impacts from Project operations on the adjacent playground area.
  - c. Proposed Mitigation Measures (as applicable)
  
- 10. Libraries
  - a. Existing and No-Build Conditions
    - i. Provide overall description of libraries and usage and expected increase or decrease in usage.
  - b. Anticipated impacts
    - i. Analyze anticipated impacts related to any projected increase in usage.
  - c. Proposed Mitigation Measures (as applicable) i. Consider on-site facilities.

**G. Natural Resources**

- 1. Existing and No-Build Conditions
  - a. Describe topography, soil conditions, surficial geology and ecological communities or significant habitat areas, if any.
  - b. Conduct Phase 1 Environmental Assessment.
  
- 2. Anticipated Impacts
  - a. Identify and quantify soil and vegetation disturbance and slope impacts.
  - b. Identify amount of impervious surface creation.
  - c. Describe require earthwork.
  - d. Describe construction methods.
  - e. Describe any hazardous materials issues.
  
- 3. Proposed Mitigation Measures (as applicable)
  - a. Describe proposed soil erosion and sediment control plan.
  - b. Describe landscaping plan.

**H. Historic Resources**

- 1. Existing Conditions
  - a. Conduct and describe results of Stage 1A literature review and archaeology sensitivity assessment. Include any sites in the area that are listed or eligible for listing on the State or National Register of historic Places.
  
- 2. Anticipated Impacts
  - a. Discuss potential impacts on historic or archaeological resources.
  
- 3. Proposed Mitigation Measures (as applicable)

**I. Air Resources**

- 1. Existing and No-Build Conditions

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- a. Assess air quality using the latest ambient air quality monitoring data available from the New York State Department of Environmental Conservation-operated monitors closest to the Site and provide a comparison to the applicable National Ambient Air Quality Standards.
2. Anticipated impacts
  - a. Assess short-term impacts during construction, long-term parking, vehicle traffic, Project stationary sources, etc., by conducting an air quality analysis for the traffic conditions as required under the criteria set forth in the New York State Department of Transportation Environmental Procedures Manual, Chapter 1.1, Air Quality (January 2001, as updated).
3. Proposed Mitigation Measures (as applicable)

**J. Noise**

1. Existing and No-Build Conditions
  - a. Measure existing ambient noise levels at key receptors in the vicinity of the Site, including the closest residential areas outside the Site. The receptors at which ambient levels will be monitored are:
    - i. Inwood Avenue;
    - ii. Touraine Avenue (West);
    - iii. Touraine Avenue (East);
    - iv. Abendroth Park (two views);
    - v. South Regent Street;
    - vi. Port Chester Nursing Home and Rehabilitation Centre; and
    - vii. Cope Circle.
  - b. Identify local noise code.
2. Anticipated Impacts
  - a. Describe short-term impacts during construction, long-term from site use, HVAC equipment, etc.
  - b. Compare project- and construction-generated noise levels to local noise code.
  - c. Based on the anticipated traffic to be generated by the Project, perform a screening analysis of the receptor locations and at the intersections studied in the traffic analysis closest to such receptors to determine if additional detailed noise studies are warranted. The analysis will include an evaluation increases in noise due to increases in traffic from No-Build to Build conditions. The potential for noise impacts will be assessed utilizing the NYSDEC "DEC Policy DEP-001: Assessing and Mitigating Noise Impacts." If impacts are considered to be potentially significant, a more detailed assessment shall be conducted.
3. Proposed Mitigation Measures (as applicable)

**K. Building Demolition and Construction**

1. Anticipated Impacts
  - a. Provide construction phasing plan
  - b. Describe building demolition and site clearance activities.
  - c. Describe construction activities including the need, if any, for blasting.
  - d. Identify short-term impacts related to issues such as parking (including construction-related parking and the temporary displacement of on-Site parking), vehicular and truck traffic, air quality, noise, vermin on-site and migration off-site during construction, etc.
  - e. Discuss any impacts to Abendroth Park and other sensitive receptors.
  - f. Describe site security measures.

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- g. Identify any impacts from blasting.
- 2. Proposed Mitigation (as applicable)
  - a Describe construction management plans and best management practices to be employed.
  - b Describe mitigation measures to be employed during demolition, including site clearance protocol.
  - c Describe measures to minimize construction-related impacts to air quality, such as fugitive dust control, controls on diesel emissions, prohibition of idling trucks.
  - d Describe measures to reduce noise during construction.
  - e Provide blasting plan.

**V. Alternatives**

- A. No Action Alternative.
- B. Redevelopment under existing zoning.
- C. Redevelopment of the property as hospital use.
- D. Alternative redevelopment proposals, including different mix of uses (i.e., Conference Center).
- E. Alternative site plan proposals, including different building footprints.
- F. Alternative site access proposals.
- G. Reduced parking alternative.
- H. Redevelopment of United Hospital site without renovations or changes to 999 High Street parcel as part of the proposal.
- I. Evaluation of potential impacts (limited to traffic/transportation, fiscal and school impacts) related to applying the proposed Southern Gateway Mixed Use Overlay Zone to the neighboring Kohl's Shopping Center Site, located off of Boston Post Road and more commonly known as the "Kohl's Parcel." Evaluations of the Kohl's Parcel would be prepared based on conceptual level planning for site redevelopment.

**VI. Significant Adverse Impacts that Cannot be Avoided**

- A. Long-Term
- B. Short-Term

**VII. Growth Inducement**

**VIII. Commitment of Resources; Effects on Energy**

**IX. Sources and Bibliography**

**X. Technical Appendix**

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- A. SEQRA Documentation
- B. Correspondence
- C. Engineering and Environmental Reports



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Choose a Department**

**Village BOT Meeting Date:** June 2 2014

**Item Type:** Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact		X	Public Hearing Required		x
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
			Business & Economic Development		
Agreement	x		<b>Manager Priorities</b>		
Strategic Plan Related	x		N/A		

**Sponsor's Name:** Anthony Cerreto, Village Attorney

**Heading Title**  
*(Will appear as indicated below on Agenda)*

AUTHORIZING EXECUTION OF AGREEMENT AND ESTABLISHMENT OF ESCROW ACCOUNT TO FACILITATE COMPLIANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH REGARD TO THE PETITION OF PC406 BPR, LLC AND PC 999 HIGH STREET CORP.

**Summary**

**Background:**

On April 21, 2014 the Board adopted a resolution accepting the petition of PC 406 BPR, LLC and PC 999 High Street Corp. (the "Applicant") for consideration of proposed zoning amendments.

With the Board's lead agency status confirmed, the SEQRA process will begin in earnest.

The Village is authorized, both under the SEQRA regulations and the Village Code, to retain specialized consultants to assist the Board in its review of this matter, particularly with regard to the Environmental Impact Statement that will be prepared by the Applicant. The expense of such expert review is a charge that is assumed by the applicant.

The resolution authorizes the execution of an agreement with regard to the payment of professional fees by the Applicant which has been reviewed by Special Counsel. .

<b>Proposed Action</b>
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That the Board of Trustees adopt the Resolution

<b>Attachments</b>
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Agreement
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**AUTHORIZING EXECUTION OF AGREEMENT AND ESTABLISHMENT OF  
ESCROW ACCOUNT TO FACILITATE COMPLIANCE WITH THE STATE  
ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH REGARD TO THE  
PETITION OF PC 406 BPR, LLC AND PC 999 HIGH STREET CORP.**

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, on April 21, 2014, the Board of Trustees (herein referred to as “Board”) adopted a resolution accepting the petition of PC406 BPR, LLC and PC 999 High Street Corp. (together the “Applicant”) for consideration of proposed zoning text and map amendments to the Village Code, Chapter 345, relating to a proposed Southern Gateway Mixed Use Overlay District or, in the alternative, to a text amendment modifying Article XI of the existing Zoning Regulation, Section 345-6 (the “Subject Property”); and

WHEREAS, the Applicant seeks to develop 406-408 Boston Post Road and 999 High Street for a mixed multi-family residential and commercial use development, consisting of 500 dwelling units designed to appeal to “Millennial” or young childless working professionals, together with 230 age-restricted dwelling units, as well as 90,000 square feet of retail space, an approximately 138-room hotel and between 100,000 and 200,000 square feet of market-based office space geared towards accommodating wellness and out-patient medical uses (the proposed zoning amendments and development are, collectively, the “Proposed Action”); and

WHEREAS, the Board has found that the Proposed Action is a Type I Action pursuant to the State Environmental Quality Review Act (“SEQRA”) and the regulations at 6 NYCRR Part 617 and noticed its intent to serve as Lead Agency for the purposes of a coordinated review; and

WHEREAS, the Applicant submitted with its petition a draft scoping document, thereby requesting the preparation of an Environmental Impact Statement (“EIS”); and

WHEREAS, on June 2, 2014, the Board adopted a resolution assuming the responsibility to act as lead agency for the environmental review of the Proposed Action under SEQRA and determined that the Proposed Action may result in a significant adverse environmental impact and therefore issued a Positive Declaration; and

WHEREAS, the applicant was directed to prepare an EIS for review and that will aid in the decision-making process requiring the Board to weigh and balance relevant

environmental impacts (including cumulative impacts) with social, economic and other essential considerations among the reasonable alternatives available; and

WHEREAS, the Village has on existing retainer the law firm, Sive, Paget & Reisel, New York, New York, specialized legal counsel to address the complex land use and SEQRA issues involved with the proposed action and will require the retention of additional specialized consultants to assist and advise it with regard to same; and

WHEREAS, pursuant to the Village Code and the SEQRA regulations, the applicant is required to assume the cost of such consultants; and

WHEREAS, an agreement between the applicant and the Village with respect to same has been prepared and reviewed by Special Counsel. Now, therefore, be it

RESOLVED, that the Village Manager be and hereby is authorized to release a Request for Proposals (“RFP”) in the form annexed to solicit planning consultant services with regard to the Petition of 406 BPR LLC and PC 999 High Street Corp. in connection with the SEQRA review of the Proposed Action; and be it further

RESOLVED, that the Village Treasurer is hereby authorized to establish the requisite escrow account in this matter.

Approved as to form:

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Anthony M. Cerreto, Village Attorney

## AGREEMENT

This Agreement, made this \_\_\_\_ day of June, 2014, by and between the Village of Port Chester, a municipal corporation organized and existing under the laws of the State of New York, with offices at 222 Grace Church Street, Port Chester, New York 10573 (hereafter the "Village") and PC 406 BPR, LLC and PC 999 High Street Corp., corporations incorporated under the laws of the State of New York, with office at 591 Putnam Avenue, Greenwich, Connecticut 06830 (hereinafter the "Applicant").

## WITNESSETH

WHEREAS, PC 406 BPR. L.L.C. and 999 High St/reet Corp. (the "Applicant") has submitted an application (the "Application") to the Village of Port Chester (the "Village") for a text amendment to Village Zoning regulations and modifications of the Village Official Zoning Map or, in the alternative, if the Board of Trustees does not adopt the conceptual Overlay District, a text amendment to the Village Zoning Regulations that modifies Article XI Planned Mixed Use District (Section 345-62) for the proposed redevelopment of the property located at 406-408 Boston Post Road and 999 High Street (Section 141.052, Block 1, Lots 2 and 2.4 and Section 141.52, Block 1, Lot 2.1, respectively) (collectively, the "Site") for a mixed-use development including multi-family residential (market rate and age-restricted), retail, a hotel, office space (geared toward wellness and out-patient medical care), open space and enhanced connection to Abendroth Park (the "Proposed Action"); and

WHEREAS, the aforesaid Application supersedes the prior application by the Applicant, dated May 18, 2012, for certain text amendments to Village Zoning Regulations and modifications to the Village Official Zoning Map; and

WHEREAS, the Proposed Action is subject to review in accordance with the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Applicant submitted an Environmental Assessment Form pursuant to SEQRA with the Application and a proposed Scoping Outline for a Draft Environmental Impact Statement ("EIS"), thereby determining that the Proposed Action may have one or more significant adverse effects on the environment and requesting that an EIS be prepared; and

WHEREAS, on April 21, 2014, the Village Board of Trustees accepted the Applicant's Application for the Proposed Action for consideration and adopted a resolution declaring its notice of intent to act as lead agency for the SEQRA process for the Proposed Action; and

WHEREAS, the Village Zoning Regulations (Section 345-100) provide that applicants for land use approvals in the Village shall reimburse the Village for the reasonable

expenses of consultants (e.g., engineers, planners and attorneys) that have been retained by the Village to assist and advise it with respect to such applications; and

WHEREAS, the regulations promulgated pursuant to SEQRA provide in 6 NYCRR § 617.13 that a lead agency may charge an applicant to recover the actual costs involved in the review and/or preparation of SEQRA documents, including the retention of consultants to assist and advise the Village with regard to environmental review of proposed actions; and

WHEREAS, the Village has retained specialized legal counsel to address the complex SEQRA issues involved with the Proposed Action, and will retain additional specialized consultants to assist and advise it with regard to the Proposed Action. The billing rates for legal counsel shall be consistent with that firm's standard rates for municipalities in Westchester County; the rates for consultants shall be the consulting firm's standard rates for municipalities in Westchester County.

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements contained herein, the parties agree as follows:

1. The Applicant agrees that it shall reimburse the Village for the actual costs and expenses of consultants retained by the Village to assist and advise it with regard to the Proposed Action, including, but not limited to, (a) the Application for text amendments to Village Zoning Regulations and modifications of the Village Official Zoning Map and, in the alternative, a text amendment to the Village Zoning Regulations that modifies Article XI Planned Mixed Use District (Section 345-62); (b) other applications related to the Proposed Action before the Board of Trustees and Village Boards and Commissioners other than the Board of Trustees, (c) the Scoping Outline of the Draft EIS, (d) the Draft EIS, (e) the Final EIS, and (f) SEQRA Findings Statement. The costs and expenses shall include out-of-pocket expenses for such matters as photocopying, scanning, travel, messenger services, long distance telephone calls and similar expenses.
2. The Applicant shall provide a retainer of \$25,000 to the Village to be held in escrow and applied towards the payment of consultation and professional services rendered in conjunction with the Proposed Action.
3. The Applicant understands and agrees that additional funds will be required to pay for additional professional consultation services. The Village shall from time to time provide written notice to the Applicant of a requirement to replenish the escrow account based on the anticipated work to be performed by the Village's professional consultants.
4. If the Applicant does not replenish the escrow account within ten (10) calendar days after it is notified in writing of the requirement of an additional deposit, the

reviewing Board or entity reserves the right to suspend further review of the Proposed Action until such time as the escrow account has been satisfactorily replenished. Until such replenishment, the Applicant agrees that the reviewing Board or entity shall not be required to comply with any time periods imposed by applicable law and agrees to any waiver of such time period if such waiver is required as a matter of law; any such time periods shall begin to accrue again at such time as the escrow account has been satisfactorily replenished.

5. The Applicant understands that neither the Village nor any employee of the Village can advise it, in advance, of what the total consulting fees might be.
6. The Village Treasurer shall maintain a separate accounting of all said escrow fund transactions and shall provide the Applicant with a monthly statement identifying any expenses incurred with regard to the Proposed Action and whether the expenses incurred were for environmental or other land use review, indicating the professional services rendered, who performed such services, the hourly rate and the amount of time expended.
7. Any funds remaining in the escrow fund after all requirements of SEQRA have been met and the time a final decision is issued by the Village with respect of the Proposed Action will be returned to the Applicant.
8. In the event that an application relating to the Proposed Action is required to be reviewed by both the Village Board and the Village Planning Commission or any other Village entity, to the extent applicable, both the Village Board and the Planning Commission (or such other Village entity) shall use the same consultants, who shall in such case prepare one (1) report providing the data, information and/or recommendations requested. In all instances, duplications of consultants' reports shall be avoided wherever practicable in order to minimize the cost of such reports to the Applicant.
9. The Applicant understands and agrees that payments of said escrow account fees are in addition to, and not in place of, other fee schedules currently in force, if any.
10. This Agreement shall not be construed as consent to fees other than those provided for herein, and is without prejudice to the Applicant's right to challenge the reasonableness of any such fee. In the event of a dispute, the procedure set forth in 6 NYCRR § 617.13(f) shall be followed.
11. The Applicant's obligations created pursuant to this Agreement can be assigned by the Applicant, upon prior notice to the Village, to any person or entity which shall be involved in the development of the Site.

12. The parties may seek to enforce this Agreement through litigation, including the Village's right to enforce this Agreement should the Applicant fail to satisfy its obligations hereunder. Any such proceeding or action shall be brought in the Supreme Court of the State of New York, County of Westchester. The laws of the State of New York shall govern.
13. To the extent this Agreement relates to the Proposed Action, it is contingent upon the Village being designated as lead agency for the SEQRA process for such Action.
14. This Agreement may be signed in counterparts and each such counterpart shall be deemed to be an original Agreement.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

Village of Port Chester

PC406 BPR L.L.C/999 HIGH STREET CORP.

By: \_\_\_\_\_  
[Name]

By: \_\_\_\_\_  
[Name]

Title: \_\_\_\_\_

Title: \_\_\_\_\_



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Choose a Department**

Village BOT Meeting Date: June 2, 2014

Item Type: Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact		x	Public Hearing Required		x
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
			Business & Economic Development		
Agreement	x		<b>Manager Priorities</b>		
Strategic Plan Related	x		N/A		

**Sponsor's Name:** Anthony Cerreto, Village Attorney

Item Type: Resolution	<b>Heading Title</b> <i>(Will appear as indicated below on Agenda)</i>
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AUTHORIZING RELEASE OF A REQUEST FOR PROPOSALS TO FACILITATE COMPLIANCE WITH STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH REGARD TO ACCEPTANCE OF THE PETITION OF PC 406 BPR, LLC AND PC 999 HIGH STREET CORP.

**Background:**

On April 21, 2014 the Board adopted a resolution accepting the petition of PC 406 BPR, LLC and PC 999 High Street Corp. (the "Applicant") for consideration of proposed zoning amendments.

With the Board's lead agency status confirmed, the SEQRA process will begin in earnest.

The Village is authorized, both under the SEQRA regulations and the Village Code, to retain specialized consultants to assist the Board in its review of this matter, particularly

with regard to the Environmental Impact Statement that will be prepared by the Applicant. The expense of such expert review is a charge that is assumed by the applicant.

The resolution authorizes the release of the Request for Proposals to secure planning consulting services in a competitive process seeking experts to compliment a professional team of Dolph Rotfeld, who will review infrastructure issues, and Bernard Adler, the Village's consulting traffic engineer, who will review parking and traffic issues. Mark Chertok , special environmental counsel has been on retainer since the original petition.

Key village staff (Manager, Attorney and Planning Director) will be responsible for coordinating and managing the selected consultant team on the Village's behalf.

The Planning Department has prepared the RFP which has been reviewed and approved as to form.

