

**VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES  
PROPOSED EXECUTIVE/CLOSED SESSION 6:00-6:15 P.M.**

**Meeting, Monday, July 6, 2015**

**Regular Meeting: 6:00 P.M.**

**VILLAGE JUSTICE COURTROOM**

350 North Main Street  
Port Chester, New York

**AGENDA**

**TIME: 6:00 P.M. to 6:15 P.M.**

<b>I</b>	<b>PROPOSED MOTION FOR EXECUTIVE SESSION</b>	<b>ACTION</b>
1	Regarding the interview of Dr. Peter Feinman regarding the possible appointment as the Historian for the Village of Port Chester.	

**TIME: 6:15 P.M. to 6:45 P.M.**

<b>II</b>	<b>AWARD PRESENTATION</b>	<b>ACTION</b>
1	Village of Port Chester Beautification Commission essay winners <b>1st Place</b> - Judith Castillo <b>2nd Place</b> - Maryn McFadden <b>3rd Place</b> - Isabella Oberdorster <b>4th Place</b> - Alan Juarez <b>5<sup>TH</sup> Place</b> - Caelyn Matturro	

**TIME: 6:45 P.M.**

<b>III</b>	<b>PRESENTATION</b>	<b>ACTION</b>
1	Bulkhead <ul style="list-style-type: none"> <li>• McLaren Engineering Group</li> <li>• Boswell Engineering</li> </ul>	
2	NDC regarding the findings of their investigation of the proposed Irving/Poningo project.  <u>Resolution</u>	
<b>IV</b>	<b>PUBLIC COMMENTS</b>	<b>ACTION</b>
<b>V</b>	<b>RESOLUTIONS</b>	<b>ACTION</b>
	<b>Planning</b>	
1	Seeking New York State Consolidated Funding application monies for a multi-modal transportation master plan.	
2	Seeking New York State Consolidated Funding for waterfront enhancements to facilitate economic development.	
3	Seeking New York State Consolidated Funding application monies for downtown revitalization strategies.	
4	Establishing an Economic Development Policy and Process	

	for the Village of Port Chester.	
	<b>Administration</b>	
5	Authorization for Village Manager to enter into a renewal agreement with the Port Chester Council for the Arts for 2015-2016.	
6	Sponsoring Peruvian festival on August 2nd at Lyon Park.	
7	Award bulkhead engineering contract.	
	<b>Finance</b>	
8	Bond resolution for construction & reconstruction to Village streets.	
9	Awarding BID 2015-05 - 2015 Paving.	
	<b>Senior / Nutrition Program</b>	
10	Authorizes the Village Manager to enter into an agreements with regard to the Village of Port Chester Senior Citizens Programs.	
<b>VI</b>	<b>DISCUSSIONS</b>	<b>ACTION</b>
1	Follow up discussion with DOJ regarding changing Village Trustee Elections.	
<b>VII</b>	<b>CORRESPONDENCE</b>	<b>ACTION</b>
1	From the Park Commission regarding the closing of Ryan Avenue on August 8, 2015 for Unity Day.	
2	From former Mayor Neil J. Pagano resigning as a member of the Port Chester Industrial Development Agency and Port Chester Local Development Corporation.	
3	From the Beautification Commission regarding signage in Village traffic islands.	
4	From the Traffic Commission regarding parking changes	
5	From the Traffic Commission regarding the traffic problems on Parkway Drive.	
6	From Vincent Cassara regarding Port Chester Yacht Club.	
<b>VIII</b>	<b>PUBLIC COMMENTS AND BOARD COMMENTS</b>	<b>ACTION</b>

<b>IX</b>	<b>PROPOSED MOTION FOR EXECUTIVE SESSION</b>	<b>ACTION</b>
2	Discussion with regard to particular person in Planning and Development Department	
3	Discussion with regard to particular person in the Engineering Department.	

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

**PROPOSED MOTION  
FOR  
EXECUTIVE SESSION**

# **AWARD PRESENTATION**

# **PRESENTATION**



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Planning and Development Department**

**Village BOT Meeting Date:** 7/6/2015

**Item Type:** Presentation

Description	Yes	No	Description	Yes	No
Fiscal Impact		X	Public Hearing Required		X
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
			Revitalizing Waterfront		
Agreement		X	<b>Manager Priorities</b>		
Strategic Plan Related	X		Planning & Zoning		

**Sponsor's Name:** Jesica C. Youngblood, Village Planner  
 Christopher Ameigh, Aide to the Village Manager

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

Presentation by McLaren Engineering and Boswell Engineering firms for continuance of awarded New York State Department of State Local Waterfront Revitalization Program (LWRP) grant.

**Summary**

**Background**

The Village of Port Chester received a grant from the New York State Department of State (NYS DOS) for up to \$225,420 for the final design, construction documentation, and applicable permits for the rehabilitation of the collapsed bulkhead and construction of an 'activity node' as part of the 2013 Consolidated Funding Application process to promote economic development throughout the Mid-Hudson Region.

The Village has worked closely with the Dept. of State to review the responses for both grant and RFP compliance. Per the Board's request, Staff reviewed and narrowed down the consultant field to the two finalists, Boswell Engineering and McLaren Engineering. Further, the Board then interviewed each firm and requested a public presentation to

demonstrate preliminary conceptual design strategies as well as provide answers to questions raised during the interview process. Specifically, the BOT raised the following:

- *Describe the inclusion of “the cove” as it affects and impacts cost of design, timeline and estimated construction costs.*
- *Provide reasonable cost estimates for the construction of each of your conceptual and alternate options for design presented in your response, understanding that these will be rough estimates.*
- *Describe the feasibility of design strategies utilizing revetment, steel replacement, and/or any other reasonable approach or combination thereof.*
- *Detail inclusion of green infrastructure, ecological restoration, sustainable materials and public amenities to meet the requirements of the DOS grant award. See “Workplan C” attached to the original RFP.*

**Recommendation**

It is recommended that the Board of Trustees select one of the marine engineering consulting firms and authorize the Village Manager to enter into contract to execute the awarded DOS LWRP grant.

<b>Proposed Action</b>
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By resolution, select one of the marine engineering consulting firms and authorize the Village Manager to draft and execute a contract per Village DOS LWRP grant contract.

<b>Attachments</b>
<ul style="list-style-type: none"><li>• Boswell Engineering, Follow-up Answer Packet</li><li>• McLaren Engineering, Follow-up Answer Packet</li></ul>



bridge, highway & rail engineering  
entertainment engineering  
subaqueous investigation  
civil & site engineering  
structural design  
marine facilities  
geotechnics  
surveying  
forensics

June 19, 2015

Village of Port Chester – Village Hall  
222 Grace Church Street  
Port Chester, New York 10573

Attn: Christopher Ameigh  
Aide to the Village Manager

Re: Response for additional information for Design and Construction Plans for Repair of Byram River  
Bulkhead - RFP No: RFP-VP-1000444 - McLaren File No. 150163

Dear Mr. Ameigh:

As requested, attached please find our response for additional information to the Board of Trustees.

We look forward to presenting our proposal and requested responses at the public Board of Trustees meeting on July 6, 2015 at 7:00 PM.

In the meantime, if you have any questions or require any additional information, please do not hesitate to contact me at (845) 353-6400.

Very truly yours,

**M.G. McLAREN, P.C.**  
**d/b/a McLaren Engineering Group**

Malcolm G. McLaren, P.E., SECB  
President

MGMcL/SET/ej

Attachment

cc: File 150163

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## Project Understanding & Approach

The Village of Port Chester has requested, additional information with regards to McLaren’s proposal for the inspection, design and construction phase services for the “stabilization” of the bulkhead section along the Byram River. As noted in your email dated June 9, 2015, the Board of Trustees would like the following additional information to help them make an informed decision for the Village:

**Section A** - Detail inclusion of green infrastructure, ecological restoration, sustainable materials and public amenities to meet the requirements of the DOS grant award.

Per Attachment C of the RFP, the goals of the project are to:

*“Serve as the initial step to reactivate the Byram River waterfront by reopening the public walkway and promenade, catalyzing increased foot traffic in the area, and benefitting local business owners. This project is a key component to economic development and advances the Village’s Local Waterfront Revitalization Program and Comprehensive Plan.”*

The LWRP for Port Chester, at the project area is represented in the graphics below. These were pulled directly from the report:

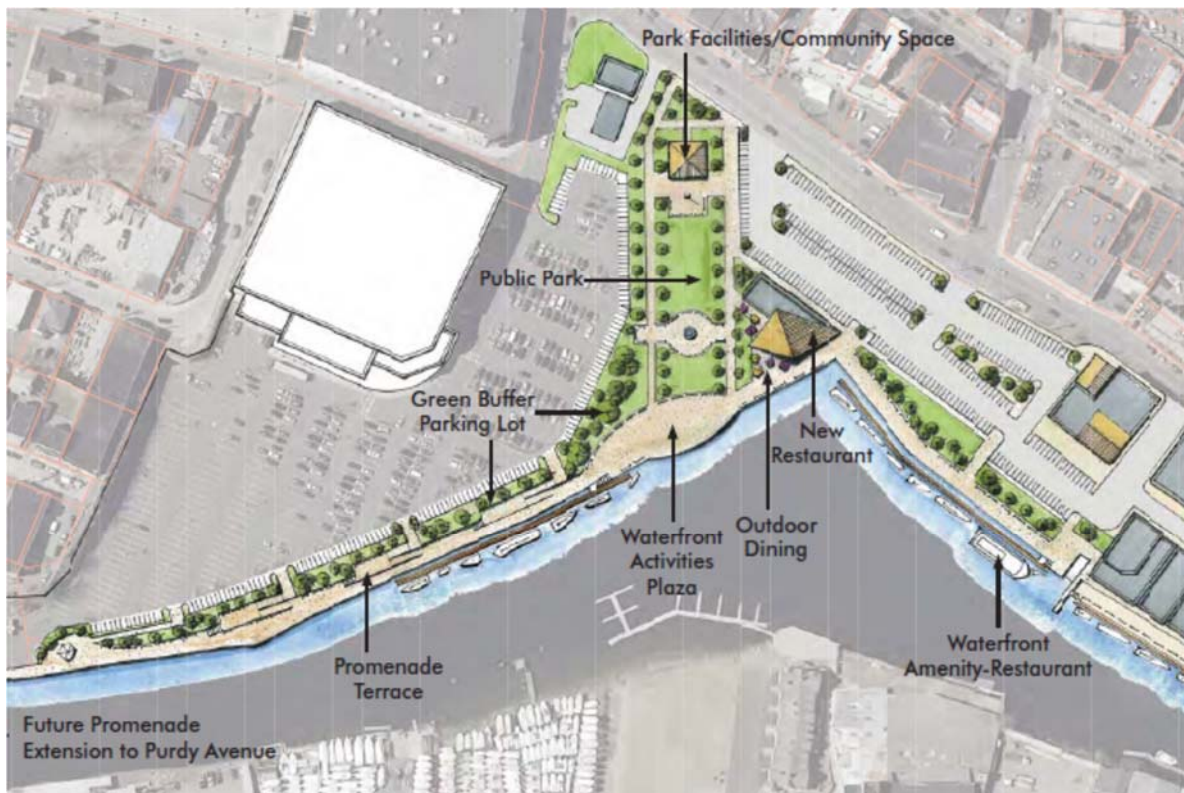


Figure 1 – Overall master LWRP Plan, “The Cove”

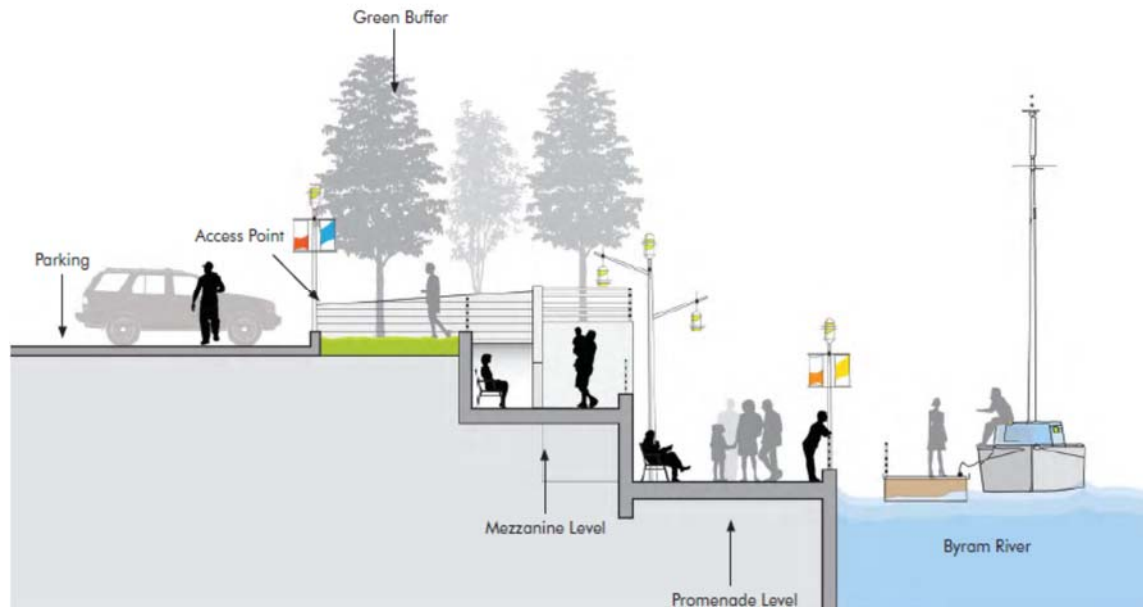


Figure 2 – Cross Section at the Promenade

As can be seen, the intent of the new plan is to get people down to the water, while providing economic stimulus, cleaner water resources, and management of stormwaters (green buffer). McLaren’s proposed plans and sections, we feel, hit on every one of the LWRP’s major goals, as well as the items in the Village’s request. Moreover, with regards to the policies within the NYS Department of State’s Coastal Zone Consistency review, McLaren has endeavored to provide a proposed design that will ensure conformance with the State policies, thereby ensuring that the grant and possibly, additional monies are received.