<b>Proposed Action</b>
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That the Board of Trustees adopt the Resolution

<b>Attachments</b>
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Request for Proposals (RFP)
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**AUTHORIZING RELEASE OF A REQUEST FOR PROPOSALS TO FACILITATE  
COMPLIANCE WITH STATE ENVIRONMENTAL QUALITY REVIEW ACT  
(SEQRA) WITH REGARD TO THE PETITION OF PC406 BPR, LLC and PC 999  
HIGH STREET CORP.**

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, on April 21, 2014, the Board of Trustees (herein referred to as “Board”) adopted a resolution accepting the petition of PC406 BPR, LLC and PC 999 High Street Corp. (together the “Applicant”) for consideration of proposed zoning text and map amendments to the Village Code, Chapter 345, relating to a proposed Southern Gateway Mixed Use Overlay District or, in the alternative, to a text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62 (the “Subject Property”); and

WHEREAS, the Applicant seeks to develop 406-408 Boston Post Road and 999 High Street for a mixed multi-family residential and commercial use development, consisting of 500 dwelling units designed to appeal to “Millennial” or young childless working professionals, together with 230 age-restricted dwelling units, as well as 90,000 square feet of retail space, an approximately 138-room hotel and between 100,000 and 200,000 square feet of market-based office space geared towards accommodating wellness and out-patient medical uses (the proposed zoning amendments and development are, collectively, the (“Proposed Action”) and

WHEREAS, the Board has found that the proposed action is a Type I Action pursuant to the State Environmental Quality Review Act (“SEQRA”) and the regulations at 6 NYCRR Part 617 and noticed its intent to serve as Lead Agency for the purposes of a coordinated review; and

WHEREAS, the Applicant submitted with its petition a draft scoping document, thereby requesting the preparation of an Environmental Impact Statement (“EIS”); and

WHEREAS, on June 2, 2014, the Board adopted a resolution accepting and assuming the responsibility to act as lead agency for the environmental review of the Proposed Action under SEQRA and determined that the Proposed Action may result in a significant adverse environmental impact and therefore issued a Positive Declaration; and

WHEREAS, the applicant was directed to prepare an EIS for review and that will aid in the decision-making process requiring the Board to weigh and balance relevant

environmental impacts (including cumulative impacts) with social, economic and other essential considerations among the reasonable alternatives available; and

WHEREAS, the Village has on existing retainer the law firm, Siv, Paget & Reisel, New York, New York, specialized legal counsel to address the complex land use and SEQRA issues involved with the proposed action and will require the retention of additional specialized consultants to assist and advise it with regard to same; and

WHEREAS, pursuant to the Village Code and the SEQRA regulations, the applicant is required to assume the cost of such consultants; and

WHEREAS, the Board has adopted a resolution authorizing an agreement with regard to reimbursement of such fees through the establishment of an escrow account with the Village; and

WHEREAS, a Request for Proposals (“RFP”) has been prepared by the Village’s Village Director of Planning and Development and approved as to form by the Village Attorney for presentment to the Board that would solicit sealed proposals for planning consultant services in this regard; and

WHEREAS, the selected planning consultant will complement a professional team of Dolph Rotfeld, who will review infrastructure issues, and Bernard Adler, the Village’s consulting traffic engineer, who will review parking and traffic issues; and

WHEREAS, key village staff (Village Manager, Village Attorney and Planning Director will be responsible for coordinating and managing the selected consultant team on the Village’s behalf. Now, therefore, be it

RESOLVED, that the Village Manager be and hereby is authorized to release a Request for Proposals (“RFP”) in the form annexed to solicit planning consultant services with regard to the Petition of 406 BPR LLC and PC 999 High Street Corp. in connection with the SEQRA review of the Proposed Action.

Approved as to form:

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Anthony M. Cerreto, Village Attorney

**Village of Port Chester  
Westchester County, New York**

**REQUEST FOR PROPOSALS**

**TO FACILITATE COMPLIANCE WITH STATE ENVIRONMENTAL QUALITY REVIEW  
ACT (SEQRA) WITH REGARD TO THE PETITION OF PC406 BPR, LLC and PC 999  
HIGH STREET CORP.**

The Village of Port Chester (the “Village”) in Westchester County, New York, is issuing this Request for Proposals (“RFP”) to provide land use, planning, environmental consulting and engineering Services as described below to review the application by 406 BPR LLC (c/o Starwood Capital Management) (the “Applicant”) for consideration of proposed zoning text and map amendments to the Village Code, Chapter 345 relating to a proposed Southern Gateway Mixed Use Overlay District or, in the alternative, to a text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62.

The Applicant seeks to develop 406-408 Boston Post Road and 999 High Street (the “Subject Property”) for a mixed multi-family residential and commercial use development, consisting of 500 dwelling units designed to appeal to “Millennial” or young, childless working professionals, together with 230 age-restricted dwelling units, as well as 90,000 square feet of retail space, an approximately 138-room hotel and between 100,000 and 200,000 square feet of market-based office space geared towards accommodating wellness and out-patient medical uses

The Village Board of Trustees, which is designated as lead agency for the proposed redevelopment pursuant to the State Environmental Quality Review Act (“SEQRA”), has determined that an Environmental Impact Statement (“EIS”) shall be prepared. The Applicant has submitted a draft Scoping Outline that will be the subject of a public scoping session and comments. The proposed scope, the proposed Master Plan for the site and other relevant documents pertaining to the proposal are available on the Village’s web site ([http://www.portchesterny.com/Pages/PortChesterNY\\_Starwoodsite/starwood](http://www.portchesterny.com/Pages/PortChesterNY_Starwoodsite/starwood)). Note that the scope of services does not include any analysis of engineering and traffic impacts which will be conducted by existing Village consultants.

The overall scope of work is expected to include completion of the following tasks; these tasks would be performed within the particular area(s) of expertise for which a responder is selected:

- A. Attendance at an initial meeting with Village representatives and the Applicant and its representatives.
- B. Review of the application for zoning text amendments and zoning map changes and site plan submitted by the Applicant.
- C. Review of the preliminary Draft EIS that will be prepared by the Applicant (and its consultants) and the preparation of comments thereon, and review of and comments on any iterative versions of the preliminary Draft EIS that may be prepared (which

should include the proposed amendments to the Zoning Code), and advisement of the Village with respect to the adequacy and completeness of the Draft EIS.

- D. Attendance at meeting(s), as warranted, with Village representatives (including environmental counsel) and/or the Applicant and its representatives with respect to the contents of the preliminary Draft EIS.
- E. Attendance at the public hearing on the Draft EIS.
- F. Attendance at the public hearing on the proposed amendments to the Zoning Code and Site rezoning (if held separately from the public hearing on the Draft EIS).
- G. Review of public comments on the Draft EIS and proposed amendments to the Zoning Code.
- H. Review of the preliminary Final EIS that will be prepared by the Applicant (and its consultants) and the preparation of comments thereon, and review of and comments on any iterative versions of the preliminary Final EIS that may be prepared, and advisement of the Village with respect to the adequacy and completeness of the Final EIS.
- I. Preparation, with the Village's environmental counsel, of a proposed SEQRA Findings Statement and revision(s) to such Statement as warranted.
- J. Preparation of the final zoning text and map amendments based on, and as warranted by, the SEQRA Findings Statement.
- K. Review of Applicant's application for Site Plan approval and for any other Village approvals pursuant to the Village Code, as amended, based on, and as warranted by the SEQRA Findings Statement.
- L. Attendance at meetings of the Village Board or other Village agencies as warranted during the review of the proposed redevelopment.

Based on the information available to date to the Village, at least the following particular areas of expertise are required to provide the services described above:

- Visual resources/aesthetics
- Historic, cultural and archeological resources
- Soil geology and natural resources
- Socio-economics, community facilities and services (including fiscal impacts and affordable housing)
- Air Quality
- Noise
- Construction Impacts

All respondents are required to indicate their qualifications to perform and complete some or all of the requested work and their past experience working with the appropriate Federal, State and Local agencies and/or private parties as it pertains to their submission pertaining to this proposal. The use of subconsultants to cover certain technical areas is acceptable, but these subconsultants must be identified in the submission made in response to this RFP. In addition, respondents may join with other entities to provide some or all of the services described above. An explanation of the roles and responsibilities of each entity should be addressed in the proposed scope of work. The Village is not obligated to accept each entity involved in such submissions.

All proposals shall include:

1. Qualifications and recent projects (past 5 years).
2. Committed Staff Resumes with fee structure (hourly rates for 2014 and any standard annual increases) for work for municipalities.
3. Three references on similar types of projects, including scope of work and the name of the responsible project manager within the client organization.
4. Current status report of any and all litigation during the past three (3) years.
5. A statement describing any potential conflict of interest or appearance of impropriety, relating to the Applicant, which could be created by providing services to the Village.
6. If the respondent has ever had a prior contract with any governmental entity terminated for any reason, provide an explanation.

Proposals will be evaluated based on company and staff and/or individual qualifications relevant to the particular proposal, ability to staff a project from a local or regional office, understanding of the level of effort based on past experience and fee structure. Proposal evaluations will heavily consider a respondent's ability to optimize work plan production, work performance and reporting. Respondents will also be evaluated on their company's ability to complete requested work expeditiously without the need to retain outside support (other than that identified in the response).

**Respondents are not authorized to contact any Village or Port Chester agencies or the Applicant to discuss this solicitation.**

This RFP and any contract or agreements resulting herein are subject to all applicable Federal, State and local laws, rules, regulations and executive orders. The Village reserves the right to solicit multiple or additional RFPs based on the review and evaluation of received responses. The Village shall not be liable for any costs incurred by any respondent in the preparation, submittal, presentation or revision of its submission; the Village shall not be obligated to pay and shall not pay any costs in connection with the preparation of such submissions. All submissions shall become the property of the Village and shall not be returned. The Village at its sole discretion reserves, without limitation, the right to: (1) withdraw the RFP at any time; (2) discuss

various approaches with one or more respondents; (3) defer a determination with respect to some or all of the submissions for up to six (6) months; or (4) change any terms of the RFP.

**Please submit 10 hard copies of the proposal and one in digital PDF format on CD by mail by August 1, 2014, 4:00 PM EST to:**

Christopher D. Steers  
Village Manager  
Village of Port Chester  
222 Grace Church Street  
Port Chester, New York 10573  
csteers@portchesterny.com

Responses shall be submitted by the designated deadline. Responses may be withdrawn prior to the opening date and time, upon written request of the respective firm(s). If it becomes necessary to revise any part of this RFP, or if additional data or information is necessary to clarify any of its provisions, an addendum will be provided.

**Any questions pertaining to this RFP shall be directed to Mary Anne Veltri by e-mail (mveltri@portchesterny.com) before noon on July 23, 2014.** No telephone or conference call discussions will be conducted without prior arrangement.

All proposals should meet the criteria outlined in this RFP; those that do not may be considered invalid and denied prior to a complete review. The Village reserves the right to reject any or all submittals in response to this RFP and to award the proposal in the best interests of the Village.

## **Interviews**

An interview with the finalists may be required. Key personnel and staff that would be assigned to the project must be present at the interview. The Village reserves the right to interview some, none or all of the respondents, as it deems appropriate.

## **Project Management**

The Village considers project management to be an important responsibility and requires an experienced person to be named as Project Manager for the respondent. The Village assumes that the contractor will provide the following updates as the project progresses:

1. Billing Breakdown by Task:
  - a. Current Billing
  - b. Total Billings to Date
  - c. Remaining Balance
  - d. Percent Complete Task and Budget (as appropriate)

## 2. Tasks Completed

All invoicing by the selected contractor(s) should be kept up to date. All invoices will be processed by the Village in accordance with the approved Professional Services Contract.

### **SECTION 2: GENERAL REQUIREMENTS**

#### **Labor Laws**

The awarded firm will be required to comply with all applicable laws, including but not limited to labor laws, prevailing wage rates and workers compensation.

#### **Liability Requirements**

The selected consultant shall supply and maintain insurance which indemnifies and holds harmless the Village of Port Chester, its officers, employees and agents from and against any and all liability, damages, claims, demands, costs, judgments, fees, attorney's fees or loss to the extent caused by negligent acts, errors or omissions by the consultant or by a third party under the direction or control of the consultant or third party under the direction or control of the consultant in an amount not less than \$1,000,000.

Certificates of insurance must be submitted to the Village Attorney and/or the Attorney for the Village of Port Chester for approval prior to the signing of the professional services agreement.

Other required insurances that must be furnished prior to commencement of work:

Workers Compensation	Statutory Requirements
New York State Disability Coverage	Statutory Requirements
General Liability/Property Damage	\$2,000,000 combined single limit
Automobile Liability	\$2,000,000 per occurrence

Insurance certificates shall name the Village of Port Chester as an Insured Party and shall be primary over any insurance held by the Village.

#### **New York Law and Venue**

This contract shall be construed under the laws of the State of New York. All claims, actions, proceedings, and lawsuits brought in connection with, arising out of, related to, or seeking enforcement of this contract shall be brought in the Supreme Court of the State of New York, Westchester County. In addition, Village of Port Chester contractors which are not incorporated in the State of New York shall produce a Certificate to Do Business in the State of New York from the New York Secretary of State prior to executing their contract with the IDA.

#### **Proprietary Information**

The New York State Freedom of Information Law, Public Officers Law, Article 6, provides for public access to information. Public Officers Law, Section 87(d)(2) provides for exceptions to disclosure for records or portions thereof that are ‘trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise’. Information that the proposer wishes to have treated as proprietary and confidential trade information should be identified and labeled “Confidential” or “Proprietary” on each page at the time of submittal. This information should include a written request to excerpt it from disclosure, including a written statement of the reasons why the information should be excerpted.

### **Evaluation & Right to Reject Proposals**

The primary criteria to be considered in evaluating the proposals will be:

- The completeness, clarity, and accuracy of the information requested.
- The expertise of the staff committed to work with the Village.
- The depth of the firm’s relevant experience.
- The competitiveness and cost efficacy of the proposal.

The Village of Port Chester reserves the right to interview some, none or all of the respondents, as it deems appropriate.

This RFP does not commit the Village of Port Chester to award a contract, pay any cost incurred in the preparation of a proposal in response to this RFP or to procure or contract for services. The Village intends to award a contract on the basis of the best interest and advantage and reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with all qualified proposers or to cancel this RFP in part or in its entirety, if it is in the best interest of the Village of Port Chester to do so.

This RFP and any contract or agreements resulting herein are subject to all applicable Federal, State and local laws, rules, regulations and executive orders.

### **Cancellation Clauses**

Any violation of the terms, conditions, requirements and/or non-performance of the agreement resulting from this RFP shall result in immediate cancellation. The agreement may be cancelled by the Village of Port Chester for any other reason(s) upon 30 days written notice.

## INSURANCE REQUIREMENTS

A. Notwithstanding any terms, conditions or provisions in any other writing between the parties, the consultant hereby agrees to effectuate the naming of the Village as an unrestricted additional insured on the contractor's insurance policies, with the exception of workers' compensation and professional liability. If the policy is written on a "claims-made" basis, the retroactive date must precede the date of the contract.

B. The policy naming the Village, its Mayor and Trustees, employees, agents and representatives as an additional insured shall:

1. Be written by an A.M. Best rated "secured" New York State licensed insurer.
2. Contain a 30-day notice of cancellation.
3. State that the organization's coverage shall be primary coverage for the Village, its Mayor and Trustees, employees, and volunteers.
4. The Village shall be listed as an additional insured by using **endorsement CG 2026** or broader. The certificate must state that this endorsement is being used. If another endorsement is used, a copy shall be included with the certificate of insurance.

C. The consultant agrees to indemnify the Village for any applicable deductibles. Commercial General Liability Insurance

\$1,000,000 per occurrence/ \$2,000,000 aggregate.

### Automobile Liability

\$1,000,000 combined single limit for owned, hired, and borrowed and non-owned vehicles.

Workers' Compensation and NYS Disability (Applicable if consultant is part of a company with more than one employee).

Statutory Workers' Compensation, Employers' Liability and N.Y.S. Disability Benefits Insurance for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable.

### Professional Services Insurance

\$1,000,000 per occurrence/ \$2,000,000 aggregate for the professional acts of the consultant performed under the contract for the Village. If written on a "claims made" basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for two years following the completion of work.

D. The insurance producer must indicate whether or not they are an agent for the companies providing the coverage.

E. The consultant acknowledges that failure to obtain such insurance on behalf of the Village constitutes a material breach of contract. The consultant is to provide the Village with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the Village to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the Village.

F. The Village is a member/owner of the NY Schools Insurance Reciprocal (NYSIR). The consultant further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the Village but also the NYSIR, as the Village's insurer.



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Office of the Village Attorney**

**Village BOT Meeting Date:**

June 3, 2014

**Item Type:** Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact	x		Public Hearing Required		x
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
			Business & Economic Development		
Agreement		x	<b>Manager Priorities</b>		
Strategic Plan Related	x		Choose a Manager Priority		

**Sponsor's Name:** Select Sponsor's Name.

**Heading Title**  
*(Will appear as indicated below on Agenda)*

REQUESTING ASSISTANCE FROM THE COUNTY OF WESTCHESTER DUE TO IMPASSE WITH REGARD TO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

**Summary**

**Background:**

As a participant of the Westchester Urban County Consortium, the Village of Port Chester has historically received the highest level of Community Development Block Grant (CDBG) funding of any member municipality. The program is administered by the County Department of Planning.

The U.S. Department of Housing and Urban Development (HUD) and Westchester County have been at an impasse. As a result, the Village of Port Chester, and other

communities in need, have been denied previously allocated CDBG funding and no further funding has been since awarded for the past several years.

In correspondence from the County Executive's office, the County Executive has determined that the County should forgo further participation in the CDBG program and announced a Community Housing Infrastructure Program (CHIIP) that would provide \$5 million in grants over five years for municipalities like Port Chester which unjustly lost CDBG funding. The CHIIP program requires approval from the County Board of Legislators to be implemented.

The resolution addresses both points in the County Executive's correspondence in demonstrating support for Village residents with regard to community development and authorizes the Mayor to act on the Board's behalf.

<b>Proposed Action</b>
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That the Board of Trustees adopt the Resolution

<b>Attachments</b>
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Letter from Deputy County Executive, Kevin J. Plunkett, dated May 9, 2014 Description of Community Housing Infrastructure Investment Program (CHIIP) Low/Moderate Income Percentages (non CDBG) Municipalities.
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**REQUESTING ASSISTANCE FROM THE COUNTY OF WESTCHESTER DUE  
TO CONTINUED IMPASSE WITH REGARD TO COMMUNITY  
DEVELOPMENT BLOCK GRANT PROGRAM**

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

WHEREAS, as a member of the Westchester Urban County Consortium (Consortium), the Village of Port Chester participates in the Community Development Block Grant (CDBG) program administered by the Westchester County Department of Planning; and

WHEREAS, through the Consortium, the Village has historically been the largest recipient of CDBG grants in Westchester County; and

WHEREAS, the United States Department of Housing and Urban Development (HUD) and Westchester County are currently at an impasse arising out of the County's implementation of the affordable housing settlement in the matter of *United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc., v. Westchester County, New York*; and

WHEREAS, as a result of this impasse, communities in need, such as the Village of Port Chester, not-for-profits, and local social services agencies aiding low and moderate income residents in the Village have been denied previously allocated CDBG funding and no further funding has since been awarded; and

WHEREAS, as far back as 2011, the Urban County Council in Westchester County ("Council") which includes representatives from each of the municipalities in the Consortium, requested that HUD resolve the impasse in an expeditious manner, all to no avail; and

WHEREAS, for 2011 through 2013, the Village of Port Chester, not-for-profits, and local social service agencies were awarded \$1,673,750.00 in CDBG funds to the Don Bosco Community Center, the Open Door Family Medical Center, the Village of Port Chester, the Village of Port Chester Housing Authority, and the Clay Arts Center for vital social service programs and municipal infrastructure projects related to homeless prevention; sidewalk, sewer, and streetscape improvements; and youth development, but these funds have yet to be released, and

WHEREAS, in correspondence from the Deputy County Executive dated May 9, 2014, the County Executive has determined that the County should forego participating in

a new qualification period for future CDBG funding and that the Village would be eligible to apply to New York State for participation in the Small Cities CDBG program; and

WHEREAS, such correspondence also stated that the County Executive had proposed the introduction of a Community Housing Infrastructure Program (CHIIP) consisting of a five-year, \$5 million program that would assist those municipalities with the highest percentage of low to moderate income populations that unjustly lost CDBG funding; and

WHEREAS, based on population requirements, the Village is, in fact, not eligible to participate in the Small Cities program; and

WHEREAS, the action of the County Board of Legislators is required to fund same and such approval is far from assured; and

WHEREAS, at a meeting on May 28, 2014, the Urban County Council adopted a resolution requesting that the County Executive timely make application for future CDBG funding in the next funding cycle; and

WHEREAS, the Village of Port Chester, which has done more than its fair share in providing fair housing, has been negatively impacted by the continued impasse. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby supports whatever effort that will provide assistance to the residents of the Village of Port Chester with regard to community development; and be it further

RESOLVED, to that end, the Board authorizes the Mayor to forward correspondence, together with a copy of this resolution, making request on the County of Westchester as follows:

0 That the County Executive timely make application in the CDBG program so as to participate in the next qualification period so as to provide the opportunity for funding to be restored to the Village and local agencies; and

0 That County Legislator, David Gelfarb, support and lead his counterparts on the County Board of Legislators in approving the requisite funding for the proposed CHIIP program so as to provide some recompense to the Village for the loss of CDBG funding.