*Policy 1 Foster a pattern of development that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location and minimizes adverse effects of development.*

McLaren’s proposed concepts for revetments, platforms, the bridge and bulkheads specifically allows the waterfront to interact with the available and existing public spaces, while opening up the cove area to more traffic and access. Specifically:

- a. The existing infrastructure character is maintained – a waterfront site in an industrial town. We are providing a mix of modern landscaping and features, combined with industrial accents in the cove to represent both the ecological coast and the industrial history of the Byram.
- b. The pedestrian area around the cove is underutilized, by revising the shoreline features, and adding the foot bridge, we feel that the people will access the waterfront more efficiently, and therefore more often. The cove and the south esplanade will be a destination, not a dead end. Moreover, the new infrastructure allows for continued development of the ecological resources within the Byram including opening up the cove for stormwater treatment, aquaculture, habitat, and waterfowl protection.
- c. All boating will be enhanced by the designs put forward, as the platforms and revetments allow for floating docks, but also the addition of kayaking and fishing. At the cove, direct access to the water would be available without safety issues of boats.
- d. While development is generally good, the stark feel of bulkheads, pavers, retaining walls and generic landscaping – all characteristics of development – are not. McLaren’s proposed solutions for the bulkhead eliminate any of the harsh details and soften the shoreline to match a more ecological and natural edge (at the south) while preserving some history (the cove) and visually connecting both north and south sides. The public’s eye will be drawn to the waterfront, not to the Costco or the roads adjacent.

- e. The inclusion of revetment, bioswales in the cove, and tidal landscaping is the culmination of the “green” movement on the waterfront. Such structures reduce human impact on the environment while maintain vital infrastructure and protection for developed communities.

Policy 2 Preserve historic resources of the Port Chester coastal area.

As noted in Policy 1, the existing infrastructure character is maintained – a waterfront site in an industrial town. We are providing a mix of modern landscaping and features, combined with industrial accents in the cove to represent both the ecological coast and the industrial history of the Byram. Moreover, the plan envisions an elimination of modern stone retaining walls and landscaping, for the inclusion of more natural shorelines and benthic plantings that would reflect what was found in Port Chester 200 years ago.

The new open space and the cove area can be updated to reflect the working history of Port Chester by re-introducing aquaculture (shellfish, fishing) combined with public programs and artwork/amenities that reflect traditions of the past. A century ago, the waterfront was partially developed, and our combination of revetments, shoreline and bulkheads reflect an earlier time.

Policy 3 Enhance visual quality and protect scenic resources

As noted above, while development is generally good, some characteristics of development – are not. That is also true of bulkheads, especially in areas with large tide swings.

McLaren’s proposed solutions for the bulkhead eliminate any of the harsh details and soften the shoreline to match a more ecological and natural edge (at the south) while preserving some history (the cove) and visually connecting both north and south sides. The public’s eye will be drawn to the waterfront, not to the Costco or the roads adjacent. The re

Policy 4 Minimize loss of life, structures and natural resources from flooding and erosion.

Per the NYS Policies and the LWRP, shoreline protection measures should be designed to account for future sea level rise and incorporate design techniques in projects to address the potential risks identified. Climate resilience techniques should aim to protect lives, minimize damage to systems and natural resources, prevent loss of property, and, if practicable, promote economic growth and provide additional benefits such as provision of public space and intertidal habitat. To the extent that potential techniques are identified but not taken, an explanation should be provided as to why incorporating techniques is not practicable for the given project. Specifically, the project at Port Chester has to address:

- a. Improvements can be structural, natural, or a hybrid to protect public health and safety while minimizing impacts on ecosystems and public access.
- b. Shoreline treatments that provide for ecological function, including hybrid approaches, are preferred for sites with natural resources.
- c. Wherever else achievable, use salt-water-tolerant plantings and non-structural measures to manage flooding and erosion based on site characteristics.
- d. Construction of new structures directly in the water or at the water line should be designed to protect inland structures and uses from flooding and storm surge.

To that end, McLaren has specifically designed and addressed these items within our concepts as follows:

- McLaren’s project specifically calls for a hybrid approach to the improvements – a combination of revetment, bulkhead, plantings and platforms, to enhance the benthic habitat and improve water quality within the project area.

- Inclusion of the hybrid designs do not detract from the public access criteria of the LWRP. Rather, they promote access while improving the ecology.
- With the inclusion of a revetment and work within the cove area, all landscaping will be planned and designed for maximum survivability, flood protection, water quality improvement and visual surroundings. It is planned that the plantings will reflect the historical nature of the coastline by re-introducing plantings that are both salt water tolerant and natural to the area.
- The non-structural nature of a revetment and the natural shoreline with the cove are specifically incorporated into the design for management of flood and erosion control. The elevations of the revetment crest, along with upland retaining walls can be planned to meet all FEMA flood levels. If they cannot be met, diversion of flood waters will be planned into the shoreline.
- Elimination of bulkheads along the river will reduce wave/wake amplification due to reflection, and channelization (increase of current due to restriction of flow area). This improvement leads to lower scour/erosion within the footprint of the project thereby increasing the development of natural shorelines around the new structures.
- Inclusion of revetments over bulkheads promotes the dissipation of wave and wake forces as flood waters rise by both promoting breaking waves and eliminating the channelization of the Byram River in the vicinity of the project site.
- More water area allows for the accommodation of more flood waters.
- As sea levels rise, and flooding becomes more prevalent throughout the North East, revetment shorelines are able to accommodate improvements without complete reconstruction by adding crest stone, adding to the slopes, and placing retaining walls atop of the crest.

Policy 5 Protect and improve water quality and supply in the Port Chester

Policy 8 Minimize environmental degradation in the coastal area from solid waste and other hazardous substances and wastes.

Policies 5 and 8 go hand in hand, you cannot minimize environment degradation without addressing water quality. This is especially true in developed areas where sewer outflow, runoff, and industrial activity are present. With the inclusion of revetments and cove improvements at the CSO to our design, McLaren believes that both the water and environmental quality within the project area will be significantly improved.

- a. Revetments promote natural filtering and movement of ground and surface waters; they do not cut-off natural flow. Acting as a “natural filter” such movement of water through the sand and geotextile layers in a revetment can work to improve water quality, much like the sand aquifers of Long Island do.
- b. Revetments can promote in-water habitat and growth of plants, organisms and mollusks. All such biological growth promotes clean water through filtration.
- c. Natural plantings and pathways around the entire project will promote natural stormwater runoff treatment through bioswales and natural filtering. The current configuration of pavers up to the waters edge does not provide for any treatment of runoff before it enters the Byram River. This “soft shoreline” concept is reflected within NYSDEC’s stormwater runoff and Stormwater Pollution Prevention guidelines (SWPPP).
- d. The improvements at the CSO within the cove, including the use of natural stone biowales and channelization will increase the quality of water entering the Byram, while reducing or eliminating hazardous/solid waste discharges into the cove area.



Policy 9 Provide for public access to, and recreational use of, coastal waters, public lands and public resources  
Policy 9A Incorporation of a public pedestrian walkway along the waterfront shall be included as part of development or redevelopment of waterfront parcels wherever practicable.

As noted above, the pedestrian area around the cove is underutilized, and our solutions can provide a destination not a dead end. Activating any point, or node, along the section of waterfront restored under this project should involve some level of controlled, safe community engagement with the water. Access can be visual, where the river forms a backdrop to activities staged before it; or physical, where, through a series of “get-downs” people can make their way down to water level, at mean high tide or lower. Moreover, the bridge from north to south, connecting with the cove area, will provide a level of public access that will only generate more involvement.

The designs forward also do not preclude the installation of floating docks, and other amenities for boating, kayaking and fishing. On the contrary, the levels and elevations of the structures, the inclusion of revetments, and the opening of the cove actually increase the water surface area within the footprint of the project. The additional space adds opportunity for people and the environment to expand and proliferate.

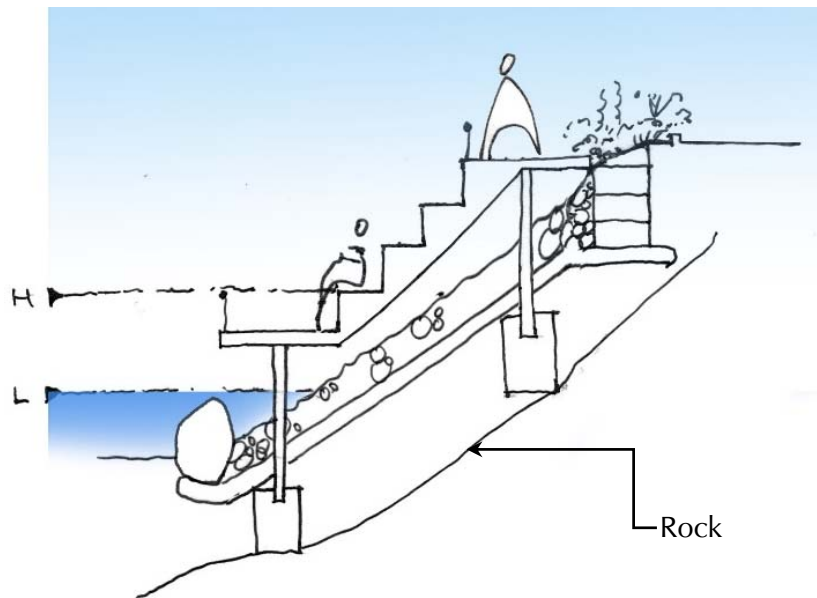


Figure 3 – McLaren’s Proposed Get Down Access - Example

Policy 10 Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations.

Every bit of McLaren’s design focuses on water dependent uses. At the south bulkhead, the elevations of the platforms enhance floating dock installations, fishing and kayaking. Inherent to the revetment design is also an increase in the quality and safety of boating on the river, as more space is opened, while reducing wave and wakes. Within the cove, the combination of the revetments and bulkheads will allow for the inclusion of aquaculture and educational programs that can be expanded to the high schools and colleges in the area.

Policy 11 Promote sustainable use of living marine resources

The Byram River is an ecologically sensitive area. In our opinion, bulkheading such rivers significantly decreases the benthic sustainability of the system. Bulkheads cut off natural ground water flow, increase wave and wake (by reflection), cut off living shorelines in organic soils, and more. Short of an absolutely untouched, natural shoreline, revetments and the inclusion of planter areas, promote habitat and decrease development impact on

the ecology of the river. This is especially true in the cove, where the shallow water, natural mudline rich in organics, and low currents can generate/sustain significant biological development and diversity – from plants, to waterfowl, to fish and more. Floating docks and the bridge in the mouth of the cove only enhance this possibility, by protecting the habitat from wave and wake. Improvements to the CSO area, utilizing bioswales and natural stormwater treatments, can improve water flow through the cove area and refresh the habitat. A combination of bulkheads and revetment in the cove will allow for nature to move-in, setup shop, and make a home, for many years to come, and be self-sustaining.

In addition to the natural self-sustainment, the inclusion of stone revetments and plantings increases benthic habitat for biological resources. Where bulkheading eliminates water surface, stone and more natural shorelines promote protected for spawning and development in the early stages of all creatures, from fry to crabs to shellfish and waterfowl.

**Section B** - Describe the inclusion of “the cove” as it affects and impacts cost of design, timeline and estimated construction costs.

#### *Design of Cove*

McLaren believes that the cove area is partially an extension of the south bulkhead and partially an improvement of the existing configuration. Please see the plan below, and attached, for an overall treatment depiction that cross references the discussions and sections in Section D. The sections developed for the south bulkhead, including revetment, platforms, landscaping and the like will be continued, however inclusion of sheetpile bulkheads around the inner cove are both necessary and inherent to the industrial waterfront’s past.



Figure 4 – Example Waterfront Plan – Cove Development is General

The following design elements will be implemented:

- a. South bulkhead of cove, points C to D will be various treatments of revetment, pile supported platform and earthen esplanade. As it approaches the CSO, conversion to sheetpile is a possibility.

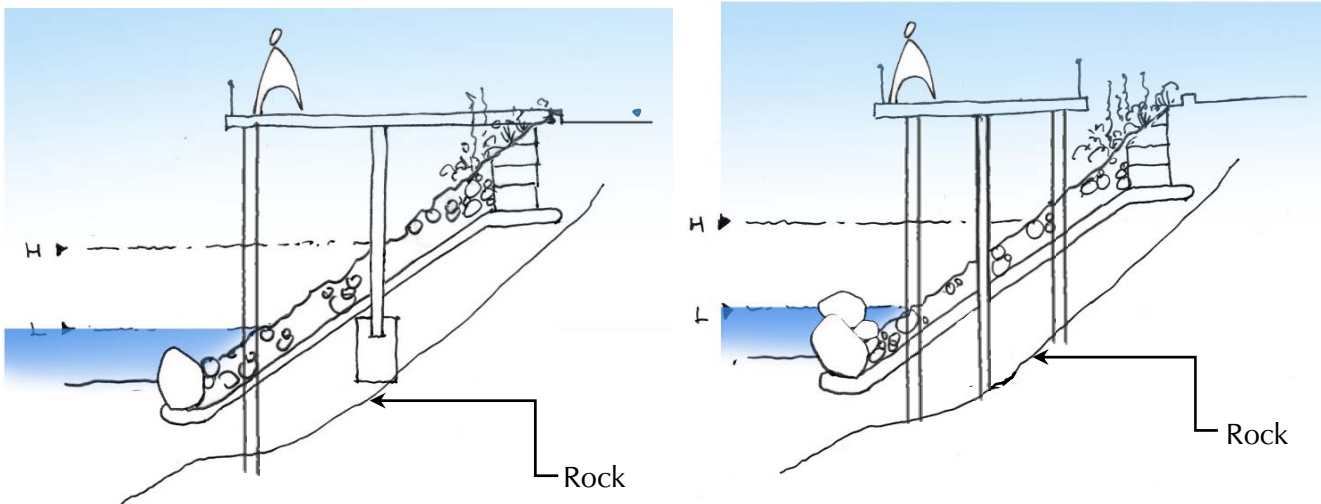


Figure 5 – Cross Sections of Design Elements - Platforms

- b. CSO Area, points D to E will be improvements with sheet pile, riprap spillways, channelization of the outflow, bioretention areas for retention and filtration, and plantings.
- c. North Bulkhead area, points E through H will be bulkhead intermittent with riprap slopes, platforms and plantings areas.

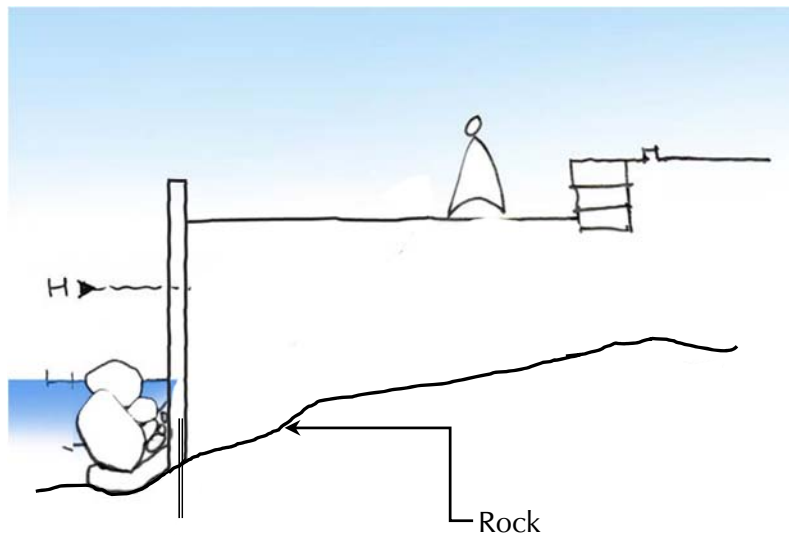


Figure 7 – Cross Section – Bulkhead

- d. The Cove itself will have improvements for water channelization, plantings, natural water flow and get down areas for aquaculture and public access;
- e. The bridge will be a pile supported, single span across the mouth of the cove.



Figure 8 – Pedestrian Bridge Example - Haverstraw

*Cost Impact – Design*

McLaren has determined that the costs for design of the entire bulkhead, cove and bridge areas are focused around increased public review, additional design for sheetpiles/bridge, permitting and site reconnaissance. The impact is as follows:

Base Design, per the original RFP:	\$ 275,754
Added Cost of Cove and Bridge Design	<u>\$ 152,100</u>
Task 7, Site Reconnaissance and Schematic Designs	\$ 40,000
Task 8, Public Meetings	\$ 11,000
Task 9, Construction Requirement Analysis	\$ 5,000
Task 10, Environmental Quality Review	\$ 6,000
Task 11, Draft Final Design	\$ 35,000
Task 12, Final Design and Construction Documents	\$ 40,000
Task 13, Permitting	\$ 14,000
<b>Total Design Cost:</b>	<b><u>\$ 426,754</u></b>

*Cost Impact - Construction*

Please see Section D for the proposed order of magnitude construction cost estimates for the South Bulkhead and Cove areas. The impact of the Cove and North bulkhead inclusions are specifically detailed.

*Timeline - Milestones*

McLaren understands that for a project to be considered successful, it must not only meet the project technical goals but also be performed within the time constraints determined by our clients. The inclusion of the cove represents an extended public outreach, permitting and design challenge, however, with the possibility for phased construction, total timeline for the Cove and North bulkhead design can extend to the end of 2016.



ACTIVITY	MILESTONE DATE
Notice to Proceed	July 6, 2015
Kick Off Meeting	July 7, 2015
Mobilization	July 20, 2015
Site Reconnaissance and Schematic Designs	July 20 through Sept 20, 2015
Schematic Design (30%)	Sept 30, 2015
Public Meetings	Oct 1 to Nov 1, 2015
Construction Requirement Analysis	Oct 1 to Nov 1, 2015
Environmental Quality Review	Sept 1 through Oct 21, 2015
Draft Final Design (60%)	Nov 30, 2015
Final Design and Construction Documents (100%)	April, 2016
Permitting	Sept 2015 to June 2016
Commence Construction – South Bulkhead	Summer-Fall 2016

**Section C** - Describe the feasibility of design strategies utilizing revetment, steel replacement, and/or any other reasonable approach or combination thereof.

McLaren has proposed several treatments for the project to utilize and improve upon the space including:

- Option 1: Revetment (Throughout)
- Option 2: Pile supported platforms (throughout)
- Option 3: Sheetpile Bulkheads (Cove Area)

Each of the options will be presented in combination throughout the site based upon available geometry, subgrade conditions, permissibility, public access, historical treatment, ecological impact, visuals, and resiliency. As such we address the applicability/feasibility of each solution below; we will first review what we believe cannot be done on site.

*Site Constraints*

A. Rock Profile

The site constraints presented to McLaren, both in the RFP and in our previous investigations on site, indicate that rock is very shallow on the south side of the cove (Points A to B). Recent failures and bulging on the south side of the Cove – Points B to D are indicative of similar rock profiles and conditions. Approximately 40 percent of the South bulkhead area has a rock elevation that is less than 15 ft below the mudline; with a bulkhead reveal of 15 ft, expected embedment should be on the order of 30 ft. A majority of the site does not provide that and any bulkhead design will be problematic when expecting a 50 to 75 year life span. Inside of the cove, where reveal heights are significantly less, the applicability of a sheetpile bulkhead becomes more feasible.

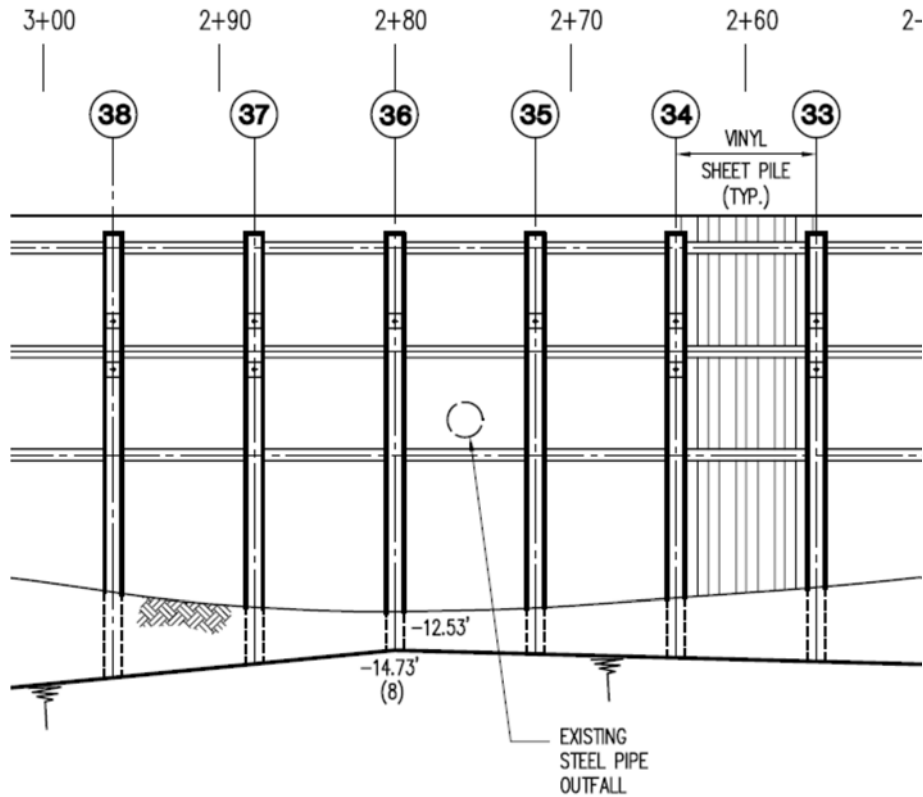


Figure 9: Partial Rock Profile – South Bulkhead

B. Existing Infrastructure

The presence of a completed and active parking lot at Costco and the streets along the cove preclude the use of deadman and tieback systems for bulkheads. Since these are the most economical solutions, any new solution will most likely be more expensive than anticipated. New bulkheads have to be cantilevered (shallow rock is very problematic) or tied back with drilled or helical anchors from the waterside.

*Option 1: Revetment*

Revetments are very flexible. They provide shoreline protection, while creating habitat, allow for ground water and seawater flow, percolation, and they are generally less expensive than standard structures. They are a “green” shoreline treatment that is more resilient than most structures and can deflect flooding and wave energies.

However, revetments are a function of the soil stability and geometry of a given area. The higher the slope stability of a certain soil is, the greater the angle a revetment can be constructed to. Higher angle means less upland space lost.

Within in the cove, the elevation difference between the esplanade and mudline varies from 12 ft to 8 ft throughout. Utilizing a revetment slope of 1:1.5 for moderate to poor quality soils with no current or wave forces, the required upland area to accommodate a revetment is 12 ft to 18 ft. With the exception of the section of bulkhead from Points D to F, there is available upland area to accommodate this slope.

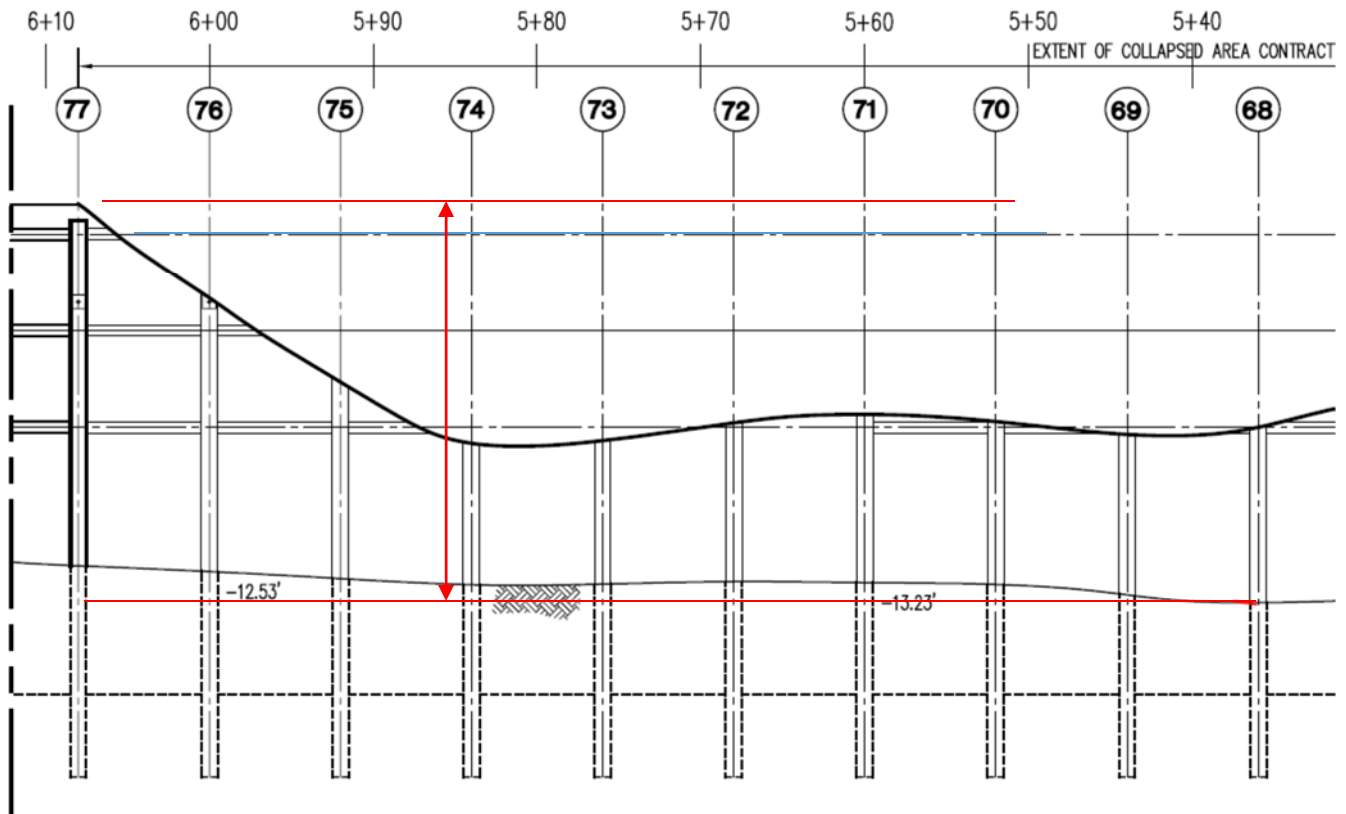


Figure 10 – Area of Maximum Reveal – South Bulkhead

On the South bulkhead, the elevation between the esplanade and the mudline varies much more and is significantly larger. From Point B to Point A, the reveal varies from 12 ft to 24 ft (stations 6+40 to 4+80 and Station 8+00 – where the bulkhead has failed already). As such, with a 1:1.5 slope upland width required in the worst case scenario is 36 ft, with a minimum requirement of 18 ft. In these areas of failure, and the highest reveal, the esplanade varies from 27 to 38 ft wide (including the green buffer area) and 28 to 32 ft wide. Therefore the feasibility of a revetment and retaining wall is very real. For areas that have weak soils, or the distance on the esplanade is limited, revetments can be customized for stability. This customization is shown below, and is particularly excellent for creating interstitial tidal areas.

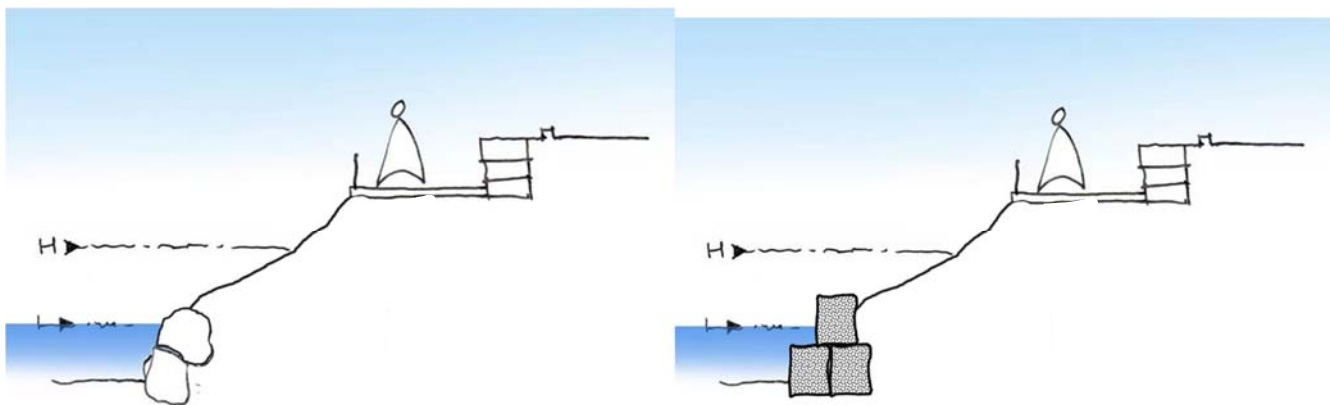


Figure 11a – Examples of Stabilized Revetments – Heavy Stone Toe, Gabion

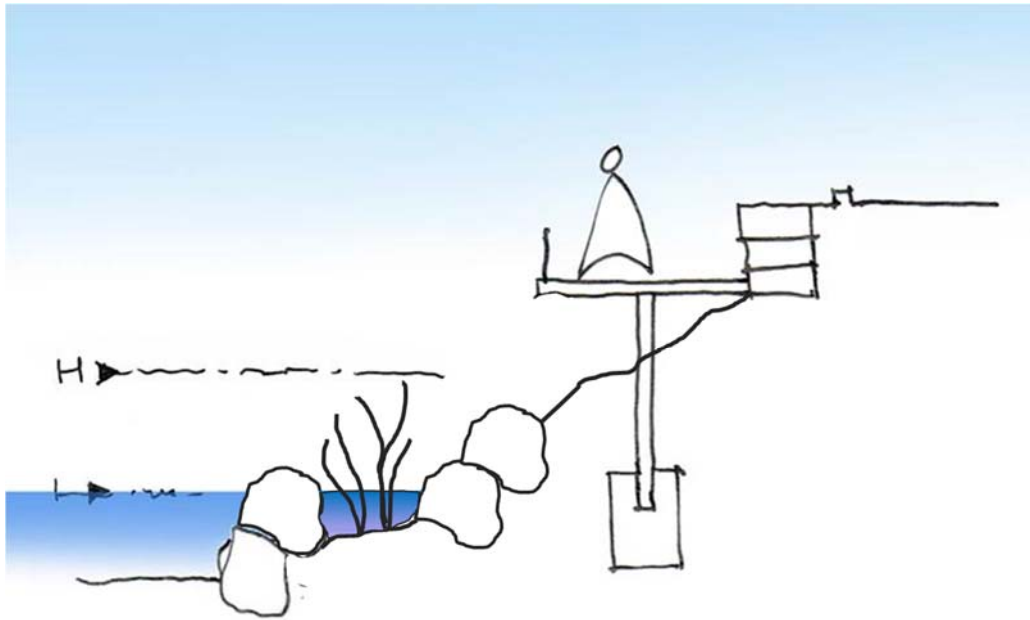


Figure 11a – Examples of Stabilized Revetments – with Interstitial Area

### *Option 2: Pile Supported Platforms*

Like revetments pile supported platforms are very flexible. They provide shoreline access and can vary in elevations, materials types, widths, and support public activities and the proposed “activity note”. While they are generally more expensive than bulkheads or revetments, the open area underneath promotes benthic habitat and clean water by allowing the river to flush itself over the tide cycles.