Approved as to Form:

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Village Attorney  
Anthony Cerreto



R-5-B1

Robert P. Astorino  
County Executive

Kevin J. Plunkett  
Deputy County Executive

May 9, 2014

**VIA Email**

Hon. Neil Pagano, Mayor  
Village of Port Chester  
222 Grace Church Street  
Port Chester, New York 10573

Re: *Westchester Urban County Consortium Participation*

Dear Mayor Pagano,

Paragraph 12 of the Westchester Urban County Consortium Cooperation Agreements that were executed in 2005 and were renewed in 2008 and 2011 states:

This Agreement will be automatically renewed for participation in successive three year qualification periods, **unless the County or the Municipality provides written notice that it elects not to participate in a new qualification period.** (*emphasis added*)

Please be advised that the County Executive has determined that the County should forego participating in a new qualification period. The existing agreements will keep the Consortium in effect until April 30, 2015. After this date, your municipality will be eligible to apply to New York State for participation in the Small Cities CDBG program.

In addition, on May 1, 2014 the County Executive proposed the introduction of a Westchester County Community Housing Infrastructure Investment Program (CHIIP) to assist those municipalities with the highest concentration of low to moderate income populations that have unjustly lost HUD funding for various projects that were to be funded by CDBG money. Funding for CHIIP is proposed to be incorporated into the County's 2014 Capital Budget with a total of \$5 million to be budgeted for 2014. Please contact the Commissioner of Planning Edward Buroughs at (914) 995-4402 to follow-up on the CHIIP process.

Very truly yours,

Kevin J. Plunkett  
Deputy County Executive

cc: Hon. Robert Astorino, County Executive  
George Oros, Chief of Staff  
Edward Buroughs, Commissioner of Planning

**BPL31 Community Housing Infrastructure Investment Program (CHIIP)**

**FIVE YEAR CAPITAL PROGRAM (in thousands)**

	Estimated							
	Ultimate	Appro-						Under
	Total Cost	propriated	2014	2015	2016	2017	2018	Review
<b>Gross</b>	5,000	0	0	0	0	0	0	5,000
<b>Less non-County Shares</b>								
<b>Net</b>	5,000	0	0	0	0	0	0	5,000

**Project Description:**

The Westchester Community Housing Infrastructure Investment Program (CHIIP) is a fund to assist those municipalities with the highest percentage of low to moderate income populations that have unjustly lost HUD funding for various projects that were to be funded by the County's Community Development Block Grant program. The municipal application process for these funds will be developed by the County Department of Planning and the criteria will include:

1. A municipality shall have 30% or greater percentage of low and moderate income population (excluding municipalities that could qualify to directly administer and be awarded Housing and Urban Development [HUD] CDBG funds). This factor may be adjusted based on consideration of:
  - the overall income level of Westchester residents;
  - the median or average income of the municipality;
  - the number of persons in municipality below the poverty level; and
  - the number of housing units in municipality defined as substandard or overcrowded.
2. Initially, eligible projects shall be those previously submitted to the County and recommended for funding under the CDBG program.
3. A municipality must provide an investment match of at least 50% of the total cost of construction and design.
4. Municipalities will be responsible for design; the design will be subject to review by the County.
5. The County must be granted an ownership interest in the property to be improved to run for the life of the County bonds.
6. The municipality must agree to indemnify the County and maintain the improvements.
7. Projects must be completed within 36 months of execution of the Inter-Municipal Agreement between the municipality and the County.
8. The existing structure of the Urban County Council Consortium (limited to the eligible municipalities as defined under #1 above) shall be utilized as the screening committee to make recommendations on awarding grants.
9. The County Department of Planning will develop an application process for projects to be considered in the years beyond those already filed under the prior CDBG program.

These criteria in many respects mirror those in the current CDBG program; however, the County will not impose other conditions that HUD has placed on the County via its regulations governing CDBG funds.

When a project has been determined to be feasible, a separate bond act will be submitted for the review and approval of the Board of Legislators on a site specific basis.

**APPROPRIATION/FUNDING REQUESTS:**

Under Review: Proposed CBA for eligible municipal capital projects.

**Low/Moderate Income Percentages in Westchester (non-CDBG) Municipalities**

<b><u>Municipality</u></b>	<b><u>% Low/Mod</u></b>	
Port Chester	65.4	not in settlement
Peekskill	62	not in settlement
Ossining Village	55.7	not in settlement
Sleepy Hollow	55	not in settlement
Elmsford	52	not in settlement
Mount Kisco	49.5	not in settlement
Mamaroneck Village	44	not in settlement
Buchanan	43.5	
Tuckahoe	41.1	
Tarrytown	41	
Dobbs Ferry	37.9	
Cortlandt	34.9	
Harrison	33	
Eastchester	31	
Pelham Village	31	
Yorktown	31	
Croton	30	
Greenburgh	28.6	not in settlement
Somers	28	
Pleasantville	27.3	
Hastings	27	
Ossining Town	25.4	
Ardsley	25	
Bedford	25	
Pelham Manor	24	
Irvington	23.5	
North Salem	23	
Rye Brook	23	
Rye City	22	
Mount Pleasant	20.6	
Mamaroneck Town	20	
North Castle	20	
Larchmont	19.5	
Lewisboro	17	
Briarcliff Manor	16	
New Castle	14	
Bronxville	13	
Pound Ridge	12	
Scarsdale	11	

**Based on 2000 Census**

From the FY 2009-2013 Consolidated Plan/ FY 2012-14 CDBG Program Manual

*Could be updated to see if change based on American Community Survey data*

## **Establishing New and Increased Building Department Fees**

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 Building Inspector has proposed new and/increases in certain fees to be charged to applicants; and

WHEREAS such fees were discussed as part of the process in the Board's adoption of the 2014-2015 Village Budget; and

WHEREAS, Board action is required to make the necessary changes to the Village Code. Now, therefore be it

RESOLVED, that the Code of the Village of Port Chester Chapter 175, "Fees" be and is hereby amended as follows:

### **TEMPORARY CERTIFICATES OF OCCUPANCY**

#### **Residential**

#### **One and Two Family Dwellings**

##### **Current Fee Schedule**

- |                             |       |
|-----------------------------|-------|
| 1. First 60 days:           | \$100 |
| 2. Each additional 30 days: | \$100 |

##### **New Fee Schedule**

- |                        |   |
|------------------------|---|
| 1. First 60 days:      | No Change   |
| 2. Additional 30 days: | \$100 (1st 30 day request)                        |
| 3. Additional 30 days: | \$200 (2nd 30 day request)                        |
| 4. Additional 30 days: | \$300 (3rd 30 day request)                        |
| 5. Additional 30 days: | \$300 (each additional 30 day request thereafter) |

#### **Multiple Dwellings**

##### **Current Fee Schedule**

- |                             |       |
|-----------------------------|-------|
| 1. First 60 days:           | \$200 |
| 2. Each additional 30 days: | \$150 |

## New Fee Schedule

1. First 60 days: \$500
2. Additional 30 days: \$250 (1st 30 day request)
3. Additional 30 days: \$300 (2nd 30 day request)
4. Additional 30 days: \$400 (3rd 30 day request)
5. Additional 30 days: \$500 (each additional 30 day request thereafter)

## Commercial

### Current Fee Schedule

1. First 60 days: \$300
2. Each additional 30 days: \$150

### New Fee Schedule

1. First 60 days: \$500
2. Additional 30 days: \$250 (1st 30 day request)
3. Additional 30 days: \$300 (2nd 30 day request)
4. Additional 30 days: \$400 (3rd 30 day request)
5. Additional 30 days: \$500 (4th 30 day request)

Each additional 30 day request after the 4th 30 day request shall increase by \$100 above the 4th 30 day request amount (\$500) in equidistant increments.

## BUILDING PERMIT

### Current Fee Schedule

#### Application Fees

Residential	\$75	No change
Commercial	\$100	No change

#### Construction Cost Fees:

Residential	\$12.00 per \$1,000 in construction costs
Commercial	\$12.00 per \$1,000 in construction costs

### New Fee Schedule

Residential	\$14.00 per \$1,000 in construction costs
Commercial	\$15.00 per \$1,000 in construction costs

FIRE INSPECTION FEES	CURRENT FEE SCHEDULE	NEW FEE SCHEDULE
Multiple Dwellings 3 Units	\$100	\$150
Multiple Dwellings 4 to 20 Units	\$150	\$200
Multiple Dwellings 21 to 40 Units	\$200	\$250
Multiple Dwellings 41 to 60 Units	\$250	\$300
Multiple Dwellings 61 or more Units	\$300	\$400
Places of Public Assembly up to 99 occupants	\$150	\$250
Places of Public Assembly 100 occupants plus	\$250	\$300
Non-Residential Properties up to 9,999 sq. ft.	\$150	\$250
Non-Residential Properties 10,000-50,000 sq. ft.	\$250	\$350
Non-Residential Properties 51,000 sq. ft. or more	\$350	\$500
First Re-inspection	\$ 25	\$50
Each Additional Re-inspection	\$ 35	\$75

(Mixed Use Buildings will be assessed a fee for each occupant present)

Testing Fees

New Fee Schedule

Sprinkler Hydro Test 2 hr. min	\$100
Sprinkler Flow Test 1 hr. min:	\$50
Fire Alarm Test 1-1 1/2 hr. min:	\$75
Ansul Test 1 - 1 1/2 hr. min:	\$75

and be it further

RESOLVED, that such fees be effective immediately upon adoption of this resolution.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney



**VILLAGE OF PORT CHESTER**  
**BUILDING DEPARTMENT**  
**CODE ENFORCEMENT DEPARTMENT**  
**MEMORANDUM**

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TO: The Honorable Mayor and the Board of Trustees  
THRU: Christopher Steers, Village Manager  
FROM: Peter J. Miley, Building Inspector, Director of Code Enforcement  
DATE: May 12, 2014  
RE: Recommended Fee Revisions

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Dear Honorable Mayor and the Village of Port Chester Trustees,

Reference was made during the budget process that included anticipated increase in revenues for the 2014-2015 adopted budgets for both the building and code enforcement departments. Although the anticipated increase in revenues should result from the increase in economic activity within the village, there are a number of areas in both departments that are due for fee adjustment. The recommended increases shall include:

- i. Building Permit Fees based on construction costs only, application fee to remain.
- ii. TCO fees to include an escalating disincentive to continue operation/occupancy by TCO.
- iii. Fire Inspection Testing Fees. This Fee is based on the requirement for a fire inspector to allocate time to conduct/ witness testing of specialized equipment as per code, outside of scheduled fire inspection; currently there is no charge.

Attached is a previous study completed in 2013 that compares various neighboring department fees and recommended fee adjustments.

Based on this documentation, I recommend that by resolution, to include a change to the Village Code: Village of Port Chester 175-4 Enumeration of fees to reflect the recommended changes contained; all documentation is attached.

  
Peter J. Miley

## TCO, Building Permit Fee Recommendations

### **Residential 1&2 Family**

#### Current Fee Schedule

- |                             |       |
|-----------------------------|-------|
| 1. First 60 days:           | \$100 |
| 2. Each additional 30 days: | \$100 |

#### Recommended Revisions

- |                        |  |
|------------------------|--|
| 1. First 60 days:      | No Change                                    |
| 2. Additional 30 days: | \$100 (1 <sup>st</sup> 30 day request)       |
| 3. Additional 30 days: | \$200 (2 <sup>nd</sup> 30 day request)       |
| 4. Additional 30 days: | \$300 (3 <sup>rd</sup> 30 day request)       |
| 5. Additional 30 days: | \$300 (each additional 30 day request after) |

### **Multiple Dwelling**

#### Current Fee Schedule

- |                             |       |
|-----------------------------|-------|
| 1. First 60 days:           | \$200 |
| 2. Each additional 30 days: | \$150 |

#### Recommended Revisions

- |                        |  |
|------------------------|--|
| 1. First 60 days:      | \$500  |
| 2. Additional 30 days: | \$250 (1 <sup>st</sup> 30 day request)       |
| 3. Additional 30 days: | \$300 (2 <sup>nd</sup> 30 day request)       |
| 4. Additional 30 days: | \$400 (3 <sup>rd</sup> 30 day request)       |
| 5. Additional 30 days: | \$500 (each additional 30 day request after) |

### **Commercial**

#### Current Fee Schedule

- |                             |       |
|-----------------------------|-------|
| 1. First 60 days:           | \$300 |
| 2. Each additional 30 days: | \$150 |

### Recommended Revisions

1. First 60 days: \$500
2. Additional 30 days: \$250 (1<sup>st</sup> 30 day request)
3. Additional 30 days: \$300 (2<sup>nd</sup> 30 day request)
4. Additional 30 days: \$400 (3<sup>rd</sup> 30 day request)
5. Additional 30 days: \$500 (4<sup>th</sup> 30 day request)

Each additional 30 day request after the 4<sup>th</sup> 30 day request shall increase by \$100 above the 4<sup>th</sup> 30 day request amount (\$500) in equidistant increments. The proposed increases are designed as a disincentive so that applicants move forward toward completion and obtain a permanent CO. Under the current system, TCO fees are nominal and are accounted as a small cost to conduct business.

TCO fees generated this fiscal (11 months) is: **\$9,460.00**

Anticipated increase: 100 percent or **10,000 +/-**

Projects like the Capital and Mariner Projects alone would have generated an additional **\$12,800 per year**

### **Proposed 2013/2014 Building Permit Fees**

#### Current Fees

#### **Application Fees**

Residential: \$75.00 No recommended change

Commercial: \$100.00 No recommended change

#### **Construction Cost Fees**

Residential: \$12.00 per \$1000.00 in construction costs

Commercial: \$12.00 per \$1000.00 in construction costs

#### **Proposed Fees**

Residential: \$14.00 per \$1000.00 in construction costs

Commercial: \$15.00 per \$1000.00 in construction costs

Projected increase: 2013-2014 fees collected represent an estimated 25 million in construction cost. An additional **\$2.00 per 1K** in construction cost can increase revenue by **\$50,000.00.**

In an analysis completed last year, it was determined that Port Chester charges lower building permit fees than most municipalities. Average permit cost is \$15-\$17 per \$1,000 in construction cost; a proposed \$2 increase would still be below average.



# Department of Code Enforcement

Village of Port Chester  
222 Grace Church Street Suite 203  
Port Chester, New York 10573

(914) 305-2501  
Fax (914) 305-2555

*Current Application*

## \* NOTICE \*

**RE: FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTION PROGRAM**

Dear Sir/Madam/Corp:

Please be advised that New York State Law (Article 18 of the Executive Law) requires that the Village establish a Fire Safety and Property Maintenance Inspection Program. The Village has promulgated its Fire Safety Inspection Program in accordance with the above referenced law. As such, effective January 1<sup>st</sup>, 2010, all places of public assembly, multiple-family dwellings (3 or more dwelling units), and non-residential establishments will be subject to regular and periodic fire safety and property maintenance inspections by Village of Port Chester Code Enforcement Personnel. **Please be advised: All places of public assembly will be inspected in intervals that do not exceed one (1) year. All multiple-family dwellings and non-residential establishments will be inspected in intervals that do not exceed 18 months.**

Your business/premises are/were due for inspection. **Please contact us to schedule the required inspection as soon as possible.** Properties that are in compliance will receive a Certificate of Compliance that must be notably displayed on the premises. Properties that are not in compliance shall be issued a notice to correct the violation. If the violation is not corrected by the time of re-inspection, the owner shall be subject to penalties listed under Chapter 151-17 of the Local Law.

**Prior to the inspection the owner must file the attached application and pay the fee as shown below:**

Multiple Dwellings 3 Units	\$100.00	Non-Residential Properties up to 9,999 sqft	\$150.00
Multiple Dwellings 4 to 20 Units	\$150.00	Non-Residential Properties 10,000 – 49,999 sqft	\$250.00
Multiple Dwellings 21 to 40 Units	\$200.00	Non-Residential Properties 50,000 sqft or more	\$350.00
Multiple Dwellings 41 to 60 Units	\$250.00	First Re-inspection	\$ 50.00
Multiple Dwellings 61 or more Units	\$300.00	Each Additional Re-inspection	\$ 75.00
Places of Public Assembly 50 to 99 occupants	\$200.00		
Places of Public Assembly 100 occupants plus	\$300.00	(Mixed Use Buildings may be assessed a fee for each category present)	

**The fees shown above will be based on the occupancy type. Mixed use buildings may be assessed a fee based on each category present. Failure to allow the required inspection and to pay the required fee by the time of inspection is a violation of the Code, and may subject the owner to additional enforcement action as set forth in Chapter 151- 17 of the Village Code, including obtaining a search warrant from the Village of Port Chester Justice Court for an inspection of the premise. Please make your check payable to the Village of Port Chester.**

We have attached a summary check list of the priority Minimum Fire Safety requirements for most establishments (the inspection includes all common areas, attics and basements).

For questions and/or to schedule an inspection please contact Janice Gherardi, Senior Office Assistant at (914) 305-2501.

Respectfully,

Peter Miley  
Building Inspector

**Recommended Fire Inspection Fees 2013-2014**

Multiple Dwellings 3 Units	<del>\$100.00</del>	\$150
Multiple Dwellings 4 to 20 Units	<del>\$150.00</del>	\$200
Multiple Dwellings 21 to 40 Units	<del>\$200.00</del>	\$250
Multiple Dwellings 41 to 60 Units	<del>\$250.00</del>	\$300
Multiple Dwellings 61 or more Units	<del>\$300.00</del>	\$400
Places of Public Assembly up to 99 occupants	<del>\$150.00</del>	\$250
Places of Public Assembly 100 occupants plus	<del>\$250.00</del>	\$300
Non-Residential Properties up to 9,999 sq.ft.	<del>\$150.00</del>	\$250
Non-Residential Properties 10,000 – 50,000 sq.ft.	<del>\$250.00</del>	\$350
Non-Residential Properties 51,000 sq.ft. or more	<del>\$350.00</del>	\$500
First Re-inspection	<del>\$ 25.00</del>	\$50-N/C
Each Additional Re-inspection	<del>\$ 35.00</del>	\$75-N/C

(Mixed Use Buildings may will be assessed a fee for each category occupant present)

**Recommended Testing Fees**

Sprinkler Hydro Test 2 hr min:	\$100
Sprinkler Flow Test 1hr min:	\$50
Fire Alarm Test 1-1 ½ hr min:	\$75
Ansul Test 1-1 ½ hr min:	\$75

## Village of Port Chester 175-4 Enumeration of Fees

### Current Fee Schedule

#### Architectural Board of Review

1 & 2 Family:	\$50
All other uses:	\$100
Signs:	\$40
Sign Permit:	\$25

#### Building Permits

Residential:	\$75
Over 1 Million:	\$150
Commercial:	\$100
Over 1 Million:	\$250

Each Regular Inspection:	\$100
Re-inspections:	\$25

#### Amendments to Permits

Residential:	\$75
Commercial:	\$100

#### Certificate of Occupancy

Residential 1&2 Family:	\$50
Multi-family 3 or more:	\$200
Non-Residential:	\$200

#### TCO

Residential 1&2 Family	
First 60 days:	\$100
Each additional 30 days:	\$50
Multi-Family	
First 60 days:	\$150
Each additional 30 days:	\$75
Plus per unit 6 or more:	\$10

Commercial	
First 60 days:	\$25
Each additional 30 days:	\$75

Permit Extensions

Residential 1&2 Family:	\$175
Multi-family 3 or more:	\$200
Plus per unit 6 or more:	\$10
Commercial:	\$300

Fire Sprinkler Permits

Residential 1&2 Family:	\$150
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Multi-family 3 or more	
First 24 heads:	\$200
24-99 heads:	\$100
Above 100 heads:	\$150

Commercial	
First 24 heads:	\$200
24-99 heads:	\$100
Above 100 heads:	\$150

Fire Sprinkler Alteration Permit on Existing Systems

Residential 1&2 Family:	\$75
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Multi-family 3 or more	
First 24 heads:	\$150
24-99 heads:	\$150

Commercial	
First 24 heads:	\$150
24-99 heads:	\$100
Above 100 heads:	\$150

HVAC Permits

Residential:	\$100.00 for the first \$10,000; \$5.00 per \$1,000
Multi-family:	\$200.00 for the first \$10,000; \$5.00 per \$1,000
Commercial:	\$25.00 for the first \$10,000; \$5.00 per \$1,000

Plumbing Permit Fees

1-5 Fixtures:	\$50
Each additional Fixture:	\$5

Gas Test

First Meter:	\$24
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Each additional: \$15  
Re-test: \$25

Electrical Permit Fees

0-10,000: \$50  
10,001-\$100,000: \$100  
100,001-up: \$200

Demolition

Work Cost

0-1,000: \$250  
Each additional 1k: \$15  
Interior Demo: \$100.00, plus \$10.00 per \$100.00

Any application for an extension made to the Board of Trustees, Zoning Board of Appeals, Planning Commission or Building Inspector: \$150

Administrative fee where work has been commenced without the requisite having been obtained:  
\$250.00 or 3 times the permit fee, as set out above, whichever is greater

Other Permits

Tanks (new and replacements): \$30  
Installation or test of oil burner: \$30

Building permit administrative fee where there is an outstanding stop-work order: \$300.00 or 3 times the permit fee, as set out above, whichever is greater

Fire Safety and Property Maintenance Inspection Program

Multiple Dwellings

3 Units: \$100  
4 to 20 Units: \$150  
21 to 40 Units: \$200  
41 to 60 Units: \$250  
61 or motors: \$300

Places of Public Assembly

Up to 99 Occupants: \$150  
99 or More Occupants: \$250

Non-Residential Properties

Up to 9999 sq ft	\$150
10,000-50,000 sq ft	\$250
50,001 or More	\$350
First Re-Inspection:	\$25
Each additional	\$35

**Neighboring Municipality Building Department Fees**

**City of Rye**

**BUILDING PERMIT FEE SCHEDULE**

Residential:	\$17 per \$1000 in Construction Costs
Commercial:	\$30 per \$1000 in Construction Costs

**Certificate of Occupancy**

1 & 2 Family:	\$100
Multi-Family & Commercial:	\$175

Demolition Permits

Full Residential or Commercial:	\$2000 Flat Fee
Partial Demo Less Than 750 Sq Ft:	\$750

Plumbing/ HVAC

Permit:	\$70, \$5 for each fixture above 5
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Electrical

Residential:	\$70 Flat Fee
Multi-Family & Commercial:	\$100 Flat Fee

Sign Permit:	\$75
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ABR:	\$50
------	------

Inspections on Tues and Thurs Only

## City of White Plains

### BUILDING PERMIT FEE SCHEDULE

#### Construct New or Additions

\$1000-5000:	\$110
Over \$5000:	\$10 per 1000 cubic sq ft added
Minimum Fee:	\$750 All New Buildings

#### Alterations

Residential:	\$100+\$10 per \$1000 in Construction Costs
Commercial:	\$100+\$15 per \$1000 in Construction Costs

#### Certificate of Occupancy

1 & 2 Family:	\$75
Multi-Family & Commercial:	\$300

#### Demolition Permits

Full Residential or Commercial:	\$100+10 per \$1000 in Cost
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#### Plumbing/ HVAC

Permit:	\$50+\$30 per \$1000 in Cost
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#### Electrical

Residential:	
Multi-Family & Commercial:	\$85+10 per \$1000 in Cost

Sign Permit:	\$50 + \$2 per sq ft.
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## Village of Rye Brook

### BUILDING PERMIT FEE SCHEDULE

Residential:	\$75 + \$17 per \$1000 in Construction Costs
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New construction/additions 800 sq. ft. in size or greater;  
Total Gross Floor Area x \$220.00 x \$12.00 / \$1000.00 plus any alteration fees from

Commercial:	\$175 + \$17 per \$1000 in Construction Costs
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#### Demolition

Residential:	\$75 + \$12 per \$1000 in Construction Costs
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Commercial: \$175 + \$17 per \$1000 in Construction Costs

**Certificate of Occupancy Fee**

1 & 2 Family: Min \$75 up to 20,000, \$150 up to \$50,000, \$200 up to \$100,000, \$350 up to 250K, \$450 up to 500K

Multi-Family & Commercial: \$500 up to \$200,000, an additional \$100 per 100K

TCO: \$300 for the first 30 Days, \$400 for the 2<sup>nd</sup> 30 Days, \$600 for the 3<sup>rd</sup> 30 days

**Demolition Permits**

Residential: \$75 + \$12 per \$1000

Commercial: \$175 + \$17 per \$1000

**Plumbing**

Residential: \$100 (5) Fixtures, \$10 each additional

Commercial: \$100 (5) Fixtures, \$10 each additional

**HVAC**

Permit: \$75 Residential  
\$175 Commercial

Payment of Permit Fee: Residential = \$12.00/\$1000.00 of Construction/Materials Cost.  
Commercial = \$17.00/\$1000.00 of Construction/Materials Cost.

**Fire Suppression Permit Fee**

Residential: \$75 + \$12 per \$1000

Commercial: \$150 + \$17 per \$1000

**Electrical**

Residential: \$100 up to 100 Fixtures, \$150 up to 200, \$275 up to 300 fixtures

Multi-Family & Commercial: Same

**Sign Permits**

Residential: \$150 + \$12 per \$1000

Commercial: \$150 + \$17 per \$1000

## The Village of Mamaroneck

### BUILDING PERMIT FEE SCHEDULE

Building Permits:	\$50 + \$12 per \$1000 (Residential and Commercial)
Demolition Permits:	\$50 + \$12 per \$1000 (Residential and Commercial)
Plumbing Permits:	\$50 + \$12 per Fixture (Residential and Commercial)
Electrical Permits:	\$50 + \$11 per \$1000 (Residential and Commercial)

#### Certificate of Occupancy

Residential:	\$102
Commercial:	\$255

## The Town of Mamaroneck

### BUILDING PERMIT FEE SCHEDULE

Building Permits:	Unlisted
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#### Demolition Permits

Residential:	\$50 + \$10 per \$1000
Commercial:	\$150 + \$10 per \$1000

#### Plumbing Permits

Residential:	\$75.00 filing fee Plus 10.00 per thousand
Commercial	\$150.00 filing fee Plus 10.00 per thousand
Gas Piping and Test:	\$75.00

Electrical Permits:	Unlisted
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#### Certificate of Occupancy

Residential:	\$50
Commercial:	\$100

TCO:	\$300
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Sign Permit:	\$125
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Permits issued in 2 to 4 weeks

## The Town/ Village of Harrison

### BUILDING PERMIT FEE SCHEDULE

#### Building Permits

Residential: \$100 + \$15 per \$1000  
Commercial: \$200 + \$30 per \$1000

Re-Inspection Fee: \$50

#### Demolition Permits

Residential: \$200  
Commercial: \$400

#### Plumbing Permits

Residential: \$75 (5 fixtures) \$10 each additional  
Commercial: \$125 (5 fixtures) \$10 each additional

#### Electrical Permits

Residential: \$150  
Commercial: \$250

#### Certificate of Occupancy

Residential: \$150  
Commercial: \$250  
Multi-Family: \$250 + \$50 per unit

#### TCO

Residential: \$150  
Commercial: \$250

## Building Department Fees Analysis of Six Surrounding Cities, Towns and Villages

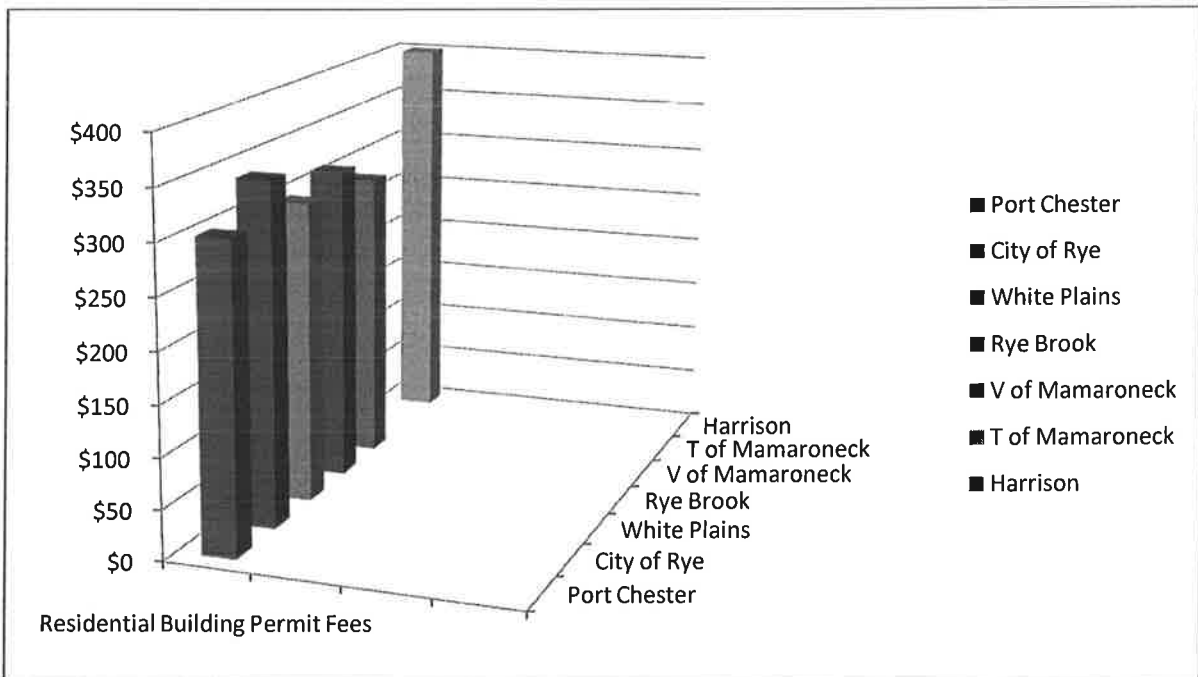
The analysis will compare fees associated with the eight (8) most obtained permits and their associated costs/ fees to obtain.

### Residential Building Permits (BP)

Determining building permit fees vary from municipality to municipality; utilizing a fixed project amount will better compare the costs and determine the difference(s) in the fee to obtain a residential and commercial building permit.

**Residential** Project Amount: \$20,000

- Port Chester:** \$75 + \$12 per \$1000 in construction costs, fee to obtain a residential BP: **\$303.00**
- City of Rye:** \$17 per \$1000 in Construction costs, fee to obtain a residential building permit: **\$340.00**
- White Plains:** \$100 + \$10 in Construction costs, fee to obtain a residential building permit: **\$300.00**
- Rye Brook:** \$75 + \$12 per \$1000 in Construction costs, fee to obtain a residential BP: **\$315.00**
- Village of Mamaroneck:**  
\$50 + \$12 per \$1000 in Construction costs, fee to obtain a residential BP: **\$290.00**
- Town of Mamaroneck:** Info unavailable
- Town/ Village of Harrison:**  
\$100 + \$15 per \$1000 in construction costs, cost to obtain a residential BP: **\$400.00**



**Port Chester:** \$303.00

**Average Permit Cost:** \$324.60

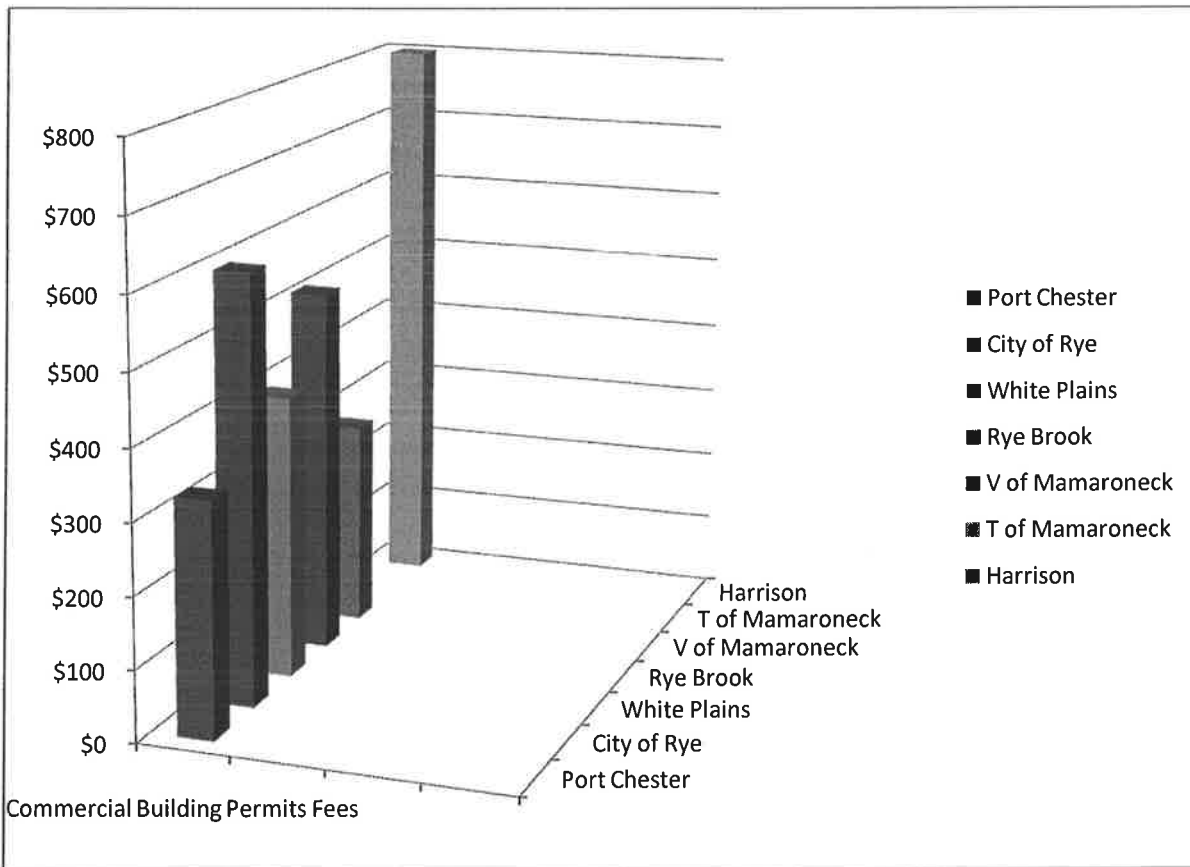
Lowest: \$290.00  
 Highest: \$400.00

The cost to obtain a residential building permit is 7% less than the average, 4% more than the lowest and 32% less than the highest of six (6) samples in close proximity to The Village of Port Chester.

**Commercial Building Permits (BP)**

**Commercial** Project Amount: \$20,000

- Port Chester:** \$100 + \$12 per \$1000 in construction costs, fee to obtain a residential BP: \$328.00
- City of Rye:** \$30 per \$1000 in Construction costs, fee to obtain a residential building permit: \$600.00
- White Plains:** \$100 + \$15 in Construction costs, fee to obtain a residential building permit: \$400.00
- Rye Brook:** \$175 + \$17 per \$1000 in Construction costs, fee to obtain a residential BP: \$515.00
- Village of Mamaroneck:** \$50 + \$12 per \$1000 in Const. costs, fee to obtain a residential BP: \$290.00
- Town of Mamaroneck:** Info unavailable
- Town/ Village of Harrison:** \$200 + \$30 per \$1000 in const. costs, fee to obtain a residential BP: \$800.00



**Port Chester:** \$328.00

**Average Permit Cost:** \$488.83

**Lowest:** \$290.00

**Highest:** \$800.00

The cost to obtain a commercial building permit is 49% less than the average, 11 ½ % more than the lowest and 144% less than the highest of six (6) samples of municipalities that are in close proximity to The Village of Port Chester.

### **Demolition Permit**

**Port Chester**

0-1,000: \$250  
Each additional 1k: \$15  
Interior Demo: \$100.00, plus \$10.00 per \$100.00

**City of Rye**

Full Residential or Commercial: \$2000 Flat Fee  
Partial Demo Less Than 750 Sq Ft: \$750

**White Plains**

Full Residential or Commercial: \$100+10 per \$1000 in Cost

**Rye Brook**

Residential: \$75 + \$12 per \$1000 in Construction Costs  
Commercial: \$175 + \$17 per \$1000 in Construction Costs

**Village of Mamaroneck**

Residential and Commercial: \$50 + \$12 per \$1000

**Town of Mamaroneck**

Residential: \$50 + \$10 per \$1000  
Commercial: \$150 + \$10 per \$1000

**Town/ Village of Harrison**

Residential: \$200  
Commercial: \$400

The cost to obtain a demolition permit varies significantly from municipality to municipality, out of the seven (7) samples provided, some municipalities charge a fixed (flat) fee with an overage charge based on the cost of demolition. To create a more accurate comparison, a sample demolition project of \$10,000 will be used for both a residential and commercial application.

**Residential Demolition Fee**

Port Chester: \$385.00

**Average Demolition Permit Fee: \$293.00**

**Lowest: \$150.00**

**Highest: \$750.00**

The fee to obtain a residential demolition permit in Port Chester is 31% more than the average and 94% less than the highest of seven (7) samples of municipalities that are in close proximity to The Village of Port Chester.

**Commercial Demolition Fee**

Port Chester: \$385.00

**Average Demolition Permit Fee: \$328.00**

**Lowest: \$170.00**

**Highest: \$750.00**

The fee to obtain a residential demolition permit in Port Chester is 15% more than the average and 94% less than the highest of seven (7) samples of municipalities that are in close proximity to The Village of Port Chester.

**Certificate of Occupancy Fee Comparison**

**Port Chester**

Residential: \$50  
Commercial: \$200  
Multi-Family: \$200  
TCO: \$25 1<sup>st</sup> 30 days, \$75 each additional

**City of Rye**

Residential: \$100  
Commercial: \$175  
Multi-Family: \$175

**White Plains**

Residential: \$75  
Commercial: \$300  
Multi-Family: \$300

**Rye Brook**

Residential: Min \$75 up to \$20K, \$150 up to \$50K  
Commercial: \$500 up to \$200K, \$100 per additional \$100K  
Multi-Family: \$500 up to \$200K, \$100 per additional \$100K  
TCO: \$300 1<sup>st</sup> 30 days, \$400 2<sup>nd</sup> 30 days, \$500 for an additional 30 days

**Village of Mamaroneck**

Residential: \$102  
Commercial: \$255  
Multi-Family: \$255

**Town of Mamaroneck**

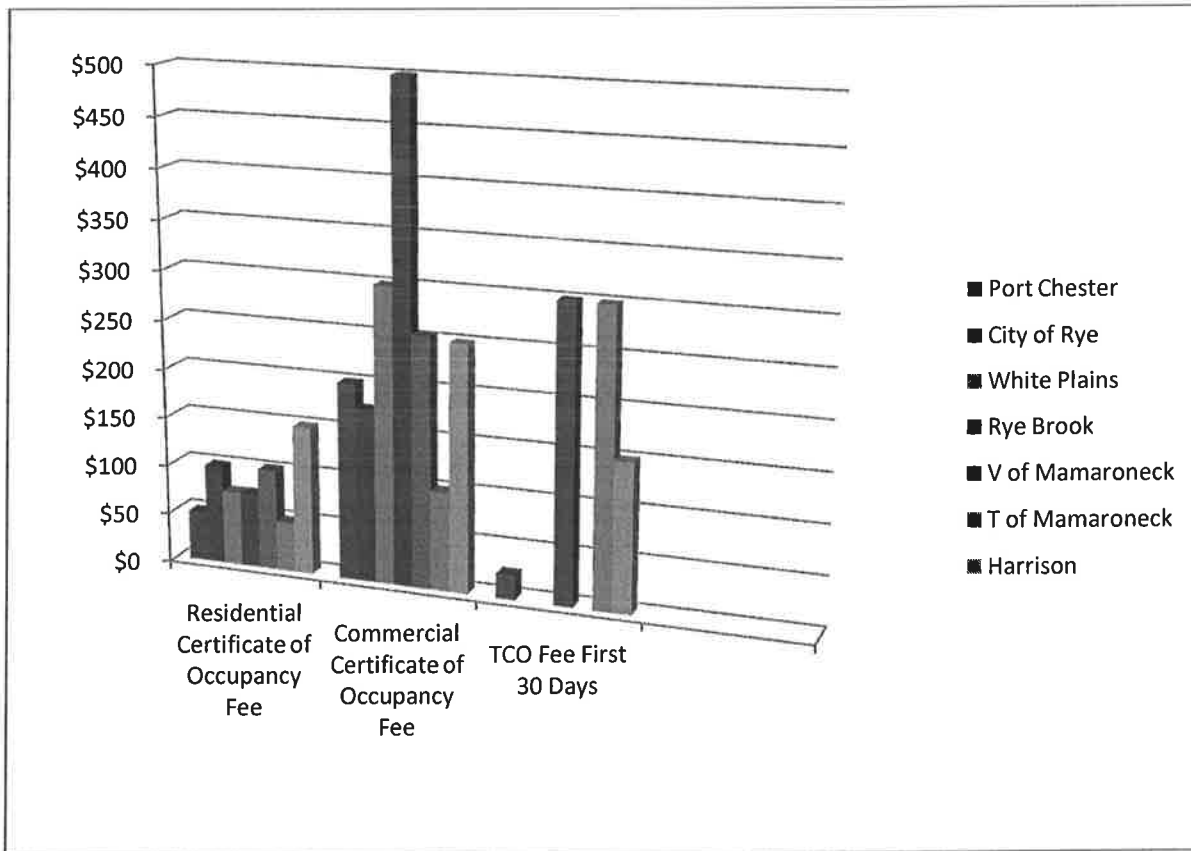
Residential: \$50  
Commercial: \$100  
Multi-Family: \$100  
TCO: \$300

**Town/ Village of Harrison**

Residential: \$150  
Commercial: \$250  
Multi-Family: \$250 + \$50 per unit

**TCO**

Residential: \$150  
Commercial: \$250



**Port Chester:** **\$50.00**

**Average Residential CO Cost:** **\$86.00**  
**Lowest:** **\$50.00**  
**Highest:** **\$150.00**

The application fee to obtain a residential CO in Port Chester is one of the lowest. The cost to obtain a residential CO is **72%** less than the average and **200%** less than the highest of seven (7) samples of municipalities that are in close proximity to The Village of Port Chester.