However, platforms are a function of the soil stability and rock elevations in an area, as well as minimum public access requirements. With shallow rock profiles at the South Bulkhead, obtaining bearing is not a problem, however, similar to the bulkhead’s lack of embedment, the piles need minimum embedment as well for lateral stability. This can be obtained by lateral bracing, moment frames and anchoring the piles into rock. Therefore, the implementation of pile supported platforms on the south side or in the cove do not present an engineering or constructability issue on site.

Similarly, the bridge will be supported by piles; with shallow rock, bearing capacities will not be difficult to obtain. However, configuration of the piles will be driven by ice and forces – riprap in place can protect the piles, and we would expect redundant sections/cross sections with 2 piles per bent.

### *Option 3: Sheetpile Bulkhead*

After all of the discussions above on why a bulkhead will not work, there are some segments where a bulkhead will be required – both for historical purposes and for site constraints. However, inside of the cove, where reveal heights are significantly less, the applicability of a sheetpile bulkhead becomes more feasible.

McLaren anticipates that from Points D to F and into H, the bulkhead will be constructed to match the north side. Since we do not know the elevation of rock at these locations, significant site investigations will be required to determine the design. If rock is greater than 16 ft below the existing mudline, we believe that the sheetpile design with a tieback is feasible. However, it would require removal and replacement of a significant amount of upland area. If rock is deeper, a cantilevered sheetpile design is feasible, and we can avoid the upland work.

However, it is most likely that rock is again shallow. In that instance, sheeting can be used, and will need to be tied back. To prevent failure and movement, the design needs to incorporate toe restraint (the bottom of the sheetpile on rock) and potentially riprap stabilization in the front. Alternatively, alternating sheets can be replaced with piles that would be anchored into rock. Both scenarios, while feasible, are expensive. Therefore, sheeting will be used sparingly, to accommodate the historical need, the CSO/Roadway area, and where rock is deeper.

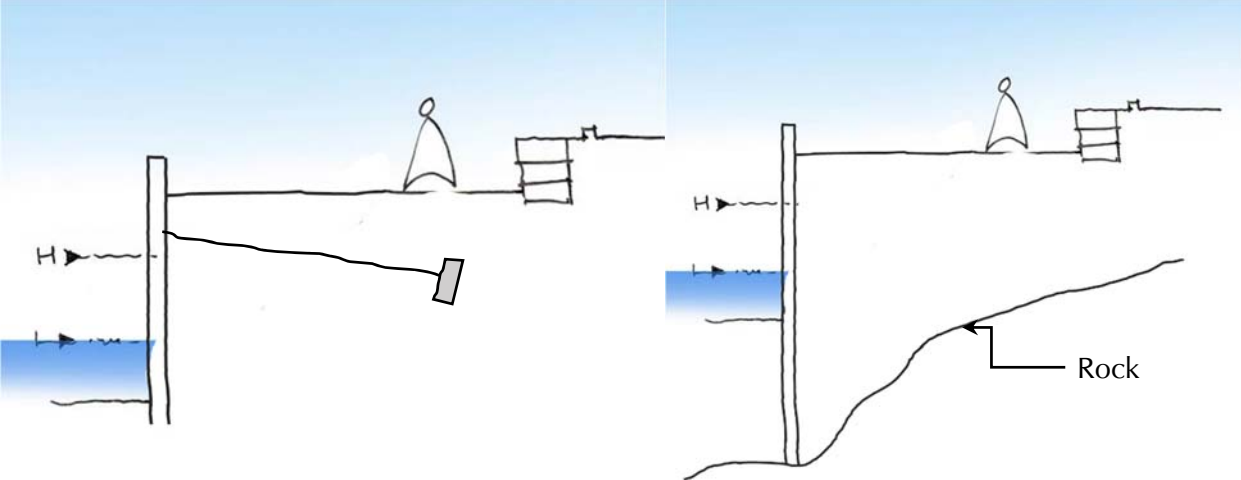


Figure 12 – Examples of Sheetpile Construction, Standard and Cantilever

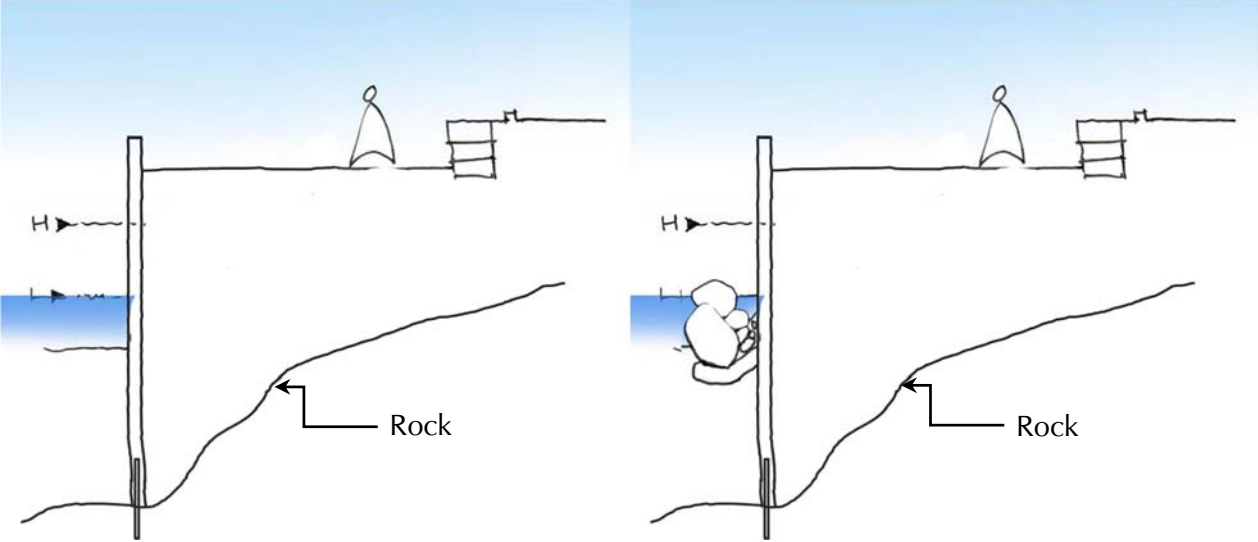


Figure 13 – Examples of Sheetpile Construction, Shallow Rock - Toe Pin and Riprap Toe

**Section D** - Provide reasonable cost estimates for the construction of each of your conceptual and alternate options for design presented in your response, understanding that these will be rough estimates.

McLaren developed “order of magnitude” cost estimates that help develop a complete “Master Plan” budget for the south bulkhead and the Cove Area. These estimates are developed based upon the cross sections and plans in our proposal, and new plans/sections developed for the cove area. Each of the areas integrates public access to the waterfront, stormwater improvements, landscaping, public activity areas, ecological and aquatic friendly areas, as well as opportunities for improvement to water quality, aquaculture and historical representation of the waterfront. The project is broken down into several areas that could have different treatments:

- South Bulkhead, Points A to B, is proposed to be a combination of revetment, platforms, pathways and landscaping, per our proposal.
- Cove, South Bulkhead, Points B to D, is proposed to be a combination of revetment, platforms, pathways and landscaping, with an option for sheetpile bulkhead to replace the current vinyl navy wall.
- Cove, West Bulkhead, Points D to F, is proposed to be a combination of platforms, pathways and sheetpile bulkhead.
- Outfall/CSO – Points D to E – Stormwater improvements at the CSO for water quality treatment will include stone revetments, landscaping and water features, and creation of benthic habitat.
- Cove, North Bulkhead, Points F to G, is proposed to be a sheetpile bulkhead, joining with the existing structure.
- Bridge, is proposed to be a single span pedestrian bridge from the south bulkhead to the north for inclusion of the waterfront walkway.

Each of these treatments can be engineered and constructed in multiple combinations, and the application of such is discussed in Section C below. However, we have developed a range of estimates for three combinations of shoreline, 1600 lf, from 5.622MM to 6.516MM using a 10 percent construction contingency. These estimates can be found below:



Project: 150163  
 Sheet: 1 of  
 Prepared By: SET  
 Checked By:  
 Date: 6/18/2015

## PORT CHESTER BULKHEAD AND COVE RESTORATION

### Engineer's Estimate

#### **Proposed Work: OPTION A - COMBINATION #1**

South Bulkhead Extension with mixed use platform and revetment. North Bulkhead and cove with mixed use Bulkhead, revetment and platform, with NO work to the COVE itself. Bridge Footings on south & north of the notch, alum bridge Total of 1,600 LF south to north.

Item No.	Item	Quantity	Unit	Unit Price	Total
<u>1</u>	SOUTH BULKHEAD EXTENSION, Points A to B	860	LF		\$1,935,941
<u>2</u>	Revetment, With Overland Pathway	215	LF	\$1,595	\$342,861
<u>3</u>	Full Platform (20 ft wide), over revetment	215	LF	\$2,884	\$620,055
<u>4</u>	Partial Platform (10 ft wide), Over revetment	430	LF	\$2,263	\$973,025
<u>5</u>	NORTH BULKHEAD EXTENSION, Points B to G	740	LF		\$1,963,937
<u>6</u>	CSO Improvements, Revetment Treatment	1	LS	\$250,000	\$250,000
<u>7</u>	Full Platform (20 ft wide), over revetment	150	LF	\$2,884	\$432,597
<u>8</u>	Partial Platform (10 ft wide), Over revetment	260	LF	\$2,263	\$588,341
<u>9</u>	Bulkheading - Steel, Industrial	330	LF	\$2,100	\$693,000
<u>10</u>	BRIDGE ACROSS COVE - Points C to H				\$175,400
<u>11</u>	Abutments	2	EA	\$20,200	\$40,400
<u>12</u>	Bridge	1	EA	\$135,000	\$135,000
<u>13</u>	Landscaping and Planting, Stormwater Management	1	EA		\$450,000
	<b>Subtotal Direct Construction Costs</b>				<b>\$4,525,278</b>
	Mobilization / Demobilization	4.0%			\$181,011
	General Conditions	10.0%			\$452,528
	Overhead and Profit	15.0%			\$678,792
	Construction Contingency	10.0%			\$452,528
	Construction Management	5.0%			\$226,264
	<b>Add-on "Soft Costs"</b>				<b>\$1,991,123</b>
	<b>Total Estimated Project Cost</b>				<b>\$6,516,401</b>
	<b>Total Cost Per LF</b>				<b>\$4,072.75</b>



Project: 150163  
 Sheet: 1 of  
 Prepared By: SET  
 Checked By:  
 Date: 6/18/2015

## PORT CHESTER BULKHEAD AND COVE RESTORATION

### Engineer's Estimate

#### Proposed Work: Option B - COMBINATION #2

Mid Level Costs - more revetment, smaller platforms.

Total of 1,600 LF south to north.

Item No.	Item	Quantity	Unit	Unit Price	Total
<u>1</u>	SOUTH BULKHEAD EXTENSION	860	LF		
<u>2</u>	Revetment, With Overland Pathway	430	LF	\$1,595	\$685,723
<u>3</u>	Full Platform (20 ft wide), over revetment	215	LF	\$2,884	\$620,055
<u>4</u>	Partial Platform (10 ft wide), Over revetment	215	LF	\$2,263	\$486,513
<u>5</u>	NORTH BULKHEAD EXTENSION	740	LF		
<u>6</u>	CSO Improvements, Revetment Treatment	1	LS	\$250,000	\$250,000
<u>7</u>	Full Platform (20 ft wide), over revetment	0	LF	\$2,884	\$0
<u>8</u>	Partial Platform (10 ft wide), Over revetment	350	LF	\$2,263	\$791,997
<u>9</u>	Bulkheading - Steel, Industrial	330	LF	\$2,100	\$693,000
<u>10</u>	BRIDGE ACROSS COVE				
<u>11</u>	Abutments	2	EA	\$20,200	\$40,400
<u>12</u>	Bridge	1	EA	\$135,000	\$135,000
<u>13</u>	Landscaping and Planting, Stormwater Management	1	EA	\$400,000	\$400,000
	<b>Subtotal Direct Construction Costs</b>				<b>\$4,102,687</b>
	Mobilization / Demobilization	4.0%			\$164,107
	General Conditions	10.0%			\$410,269
	Overhead and Profit	15.0%			\$615,403
	Construction Contingency	10.0%			\$410,269
	Construction Management	5.0%			\$205,134
	<b>Add-on "Soft Costs"</b>				<b>\$1,805,182</b>
	<b>Total Estimated Project Cost</b>				<b>\$5,907,869</b>
	<b>Total Cost Per LF</b>				<b>\$3,692.42</b>





Project: 150163  
 Sheet: 1 of  
 Prepared By: SET  
 Checked By:  
 Date: 6/18/2015

## PORT CHESTER BULKHEAD AND COVE RESTORATION

### Engineer's Estimate

**Proposed Work: Option 3 - COMBINATION #3**

Lowest Level Costs - more revetment and bulkheading. Minimal platforms

Total of 1,600 LF south to north.