**Port Chester:** **\$200.00**

**Average Commercial CO Cost:** **\$254.00**  
**Lowest:** **\$100.00**  
**Highest:** **\$500.00**

The fee to obtain a Commercial CO is **27%** less than the average, and **150%** less than the highest of seven (7) samples that are in close proximity to The Village of Port Chester.

The fee to obtain a TCO in Port Chester is the lowest of all samples. The fee is **500%** less than the lowest of all samples and 1100% of (3) samples of municipalities that are in close proximity to The Village of Port Chester.

### **Plumbing Permit Fees**

**Port Chester**

Residential: \$50 + \$5 per fixture above 5  
Commercial: \$50 + \$5 per fixture above 5

**City of Rye**

Residential: \$75 + \$5 per fixture above 5  
Commercial: \$75 + \$5 per fixture above 5

**White Plains**

Residential: \$50 + \$30 per \$1000 in job cost  
Commercial: \$50 + \$30 per \$1000 in job cost

**Rye Brook**

Residential: \$100 (5) Fixtures, \$10 each additional  
Commercial: \$100 (5) Fixtures, \$10 each additional

**Village of Mamaroneck**

Residential: \$50 + \$12 per Fixture  
Commercial: \$50 + \$12 per Fixture

**Town of Mamaroneck**

Residential: \$75.00 filing fee Plus 10.00 per thousand  
Commercial: \$150.00 filing fee Plus 10.00 per thousand

**Town/ Village of Harrison**

Residential: \$75 (5 fixtures) \$10 each additional  
Commercial: \$125 (5 fixtures) \$10 each additional

The cost to obtain a plumbing permit varies significantly from municipality to municipality, out of the seven (7) samples provided, some municipalities charge a fixed fee with an overage charge per fixture, others charge according to the cost of the job. To create a more accurate comparison, a sample, three-fixture (3) bathroom will be used that will include “rough and finish” cost using an average of \$1,200 per fixture (market rate), this rate will be utilized for both a residential and commercial application.

**Residential Plumbing Permit Fee**

Port Chester: \$50.00

Average: \$95.00  
Lowest: \$50.00  
Highest: \$170.00

**Commercial Plumbing Permit Fee**

Port Chester: \$50.00

Average: \$114.00  
Lowest: \$50.00  
Highest: \$170.00

The application fee to obtain a residential plumbing permit in Port Chester is one of the lowest. The cost to obtain a residential plumbing permit is **90%** less than the average and **240%** less than the highest of seven (7) samples of municipalities that are in close proximity to The Village of Port Chester.

The application fee to obtain a commercial plumbing permit in Port Chester is also one of the lowest. The cost to obtain a commercial plumbing permit is **128%** less than the average and **240%** less than the highest of seven (7) samples of municipalities that are in close proximity to The Village of Port Chester.

<b>Electrical Permits</b>
---------------------------

**Port Chester**

Residential & Commercial

0-10,000:	\$50
10,001-\$100,000:	\$100
100,001-up:	\$200

**City of Rye**

Residential &	\$70 Flat Fee
Multi-Family & Commercial:	\$100 Flat Fee

**White Plains**

Residential &  
Multi-Family & Commercial: \$85+10 per \$1000 in Cost

**Rye Brook**

Residential &  
Multi-Family & Commercial: \$100 up to 100 Fixtures, \$150 up to 200, \$275 up to 300 fixtures

**Village of Mamaroneck**

Residential &  
Multi-Family & Commercial: \$50 + \$11 per \$1000

**Town of Mamaroneck**

Unlisted

**Town/ Village of Harrison**

Residential: \$150  
Commercial: \$250

The cost to obtain an electrical permit varies significantly from municipality to municipality, out of the seven (6) samples provided, some municipalities charge a fixed fee with an overage charge per fixture, others charge according to the cost of the job. To create a more accurate comparison, a sample, \$5,000 job cost will be utilized for both a residential and commercial application.

**Residential Electrical Permit**

Port Chester: \$50.00  
  
Average: \$101.60  
Lowest: \$50.00  
Highest: \$150.00

The application fee to obtain a residential electrical permit in Port Chester is one of the lowest. The cost to obtain a residential electrical permit is 100+% less than the average and 200% less than the highest of seven (6) samples of municipalities that are in close proximity to The Village of Port Chester.

**Commercial Electrical Permit**

Port Chester: \$50.00  
  
Average: \$123.00  
Lowest: \$50.00  
Highest: \$250.00

The application fee to obtain a residential electrical permit in Port Chester is one of the lowest. The cost to obtain a residential electrical permit is 146% less than the average and 400% less than the highest of seven (6) samples of municipalities that are in close proximity to The Village of Port Chester.

## Sprinkler Permits

### Port Chester

Residential 1&2 Family:           \$150

#### Multi-family 3 or more

First 24 heads:                   \$200

24-99 heads:                     \$100

Above 100 heads:               \$150

#### Commercial

First 24 heads:                   \$200

24-99 heads:                     \$100

Above 100 heads:               \$150

### Town of Rye Brook

Residential:                       \$75 + \$12 per \$1000

Commercial:                      \$150 + \$17 per \$1000

The cost to obtain a sprinkler permit differs among the two (2) neighboring municipalities. Port Chester charges a flat fee for residential and an escalating fee based on the number of heads installed. Rye Brook charges a fee based on an initial flat fee and an additional charge based on the cost of construction. To create a comparison, a sample \$100,000 project cost will be utilized to show the difference in a commercial application.

Port Chester:                      Max \$450

Rye Brook:                         \$1,850.00

No additional information available

## Sign Permits

### Port Chester

Residential & Commercial:       \$25.00

### City of Rye

Sign Permit:                       \$75

### White Plains

Sign Permit:                       \$50 + \$2 per sq ft.

### Rye Brook

Residential:                       \$150 + \$12 per \$1000

Commercial:                      \$150 + \$17 per \$1000

**Village of Mamaroneck**

Unlisted

**Town of Mamaroneck**

Unlisted

**Town/ Village of Harrison**

Sign Permit: \$125

The sign permit fee in Port Chester is **100+%** lower than the lowest fee charged of the (5) sample municipalities.

**Additional Fees for Discussion**

- ABR
- Re-Inspections
- Permit Amendments
- Permit Renewals
- HVAC

**RESOLUTION**  
**RE-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 JOHN PAULETTI, residing in Port Chester New York be and hereby  
is re-appointed as a full member of the Port Chester TRAFFIC COMMISSION, effective  
immediately with said term expiring on 12/31/2016.

APPROVED AS TO FORM:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

**RESOLUTION**  
**RE-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 ANDREW MATTURRO, residing in Port Chester New York be and hereby is re-appointed as a full member of the Port Chester TRAFFIC COMMISSION, effective immediately with said term expiring on 12/31/2014.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

**RESOLUTION**  
**RE-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 JOE GIANFRANCESCO, JR., residing in Port Chester, New York, be and hereby is appointed as a full member of the Port Chester TRAFFIC COMMISSION; and

BE IT FURTHER RESOLVED, that JOE GIANFRANCESCO, JR. be and hereby is appointed CHAIRMAN of the Port Chester TRAFFIC COMMISSION, effective immediately with said term to expire 12/31/2014.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

**RESOLUTION**  
**RE-APPOINTMENT OF MEMBER TO PARK 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 CONCETTINA THALHEIMER, residing in Port Chester New York  
be and hereby is re-appointed as a full member of the Port Chester PARK  
COMMISSION, effective immediately with said term expiring on 12-31-2017.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

**RESOLUTION**  
**RE-APPOINTMENT OF MEMBER TO PARK 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 HEATHER PAUL, residing in Port Chester New York be and hereby  
is re-appointed as a full member of the Port Chester PARK COMMISSION, effective  
immediately with said term expiring on 12-31-2017.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

**RESOLUTION**  
**RE-APPOINTMENT OF MEMBER TO PARK 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 JERRY TERRANOVA, residing in Port Chester, New York,  
be and hereby is appointed as a full member of the Port Chester PARK COMMISSION;  
and

BE IT FURTHER RESOLVED, that JERRY TERRANOVA be and hereby is  
appointed CHAIRMAN of the Port Chester PARK COMMISSION, effective  
immediately with said term to expire 12/31/2016.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

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:

WHEREAS, the New York State and Local Retirement System has set certain reporting requirements that apply to elected and appointed officials' and

WHEREAS, Village must establish a standard work day for each of the elected and appointed offices, specify the expiration of each term, designate the number of days to be reported for each official and certify receipt of record of their activities; and

WHEREAS the Board has discussed and deliberated with regard to same. Now, therefore, be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, hereby establishes the standard work days for elected and appointed officials and will report the days worked as reflected in the annexed form RS 2417-A, "Standard Work Day and Reporting Resolution for Elected and Appointed Officials" to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the Village Clerk: and be it further

RESOLVED, that the Village Clerk shall file a copy of this resolution and an affidavit of posting with the New York State Comptroller's office within 45 days of the adoption of this resolution, and be it further

RESOLVED, that the Clerk shall post this resolution on the Village's website for at least 30 days following same.

Approved as to Form:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:



Office of the New York State Comptroller  
 New York State and Local Retirement System  
 Employees' Retirement System  
 Police and Fire Retirement System  
 110 State Street, Albany, New York 12244-0001

# Standard Work Day and Reporting Resolution for Elected and Appointed Officials

**RS 2417-A**  
 (Rev. 3/14)

BE IT RESOLVED, that the VILLAGE OF PORT CHESTER / 40031 hereby establishes the following standard work days for these titles and  
 (Name of Employer) (Location Code)

will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>									
TRUSTEE	7	DANIEL BRAKEWOOD	[REDACTED]	041946088	<input type="checkbox"/>	04/02/13-04/05/16	NO	5.43	<input type="checkbox"/>
TRUSTEE	7	JOSEPH KENNER	[REDACTED]	042600742	<input type="checkbox"/>	04/02/13-04/06/16	NO	9.58	<input type="checkbox"/>
TRUSTEE	7	LUIS MARINO	[REDACTED]	037626678	<input type="checkbox"/>	04/02/13-04/06/16	NO	8.85	<input type="checkbox"/>
<b>Appointed Officials</b>									
VILLAGE JUSTICE	6	PETER SISCA	[REDACTED]	034340323	<input type="checkbox"/>	05/15/13-05/14/15	NO	8.5	<input type="checkbox"/>
ACTING VILLAGE JUSTICE	6	MATTHEW TROY III	[REDACTED]	037815248	<input type="checkbox"/>	05/15/13-05/14/15	NO	3.58	<input type="checkbox"/>
VILLAGE MANAGER	7	CHRISTOPHER STEERS	[REDACTED]	043318930	<input type="checkbox"/>	10/12/12-10/12/14	YES		<input type="checkbox"/>

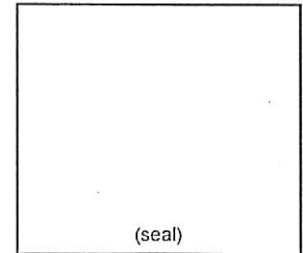
**SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE**

I, JANUSZ RICHARDS, secretary/clerk of the governing board of the VILLAGE OF PORT CHESTER, of the State of New York,  
 (Name of secretary or clerk) (Circle one) (Name of Employer)  
 do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the VILLAGE OF PORT CHESTER on this \_\_\_\_\_ day  
 of \_\_\_\_\_, 20\_\_,  
 (Signature of the secretary or clerk) (Name of Employer)

**Affidavit of Posting:** I, JANUSZ RICHARDS, being duly sworn, deposes and says that the posting of the  
 (Name of secretary or clerk)  
 Resolution began on \_\_\_\_\_ and continued for at least 30 days. That the Resolution was available to the public on the  
 (Date)

- Employer's website at \_\_\_\_\_
- Official sign board at \_\_\_\_\_
- Main entrance secretary or clerk's office at \_\_\_\_\_







VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Choose a Department**

**Village BOT Meeting Date:** June 2, 2014

**Item Type:** Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact		x	Public Hearing Required		x
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
			Business & Economic Development		
Agreement		x	<b>Manager Priorities</b>		
Strategic Plan Related	x		N/A		

**Sponsor's Name:** Select Sponsor's Name.

**SUPPORTING THE APPLICATION FOR GRANTS FOR  
 VARIOUS VILLAGE PROJECTS UNDER NEW YORK STATE  
 CONSOLIDATED FUNDING APPLICATION**

**Summary**

**Background:**

The Village of Port Chester Grant Writing Workgroup has identified several areas of opportunity to apply for grant funding for projects that correspond with stated goals of the Village Strategic, Local Waterfront Development, Comprehensive, and Recreation plans.

These projects are presented herein as 7 resolutions of support for the Board of Trustees to give weight to applications to be made for the 2014 Consolidated Funding Application deadline.

These grant opportunities are as follows

- Village of Port Chester Seeking funding from Empire State Development Municipal Grant Fund for a new municipal center.
- Village of Port Chester Seeking Department of State Local Waterfront Revitalization Program funding to repair the village marina bulkhead.
- Village of Port Chester Seeking funding from Empire State Development Municipal Grant Fund for the redevelopment of Fox Island.
- Village of Port Chester Seeking funding to redevelop land for expanded public access and open recreation space in Edgewood Park.
- Village of Port Chester Seeking funding to install recreational non motorized watercraft launch on Byram River/Long Island Sound.
- Village of Port Chester Seeking funding to perform a historical preservation and programming feasibility study and design of the Bush Lyon Homestead.
- Village of Port Chester Seeking funding to install equipment in Abendroth Park for the purposes of a dog park.

<b>Proposed Action</b>
------------------------

That the Board of Trustees adopt the Resolution

<b>Attachments</b>
--------------------

7 Resolutions

Grant Opportunity Presentation

**VILLAGE OF PORT CHESTER SEEKING STATE FUNDING TO INSTALL  
EQUIPMENT IN ABENDROTH PARK FOR THE PURPOSES OF A DOG PARK**

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

WHEREAS, in 2011 Governor Andrew Cuomo of the State of New York created ten Regional Economic Development Councils to develop long-term strategic plans for economic growth for each respective regions; and

WHEREAS, various state grant programs provide funding opportunities for projects furthering the goals and objectives outlined by each Regional Economic Development Council; and

WHEREAS, the Village of Port Chester is included as part of the Mid-Hudson Region; and

WHEREAS, The Village Board of Trustees and Parks Commission previously resolved to support the concept of creating a dog park in Abendroth Park; and

WHEREAS, there is no public space designated in the Village for dog interactive recreation; and

WHEREAS, the Village of Port Chester has the unique opportunity to have public support initiated by the Port Chester Dog Park Group in developing a public dog park proposed to be located in Abendroth Park; and

WHEREAS, the New York State Office of Parks and Historical Preservation's Environmental Protection Fund Municipal Grant Program provides grant funding opportunities for park development and planning to preserve, rehabilitate or restore lands for recreation purposes. Now therefore, be it

RESOLVED, that the Village Board of Trustees supports the application for grant funding through the 2014 Consolidated Funding Application process for the purpose of installing fencing and related amenities for a dog park.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:**  
**NOES:**  
**ABSENT:**

**DATE:**

**VILLAGE OF PORT CHESTER SEEKING STATE FUNDING TO PERFORM A  
HISTORICAL PRESERVATION AND PROGRAMMING FEASIBILITY STUDY  
AND DESIGN FOR THE RESTORATION OF THE BUSH- LYON HOMESTEAD  
IN LYON PARK**

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

**WHEREAS**, in 2011 Governor Andrew Cuomo created ten Regional Economic Development Councils to develop long-term strategic plans for economic growth in the State of New York; and

**WHEREAS**, various state grant programs provide funding opportunities for projects which further the goals and objectives outlined by each Regional Economic Development Council; and

**WHEREAS**, the Village of Port Chester is included as part of the Mid-Hudson Region; and

**WHEREAS**, the Village of Port Chester has the unique opportunity to provide a greater level of cultural and heritage programming through the restoration of the registered national historical landmark at 479 King Street known as the “Bush-Lyon Homestead” (“Site”); and

**WHEREAS**, the Site contains four historical structures including Revolutionary War-era barns, slave quarters and a residence; and

**WHEREAS**, the Site contains structurally deficient components that precludes public access; and

**WHEREAS**, professional assistance and grant funding is required to best determine the feasibility for future uses and programming options in relation to promoting the cultural and historic heritage of the Site; and

**WHEREAS**, the New York State Council of the Arts Art Culture and Heritage Project grant program provides grant funding opportunities for facility planning projects that directly drive public participation, tourism and regional vitality through heritage activities; and

**WHEREAS**, the New York State Office of Parks and Historical Preservation’s Environmental Protection Fund Municipal Grant program provides grant funding opportunities to plan for the improvement, protection, preservation, rehabilitation and restoration of properties listed on the State or National Register of Historic Places and for Structural assessments and/or planning for such projects; and

**WHEREAS**, the Village of Port Chester Parks Commission supports all Village efforts to restore the Site. Now, therefore be it

**RESOLVED**, that the Village of Port Chester Board of Trustees fully supports the application for grant funding through the 2014 Consolidated Funding Application process for the purpose of commissioning a study of the structural integrity and future uses and programming options of the Bush-Lyon Homestead and to retain a contractor to design a project to meet those goals.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

**VILLAGE OF PORT CHESTER SEEKING STATE FUNDING TO REDEVELOP  
LAND TO ENHANCE PUBLIC ACCESS AND OPEN RECREATION SPACE  
IN EDGEWOOD PARK**

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

WHEREAS, in 2011 Governor Andrew Cuomo of the State of New York created ten Regional Economic Development Councils to develop long-term strategic plans for economic growth in the State of New York; and

WHEREAS, various state grant programs provide funding opportunities for projects furthering the goals and objectives outlined by each Regional Economic Development Council; and

WHEREAS, the Village of Port Chester is included as part of the Mid-Hudson Region; and

WHEREAS, increased recreational access to Edgewood Park, and acquisition and development of increased open space are goals stated in the Village's Comprehensive Plan and 2002 Recreation Master Plan states as goals enhanced public access and open recreation space in Edgewood Park ; and

WHEREAS, the Village of Port Chester recently acquired property at 201 Grace Church Street ("Site") adjacent to Edgewood Park; and

WHEREAS, the New York State Office of Parks and Historical Preservation's Environmental Protection Fund Municipal Grant Program provides grant funding opportunities for park development and planning to preserve, rehabilitate or restore lands for recreation purposes; and

WHEREAS, the Village of Port Chester Parks Commission support all Village efforts to enhance Edgewood Park. Now, therefore, be it

RESOLVED, that the Village Board of Trustees supports the application for grant funding through the 2014 Consolidated Funding Application process for the purpose of demolishing the former residence at 201 Grace Church Street and construction of parking/recreational facilities for Edgewood Park.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:**  
**NOES:**  
**ABSENT:**

**DATE:**

**VILLAGE OF PORT CHESTER SEEKING STATE FUNDING TO INSTALL  
RECREATIONAL NON MOTORIZED WATERCRAFT LAUNCH ON  
BYRAM RIVER/LONG ISLAND SOUND**

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

WHEREAS, in 2011 Governor Andrew Cuomo of the State of New York created ten Regional Economic Development Councils to develop long-term strategic plans for economic growth for each respective regions; and

WHEREAS, various state grant programs provide funding opportunities for projects which further the goals and objectives outlined by each Regional Economic Development Council; and

WHEREAS, the Village of Port Chester is included in the Mid-Hudson Region; and

WHEREAS, the Village's Comprehensive Plan, 2002 Recreation Master Plan, 2014-2016 Strategic Plan and Local Waterfront Revitalization Plan all support increased recreational access to the waterfront as both a recreational and economic goal; and

WHEREAS, the Village of Port Chester has a unique opportunity to provide a greater level of waterfront-integrated recreational programming and access through the installation of a non-motorized watercraft launch facility at the Village Marina ("Site") that would afford access to the Byram River and extend to all points on Long Island Sound; and

WHEREAS, the Site has existing public access, is in close proximity to the downtown area, provides available on-site parking, and is public visibility which together make it the most appropriate location for such a launch facility; and

WHEREAS, the Department of State ("DOS") Local Waterfront Revitalization Program ("LWRP") provides grant funding opportunities for implementation of land and water-based trails and launch sites and directly related infrastructure and improvements. Now, therefore be it

RESOLVED, that the Village Board of Trustees supports the application for grant funding through the 2014 Consolidated Funding Application process for the purpose of installing a non-motorized watercraft launch facility and all associated improvements required therein at the Village Marina.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:**  
**NOES:**  
**ABSENT:**

**DATE:**

**VILLAGE OF PORT CHESTER SEEKING ADDITIONAL STATE FUNDING TO  
REPLACE THE VILLAGE MARINA BULKHEAD AND  
FACILITATE ECONOMIC DEVELOPMENT**

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

WHEREAS, in 2011 Governor Andrew Cuomo of the State of New York created ten Regional Economic Development Councils to develop long-term strategic plans for economic growth for each respective region; and

WHEREAS, state grant programs provide funding opportunities for projects furthering the goals and objectives outlined by each Regional Economic Development Council; and

WHEREAS, the Village of Port Chester is located in the Mid-Hudson Region; and

WHEREAS, the Village of Port Chester is presented with an exigent situation to replace the failing Village Marina Bulkhead and reactivate the adjacent public pedestrian promenade which has been partially closed due to safety concerns; and

WHEREAS, the Marina Bulkhead has been identified in the Village's 2014-2016 Strategic Plan as one of five economic Opportunity Areas; and

WHEREAS, the Department of State ("DOS") Local Waterfront Revitalization Program ("LWRP") provides grant funding opportunities for planning initiatives and projects that advance strategies for community and waterfront revitalization; and

WHEREAS, in 2013, the Village of Port Chester obtained \$225,420 in grants through the Department of State's Local Waterfront Revitalization Program ("LWRP") for design and construction documents to replace the bulkhead and make other related improvements as part of a broader economic development initiative; and

WHEREAS, most recently staff has been meeting with the State Department of Environmental Conservation ("DEC") obtaining their input and direction as to the appropriate manner of proceeding with the design work so as to assure the Village's alignment with State environmental requirements and directives. Now therefore be it

RESOLVED, that the Village Board of Trustees supports the submission of an application as part of the 2014 Consolidated Funding Application process for construction funding to replace the Marina bulkhead and provide increased public access to the Byram River to further economic development opportunities along the waterfront.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

**VILLAGE OF PORT CHESTER SEEKING STATE FUNDING  
FROM THE EMPIRE STATE DEVELOPMENT AGENCY  
FOR A NEW MUNICIPAL CENTER**

On the motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_,

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

**WHEREAS**, in 2011 Governor Andrew Cuomo of the State of New York created ten Regional Economic Development Councils to develop long-term strategic plans for economic growth for each respective region; and

**WHEREAS**, various state grant programs provide funding opportunities for projects furthering the goals and objectives outlined by each Regional Economic Development Council; and

**WHEREAS**, the Village of Port Chester is located in the Mid-Hudson Region; and

**WHEREAS**, the Police Headquarters/Port Chester Justice Court building at 350 North Main Street is obsolete for current, much less future anticipated operational needs; and

**WHEREAS**, the Board has proposed a new municipal center that would consolidate village, state and town offices into a single, modern and convenient location together with leasable office and retail space with a public parking garage so as to provide a catalyst to economic development for the surrounding area and the Village; and

**WHEREAS**, a new Village Municipal Center is identified in the Village's adopted 2014-2016 Strategic Plan as one of the five Opportunity Areas positioned for future economic growth and development; and

**WHEREAS**, mindful of the need to undertake due diligence before proceeding, the Board has retained the National Development Council ("NDC") to provide a preliminary report and make

a presentation as to the cost and feasibility of constructing such a facility at a location identified by a prior Village consultant, JCJ Architecture, and whether NDC may undertake the development of same in a public-private partnership as it has successfully done in other projects across the country; and

**WHEREAS**, the Empire State Development agency provides grant funding opportunities to initiate regional and local economic development throughout New York State, Now, therefore, be it

**RESOLVED**, that the Village Board of Trustees supports the submission of an application for grant funding from Empire State Development for the costs of property acquisition in the development of a proposed new Village Municipal Center.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

REPORT  
OF  
THE VILLAGE MANAGER

# CORRESPONDENCE

emailed mayor 5/16/14

VILLAGE OF PORT CHESTER

MAY 16 2014

RECEIVED

M

May 16, 2014

Mayor Pagano,

I would like to be a  
member of the park commission.  
attached is a copy of my resume.

Thank you for your consideration

Janice Corbia

**Ginger Corbia**  
**365 Putnam Ave.**  
**Port Chester, New York 10573**  
**(914) 305-4167**

<b>Education</b>	SUNY Purchase
2003-2007	Purchase, NY
1991-1993	IONA College New Rochelle, NY
1969-1971	Western New England College Springfield, MA
<b>Employment History</b>	Port Chester Board of Education, Port Chester, NY
1988-Present	<i>Teacher Assistant</i>
1987-1988	Pre-Day School, Port Chester, N <i>Nursery School Teacher</i>
1979-1984	Tot's Village Nursery, Port Chester, NY <i>Nursery School Teacher</i>
1978-1979	Westmore Nursery, Port Chester, NY <i>Nursery School Teacher</i>
<b>Relevant Experience</b>	*Worked with middle school students grades 6-8 for 22 years *Worked with grades K-3 for 4 years *Worked with 3 and 4 years olds for 6 years *Taught exercise in middle school physical education classes
<b>Coaching Experience</b>	<i>Modified Softball Coach</i>
2004-2014	Port Chester Middle School, Port Chester, NY
2010-2014	<i>Modified Cross Country Coach</i> Port Chester Middle School, Port Chester, NY
2003-2009	<i>Varsity Cheerleading Coach</i> Rye Neck High School, Mamaroneck, NY
1993-2003	<i>Varsity Cheerleading Coach</i> Port Chester, NY
<b>Tutoring Skills</b>	*Tutored middle school students after school at the Port Chester Library
<b>Additional Training</b>	*DASA (Dignity for All Students Act) – Trained in anti-bullying *CPR – First Aid – AED * Concussion
<b>References</b>	Upon Request

Email - csunflower3@aol.com

VILLAGE OF PORT CHESTER

MAY 15 2014

RECEIVED

M

DUICE

HE'S INTERESTED ON  
TRAFFIC COMMISSION  
OR WHAT'S EVER OPIN

Thanks

Mrs  
FRANKIE IS  
A SGT. ON  
COUNTY POL.

STEVE  
CARROLL  
ALIKIA  
HOSS

**Charles A. Geraci**  
[charlesgeraci91@gmail.com](mailto:charlesgeraci91@gmail.com)  
[cageraci@loyola.edu](mailto:cageraci@loyola.edu)

**Address**

164 Betsy Brown Road  
Port Chester NY 10573  
(914) 224-3813

EDUCATION

**Loyola University Maryland**

**Baltimore, Maryland**

**The Joseph A Sellinger, S.J. School of Business and Management**

May 2013

- B.B.A. in Finance with honors
- Major GPA 3.8
- **Sellinger Applied Portfolio**
  - Given \$500,000 of endowment money to trade
  - Made 20% annualized return

Spring 2013

**Iona Preparatory School**

**New Rochelle, New York**

- Graduated with honors

May 2009

WORK EXPERIENCE

**The Dannon Company**

**White Plains, New York**

*Treasury Accountant*

November 2013-Present

- Manage The Dannon Company's finances and banking
- Manage multiple subsidiary companies finances and banking
- Direct workflow to meet compliance standards

**Student Government Association**

**Baltimore, Maryland**

*Director of Finance*

May 2012-May 2013

- Managed a \$270,830 budget
- Served as a financial advisor for SGA and all student organizations on campus
- Worked directly with the Board of Trustees Finance Committee
- Directed and organize weekly finance meetings

**SS&C GlobeOp Financial Services**

**New York, New York**

*Internship*

June 2012-August 2012

- Responsible for a cross departmental mandate to streamline the collection and reporting of employee time sheet data
- Presented project results directly to North America COO, highlighting improved client profitability and budgeting metrics
- Compiled and investigated daily cash and position breaks for hedge funds, trading a large variety of OTC derivative products. Specific products included, Credit Default Swaps (Single name corporate, Sovereigns, Indexes), Equity Swaps, Interest Rate Swaps, and Equity OTC Options

**Westchester County Department of Public Safety**

**Hawthorne, New York**

*Seasonal Park Ranger*

May 2011-October 2013

- Certified New York State Peace Officer enforcing local and state laws
- Made crucial decisions in emergency situations/initiated arrests
- Handled situations ranging from aided cases to criminals

ACTIVITIES

**Loyola University**

**Baltimore, Maryland**

**Financial Management Association National Honor Society Inductee**

Spring 2013

**Greyhounds Club Roller Hockey**

Fall 2010-Spring 2013

- Captain-Organize and run practices

**Students in Free Enterprise (S.I.F.E) Manager**

Fall 2010

**Thomas Edison PTO**  
132 Rectory Street  
Port Chester, NY 10573  
(914)934-7980  
edisonpto.10573@gmail.com

---

Mayor & Board of Trustees  
Port Chester Village Hall  
222 Grace Church Street  
Port Chester, NY 10573

**RE: Thomas Edison School Fun Day-June 6, 2014**

Dear Mayor Pagano & the Board of Trustees:

On Friday June 6, 2014, the Thomas Edison School will be having its annual Fun Day. Fun Day will be held from 8:30 a.m. to 2:30 p.m.

We are hereby requesting the closure of Rectory Street (only the small section in front of the school, between Locust Avenue & Orchard Street.)

For your convenience, I have also forwarded the request to all Emergency Personnel.

If you have any questions, please feel free to call me at (914) 469-8029.

Thank you.

Sincerely,

Cynthia Oliveros  
Vice President of the  
Thomas Edison PTO

CC: Ivan Tolentino, Principal  
PCPD Traffic Sergeant  
PCFD Fire Chief  
Scott Moore, EMS Administrator  
Roccy Morabito, DPW General Foreman

emailed mayor 5/16/14

325 King Street, #6B  
Port Chester, NY 10573  
May 8, 2014

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

VILLAGE OF PORT CHESTER

MAY 16 2014

RECEIVED *M*

Re: Resignation from Parks Commission

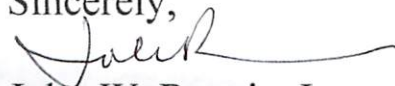
Dear Mayor Pagano:

Please accept my letter of resignation from the Parks Commission effective May 31, 2014.

I have enjoyed serving on that commission and feel that new faces are needed at this time to provide a united renaissance with Recreation Commission.

Again, thanks for allowing me to participate on a Village committee, which is an important and integral part of a diversified community.

Sincerely,



John W. Reavis, Jr.

Mayor Neil J. Pagano & Board of Trustees  
Village of Port Chester  
222 Grace Church Street  
Port Chester, New York 10573

Dear Mayor Neil J. Pagano & Board of Trustees:

I am enclosing for your consideration a copy of my resume for the Board of Ethics position. As a life-long and devoted resident of Port Chester, I am grateful that I might have the opportunity to represent the community as a leader through the Council of Community Services and resident.

For the past four years, I have served as an advocate for young people and their families in the role of Post-Placement Counselor at a non-profit organization that supports the academic aspirations of Black and Latino students in Westchester County, NY and in Fairfield County, CT. My work demands a high level of organization and communication skills as I provide translations services to Spanish-speaking families and serve as a liaison between my Scholars and their parents, and school administrators.

For the past seven months, I have served as Community Coordinator for the Council of Community Services. The demands of my work require that I am flexible. I attend multiple meetings throughout the year to various agencies, organizations, and community centers. In addition, I am directly involved with the development and execution of various programs, initiatives and outreach events that are offered in the community. As well as maintaining relationships with the various community resources, I attend network meetings that specialize in certain aspects of the community such as health, seniors, the Latino community, and housing.

It is my sincere desire to be a part of the Board of Ethics and I believe that my leadership skills in addition to the years spent working with the community in a variety of manners qualifies me to hold this position. I hope you will consider me for the Board.

I thank you for your consideration and welcome the opportunity speak to you.

Sincerely,  
Bryan Diaz

# BRYAN DIAZ

402 King Street ♦ Port Chester, NY 10573 (914) 479-8667 ♦ bryan.diaz90@gmail.com

## HUMAN SERVICES PROFESSIONAL

Bilingual, self-motivated and technologically skilled professional, with a broad range of skills and talents focused on empowering underserved populations, seeks opportunity where strong work ethic and organizational and team-building skills can be contributed to a dynamic academic and service-driven organization.

## SUMMARY OF SKILLS

Youth Mentoring	Spreadsheet & Database Creation	Community Outreach
Confidential Records Management	Report & Document Preparation	Academic Tutoring
Photography and Videography	Presentation	Youth Program Chaperoning

## EDUCATION

### MANHATTANVILLE COLLEGE — Purchase, NY

Dual Major: Sociology and Philosophy

### PORT CHESTER HIGH SCHOOL — Port Chester, NY

High School Diploma

## PROFESSIONAL EXPERIENCE

### COMMUNITY COORDINATOR, COUNCIL OF COMMUNITY SERVICES — Port Chester, NY, 2013 to Present

#### Key Results:

- ♦ Facilitate community development planning to identify and establish development opportunities
- ♦ Establish community empowerment initiatives and programs
- ♦ Implement and monitor community networks
- ♦ Complete administrative functions to ensure the organization is properly funded and administered
- ♦ Secure funding for the Mary O'Connell Campership Fund and God's Green Market
- ♦ Provide support to other community organizations
- ♦ Develop and manage community events such as Port Chester Fest

### POST-PLACEMENT COUNSELOR & SPECIAL PROJECTS ASSOCIATE, REACH PREP — Stamford, CT, 2010 to Present

#### Key Results:

- ♦ Provided academic and social support to Scholars
- ♦ Collaborated with administrative personnel of participating schools to ensure that Scholars were supported
- ♦ Collaborated with counseling psychotherapist to ensure that emotional needs of Scholars were addressed and met
- ♦ Assisted Director of Education with Summer and Saturday academic program
- ♦ Co-authored and managed professional website
- ♦ Supported administrative team in delivering mission-driven program outcomes
- ♦ Provided translations services for families, ensured equitable access to services
- ♦ Co-authored organization's college preparation curriculum geared to 6<sup>th</sup> to 12<sup>th</sup> grade Scholars and their parents
- ♦ Co-presented organization's coaching philosophies to national independent school diversity conference
- ♦ Effectively managed academic and personal records of organization's clientele
- ♦ Co-authored reports integral to organization development and funding
- ♦ Prepared photo and video documentation of organization's programs for presentation to potential funders
- ♦ Served as chaperone for several day and overnight excursions
- ♦ Provided general office support to organization

**ENUMERATOR/CREW LEADER, UNITED STATES CENSUS BUREAU — White Plains, NY, 2010**

**Key Results:**

- ◆ Conducted interviews with residents in assigned areas with stringent guidelines and confidentiality laws
- ◆ Informed residents of the purpose of the census interview, answered questions
- ◆ Complied with accuracy standards while maintaining high production rates

**CREW MEMBER, TRADER JOE'S — Scarsdale, NY, 2009 to 2010**

**Key Results:**

- ◆ Provided superior customer service
- ◆ Stocked shelves, built display cases

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**COMMUNITY OUTREACH AND PROFESSIONAL DEVELOPMENT**

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**HERMANOS Y AMIGOS DE GUATEMALA (HAGUA) — PORT CHESTER, NY, 2010 to Present**

- ◆ Active member of non-profit organization committed to assisting communities in need in the United States and abroad
- ◆ Supported in the development of organization's website
- ◆ Participated in outreach to promote organization's development objectives in the US and in Central America
- ◆ Organized food, materials and clothing collection and delivery
- ◆ Participated in international service trips to Guatemala
- ◆ Developed partnerships with Guatemalan service organizations
- ◆ Serve as active member of organization's dance troupe

**NATIONAL PARTNERSHIP FOR EDUCATIONAL ACCESS CONFERENCE— CHICAGO, ILL, 2012**

- ◆ Participated in training instrumental to Post-Placement Counselor position
- ◆ Developed partnerships to enhance support service for Scholars

**NATIONAL PARTNERSHIP FOR EDUCATIONAL ACCESS CONFERENCE— ATLANTA, GA, 2011**

- ◆ Developed partnership that resulted in organization's improved database management and output
- ◆ Developed strategies to present program's results through data

**PREPARETE CONFERENCE— MIAMI, FL, 2012**

- ◆ Participated in Collegeboard® program focused on improving access to Latino students
- ◆ Adopted strategies to support Scholars in their transition to independent schools
- ◆ Developed strategies to implement for students and parent workshops

**PEOPLE OF COLOR CONFERENCE— HOUSTON, TX, 2013**

- ◆ Participated in NAIS® program focused on improving access to students of color
- ◆ Adopted strategies to create an inclusive school community and networking opportunities
- ◆ Developed strategies to implement for students and parent workshops

**THE HAWN FOUNDATION: MIND UP – GREENWICH, CT 2013**

- ◆ Participated in The Hawn Foundation's MindUP program focused on serving students academic performance
- ◆ Adopted strategies to improve a students ability to learn and thrive through social and emotional literacy
- ◆ Developed strategies to implement for students and parent workshops

*Emailed Mayor/VC for next BOT mtg.*

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

VILLAGE OF PORT CHESTER

MAY 22 2014

RECEIVED

*M*

April 15, 2014

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 11<sup>th</sup> through August 16<sup>th</sup>. I can be reached at (914) 937-1455 or at the church rectory (914) 933-3169.

Thank you,

*Paul R. Gerardi*

Paul R. Gerardi  
Carnival Chairman



Donald Ray Hensley JR  
21 Edison Place  
Port Chester, NY 10573  
(914) 481- 1167 W  
(914) 481- 1166 F

Friday, May 23, 2014

Janusz Richards  
Village Clerk  
222 Grace Church Street  
Suite 120  
Port Chester, NY 10573

Dear Mr. Richards;

Please note this letter as a formal request to be considered for an interview regarding the open vacancy on the Port Chester Waterfront Commission. Please forward this initial request to the Mayor and the Board of Trustees.

I welcome the opportunity to speak with you and your constituents regarding this application process. I know you will find I am a perfect fit for the position. Please see my enclosed resume.

Kindest Regards;

A handwritten signature in blue ink, appearing to read "Donald Ray Hensley JR". The signature is stylized and cursive.

Donald Ray Hensley JR

# DONALD RAY HENSLEY JR

## OBJECTIVE

---

Motivated Self Starter with a proven track record for success. Self Employed Financial Services Professional with an emphasis on: Growing Client Base, Improving Client Bottom Line and Providing Exceptional Client Service.

## EXPERIENCE

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2013- Present **NEXT Financial Group, Inc.** South Salem, NY

### *Wealth Management Advisor*

- Determine customers' financial services needs and prepare proposals to sell services that address these needs.
- Develop prospects from current commercial customers, referral leads, or sales and trade meetings.
- Review business trends to advise customers regarding expected fluctuations.