Item No.	Item	Quantity	Unit	Unit Price	Total
<u>1</u>	SOUTH BULKHEAD EXTENSION	860	LF		
<u>2</u>	Revetment, With Overland Pathway	645	LF	\$1,595	\$1,028,584
<u>3</u>	Full Platform (20 ft wide), over revetment	0	LF	\$2,884	\$0
<u>4</u>	Partial Platform (10 ft wide), Over revetment	215	LF	\$2,263	\$486,513
<u>5</u>	NORTH BULKHEAD EXTENSION	740	LF		
<u>6</u>	CSO Improvements, Revetment Treatment	1	LS	\$250,000	\$250,000
<u>7</u>	Full Platform (20 ft wide), over revetment	0	LF	\$2,884	\$0
<u>8</u>	Partial Platform (10 ft wide), Over revetment	370	LF	\$2,263	\$837,254
<u>9</u>	Bulkheading - Steel, Industrial	370	LF	\$2,100	\$777,000
<u>10</u>	BRIDGE ACROSS COVE				
<u>11</u>	Abutments	2	EA	\$20,200	\$40,400
<u>12</u>	Bridge	1	EA	\$135,000	\$135,000
<u>13</u>	Landscaping and Planting, Stormwater Management	1	EA	\$350,000	\$350,000
	<b>Subtotal Direct Construction Costs</b>				<b>\$3,904,750</b>
	Mobilization / Demobilization	4.0%			\$156,190
	General Conditions	10.0%			\$390,475
	Overhead and Profit	15.0%			\$585,713
	Construction Contingency	10.0%			\$390,475
	Construction Management	5.0%			\$195,238
	<b>Add-on "Soft Costs"</b>				<b>\$1,718,090</b>
	<b>Total Estimated Project Cost</b>				<b>\$5,622,840</b>
	<b>Total Cost Per LF</b>				<b>\$3,514.28</b>

### **In Summary**

McLaren's project team, with Elizabeth Kennedy Landscape Architect, PLLC (EKLA) brings strength in interpretive programming and design – an attribute central to developing a richly diverse open space solution as the activity node. Port Chester's Byram River, once the driver of the Village's economic fortunes, exerts an emotional tug on all who explore it, as even today, within a short distance, one can quickly gain a physical sense of the Village's history and imagine how the timeline of the river's use led to the contemporary mix of picturesque, industrial and civic places along its edge.

Activating any point, or node, along the section of waterfront restored under this project should involve some level of controlled, safe community engagement with the water. Access can be visual, where the river forms a backdrop to activities staged before it; or physical, where, through a series of "get-downs" people can make their way down to water level, at mean high tide or lower.

Providing opportunities for both organized and informal public use has proved critical to the success of community open space redevelopment, and it will be the McLaren Project Team's intent to ensure that the final design approach to the shoreline restoration embraces this principle.

As such, we believe our "soft" waterfront edge approach meets the requirements of the State and Local LWRP, coastal zone requirements and the goals of the grant awarded to Port Chester. The presentations of the designs are both feasible and cost effective, while vastly improving the environmental, ecological, and personal connections to the waterfront.



VIA ELECTRONIC  
AND REGULAR MAIL

June 18, 2015

Mr. Christopher Ameigh  
Aid to the Village Manager  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

Re: Repair of Collapsed Bulkhead Section  
along Byram River – Follow-Up Questions  
Village of Port Chester  
Westchester County, New York  
Our File No. PR-15-6477

Dear Mr. Ameigh:

As requested, we are providing responses to the questions in your letter transmitted June 9, 2015. We understand these are follow-up questions from the Board of Trustees (BOT) interviews conducted on June 2, 2015.

1. Describe the inclusion of “the cove” as it affects and impacts cost of design, timeline and estimated construction costs.

**At the aforementioned BOT interview, three concepts were discussed for the “cove” area, outside of the original project limits of the RFP: pedestrian bridge, kayak launch, and ecological enhancement. A review of the available U.S. Fish and Wildlife mapping for this area indicated the presence of at least one endangered species as well as tidal wetlands in this area. The impacts to each of the conceptual items are as follows:**

**a) Pedestrian Bridge**

**An arched pedestrian bridge could potentially be permitted under an Army Corps of Engineers (Army Corps) Nationwide Permit No. 14 – Linear Transportation Crossings, though the improvement could trigger an Individual Permit, resulting in a longer review time and additional environmental permitting costs. Impacts to shading and the existing natural habitat would need to be carefully weighed and the improvement could result in the need for mitigation. The estimated construction cost for a prefabricated wooden arch pedestrian bridge is \$300,000.**

From aerial imagery, it appears that existing piles remain across the entrance to the cove. If this is the case, a boardwalk type structure could be built on top of these, making a case for an Army Corps Nationwide Permit for Repair and possibly diminishing environmental permitting requirements. This approach may require driving additional piles. An estimated construction cost for this type of structure would range between \$150,000 and \$250,000. However, the installation of this boardwalk would preclude the installation of a kayak launch.

b) Kayak Launch

A kayak launch would require a Nationwide Permit 36 – Boat Ramps. The existing area does not appear to have adequate geometry for a kayak launch and would require additional investigation. Specifically, boat launches can only have a maximum 50 cubic yards of dredging, must be 20 feet wide, with a maximum 12% slope and require 3 to 4 feet of water depth during low tide per Army Corps design practices.

c) Ecological Enhancement

Ecological enhancement in the form of a rock embankment is not permissible since this area has tidal wetlands based on information from U.S. Fish and Wildlife. Fill is not permitted within tidal wetlands.

Additional decisions would need to be made by the Village before pursuing a pedestrian bridge or a kayak launch in the cove. Subject to these decisions, the design for both a pedestrian bridge and kayak launch can be incorporated into the original project scope with no impact to our timeline, though it may require a longer review time from the New York State Department of State (DOS). Additional permitting costs would range from \$10,000 to \$20,000 depending on feedback from the Army Corps.

2. Provide reasonable cost estimates for the construction of each of your conceptual and alternate options for design presented in your response, understanding that these will be rough estimates.

Please see responses to Question 1 above. The cost of widening and raising the walkway to be level with the adjacent parking lot and replacing the existing plastic sheeting with steel sheeting would result in an estimated construction cost ranging from \$2,000,000 to \$2,500,000.

3. Describe the feasibility of design strategies utilizing revetment, steel replacement, and/or any other reasonable approach or combination thereof.

**Per Army Corps, the section of Byram River within the project limits is a federally maintained navigation channel. Any work within the federal channel requires a Section 408 permit from the Department of the Army in Washington D.C. Given the difficulty of securing this permit, a design strategy utilizing revetment manifests little possibility of success. We have had preliminary conversations with the Army Corps and have been informed that the chances of securing a Section 408 permit are minimal.**

**The design to widen and raise the walkway to be level with the adjacent parking lot and replace the existing plastic sheeting with steel sheeting has been detailed in our proposal.**

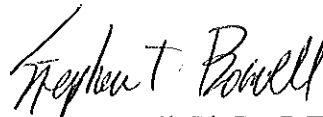
4. Detail inclusion of green infrastructure, ecological restoration, sustainable materials and public amenities to meet the requirements of the DOS grant award. See "Workplan C" attached to the original RFP.

**Solar powered waste and recycling receptacles, recycled content outdoor benches, solar powered light emitting diode (LED) decorative lighting, and suitable landscaping with native vegetation are all envisioned as potential components of this project. The possibility of installing a bioswale or linear rain garden, perhaps at the interface of the parking lot and walkway will also be evaluated. Alternatives for ecological restoration include enhancing surrounding migratory bird habitat as permissible by regulatory agencies. In addition, the design will allow for a wider walkway, level with the adjacent parking lot and meeting the latest requirements of the Americans with Disabilities Act (ADA). Interpretive signs, historic markers, and wayfinding signage will also be considered. The potential for an information kiosk, perhaps sponsored by local businesses, will also be vetted.**

We trust this adequately addresses all of your concerns. Please do not hesitate to contact me with any questions.

Very truly yours,

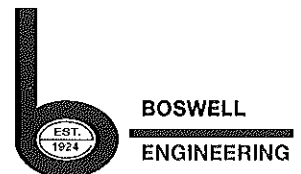
BOSWELL ENGINEERING



Stephen T. Boswell, Ph.D., P.E., P.P., LSRP, SECB

STB/JRV/REM

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## **Proposal Submitted to the Village of Port Chester Regarding Police and Courts Complex - July 1, 2015**

### Introduction:

NDC and its partners STV and Whiting Turner have been working on the schematic design and budgeting for a new municipal center in the Village of Port Chester located at the intersection of Poningo Street and Irving Avenue. The Village of Port Chester has reconsidered the concept of a municipal complex and would like to explore a reduced scope project consisting of just the police and court functions, excluding the Village offices and rental space from the project. The principal options for site location include the existing police and courts building on North Main Street which would require a substantial rehabilitation with a new construction addition creating a multi-story building, or a three story purpose built new building designed to accommodate the current program uses constructed on a contiguous parcel of land on North Main Street.

Much if not all of the early program work developed for the municipal center project can be utilized to develop the layout and configuration of the contiguously located new building. However, a new space blocking program based on the utilization of the existing building must be developed in order to correctly ascertain the level of rehabilitation and new construction needed to create an efficient program compliant facility. As with most rehabilitations, certain unknowns will exist at the time of our Phase I order of magnitude estimate. We do not propose conducting any testing for contaminants, building systems conditions, or to determine structural integrity during the Phase I pricing exercise. Although some of the individual occupant space allocations have changed, it is important to note that STV's program gross square footage number for the police department and courts of 43,644 square feet (see attached Space Program) is almost identical to the 44,600 square feet contained in the JCJ study. The difference between the programming number provided by STV and the 33,835 square feet contained in the summary sheet discussed at the Village Board work session is that the police out-building functions, and common and support areas were not included in the latter number. The Phase I purpose built estimate of cost will integrate the revised program to be determined after review and comment by the Police Chief and Village advisors. The program for the rehabilitated building will borrow from this revised program but will be based on existing police and court use patterns including necessary program changes required to deliver a regulatory compliant efficient building.

### Scope of Work and Cost:

At the direction of the Village Board the NDC P3 team will explore the following two police and court facility building options.

- a. The rehabilitation of the current police and court building with new construction additions, and
- b. The construction of a new purpose built police and court building on the adjacent parcel located northeast of the existing facility.

The NDC team proposes to assist the Village in determining the scope and cost of a new police and court facility. This work will be conducted in phases leading up to an indicative Guaranteed Maximum Price for the rehabilitation/construction of the building at the conclusion of Phase III. Each phase will be funded

separately and the NDC Team will not proceed to the next phase without authorization from the Village Board.

#### Phase I

Order of magnitude pricing of the two alternatives outlined above. This pricing would not include either the cost of acquisition and demolition, or the cost of temporary police and court space. Therefore, it would be a true comparison of rehabilitation/new construction cost to just new construction cost.

This work would be completed within three weeks of being authorized to proceed. The NDC team would also attend whatever meetings are required to discuss our findings and present to the general public.

Included in the Scope:

- Program verification and update
- New site- blocking study of new building on adjacent site for a fully program compliant operation (Option b)
- Existing Site (Option a)
  - Recommendations for potential areas of building expansion
  - Recommendations for replacement of existing one-story elements with multi-floor additions to expand the building area
  - Recommendations for potential program functions to move to alternate locations
  - Recommendations for use/reuse of the existing building to expand police operations in a global view (not detailed space planning)

This cost of rehabilitation estimate will not include a detailed building investigation to determine the extent of repairs required to maintain/repair operations (order of magnitude estimates will be prepared based upon observed building conditions with industry appropriate allowances included). We will also not be preparing as-built or background drawings for the existing building. We will prepare a block plan indicating square feet and general uses (room by room comparison of existing program to proposed program will not be undertaken). No investigation of building conditions to determine the existence of hazardous materials will be undertaken at this stage of pricing. Because of the age of the building, we will assume the presence of asbestos, lead and PCBs unless the Village has documentation of previous remediation.

Coordinate submission of a schematic design to the New York State Office of Courts Administration will be undertaken as part of Phase II.

The cost for Phase I is \$25,000.

## Phase II

Further develop a schematic design for either one, or both options. This would require us to complete a phase 1 environmental review, soils investigation, topographical analysis/survey, structural analysis and destructive testing of the existing structure. This phase would also include estimates for acquisition/demolition and temporary space.

Cost- Schematic Phase II depending on exploring one, or both options is \$65,000, \$110,000 or \$160,000 plus the cost of all site exploration/testing and site survey with topo as a pass through cost.

	<u>Both</u>	<u>Rehab.</u>	<u>New</u>
Building Investigation and Documentation (Rehabilitation Option Only)	\$ 40,000	\$ 40,000	
Schematic Design (both options)	\$ 80,000		
Schematic Design (one option)		\$ 40,000	\$ 40,000
Construction Estimating (both options)	<u>\$ 25,000</u>		
Construction Estimating (one option)		<u>\$ 15,000</u>	<u>\$ 10,000</u>
Sub-Total	\$145,000	\$ 95,000	
Administrative Expenses	<u>\$ 15,000</u>	<u>\$ 15,000</u>	<u>\$ 15,000</u>
Total	\$160,000	\$110,000	\$ 65,000

This work would be completed and submitted to the Village of Port Chester sixty- five days after authorization to proceed.

## Phase III

Once the preferred option is selected, proceed to the design development phase. We anticipate that this would allow us to estimate cost within plus or minus ten-percent of the final guaranteed maximum price estimate.

Cost- Design Development Phase III

Design and Engineering	\$240,000
Third Party Investigation and Survey Costs	\$145,000
Construction Estimating	\$ 65,000
Administration	<u>\$ 40,000</u>
Total	\$490,000

This work would be completed and Submitted to the Village of Port Chester ninety-days after the authorization to proceed.

Respectfully submitted by,



Daniel Marsh, Executive Vice President



THE NATIONAL DEVELOPMENT COUNCIL (“NDC”) IS NOT A REGISTERED MUNICIPAL ADVISOR PURSUANT TO SECTION 975 OF THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT (“DODD-FRANK”). NDC CANNOT PROVIDE ADVICE ON THE STRUCTURING OF TAX-EXEMPT OR TAXABLE MUNICIPAL SECURITIES OR THE INVESTMENT OF THE PROCEEDS OF SUCH DEBT.