2008- Present **United States Army CTANG** Hartford, CT

### *102D Army Band*

- Current Section Leader of the Jazz Band
- Rifle Squad/ Flag Presenter for CTANG Funeral Honors 2011

2012- 2013 **HFP Capital Markets** New York, NY

### *Corporate Bond Trader*

- Buy or sell Corporate Bonds on behalf of investment dealers and HNW Clients.
- Analyze target companies and investment opportunities to inform investment decisions.
- Inform other traders, managers, or customers of market conditions, including volume, price, competition or dynamics.

2011- 2012 **Honeywell, Inc.** Danbury, CT

### *Sales Operations Coordinator*

- Reviewed sales, activity reports and other performance data to measure productivity to determine areas needing cost reduction.
- Direct and coordinate organization\'s financial and budget activities to fund operations, maximize investments, and increase efficiency.
- Establish and implement departmental policies, goals, objectives, and procedures, conferring with board members, organization officials, and staff members as necessary.

## EDUCATION

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- 2009- 2011      **Fordham University**      Bronx, NY
- B.A. Management
  - 3.05 GPA
  - Concentration in Finance

## ADDITIONAL SKILLS

---

- FINRA Series 7
- FINRA Series 63
- FINRA Series 65
- NYS Life and Health Insurance License.
- CT Life and Health Ins License.
- Currently Completing Coursework to become a FINRA Dispute Arbitrator.
- Currently Completing Coursework for the FINRA Series 24 Exam.

## AFFILIATIONS

---

- Elected to the Greenwich, CT Byram Veterans Association Board of Directors for a 2 Year term in 2014.
- Elected to the Danbury Youth Services Board of Directors for a 2 Year term in 2014.

## INTERESTS

---

Reside with my wife in Port Chester, NY. Avid Golfer, Jazz Guitar Player, Wine Enthusiast and New York Yankees Season Ticket holder.

---



## Lou Del Bianco

16 Village Green  
Port Chester, NY 10573

PHONE: (914) 937-0897 FAX: (914) 937-0227

E-MAIL: [Lou@FindLou.com](mailto:Lou@FindLou.com)  
[www.FindLou.com](http://www.FindLou.com)

May 27, 2014

TO: Mayor Pagano and the Port Chester Board of Trustees  
FROM: Lou Del Bianco  
RE: Luigi Del Bianco Memorial Reception Invitation

Dear Mayor Pagano and Board of Trustees,

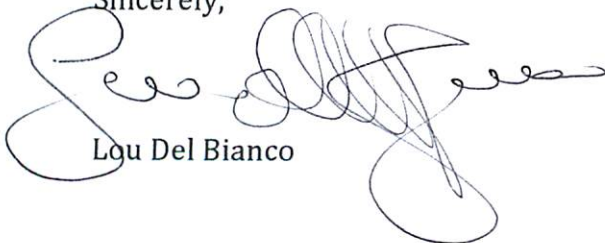
You are all cordially invited to a reception following the Luigi Del Bianco memorial dedication on Saturday June 21, 2014. The reception is from 2:45-4:30pm at the Crawford Mansion in Rye Town Park.

You are welcome to bring a guest. Please email me at [ldb31@icloud.com](mailto:ldb31@icloud.com) or call 937-0897 to let me know you will be attending the reception.

I hope you will all be part of this historic event in our beloved village.

I look forward to hearing from you.

Sincerely,



Lou Del Bianco

# MINUTES

## **MEETING HELD MAY 19, 2014**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, May 19, 2014, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Saverio Terenzi, Luis Marino, Joseph Kenner and Gene Ceccarelli.

It should be noted that Trustee Brakewood arrived at 6:06 p.m.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Director of Planning and Development Christopher Gomez (arrived at 7:39 p.m.); Christopher Ameigh Administrative Aide to the Village Manager and Village Planner Jesica Youngblood (arrived at 7:39 p.m.).

On motion of Trustee , seconded by Trustee the meeting was declared opened at 6:01 p.m.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

### **MOTION FOR EXECUTIVE SESSION**

#### ***EXECUTIVE SESSION #1***

At 6:01 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI the Board adjourned into an executive session to Interview Chris Summa for a position on the Port Chester Planning Commission.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustees Brakewood.

**DATE:** May 19, 2014

Present in addition to the Board of Trustees, were Also present were Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto and Christopher Ameigh Administrative Aide to the Village Manager.

No action was taken in executive session.

At 6:18 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

***EXECUTIVE SESSION #2***

At 6:18 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO the Board adjourned into an executive session regarding G & S – LADA Negotiations.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

Present in addition to the Board of Trustees, were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Christopher Ameigh Administrative Aide to the Village Manager; representatives from G&S, Stephen Klaiman and Attorney Daniel Tartaglia.

No action was taken in executive session.

At 7:04 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

### ***EXECUTIVE SESSION #3***

At 7:05 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the Board adjourned into an executive session regarding consultation with Labor Attorney regarding the Appointed/Non-Union Benefit Plan.

#### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

Present in addition to the Board of Trustees, were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Christopher Ameigh Administrative Aide to the Village Manager; representatives from G&S, Stephen Klaiman and Attorney Daniel Tartaglia.

No action was taken in executive session.

At 7:04 p.m., a motion to come out of executive session was made by TRUSTEE TERENCE, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

#### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

### **WORK SESSION**

Jerry Terranova, Chairman of the Park Commission, commented on the park fees. Up to 20 people can use the park free. Residents 20 to 49 is a \$100 use fee. The fees are in listed in 236.5. If we had a resident using the park for less than 50 people and then using the ballpark in Lyon Park it would be \$100 for use for the number of people (less than 50) and \$50 for the ballpark. If a non-profit comes to us and wants to use the park there is no fee. However, if they bring in equipment such as a blow up, we need to charge them. Trustee Adams explained that the Board is having the Commissions come in to the Board Meetings to explain the work they do. At the present time there may be one opening on the Park Commission due to a resignation. If someone is interested in joining the board they should send a resume through the Village Clerk.

Joe Gianfrancesco Jr., Chairman of the Traffic Commission, commented he presently has four members on the commission. We are down one committee member. They deal with traffic issues, curb cuts, planning and zoning, we look at plans for potential future problems, handicapped parking, lights and signage, anything to do with traffic. There is someone every week on the road reviewing what needs to be done. The Traffic Commission meets once a month and I deal with the traffic sergeant every week and town hall on a regular basis. We are solely a recommendation group, we don't make laws. We make our recommendations to the BOT.

## **PUBLIC COMMENTS**

Mayor Pagano asked if there was anyone from the audience who would like to make any comments regarding this public hearing.

Comments were made by:

Ms. Goldie Solomon commented that all should get out and vote tomorrow on the school budget and for school board members. She commented on the closing of churches in the community. Our schools are overcrowded and we have too much construction of new housing.

Heather Paul commented as a member of the Park Commission. Most requests are usually for Lyon Park. We have tried to distribute requests throughout the other beautiful parks. Some of the requests must be rejected because of fairness to the people who live around the parks. Another thing is the number of vacant new housing in the Village. The people who will be applying for rental are upwardly mobile. With the closing of the Diamond Club this is a cleaner town.

Ms. Bea Conetta commented on the school election. The vote is the most important weapon we have. Up to this date I have sent in 200 signatures regarding how the Amnesty Program is being used. Ms. Conetta commented about an article regarding corruption in government.

Mr. John Giangrande commented on the churches closing in Port Chester. They looked at the attendance and that is why they are looking to close the two in the Village.

Mr. Bill Giangrande commented on the Town Hall meeting at the Senior Center. Village Manager Steers said the notice went out to every property owner in the village and a notice was in the newspaper. In the area of 31 Merritt Street there should be a 2-light fixture instead of the 1-light presently at that location.

Mr. Richard Abel commented about a fee for up to 50 people using the parks. It should be 21 to 49 people. He commented on the Village Agreement with Chris Steers. Regarding the parking at the Village Court the signage should be changed on the street. He commented that the current and previous Boards have been the most incorruptible in the last 50 years of Village history.

Ms. Granata commented about the closing of the Diamond Club. She asked the members of the Board to look at the codes. She would like to Code Tracker to be brought up to

date. Our parks are already being maintained, so there should be no fee for the dog park. The Amnesty has been letting certain people extend the time to rectify the violations.

Dominic Rende commented about the Vendor Fee. He is not allowed in certain areas and feels he is getting more for less. The permit fee went from \$350 to \$435. The fee should be comparable to other towns.

Ms. Linda Turturino commented on the Dog Park. As of today Port Chester is in third place out of 900 nominated communities. We are currently selling raffle tickets. We are currently working on the entertainment committee for the summer concerts in Lyon Park and downtown. The 4<sup>th</sup> of July Celebration will be on July 4<sup>th</sup>, rain date July 5<sup>th</sup>.

Mr. Rende suggested that the Village have more “Truck Route” signs.

## **PRESENTATION**

The Annual Stormwater Report was presented by Dolph Rotfeld. The annual report was given to all Trustees. It is due in two weeks. The educational part has been covered. We have flyers out with recycle information. Public participation is qualified. Storm drains are marked. We’ve inspected 16 outfalls with trauma in three of them. One has been corrected and the others will be corrected when the contract is out for repairing of sewers. At minimum site control, we only have one site under construction that’s subject to the permit and that is the Castle at Willett and Abendroth. Post construction #5, there is nothing eligible for it. The new sweeper truck that has been service for the last month and a half is doing much better than the previous one. We’ve got roughly 41 miles of streets in the Village that he covers.

The bid for storm drains is out and we expect returns in two weeks. The website has plenty of information that people can look at. We have the questionnaires that went out. Unfortunately, none of the questionnaires on the DPW website were answered. There is quite a bit of information on how to keep Port Chester clean.

Mayor Pagano commented he sat in on a meeting recently regarding cross connections. There are around 150 that have been identified. A cross connection is a legal connection to the sanitary sewer. No sewage is allowed to go into a storm drain. Any driveway that goes down from the road and has a drain at the bottom, chances are that they are connected to the sanitary sewer. That means that the homeowner will have to put in a sump pump so have the water go into the storm drain.

Dolph commented the Board has to sign the report and send to the Village Clerk to put on the website. By Friday he should get it in the mail to the state DEC.

Dolph has written to the State DOT about the cones on King Street. The state has to take care of this. It should be cleared up in approximately one week.

Dolph will be meeting with Con Edison next week regarding their work on King Street going down the hill toward Summerfield Park.

## **RESOLUTIONS**

**RESOLUTION #1**  
**CHANGES TO THE APPOINTED AND NON-UNION BENEFIT PLAN**

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

WHEREAS, by Resolution dated November 1, 2004, the Board of Trustees adopted a revised "Appointed and Non-Union Benefit Plan" (hereinafter "Plan") which set forth terms and conditions of employment for certain appointed employees of the Village; and

WHEREAS, the current Board of Trustees has reviewed the Plan and desires to revise the Plan with respect to certain Vacation benefits and procedures so that employees covered by the Plan utilize the Vacation benefits afforded to them in the year in which they are provided,

NOW, THEREFORE, BE IT RESOLVED that Section I (A.) Vacation is hereby amended so that, *effective as of the Village's Fiscal Year beginning June 1, 2014*, any vacation time earned or accrued by employees covered by the Plan in a given fiscal year must be utilized in that same fiscal year; and be it

FURTHER RESOLVED that the following paragraph of said section is hereby stricken:

"At any time during employment, an individual may request a payment of accrued vacation days in any year with the approval of the individual's supervisor and prior notification to the Finance Office."

FURTHER RESOLVED that that all accrued vacation leave as of May 31, 2014 shall be paid at the rate of pay in effect for that employee as of May 31, 2014.

BE IT FURTHER RESOLVED that the remaining provisions of the Plan remain in effect as previously set forth.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #2**  
**AUTHORIZING THE RENEWAL OF EMPLOYMENT AGREEMENT WITH THE**  
**VILLAGE MANAGER**

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

WHEREAS, since October 11, 2012, Christopher D. Steers has been employed by the Village of Port Chester as Village Manager; and

WHEREAS, the employment agreement between the Village and the Manager provides for a two-year term to expire on October 11, 2014; and

WHEREAS, the Board of Trustees has timely notified the Manager of its' intention to renew the said agreement; and

WHEREAS, the parties have negotiated terms for the renewal. Now, therefore, be it

RESOLVED, that on behalf of the Board of Trustees the Mayor is hereby authorized to enter into an employment agreement with Mr. Steers in the form annexed herein setting out the following terms and conditions:

- two year term
- current annual base salary of \$190,000
- assigned village vehicle with expense for professional and Village-related business use assumed by the Village
- six months severance
- annual performance and goals evaluation

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #3 (POSTPONE)**

AUTHORIZING STIPULATION OF SETTLEMENT IN THE MATTER OF PC 406  
BPR and PC 999 HIGH STREET CORP v. VILLAGE OF PORT CHESTER, ET AL.  
WITH REGARD TO THE REDEVELOPMENT OF THE FORMER SITE OF UNITED  
HOSPITAL AND 999 HIGH STREET

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE KENNER to postpone the vote on Resolution Number 3 to the June 2, 2014 meeting.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

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, on or about July 16, 2013, PC 406 BPR. LLC and PC 999 High Street Corp. (“plaintiffs”) brought suit against the Village of Port Chester in State Supreme Court, Westchester County, challenging on various grounds the zoning amendments adopted by the Board of Trustees on March 18, 2013 as affecting their properties located at 406 Boston Post Road and 999 High Street; and

WHEREAS, on April 23, 2014, Judge Sam Walker directed the parties to appear for a status conference wherein the court was advised by counsel that on April 21, 2014 the Board of Trustees had accepted for consideration a superseding application for zoning amendments so as to commence the environmental review process under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the parties desire to avoid the time and expense and accompanying distraction of litigating this matter pending the review of the new application which determination is ultimately entrusted to the discretion of the Board of Trustees. Now, therefore, be it

RESOLVED, that the Village Attorney is hereby authorized to enter into a Stipulation of Settlement in the matter of PC 406 BPR, LLC and PC 999 High Street Corp. in the form annexed.

APPROVED AS TO FORM:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**RESOLUTION #4**  
**AUTHORIZING RELEASE OF A REQUEST FOR PROPOSALS FOR**  
**PROPERTY CONDITION ASSESSMENT AND NEIGHBORHOOD**  
**REVITALIZATION STRATEGIES REPORT**

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

WHEREAS, the Board of Trustees (herein referred to as “Board”) has identified the need for a property condition assessment and neighborhood revitalization strategies report to identify areas of concern and opportunity within the Village; and

WHEREAS, such a study will assess and analyze existing building stock to identify health code violations, structural deficiencies, substandard, insanitary, or deteriorated conditions, tax delinquencies, judgment and mechanics liens, mortgage defaults, vacancy, abandonment, and zoning code violations; and

WHEREAS, data collected will lead to recommendations of how best to leverage the powers of the Port Chester Board of Trustees, Port Chester Industrial Development Agency (PCIDA), Port Chester Local Development Corporation (LDC), existing state and federal resources, loans, subsidies, grant funding, public/private partnerships, condemnation powers of the village etc. as a means to facilitate viable economic rehabilitation/redevelopment opportunities; and

WHEREAS, a Request for Proposals (“RFP”) has been prepared by the Village’s Director of Planning and Development and approved as to form by the Village Attorney for presentment to the Board that would solicit sealed proposals for planning consultant services in this regard. Now, therefore, be it

RESOLVED, that the Village Manager be and hereby is authorized to release a Request for Proposals (“RFP”) in the form annexed for consultant services with regard to property condition assessment and neighborhood revitalization strategies report.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #5**  
APPOINTMENT OF MEMBER TO PLANNING COMMISSION

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

RESOLVED, that CHRIS SUMMA, residing in Port Chester New York, be and hereby is appointed as an ALTERNATE member of the Port Chester PLANNING COMMISSION, and to fill the seat previously held by Sheila M. Rogan, effective immediately with said term expiring on 06/16/2014.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #6**  
RE-APPOINTMENT OF MEMBER TO WATERFRONT COMMISSION

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

RESOLVED, that BART A. DIDDEN, 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 BART A. DIDDEN be and hereby is appointed CHAIRMAN of the Port Chester WATERFRONT COMMISSION, effective immediately with said term to expire 12/02/2017.

APPROVED AS TO FORM:



RESOLVED, that ALEXANDER B. LEONZI, residing in Port Chester New York be and hereby is re-appointed as a full member of the Port Chester Waterfront Commission, effective immediately with said term expiring on 12/02/2017.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #9**

**RE-APPOINTMENT OF MEMBER TO WATERFRONT COMMISSION**

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

RESOLVED, that MICHAEL O'CONNOR, residing in Port Chester New York be and hereby is re-appointed as a full member of the Port Chester Waterfront Commission, effective immediately with said term expiring on 12/02/2017.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #10**

**RE-APPOINTMENT OF MEMBER TO WATERFRONT COMMISSION**

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

RESOLVED, that TAV PASSARELLI, residing in Port Chester New York be and hereby is re-appointed as a full member of the Port Chester Waterfront Commission, effective immediately with said term expiring on 12/02/2017.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #11**  
**ESTABLISHING REVISED FEES FOR THE USE OF VILLAGE PARKS**

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

WHEREAS, the Park Commission has recommended fees for the use of Village parks; and

WHEREAS, the Chairman of the Park Commission has made a presentation with regard to same and has urged their approval by the Board of Trustees. Now, therefore, be it

RESOLVED, that the Code of the Village of Port Chester, Chapter 175, Fees, be amended as follows:

Code Reference

Section 236- 5

Fee

DELETE:

Permit fee for all parks

Up to four hours

Residents	\$100
Nonresidents	\$200
Resident corporations	\$200
Nonresident corporations	\$300
Nonprofit organizations	\$25

ADD:

*Group Use (up to five hours)*

Residents	Up to 49 persons	\$100
	51-99 persons	\$225
	100 persons	
	and over	\$600
Non-Resident	Up to 49 persons	\$250
	50-99 persons	\$500
	100 persons and over	\$1,000

*Athletic Field Use (two hours)*

*Lyon Park Baseball Field*

Resident	\$50
Non-Resident	\$200

*Recreation Park Baseball Field*

Resident	\$50
Non-Resident	\$200

*Abendroth Park Softball Field*

Resident	\$50
Non-Resident	\$200

*Abendroth Park Soccer Field*

Resident	\$50
----------	------

Non-Resident \$200

*Columbus Park Soccer Field*

Youth Resident \$60

Youth Non-Resident \$120

Adult Resident \$90

Adult Non-Resident \$180

Resident Corporation \$175

Non-Resident corporation \$350

(Youth designation is 18 years or less or still in high school)

*Edgewood Park Baseball Field*

Resident \$50

Non-Resident \$100

*Edgewood Park Soccer Field*

Resident \$50

Non-Resident \$100

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #12**  
**AUTHORIZING RENEWAL AGREEMENT WITH REGARD TO**  
**COURT INTERPRETER (SPANISH) SERVICES**

On motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, 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 contracted court interpreter services (Spanish) to the Port Chester Justice Court; and

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

WHEREAS, the Police Court Justice and Assistant Police Court Justice have recommended 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, 10805 as Interpreter (Spanish) for the Justice Court for a term of one year, commencing on June 1, 2014 and ending on May 31, 2015, as provided in a proposal dated April 25, 2014 annexed hereto.

APPROVED AS TO FORM:

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Village Attorney, Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #13**  
**AUTHORIZING RENEWAL AGREEMENT WITH REGARD TO**  
**COURT REPORTER SERVICES**

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

WHEREAS, Gail Letizia, 16 Saxon Woods Park Drive, White Plains, New York 10605 has long provided contracted court reporter services to the Port Chester Justice Court; and

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

WHEREAS, the Police Court Justice and Assistant Police Court Justice recommends such renewal. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement

with Gail Letizia, 16 Saxon Woods Park Drive, White Plains, New York 10605, as Court Reporter for the Justice Court for a term commencing on June 1, 2014 and ending on May 31, 2015, compensation to be as provided in the fee proposal dated April 24, 2014, 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 \$50perhour, 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:

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Village Attorney, Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

**RESOLUTION #14**  
**SENIOR NUTRITION TITLE III-B**

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

RESOLVED, that the Village Manager be and is authorized to enter into an agreement with the County of Westchester for the Older Americans Act and New York State Community Services for the Elderly Act, for Title III-B for \$24,670.00 to cover the programs provided by the Village of Port Chester for period covered January 1, 2014 through December 31, 2014.