**RESOLUTION  
AUTHORIZING NATIONAL DEVELOPMENT COUNCIL TO STUDY  
REDUCED SCOPE OF PROJECT**

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

WHEREAS, Village Board of Trustees has established as a strategic priority that the Police / Court Facility be expanded and modernized to suit the needs of the community; and,

WHEREAS, the Board of Trustees has engaged the services of National Development Council for the purpose of determining the Village Police and Court facility needs in conjunction with a Municipal Center that would relocate Village administrative offices with the Police Department and Justice Court, and to study a project location at Irving Avenue and Poningo Street for such new Municipal Center; and,

WHEREAS, the Board of Trustees has recently established a sub-committee consisting of three trustees, the Village Manager, Police Chief, and additional Village staff; and,

WHEREAS, the Board is of the view that such additional Police / Court facility requirements might be satisfied in a more cost-effective manner by: (1) rehabilitating the existing facility with potential new additions to such facility or (2) by constructing a new facility on a contiguous parcel; and

WHEREAS, NDC has submitted a cost proposal that would facilitate investigation of these alternatives as a first phase of a potential multi-phased approach and alternative to the heretofore proposed Municipal Center. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby accepts the proposal of the National Development Council dated July 1, 2015 to explore police and court facility options, compensation for Phase 1 to be \$25,000, with such work to be completed and a report delivered to the Board within 21 days of the Village's notice to proceed; and be it further

RESOLVED, that the Village Manager is hereby authorized the requisite agreement with regard to such work, and be it further

RESOLVED, that the Village Treasurer is authorized to modify the General Fund budget for FY 2015-2016 as follows:

**General Fund**

Transfer from:

Contingency A/c	1.1990.400	\$25,000
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Transfer to:

Planning Contractual	1.8020.400	\$25,000
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# **PUBLIC COMMENTS**

# RESOLUTIONS



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Planning and Development Department**

**Village BOT Meeting Date:** 7/6/2015

**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		Planning & Zoning		

**Sponsor's Name:** Jesica C. Youngblood, Village Planner  
 Christopher Ameigh, Aide to the Village Manager

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

Supporting the application for economic development grants under the New York State Consolidated Funding Application. (RESOLUTION 1, 2 and3)

**Summary**

**Background:**

The 2015 Consolidated Funding Application (CFA) program focuses on economic development projects furthering the strategies and goals outlined by each Regional Economic Development Council. Since 2013, the Village of Port Chester Grant Writing Work Group has actively pursued – and received – various economic development grant monies aligned with recommendations of the Comprehensive Plan, Strategic Plan, Local Waterfront Revitalization Program, and Route 1 Corridor Study.

As previously presented to the Board, the three main areas of grant funding focus on downtown-Main Street-TOD improvements, multi-modal transportation initiatives, and waterfront revitalization. Including resolutions of support from the legislative body improve each application's effectiveness.

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

Adopt the attached three resolutions of support.

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

Three resolutions: 1) downtown-Main Street-TOD improvements, 2) multi-modal transportation initiatives, and 3) waterfront revitalization.
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**VILLAGE OF PORT CHESTER BOARD OF TRUSTEES  
SEEKING NEW YORK STATE CONSOLIDATED FUNDING  
APPLICATION MONIES FOR A MULTI-MODAL  
TRANSPORTATION MASTER PLAN**

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 (“REDC”), and the Village of Port Chester is located in the Mid-Hudson \_\_\_\_\_ Region; \_\_\_\_\_ and

**WHEREAS**, the Village of Port Chester is an economic opportunity area within Westchester County and the Mid-Hudson Region; and

**WHEREAS**, the Village fully satisfies the Mid-Hudson REDC’s strategies specifically focused to: 1) improve key regional infrastructure to make the region more business-ready in priority growth areas and established village centers and 2) support the revitalization of urban centers as engines of regional prosperity; and

**WHEREAS**, the adopted Village Comprehensive Plan, Strategic Plan, and Route 1 Corridor Study all prioritize infrastructure investment strategies that support urban center revitalization; and

**WHEREAS**, the same adopted Village plans particularly recommend multi-modal transportation connections and facilities to support transit oriented development investments occurring throughout the Village; and

**WHEREAS**, the Village continues to experience a ‘developmental renaissance’ throughout the downtown and train station areas, further expressing the need to develop a comprehensive approach to automobile, transit, carpooling, bicycle, and pedestrian planning and integration; and



**WHEREAS**, a multi-modal transportation master plan would greatly benefit the Village in its preparation for celebrating 150 years of incorporation; and

**WHEREAS**, the Consolidated Funding Application program provides grant funding opportunities for multi-modal transportation planning initiatives in priority growth areas, also designated by the REDC as economic engines. Now, therefore, be it

**RESOLVED**, that the Village Board of Trustees supports the submission of an application through the Consolidated Funding Application program as supported by the Regional Economic Development Council for grant monies that implement a multi-modal transportation plan to support transit oriented development and downtown revitalization initiatives.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**VILLAGE OF PORT CHESTER SEEKING ADDITIONAL  
STATE FUNDING TO REPLACE THE VILLAGE  
MARINA BULKHEAD AND FACILITATE ECONOMIC  
DEVELOPMENT  
JULY 6, 2015**

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**, the Village has entered into contractual agreement with the Department of State (DOS) for the awarded LWRP grant for final design and construction documentation, including all applicable permits; and

**WHEREAS**, the Village is actively pursuing the required tasks outlined in the executed contract, and is anticipated to enter into contract with the chosen marine engineering firm by August 2015. Now, therefore be it

**RESOLVED**, that the Village Board of Trustees supports the submission of an application as part of the 2015 Consolidated Funding Application process for construction funding to replace the marina bulkhead, reopen the public walkway, and serve as an economic catalyst for continued waterfront revitalization.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

**VILLAGE OF PORT CHESTER BOARD OF TRUSTEES  
SEEKING NEW YORK STATE CONSOLIDATED FUNDING APPLICATION  
MONIES FOR DOWNTOWN REVITALIZATION  
STRATEGIES**

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 the Village of Port Chester is located in the Mid-Hudson Region; \_\_\_\_\_ and

**WHEREAS**, the adopted Village Comprehensive Plan, Strategic Plan, and Route 1 Corridor Study all prioritize economic (re)development strategies for the downtown central business district area; and

**WHEREAS**, the Village has undertaken steps to revitalize its downtown and core commercial areas through a state funded façade program, attraction of high-end food and beverage establishments, and adopting zoning code amendments spurring mixed-use, downtown development; and

**WHEREAS**, the Village is locally acclaimed as “the restaurant and entertainment capital of Westchester County” due to the quality and quantity of such types of establishments; and

**WHEREAS**, the Village is preparing a community-wide event to celebrate 150 years of incorporation that would greatly benefit from additional state funding focused on mixed-use streetscape enhancements to sustain commercial revitalization efforts; and

**WHEREAS**, the Consolidated Funding Application program provides various 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 through the Consolidated Funding Application program as supported by the Regional Economic Development Council for grant monies that implement downtown revitalization initiatives.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Planning and Development Department**

**Village BOT Meeting Date:** 7/6/2015

**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		Planning & Zoning		

**Sponsor's Name:** Jesica Youngblood

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

Establishing an Economic Development Policy and Process for the Village of Port Chester

**Summary**

**Background:**

The Pace Land Use Law Center is spearheading a regional economic development strategy through the Mayor's Redevelopment Roundtable to align regional economic development goals in an effort leverage private investment and grant funding for local communities.

The attached resolution affirms the Village's desire to create an economic development policy as a supplement to the existing comprehensive plan with the input from key stakeholders.

**Proposed Action**

Adopt Resolution

**Attachments**

Resolution

## RESOLUTION

### ESTABLISHING AN ECONOMIC DEVELOPMENT POLICY AND PROCESS FOR THE VILLAGE OF PORT CHESTER

*WHEREAS*, economic development planning is a priority for the Village of Port Chester in order to promote jobs, further market realistic building projects, provide housing for workers and others in need of residences, increase tax ratables, achieve energy conservation and other sustainability objectives, and create a livable community; and

*WHEREAS*, economic markets and available public and private sources of finance have changed dramatically in recent years; and

*WHEREAS*, the extent to which market-ready development can occur in a community is dependent on the existence of policies in the local comprehensive plan that support zoning and land use regulation for such development; and

*WHEREAS*, a supplemental economic development policy that accounts for market changes and existing financial resources may provide additional support to an adopted comprehensive plan to further guide the local governing body, land use boards and staff in adopting effective strategies for successful economic development; and

*WHEREAS*, New York State economic development policies and strategies emphasize the conformance of local plans and policies with adopted regional economic development and sustainability plans, as well as inter-municipal cooperation in planning, in awarding funds under a large number of state funding programs; and

*WHEREAS*, such state economic development policies help promote compact, mixed use developments in areas served by existing infrastructure and transit systems that enhance developed, urban communities as core economic engines of the Mid-Hudson Region; and

*WHEREAS*, these core economic engines create affordable places to live, work, and recreate while enhancing tourism, conserving energy, natural resources, and building materials, that when combined help reduce harmful Greenhouse Gas emissions and water pollution; and

*WHEREAS*, the Village participates in the Mayors' Redevelopment Roundtable directed by the Land Use Law Center at Pace Law School, which is preparing a variety of best practices that accomplish economic development policy objectives based on current market and financial conditions; and

*WHEREAS*, there is a need to establish a process whereby the Village can examine these new circumstances, policies and practices balanced with local conditions and needs; and

*WHEREAS*, establishing a local economic development policy and process will create an opportunity for the participating municipalities in the Mayors' Redevelopment Roundtable to demonstrate to state funding sources how economic development components of local comprehensive plans can create a collaborative vision for the urban communities in a region that builds on the unique assets and needs of each community. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby declares that it is the policy of the Village of Port Chester to pursue economic development policies that accomplish the objectives set forth above; and be it further

RESOLVED, that through the Village Manager, the Board directs relevant Village departments to continue efforts that support the economic development objectives of the Village's adopted comprehensive plan and the strategic plans of the Village Board and Industrial Development Agency; and be it finally

RESOLVED, that in view of the urgency of stimulating economic development, this effort is intended to be supplemented with data and planning strategies developed in conjunction with the Mayors' Redevelopment Roundtable and other regional strategies, programs, and best practices so as to best competitively position the Village for much-needed planning and capital dollars to promote job growth and tax base stabilization.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney





VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Recreation Department

**BOT Meeting Date:** 7/6/2015

**Item Type:** Resolution

**Sponsor's Name:** Heather Krakowski, Recreation Supervisor

Description	Yes	No	Description	Yes	No
Fiscal Impact	x	<input type="checkbox"/>	Public Hearing Required	<input type="checkbox"/>	x
Funding Source: Account #:1-7310-0437			BID #		
			<b>Strategic Plan Priority Area</b>		
			N/A		
Agreement	x	<input type="checkbox"/>	<b>Manager Priorities</b>		
Strategic Plan Related	<input type="checkbox"/>	x	N/A		

**Agenda Heading Title**

*(Will appear on the Agenda as indicated below)*

Authorizing Agreement to continue long-standing public-private partnership with Port Chester Council for the Arts, Inc. for 2015-2016

**Summary**

**Background:**

Through a long-standing relationship with Port Chester Council for the Arts, the Village has provided a theater and arts program which is operated by the Council.

The Council has submitted a request to renew its agreement for another year which provides detail about the Council's program for Village residents.

The expense has not changed for many years and is provided for in the FY 2015-2016 Village Budget

Denise Colangelo will be present at the meeting to answer any questions.

**Proposed Action**

That the Board of Trustees adopt the Resolution

**Attachments**

Proposed Agreement  
 Agreement

AUTHORIZING AGREEMENT TO CONTINUE LONG-STANDING PUBLIC-  
PRIVATE PARTNERSHIP WITH PORT CHESTER COUNCIL OF THE ARTS, INC.  
FOR FY 2015-2016

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, through a long-standing agreement with the Port Chester Council of the Arts, the Village of Port Chester has provided a theater and arts program through the Recreation Department; and

WHEREAS, such agreement provides a cross-generational opportunity for talented individuals to participate in programming that is given for the benefit of all Village residents; and

WHEREAS, the Council has submitted a budget and programming to renew the program for FY 2015-2016 which expense is included in the FY 2015-2016 Village Budget. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement with the Port Chester Council of the Arts, Inc., P.O. Box 15, 211 South Ridge Street, Rye Brook, New York 10573, to provide theater and arts programming for the benefit of the residents of the Village of Port Chester for FY 2015-2016, compensation to be in the amount of \$32,000.

Approved as to Form:

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

# The **Port Chester Council** for the **Arts, Inc.**

**P.O. Box 15, 211 South Ridge Street, Port Chester, NY 10573**  
**(914) 939-3183**

[www.PortChesterCFA.org](http://www.PortChesterCFA.org)

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Denise Colangelo, *Executive Director*  
Camille Linen, *Education Director*  
Blanca Bayona Rincon, *Comptroller*

June 10, 2015

Anthony Cerreto, Esq., Village Attorney  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

*By Email : tcerreto@portchesterny.com*

Dear Mr. Cerreto:

I am writing to you to request that you compose/update our agreement with the Village of Port Chester based upon the pages that follow this facsimile. We are anxious to get this agreement signed so that we can submit our first request for payment.

According to the agreement, we annually have been able to voucher for our first payment, which is normally available to us on June 1<sup>st</sup>. The payment schedule and arrangements listed on the pages that follow are exactly the same as last year. Please let me know how soon you expect the agreement to be ready, and I will be happy to run down to the Village offices and sign it.

Please note that the amount of the total payments is same amount as in many past years, with no increase to offset increases in our expenses. We hope that this letter meets with your approval, and that a new subcontractor contract can be composed and signed in order to allow us to receive our first payment as soon as possible. We are required to pay, up front, the royalties and rentals for the scripts and music involved in each production. Since our rehearsals will have begun prior to your receipt of our funds, this is money that we will have to "advance" prior to receiving funding from the Village or any participation fees, putting a burden on our organization's meager budget until the Village funds are released.

Thank you for your understanding and prompt attention to this matter. If you require additional information from me, please let me know.

Very truly yours,  
*Denise Colangelo*

Denise Colangelo  
Executive Director

Attachment Schedules included in email

# The **Port Chester Council** for the **Arts, Inc.**

**P.O. Box 15, 211 South Ridge Street, Port Chester, NY 10573**  
**(914) 939-3183**

[www.PortChesterCFA.org](http://www.PortChesterCFA.org)

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Denise Colangelo, *Executive Director*  
Camille Linen, *Education Director*  
Blanca Bayona Rincon, *Comptroller*

June 10, 2015

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

*By Email : csteers@portchesterny.com*

Dear Mr. Steers:

I am writing to you to request that you compose/update our agreement with the Village of Port Chester based upon the pages that follow this facsimile. We are anxious to get this agreement signed so that we can submit our first request for payment.

According to the agreement, we annually have been able to voucher for our first payment, which is normally available to us on June 1<sup>st</sup>. The payment schedule and arrangements listed on the pages that follow are exactly the same as last year. Please let me know how soon you expect the agreement to be ready, and I will be happy to run down to the Village offices and sign it.

Please note that the amount of the total payments is same amount as in many past years, with no increase to offset increases in our expenses. We hope that this letter meets with your approval, and that a new subcontractor contract can be composed and signed in order to allow us to receive our first payment as soon as possible. We are required to pay, up front, the royalties and rentals for the scripts and music involved in each production. Since our rehearsals will have begun prior to your receipt of our funds, this is money that we will have to "advance" prior to receiving funding from the Village or any participation fees, putting a burden on our organization's meager budget until the Village funds are released.

Thank you for your understanding and prompt attention to this matter. If you require additional information from me, please let me know.

Very truly yours,  
*Denise Colangelo*

Denise Colangelo  
Executive Director

Attachment Schedules included in email

**Exhibit A**  
**BUDGET - 2014 Children's & Youth Summer Musicals**  
**Shakespeare in the Park - Port Chester Council for the Arts, Inc.**

**EXPENSES (2015):**

**SALARIES:**

	Producer (all shows)	\$ 1,800.00
	Teen Theater Major Musical:	
	Director	\$ 1,800.00
	Musical Director	\$ 1,800.00
Children's Theater		
	Director	\$ 1,800.00
	Musical Director	\$ 1,800.00
Adult Show		
	Director	\$ 1,500.00
	Musical Director	\$ 1,500.00
Shakespeare		
	Director	\$ 1,400.00
	Tech Director/Asst	<u>\$ 1,000.00</u>
		\$ 14,400.00
	FICA on \$14,200.00	
		\$ 1,101.60

**PRODUCTION EXPENSES**

(Each line represents costs for all four programs):

SET CONSTRUCTION	\$ 3,500.00	
LIGHTING		\$ 3,000.00
MUSICIANS (24)	\$ 8,400.00	
PROD. RIGHTS	\$ 4,000.00	
PRINTING		\$ 1,500.00
SPACE RENTAL	<u>\$ 8,000.00</u>	
		<u>\$ 28,400.00</u>

**TOTAL EXPENSES**

**\$ 43,901.60**

**INCOME (2015):**

**EARNED:**

		<b>PARTICIPATION FEES</b>
140 @ \$85. per		\$11,900.00
30 @ \$150. per		<u>\$ 4,500.00</u>
		\$16,400.00
TICKET SALES:		
1000 @ avg. \$10.	\$10,000.00	
		\$10,000.00

ADVERTISING/REFRESHMENT SALES  
 AND OTHER FUNDRAISING/DONATIONS:  
 All three (3) programs

\$ 2,501.60

TOTAL EARNED INCOME (3 shows)

\$ 28,901.60

**UNEARNED:**

VILLAGE SUBSIDY (proposed) \$

**15,000.00**

**TOTAL INCOME**

**\$ 43,901.60**

**SUMMER 2014/WINTER 2015 - THEATER PARTICIPATION FIGURES**

ADULT MUSICAL THEATER: "MUSICAL REVUE" (Summer 2014)  
35 Actors, 20 Technical/Production people, 5 musicians

CHILDREN'S THEATER: "THE BOYFRIEND" (Summer 2014)  
104 Performers/Assistants/Stage Crew per year, 6 musicians, 18 Scholarships

YOUTH THEATER: "THE WEDDING SINGER" (Summer 2014)  
60 Performers/Assistants/Stage Crew, 6 musicians, 10 Scholarships

SHAKESPEARE IN THE PARK (Summer 2014)  
38 Performers/Assistants/Stage Crew

"FLASHBACKS" (Autumn 2014)  
45 Performers/Technicians/Artists, 6 musicians

*TOTAL - 353 Participants*

**AUDIENCES**

"MUSICAL REVUE"

4 Performances @ 100 each performance

"THE BOYFRIEND"

4 Performances @ 350 each performance

"THE WEDDING SINGER"

4 Performances @ 350 each performance

"FLASHBACKS"

1 Performances @ 450 each performance

*TOTAL AUDIENCES - 3750 Village Residents*

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**FEE / TICKET PRICE STRUCTURE - 2015-2016**

**Adult/College/Youth Theater** - Tickets will range in price from \$10 - \$20 and not exceed \$20. Participation fees for Teen Theater are \$85.00 for Port Chester residents and \$150.00 for non-Port Chester residents

**Children's Theater**

Tickets will range in price from \$10 - \$15 and not exceed \$15. Participation fees for Teen Theater are \$85.00-100.00 for Port Chester residents and \$150.00 for non-Port Chester residents **Adult Theater**

Ticket prices will not exceed \$20.00 per person. It has been agreed that a fee of \$50.00 will be charged per performer. If an adult performer (Port Chester resident) chooses to participate in more than one production during this season, they will only pay the \$50.00 participation fee once. Out of town performers will pay a \$50.00 participation fee for each show they participate in.

**Shakespeare in the Park**

Participation fees are \$85.00 for Port Chester residents  
\$150.00 for non-Port Chester residents

No ticket price set. Audiences are requested to make a donation of \$10.

**PORT CHESTER COUNCIL FOR THE ARTS, INC.  
2015-2016 Payment Schedule/Purpose:**

**June 1, 2015**

**\$ 25,000.00**  
**Children's, Shakespeare,  
Youth Summer Shows  
Insurance Subsidy (1/2)  
(\$7,000.00)/Space Rental**

**August 1, 2015**

**\$ 3,500.00**  
**Insurance/Admin**  
**Adult Theater  
Productions**

**January 1, 2016**

**\$ 3,500.00**  
**Scholarships**

**TOTAL PAYMENTS           \$ 32,000.00**  
**For 2015--2016**

**Explanation:**

June 1 payment

Subsidy for Four summer theater productions  
Plus annual insurance subsidy of \$7,000.00

August 1 payment

Subsidy for Additional Insurance/Space Rental/Adult  
Theater Productions (if they take place)

January 1 payment

Subsidy for Scholarships

Subsidies for the include staff salaries, production rights and rental of space for  
productions/rehearsals.



**APPROVING THE PERUVIAN TASTE FESTIVAL ON AUGUST 2<sup>ND</sup>**

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, the Village of Port Chester has a proud reputation as a multi-culturally diverse community, and the Village embraces opportunities to celebrate our multi-cultural diversity; and,

WHEREAS, Port Chester has the largest Peruvian population in Westchester County; and,

WHEREAS, Maria Amado, from Westchester Hispano Newspaper has submitted a request to the Village to host a “Peruvian Taste “ Festival in Port Chester on August 2<sup>nd</sup> that is intended to be a family-oriented event to promote Peruvian cuisine, art, music, dance and culture; and

WHEREAS, the Board of Trustees has established a policy to support groups that promote events that benefit our community, by promoting economic development, tourism, arts, and culture, and that celebrating Port Chester’s rich cultural heritage and diversity; and,

WHEREAS, the Board of Trustees has referred the aforementioned festival request to Village Staff for the Village to consider; and

WHEREAS, the Board believes that such a cultural event in the downtown will promote economic development and tourism, and will further enhance our positive reputation as a culturally rich and diverse community. Now THEREFORE, it is hereby

RESOLVED, that the Board of Trustees authorizes the use of the downtown Abendroth Avenue Marina Parking Lot for the Westchester Hispano “Peruvian Taste” Festival to be held on August 2<sup>nd</sup>, subject to the approval of G&S Port Chester LLC, and to the terms that G&S Port Chester LLC may impose on the applicant; and subject to the applicant obtaining event insurance that is satisfactory to G&S Port Chester LLC and to the Village of Port Chester; and subject to an operational plan to be developed by the applicant through the Village Manager’s office and approved by the Village Manager and Chief of Police; and be it FURTHER

RESOLVED, that the Board of Trustees authorizes the use of the Village Show Mobile for the Westchester Hispano Peruvian Taste Festival to be held on August 2<sup>nd</sup>, on an actual cost basis to be assumed by Westchester Hispano.

Approved as to Form:

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

New York, May 27th, 2015

Mr. Dennis Pilla

Mayor

**Of Village of Port Chester**

Dear Mayor:

Westchester Hispano Newspaper is organizing the Third Annual Peruvian Food Festival and Expo, scheduled for Sunday August 2, 2015. The festival aims to promote Peruvian cuisine and spread the culture of this South American country. We will present local and international chefs, musicians and entertainment for all.

We also request you the rental of the Lyon Park, on the date above indicated, in order to make our event in the town of the greater cultural diversity in Westchester County.

This festival will not only contribute to the culture of Port Chester, but also attract public of other areas of our county, to the benefit of the merchants and the economy of your Village.

Please let me know about the requirements to meet, and let me know if you need more information. We will much appreciate your help.

Sincerely



Maria Amado  
General Manager of  
Westchester Hispano  
914-473-2567

**THE MAYOR  
WILL PROVIDE  
RESOLUTION 6**

**Sponsoring Peruvian festival on August 2nd at Lyon Park.**

**AWARDING THE BID FOR THE FULL DESIGN AND CONSTRUCTION  
PLANS FOR THE REPLACEMENT OF THE PLASTIC BULKHEAD SECTION  
ALONG THE BYRAM RIVER AND CONSTRUCTION OF AN “ACTIVITY  
NODE”**

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, the Village bulkhead along the Byram river has become breached in several sections and requires replacement for the breached sections; and,

WHEREAS, more than just to repair/replace the breached bulkhead sections, the Village desires to leverage this project as an opportunity to enhance downtown economic development and further activate the waterfront area by designing a bulkhead replacement that can become a “destination” and “activity node” that might draw residents, shoppers, and tourists into Port Chester’s downtown, thereby enhancing the Village’s overall economic vitality, as well as our reputation and history as a riverfront and “Long Island Sound Shore” community; and,

WHEREAS, the Village applied for, and received a matching grant of up to \$225,420 through the New York State (NYS) Department of State (DOS) Local Waterfront Revitalization Program (LWRP) for “full design and construction documents plus permits to repair the breached bulkhead and create an activity node” in its place; and,

WHEREAS, Village issued a Request for Proposal (RFP), pursuant to the terms and conditions of the aforementioned NYS grant, for the “*Full Design and Construction Plans for the Repair of the Collapsed Bulkhead Section Along Byram River and Construction of “Activity Node” Plus Applicable Permit Work*” on February 18, 2015; and,

WHEREAS, the Village received four (4) responses to the aforementioned RFP by the March 16, 2015 deadline, and the Village staff has reviewed and vetted the RFP responses according to the stated RFP evaluations criteria to select 2 finalist firms, Boswell Engineering and McLaren Engineering, for further consideration by the Board of Trustees; and,

WHEREAS, the Village Manager has confirmed with New York State Department of State that the project scope may be phased and/or expanded within the terms of the grant to include the entirety of the vinyl bulkhead that runs along the Byram River; and,

WHEREAS, Village staff and the Board of Trustees conducted a more detailed review of the 2 selected finalists, considering several factors in their decision/selection

criteria in addition to the total project cost of this design and permitting phase activities, including:

- Total bulkhead replacement construction project cost
- Length of expected replacement bulkhead useful life
- Proposed design aesthetics of the proposed bulkhead replacement and its potential to become a “destination” and “activity node” to enhance downtown economic development and our overall reputation and history as a riverfront and “Long Island Sound Shore” community
- Quality, breath, depth, and overall experience of the proposed project team(s)

and, after such thoughtful review and deliberation, and consultation with the Village staff, now THEREFORE, it is hereby

RESOLVED, that the Board of Trustees hereby selects and accepts the bid of

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and directs the Village Manager to negotiate and enter into a contract with them, pursuant to the terms of the New York State DOS grants, and for them to immediately commence the project to design a bulkhead replacement and activity node for the entirety of the plastic portion that runs along the Byram River, and to include an overpass bridge above the inlet cove portion of the shoreline (known as “the gut”); and be it further

RESOLVED that the Board of Trustees directs the Village Manager to oversee this project, and to provide the Board with a list of targeted milestones as well as monthly updates on the progress of this important project.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**THE MAYOR  
WILL PROVIDE  
RESOLUTION 7**

**Award bulkhead engineering contract.**



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Planning and Development Department**

**Village BOT Meeting Date:** 7/6/2015

**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		Planning & Zoning		

**Sponsor's Name:** Jesica Youngblood

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

Establishing an Economic Development Policy and Process for the Village of Port Chester

**Summary**

**Background:**

The Pace Land Use Law Center is spearheading a regional economic development strategy through the Mayor's Redevelopment Roundtable to align regional economic development goals in an effort leverage private investment and grant funding for local communities.

The attached resolution affirms the Village's desire to create an economic development policy as a supplement to the existing comprehensive plan with the input from key stakeholders.

**Proposed Action**

Adopt Resolution

**Attachments**

Resolution

**EXTRACTS FROM MINUTES OF A MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF PORT CHESTER, NEW YORK**

*(\$890,000 Additional Costs – Street Improvements, 15 years)*

A regular meeting of the Board of Trustees of the Village of Port Chester (the “Village”), located in the County of Westchester, State of New York, was held at Village Hall, in the Village of Port Chester, New York, on July 6, 2015 at \_\_\_:\_\_\_ P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

\* \* \* \* \*

Trustee \_\_\_\_\_ submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee \_\_\_\_\_. The Board of Trustees of the Village was polled. The motion was adopted by a vote of \_\_\_\_ affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with \_\_\_\_ negative votes and \_\_\_\_ votes absent.