APPROVED AS TO FORM:

---

Village Attorney, Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

DATE: May 19, 2014

## **REPORT OF THE VILLAGE MANAGER**

### **INITIATIVES:**

- 1. National Development Council:** NDC and their partners at STV, Inc. have started their analysis. The scope of work and timelines are as follows:

#### **Task 1:**

**Start-up Phase:** STV will develop based upon input provided by NDC and the Board of Trustees, the following items:

- 1) Conceptual cost estimate schematics based upon a preliminary design scheme from January 17, 2014,
- 2) Development of a Financial Pro forma incorporating lease space objectives,
- 3) Development of blocking and costs studies for three alternative development strategies, and (4) Hold at least three meetings with the Port Chester Municipal Center Exploratory Steering Committee.

#### **Timeline:**

Draft Report May 2, 2014 (**COMPLETED**)

Final Report May 18, 2014 (**PENDING**)

#### **Task 2:**

**Architectural and Operational Program & Investigation:** STV will undertake a four component study to be comprised of; Architectural Investigation and Operational Program, Site Investigation, Hazardous Materials Investigation Recommendations, and Geotechnical Investigation strategy.

(1) *Architectural Investigation and Operational Program* will involve the development of a detailed architectural and operational program which will involve detailed interviews with users and stakeholders, observation of current operations and systems, documentation of major equipment or furnishings to be re-used, development of program narrative, and development of tabular program of requirements.

(2) *Site Investigation* will involve at a minimum the visual observation of the site area, photographic documentation, documentation of surrounding structural context, preliminary utilities investigation, and analysis of site survey based upon assessment records.

(3) *Hazardous Materials Investigation Recommendations* will involve the development of recommendations for hazardous materials testing and

investigation, including the preparation of a scope of work for the detailed investigation.

(4) *Geotechnical Investigation* will at a minimum result in the development of recommendations and a scope of work for further geotechnical analysis should the project proceed beyond the initial preliminary analysis stage as contemplated by Task 1 and Task 2.

**Timeline:**

Draft Report May 16, 2014 (**PENDING**)

Final Report May 28, 2014 (**PENDING**)

**NOTE:** A follow up meeting is scheduled for Wednesday to discuss the preliminary report. The goal is to finalize the direction to have the follow up report, proforma, and results of the architectural investigation presented to the BOT in June.

- 2. Strategic Planning:** Again on April 7<sup>th</sup>, 2014 the Village has adopted its first Economic Development Strategic plan. The Village Board of Trustees has recognized the need for a Strategic Plan to identify and prioritize economic development projects, provide an articulated direction and focus, and allocate scarce village resources to ensure the successful completion of specific projects consistent with the adopted Comprehensive Plan. Update to be presented by Planning Department at this meeting

**Five opportunity areas:**

1. • Facilitating transit oriented development in the downtown
2. • Creating a new municipal center
3. • Enhancing and revitalizing waterfront areas
4. • Redevelopment of Fox Island peninsula
5. • Redevelopment of the United Hospital site

**Strategic Actions**

- 1) Opportunity Area #1, 5: IDA awarded Urbanomics contract for school children mitigation formula study at last meeting. It is anticipated that a draft school children mitigation formula will be ready for presentation to the Board and IDA by August.
- 2) Opportunity Area #2 - Municipal Center: Met with NDC regarding draft municipal center feasibility study (Phases 1-2) that will be presented to the Board on or about the June 2<sup>nd</sup> meeting.

- 3) Opportunity Areas #1-5: The Village's Grant Writing Working Group (Jessica Youngblood, Chris Ameigh, Chris Gomez) attend the Mid-Hudson Regional Economic Development Council's Consolidated Funding Application Workshop at Manhattanville College on May 12<sup>th</sup> to gain more insight into potential FY 2014-15 grant opportunities. The working group will provide an update to the Board as to which grant applications will require resolutions of support and or SEQRA determination before the June 16 application deadline.
- 4) Opportunity Area #5 - United Hospital Site: 406PBR, owner, of former United Hospital Site submitted amended zoning petition on April 17, 2014 proposing intention to bring a new mixed-use neighborhood to Port Chester that features a unique retail-based destination public place where people can live, work, stay and shop while offering a new high quality streetscape that is designed to engage the street along the Site's frontage on Boston Post Road and create an inviting and safe pedestrian experience. Next steps are for the Board to formally establish Lead Agency Status under SEQRA, issue a Positive Declaration identifying any potential adverse environmental impacts, and accept a scope of study for the Draft Environmental Impact Statement (DEIS).

**3. Property Condition Study RFP:** Again, The data needed to properly evaluate property improvement strategies include: housing and health code violations, structural deficiencies, tax delinquencies, judgment and mechanics liens, mortgage defaults, zoning code violations, etc. Proper assemblage of this data can identify areas within which blight is pervasive or areas of opportunity for rehab, expansion, and improvement of existing buildings. The RFP will call on the consultant to give us criteria for identifying the discrete areas that should be studied based on available strategies and funding as well as the data set that you need to develop a range of strategies including urban renewal, neighborhood revitalization, selective demolition, economically feasible rehabilitation, brownfield remediation, etc. Further, a property condition study would identify areas where energy conservation can be effective through a variety of on-site generation techniques. The RFP is on this agenda.

**NOTE:** The Discussion during the Strategic Planning Process indicated that our initial strategies would be the implementation of the Strategic Plan thereby effectuating the desired economic revitalization as growth expands from the five 'Opportunity Areas' into the surrounding areas.

**ACTIONS:**

1. **Budget:** Budget implementation meetings have been held. Recruitment process underway for affected departments.

2. **Payroll:** Staff is setting meetings with vendors that provide payroll services in order to ascertain the products and services available. Once research is completed a report and draft RFP will be prepared for BOT review. Anticipated report date is within 30-45 calendar days.
3. **Pothole Killers:** 26 streets received about 80 tons of patching material during the week of May 5<sup>th</sup> through the 9<sup>th</sup>. Street list attached.
4. **MTA Accessibility:** investigation is ongoing.

**PROJECTS:**

1. **Town of Rye Move:** the project continues to move forward. Follow up meeting will be held with Town on Tuesday the 20<sup>th</sup>.
2. **350 North Main Street:** The proposed capital improvements to the building continue to move forward.
  - Again, the evidence room build out is underway. Demolition in progress and evidence inventory is underway.
  - PROJECT TARGET SCHEDULE
    1. *Confirm preliminary design and scope* *February 6*

COMPLETE

2. *Prepare bid document plans and specs* *3 weeks February 6 – February 27*

COMPLETE

3. *Bidding, Building Permit approval* *1 week February 28 – March 7*

COMPLETE

4. *Bid evaluation, Contract award,*

Again, only one bidder submitted a bid. The bid is in excess of 300K. Feasibility of annex expansion is now improbable due to apparent costs. Project has been realigned with the majority of all **interior** demolition/construction/and finish work being done in house with the exception of the Asbestos remediation. Secondary bidding to done for necessary electrical and mechanical work. Remaining funds will be



List” on any outstanding construction items, has been received. List being vetted / verified prior to authorizing the release of a current draw down request from Verde.

## **PRIORITIES**

- 1. Sewer Rent:** Staff continues to work very closely with United Water on the implementation and we maintain almost daily contact in order to maintain our implementation deadlines. As we move forward with said implementation the Village continues to reach out to inform the public: information went out in the Village Newsletter, a second post card notice was also sent out, a “Town Hall” meeting was held at the Senior Center for Wednesday April 30<sup>th</sup>, the presentation is posted on the website and the cable channel, and a third notice is being sent out with FAQ’s and a sample bill. The tentative first Billing date is the week of May 19<sup>th</sup>.
- 2. Bulkhead:** Preliminary analysis indicates that the conceptual design is feasible within limits. Now focusing on hybrid wharf type concept; use of steel sheet pile is still recommended with a cantilevered walkway with revetment/rip-wrap limited to non-structural support (for habitat creation only). Rough cost estimate should be received this week. Conceptual design being drafted for submittal with Consolidated Funding Application.

## **INFORMATION**

### **1. Staffing (for information only):**

As part of the collective bargaining agreement with CSEA, during the month of November represented employees may appeal their Classification/Compensation. In November of 2013 three appeals were granted, to be implemented June 2, 2014. They were:

- Michael Tedesco to Skilled Laborer, salary grade 12
- Diego Cabezas to Parking Meter Repairer, salary grade 13A
- Christopher Summa to Assistant General Foreman, salary grade 17.
- Due to resignation and retirement two other positions were filled effective June 2, 2014.
- Steven Gazick to Lead Maintenance Mechanic (Laborer), salary grade 16. (Replaces Jay DiLeo)

- David Telesco Jr. to Sanitation Worker, salary grade 12. (Replaces David Telesco Sr.)
- The newly adopted budget contained one new Skilled Laborer and is also filled June 2, 2014.
- Michael Barrella is appointed as Skilled Laborer, salary grade 12.

All the foregoing appointments are subject to mandatory probation periods of not less than twelve (12) weeks nor more than fifty-two (52) weeks.

**2. Recruitments:** Actively underway in DPW, Planning, Legal, Police Department, and Fire Department.

## **REPORT FROM DIRECTOR PLANNING & DEVELOPMENT**

Village Director of Planning and Development Chris Gomez submitted for review a list of all active Planning applications as well as approved applications. The report has a lot of project proposal forms (this is the first step in moving through the planning proposal process).

Mayor Pagano asked about the italicized forms. Mr. Gomez commented the italicized is when they have had formal pre submittal meetings with staff.

Mr. Gomez will have more information at the next meeting, when they will discuss applying for a grants.

### **ACTIVE PLANNING APPLICATIONS**

<b>Address</b>	<b>Project Description</b>	<b>Status of Project</b>
220 Westchester Ave	Legalization of medical/dental offices	Public Meeting 5/22/2014
25 Willett Ave	Creation of American Bar & Restaurant.	Public Hearing 4/24/14
242 King St	Expansion of existing office building.	Public Hearing 4/24/14
120 N Pearl	New multi-family building (50 units) with high-end amenities + parking.	Referred to BOT and ZBA
264 Boston Post Road	Legalization of freezer at existing drive-thru restaurant	Public Hearing 4/24/14

### **RECENTLY APPROVED APPLICATIONS (Jan 1 – present)**

<b>Address</b>	<b>Project Description</b>
411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Verizon).
411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
135 S Main Street	Site plan approval for construction of two new two-family residences.
117 N Main Street	Open a family oriented Papa John's pizza restaurant
999 High Street	Renewal for special exception use permit for wireless telecomm facility (AT&T).
167-169 Terrace Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).

999 High Street	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
222 Grace Church St	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
45 Townsend	Remove an existing two family dwelling and use the parcel for open storage of materials.
126 North Main St	Gastropub styled restaurant featuring weekend acoustic performances.
33 New Broad St	Open microdistillery as part of larger sustainable/farming operation.
152 King Street	Proposed interior renovations to a 1-story building to convert existing repair bays to a convenience store.
96 Perry Ave	Two-lot subdivision
145 Westchester Ave	Expansion of use and operation of the space by annexing it into the adjacent existing overall operations of The Capitol Theatre.
149-151 Westchester Ave	Expansion of capacity use/increase occupancy from 1835 to 2205; add exterior walk in cooler, use of sidewalk hydraulic material lift and addition of mobile stand up bars.
36 Midland Avenue	Installation of sectional overhead doors & relocation of 3 parking spaces.
104 North Main Street	Reconfigure existing takeout restaurant & expand kitchen & dining room into existing adjacent tenant spaces, renovate existing basement for auxiliary use to restaurant on 1st floor, install new NFPA Sprinkler System throughout entire building.
110 Midland Avenue	Installation of a self-contained cosmetic spray booth within open warehouse space in accordance with Westchester County emission permit.
110 North Main Street	Raise existing roof structure to provide habitable space. Existing 2nd floor to be used as an office, storage, private dining and a service kitchen for private dining.
400 Westchester Ave	Construct a rear handicap-accessible rear facility entrance with canopy and fence; Replace playground equipment
275 Boston Post Road	Renovate existing vacant food service establishment into a Popeye's franchise restaurant with drive-thru.
110 Westchester Ave	Provide pedestrian access from Village owned muni parking lot to rear of common property line, install new exit door, walkway with lighting new fencing and new lawn.
26 Putnam Ave	Plan approval for continued use of an existing Sign/Graphic Design Shop (2nd fl.) and approval for a change of use (1st fl.) for current non-conforming use as a laundromat.

## PROJECT PROPOSAL FORMS

Address	Proposal
118 N Main Street\$	Establish a hair/nail salon.
118 N Main Street\$	Establish a jujitsu studio on second floor; Install a kitchen for use of restaurant.
126 N. Main St\$	Gastro pub styled restaurant
135 South Main Street\$	Renovate existing rooming house on the 2nd and 3rd floors into two separate single-family apartments and continue active restaurant on 1st floor.
136-140 Horton Ave\$	Black Sparrow, microbrewery with restaurant and tasting room components.
143 Westchester Ave\$	1,000 sqft expansion on ground floor of existing restaurant (no addition to bldg.)
145 Irving Ave\$	Open a café in a vacant store front; Open an accounting service office.
150 Midland Ave\$	Reconfigure parking spaces

150 S. Regent St\$	Silk screen printing operations
163 N. Main St\$	Accessory kitchen via drive-up/takeaway window
19A Putnam Ave\$	Reflexology/massage
2 Bowman Ave	Creation of electric vehicle charging station.
217 Madison Ave\$	Car collection storage facility
217 Madison Ave\$	Bottle redemption/distribution center
217 Madison Ave	Legalize use (warehouse)
220 Westchester Ave	Legalize use (medical office)
220 Westchester Ave	Establish professional medical and dental offices on the 2nd floor.
25 Willett Ave	New restaurant with lounge and outdoor seating
27 Smith Street	Opening of a day care center in a two-family district.
28 South Main St\$	Brick oven pizza restaurant with loft storage component.
29 N. Main St	Construction of raised concrete terrace
30 Westchester Ave\$	Proposed outdoor seating for existing restaurant.
30 Westchester Ave\$	Outdoor seating to existing restaurant.
33 New Broad Street\$	Microbrewery/distillery
33 New Broad Street\$	Gluten-free bakery
33 New Broad Street	Establish use for existing woodshop and storage facility.
34 Broad Street\$	Oyster Bar, limited seating
35 Park Ave\$	Operate a day-care facility out of a residential home.
36 Midland Ave\$	Indoor virtual golf machine, incidental to primary use of site.
38 Bulkley Ave	Convert existing building to warehouse space with small accessory office use, incidental to principal warehouse use.
303 Boston Post Road	Conversion of existing drive-thru Wendy's Restaurant into Taco Bell.
304 Midland Ave	Establish use for existing woodshop/carpentry repair shed.
357-359 Willett Ave	Convert vacant space into small laundromat.
391 Irving Ave\$	Install an underground storage tank in addition to removal of existing tank.
41 Exchange Place\$	Minor subdivision.
45 King St\$	Convert vacant store front into taxi stand.
45 Midland Ave\$	Demolition/reconstruction to restaurant/residential.
45 Townsend Street	Demolish existing residential dwelling and construct storage for building materials.
528 Willett Ave\$	Sidewalk hotdog cart operation.
53 Barton Ave\$	Conversion of land into driveway for property owner.
7 Willow St\$	Operate a restaurant with nightly entertainment.
80 Fox Island Road	Legalize multiple uses (manufacturing/auto repair/office/storage)
9-11 N Pearl St	New work/live studios/lofts on second and third floors. Ground floor commercial to remain.
Village Marina	Operate a permanently moored vessel at the marina as a restaurant/cabaret use.

601 N Main St	Convert office into retail store(s) with possible residential component.
117 N Main St	Convert existing retail service/telegram/money transfer store into a Papa John's Pizza Restaurant.
411 Westchester Ave	Site plan and special exception use application for modification to existing wireless facility.
999 High Street	Site plan and special exception use application for modification to existing wireless facility.
167-169 Terrace Ave	Site plan and special exception use application for modification to existing wireless facility.
120 N Pearl	New mixed use multi-family development (50 dwelling units) primarily comprised mostly of studios and one-bedrooms with 46 parking spaces provided on-site.
Regent Gardens	Installation of gazebo and signage.
8 Slater Street	Creation of new mezzanine + internal freight elevator
26 Poningo Street	Environmentally friendly dry cleaning plant

Note: Italicized items indicate completion of a Pre-Submission Conference with Planning Staff.

§: Denotes inactive application due to unresponsive applicant or application involves a non-permitted use. Some applications have already been approved.

## **CORRESPONDENCES**

***From Port Chester-Rye Brook-Town of Rye Independence Day Committee requesting financial support from the Village.***

The Board referred the correspondence to staff.

***From Jorge A. Valencia and Amparo Ramirez for Makondo Restaurant and Bakery, 139 N. Main Street regarding a new Application for a Liquor License.***

The Board referred the correspondence to staff.

***From Eric Opdyke for the Jarden Westchester Triathlon for permission for the use of roadways on September 21, 2014 and Police Officers posted along the route.***

The Board referred the correspondence to staff.

***From American Legion Port Chester Post 93 requesting permission from the Board of Trustees of the Village of Port Chester to hold 2014 Memorial Day Ceremonies and parade to start at the top of Westchester Avenue and proceed to Broad Street.***

The Board referred the correspondence to staff.

***From Westchester County Rent Guidelines Board.***

The Board accepted the correspondence.

***From Westchester County Rent Guidelines Board (2nd).***

The Board accepted the correspondence.

***From Putnam Engine & Hose Co., #2 on the election of Alfredo Vargas Coyt to membership.***

The Board duly noted the correspondence.

***From Park Avenue School requesting permission to close Park Avenue from Columbus Avenue to College Avenue on June 6, 2014 from 9:00 a.m. to 2:00 p.m. and on June 16, 2014 from 9:00 a.m. to 12:00 p.m.***

The Board referred the correspondence to staff.

***From Division of Alcoholic Beverage Control regarding Neri Spadaro, LLC.***

The Board accepted the correspondence.

***From Carolee Brakewood regarding Relay for Life of Port Chester/Rye Brook.***

The Board referred the correspondence to staff.

***From Centro Cultural Bolivia requesting support and co-sponsorship towards their parade and permission to use the Village Showmobile on August 24, 2014.***

The Board referred the correspondence to staff.

***From the Port Chester Dog Park Group asking to work with the Village to seek NY State grant funding through the 2014 Consolidated Funding Application process.***

The Board referred the correspondence to staff.

***Motion to Add-On Correspondence***

TRUSTEE MARINO asked for a motion to consider an add-on a correspondence from Harry Howard Hook & Ladder Co., #1 on the election of Alexander Hauryluck to membership.

On motion of TRUSTEE MARINO, seconded by TRUSTEE KENNER, the motion received a unanimous vote of those present.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

## **MINUTES**

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE BRAKEWOOD, to combine minutes of April 28, 2014, and May 5, 2014 of the agenda for the purpose of casting one vote for all four resolutions was adopted by the Board of Trustees of the Village of Port Chester, New York.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

### ***Minutes from April 28, 2014.***

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the minutes of April 28, 2014.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

### ***Minutes from May 5, 2014.***

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the minutes of May 5, 2014.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

## **PUBLIC COMMENTS AND BOARD COMMENTS**

Mayor Pagano asked if there was anyone from the audience who would like to make any comments regarding this public hearing.

Comments were made by:

***Public***

Ms. Granata thanked the Trustees who voted for the dog park.

***Board***

Trustee Brakewood commented that at the next meeting when we consider the stipulations with Starwood, he would like to get a copy of the resolution passed declaring ourselves the lead agency.

Trustee Brakewood had a question on Fairview. Attorney Cerreto commented he is waiting for the judge to make a decision on the case. Trustee Brakewood asked what we should be doing legally to speed the process up.

Trustee Brakewood commented on traffic on Parkway Drive during the baseball season. We should do something to make it safer. This should be passed on for Traffic Commission review.

Trustee Terenzi commented on resolving the HUD situation. We need the money for the affordable housing. We need a resolution to state our position.

At 10:03 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the meeting was closed.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 19, 2014

Respectfully submitted,

Janusz R. Richards  
Village Clerk

**PUBLIC COMMENTS  
AND  
BOARD COMMENTS**