**BOND RESOLUTION DATED JULY 6, 2015, AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$890,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE PART OF THE MAXIMUM ESTIMATED COST OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION TO VILLAGE STREETS, INCLUDING IMPROVEMENTS TO SIDEWALKS, LANDSCAPES AND DRAINAGE, PURSUANT TO THE LOCAL FINANCE LAW.**

**WHEREAS**, the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, determined that it is in the public interest of the Village to authorize the financing of the costs and additional costs of the acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes, and drainage and including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$3,427,500, all in accordance with the Local Finance Law (the “Project”);

**WHEREAS**, on May 18, 2015, the Board of Trustees of the Village adopted a serial bond resolution for estimated costs associated with the Project in the amount of \$2,537,500 (the “Prior Resolution”);

**WHEREAS**, the Board of Trustees of the Village now hereby determines that the estimated total cost of the Project has increased and to fund such additional costs of the Project, which together with the Prior Resolution will increase the total costs of the Project by \$890,000 to \$3,427,500.

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$890,000, pursuant to the Local Finance Law, in order to finance the additional cost of the acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes, and drainage (the “Project”).

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is not to exceed \$3,427,500, (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project, except for borrowing authorized in the Prior Resolution, (c) the Board of Trustees of the Village plans to finance such costs of the Project from (i) the proceeds of serial bonds authorized herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds and (ii) proceeds of serial bonds authorized herein or bond anticipation notes issued in anticipation of the issuance of such serial bonds authorized pursuant to the Prior Resolution, (d) the maturity of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay any costs for the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took “official action” for federal income tax purposes to authorize capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probably usefulness of the Project is fifteen (15) years. The serial bonds authorized herein shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the issuance of the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, including whether to issue such serial bonds having substantially level or declining annual debt service, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute by manual or facsimile signature on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer. In the absence of the Village Treasurer, the Deputy Village Treasurer is hereby authorized to exercise the powers delegated to the Village Treasurer by this bond resolution.

Section 5. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Journal News*, a newspaper having a general circulation in the Village and, as a result thereafter, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the Village is not authorized to expend money, or the provisions of

law, which should have been complied with as of the date of the publication of this bond resolution, or such summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The Village hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the Village to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the Village to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial

bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made with regard to the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond resolution by the Village. The Village may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village covenants that it will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized issued herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant

to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”), to be placed on file with the Village Clerk and which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Village’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, its Corporation Counsel and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by its Corporation Counsel or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

I, **JANUSZ R. RICHARDS**, Village Clerk of the Village of Port Chester, located in the County of Westchester, State of New York (the "Village"), **HEREBY CERTIFY** as follows:

1. A regular meeting of the Board of Trustees of the Village was duly held on July 6, 2015, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Trustees of the Village.

2. I have compared the attached extract with such minutes so recorded and such extract is a true and correct copy of such minutes and of the whole thereof insofar as such minutes relate to matters referred to in such extract.

3. Such minutes correctly state the time when such meeting was convened and the place where such meeting was held and the members of the Board of Trustees of the Village who attended such meeting.

4. Notice of such meeting was given as prescribed by law and such meeting was open to all persons who were entitled by law to attend such meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and impressed the seal of the Village, this 6<sup>th</sup> day of July, 2015.

(SEAL)

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**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York



## **PUBLIC NOTICE**

**NOTICE IS HEREBY GIVEN** that the Board of Trustees of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in the County of Westchester, has on the 6<sup>th</sup> day of July, 2015, duly adopted, pursuant to the Local Finance Law of New York, a bond resolution which:

(1) authorizes the Board of Trustees of the Village to finance the additional costs of the acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes and drainage and authorizes the issuance of up to \$890,000 aggregate principal amount of serial bonds of the Village to finance the costs of such purposes, and

(2) states the estimated maximum total costs of such acquisition, construction and reconstruction to be not in excess of \$3,427,500, states that such costs will be financed, in whole or in part, with the issuance of obligations authorized in such bond resolution and sets forth the plan of financing of the costs of such purposes, and

(3) determines the period of probable usefulness of the purposes to be fifteen (15) years, and

(4) determines that the maximum maturity of such serial bonds will be in excess of five (5) years, and

(5) delegates to the Village Treasurer the power to prescribe the terms, form and contents of such serial bonds and the power to authorize the issuance of, and the power to prescribe the terms, form and contents of, any bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, and to issue, sell and deliver such serial bonds and such bond anticipation notes, and

(6) states that the validity of such serial bonds, or of such bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if (a) such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or (b) the provisions of law, which should have been complied with as of the date of publication of such bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Such bond resolution is subject to a permissive referendum under the provisions of Article 9 of the Village Law and petitions protesting against such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such bond resolution.

By order of the Board of Trustees of the Village of Port Chester, County of Westchester, State of New York.

Dated: \_\_\_\_\_, 2015

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**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK  
AFFIDAVIT AS TO POSTING**

**STATE OF NEW YORK** )  
 )**SS.:**  
**COUNTY OF WESTCHESTER** )

**JANUSZ R. RICHARDS**, being duly sworn, **DEPOSES AND SAYS:**

1. That he is the Village Clerk of the Village of Port Chester (the “Village”), a municipal corporation of the State of New York, located in County of Westchester.

2. On the \_\_\_ day of \_\_\_\_\_, 2015, he posted a form of Public Notice relative to the bond resolution relating to the financing of the additional costs of the acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes and drainage, adopted by the Board of Trustees of the Village on July 6, 2015, a true copy of which is annexed hereto and made a part hereof, in the six (6) conspicuous places in the Village:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2015

\_\_\_\_\_  
**NOTARY PUBLIC**

\_\_\_\_\_  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK  
CERTIFICATE OF NO PROTEST**

I, **JANUSZ R. RICHARDS**, Village Clerk of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, **HEREBY CERTIFY** as follows:

1. The Board of Trustees of the Village at a regular meeting thereof duly called and held on July 6, 2015, adopted a bond resolution having the following title:

**BOND RESOLUTION DATED JULY 6, 2015, AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$890,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF PORT CHESTER, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE PART OF THE MAXIMUM ESTIMATED COST OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION TO VILLAGE STREETS, INCLUDING IMPROVEMENTS TO SIDEWALKS, LANDSCAPES AND DRAINAGE, PURSUANT TO THE LOCAL FINANCE LAW.**

2. On and prior to the date hereof, no petition or petitions protesting such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval have been filed with the Village Clerk.

**IN WITNESS WHEREOF**, I have hereunto set my hand and impressed the seal of the Village, this \_\_\_\_ day of \_\_\_\_\_, 2015.

(SEAL)

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**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**VILLAGE OF PORT CHESTER  
COUNTY OF WESTCHESTER, NEW YORK**

**ESTOPPEL NOTICE**

The bond resolution published herewith was adopted by the Board of Trustees of the Village of Port Chester (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, on July 6, 2015. The effectiveness of such bond resolution was subject to a permissive referendum and notice thereof was given as prescribed by law. The period of time prescribed by law has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of publication of this notice, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Date: \_\_\_\_\_, 2015

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**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Village Engineer

**BOT Meeting Date:** 7/6/2015

**Item Type:** Resolution

**Sponsor's Name:** Dolph Rotfeld, Village Engineer

Description	Yes	No	Description	Yes	No
Fiscal Impact	<input type="checkbox"/>	<input type="checkbox"/>	Public Hearing Required	<input type="checkbox"/>	<input type="checkbox"/>
Funding Source:			BID # 15-05		
Account #:			<b>Strategic Plan Priority Area</b>		
	<b>Yes</b>	<b>No</b>	Choose a Strategic Plan Area		
Agreement	<input type="checkbox"/>	<input type="checkbox"/>	<b>Manager Priorities</b>		
Strategic Plan Related	<input type="checkbox"/>	<input type="checkbox"/>	Choose a Manager Priority		

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

Awarding BID 2015-05 – 2015 Road Resurfacing

**Summary**

**Background:**

This contract will be used mill, pave and other related work on various Village streets

**Proposed Action**

That the Board of Trustees adopt the Resolution

**Attachments**

Analysis Sheet  
 Award Recommendation

AWARDING BID FOR ROAD RESURFACING 2015

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

WHEREAS, the Village of Port Chester has advertised for bids for Road Resurfacing 2014 (Bid No. 2015-05); and

WHEREAS, the Village received three bids for this work; and

WHEREAS, the Village's consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept the low bid of PCI Industries Corp., Mount Vernon, New York in the amount of \$2,349,700.00 which meets all the specifications as set forth in the bid documents, however, due to an increase of approximately 20% in unit prices for materials, the amount exceeds the appropriated amount as set forth in our FY 2015-16 Street Resurfacing Capital Budget by \$890,000. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for Road Resurfacing 2015 to PCI Industries Corp., 550 Franklin Avenue, Mount Vernon, New York 10550 and be it

FURTHER RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with the contractor, and be it

FURTHER RESOLVED, that the Board of Trustees authorizes the Village Treasurer to increase the 2015-16 Street Resurfacing Project 5-5110-400-2015-157 budget from \$1,700,000 to \$2,590,000 and modify as follows:

**Capital Fund**

Increase FY 2015-16 Street Resurfacing Budget from \$1,700,000 to \$2,590,000

Appropriation

Street Resurfacing FY 2015-16	5.5110.400.2015.157	\$890,000
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Revenue

B.A.Ns.	5.5.5731.2015.157	\$890,000
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Approved as to Form:

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

# **Dolph Rotfeld Engineering, P.C.**

CONSULTANTS & DESIGNERS

200 White Plains Road, Tarrytown, NY 10591 • (914) 631-8600

July 2, 2015

Mr. Christopher Steers  
Village Manager  
222 Grace Church Street  
Port Chester, N.Y. 10573

RE: 2015 Road Resurfacing  
Bid No. 15-05  
Port Chester, New York

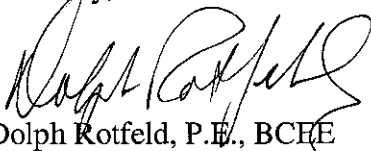
Dear Mr. Steers:

On June 26, 2015, three bids were received for the above referenced project. The bidder with the apparent lowest bid was PCI Industries Corp of Mount Vernon NY with a bid price of \$2,349,700.

Having completed the road resurfacing contract satisfactorily in the Village of Port Chester in 2011, PCI Industries Corp is familiar with the work that is required in this contract. This office has worked with PCI Industries Corp on previous projects and has found that their work is satisfactory. The total price \$2,349,700 exceeds the project budget of \$1,700,000. Since it is a unit priced bid the Village has the ability to reduce work if necessary to meet budget or add more funds.

This office hereby recommends immediate award of the above referenced contract to PCI Industries Corp. so that the work can commence as soon as possible.

Sincerely,



Dolph Rotfeld, P.E., BCHE

C: A. Cerreto, Village Attorney  
J. Richards, Village Clerk  
L. Douglas, Village Treasurer  
R. Morabito, Village DPW General Foreman  
C. Summa, Village DPW Assistant General Foreman



VILLAGE OF PORT CHESTER

BID ANALYSIS SHEET

# BID #2015-05

<b>BID FOR:</b>	2015 PAVING		
<b>BID OPENING DATE:</b>	Friday, June 26, 2015	<b>TIME:</b>	10:30 a.m.
<b>BID PUBLICATION DATE:</b>	Friday, June 5, 2015		
<b>SPECIFICATIONS AVAILABLE:</b>	Thursday, June 11, 2015 at 10:45 a.m.		

Please Print Name and Address

<b>BIDDER:</b>	Montesano Bros., Inc. (Frank Cooney)				
<b>ADDRESS:</b>	76 Plain Ave.				
<b>ADDRESS:</b>					
<b>CITY:</b>	New Rochelle	<b>STATE:</b>	NY	<b>ZIP CODE:</b>	10801
<b>E-MAIL:</b>	<a href="mailto:Fcooney@montesanobros.com">Fcooney@montesanobros.com</a>				
<b>PHONE #:</b>	914-235-4800	<b>FAX #:</b>	914-235-1048		
<b>AMOUNT:</b>	2,587,289.00				

Please Print Name and Address

<b>BIDDER:</b>	ELQ INDUSTRIES				
<b>ADDRESS:</b>	567 Fifth Avenue				
<b>ADDRESS:</b>					
<b>CITY:</b>	New Rochelle	<b>STATE:</b>	NY	<b>ZIP CODE:</b>	10801
<b>E-MAIL:</b>	<a href="mailto:amgrdlitchian@elqindustries.com">amgrdlitchian@elqindustries.com</a>				
<b>PHONE #:</b>	914-654-1060 x 114	<b>FAX #:</b>	914-654-1307		
<b>AMOUNT:</b>	2,363,000.00				

Please Print Name and Address


<b>BIDDER:</b>	PCI				
<b>ADDRESS:</b>	550 Franklin Avenue				
<b>ADDRESS:</b>					
<b>CITY:</b>	Mount Vernon	<b>STATE:</b>	NY	<b>ZIP CODE:</b>	10550
<b>E-MAIL:</b>	<a href="mailto:sherdingt@persicocontr.com">sherdingt@persicocontr.com</a>				
<b>PHONE #:</b>	914-662-2702	<b>FAX #:</b>	914-664-0507		
<b>AMOUNT:</b>	2,349,700.00				

**VILLAGE OF PORT CHESTER**

**BID ANALYSIS SHEET**

Please Print Name and Address		
BIDDER:		
ADDRESS:		
ADDRESS:		
CITY:	STATE:	ZIP CODE:
E-MAIL:		
PHONE #:	FAX #:	
AMOUNT:		

The following were present at the opening of the bids (☑):

Village Clerk:	<input checked="" type="checkbox"/>	Janusz Richards 
Deputy Village Clerk:	<input type="checkbox"/>	Vita Sileo
Village Attorney	<input type="checkbox"/>	Anthony (Tony) Cerreto
Department Head:	<input type="checkbox"/>	
Village Engineer:	<input type="checkbox"/>	Dolph Rotfeld
Project Engineer:	<input type="checkbox"/>	Dan Peluso
Other:	<input type="checkbox"/>	
Other:	<input type="checkbox"/>	
Other:	<input type="checkbox"/>	

*Janusz Richards*      *EQ*  
*Al Albany*              *PCI*  
*Frank Cooney*            *Montesano Bros. Inc*



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Senior Community Center**

**Village BOT Meeting Date:** 7/6/2015

**Item Type:** Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact	x		Public Hearing Required		x
Funding Source: Westchester County Grant			BID #		
Account #: 6720.459			<b>Strategic Plan Priority Area</b>		
			Enhance Organization		
Agreement	x		<b>Manager Priorities</b>		
Strategic Plan Related		x	N/A		

**Sponsor's Name:** Carol Nielsen, Director of Senior Programs & Services

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

Resolution for yearly contracts for Independent Contractors

**Summary**

**Background:**

Yearly contracts with independent contractors for programs at the PC Senior Center. Tai Chi, Arts & Crafts, Oil Painting. All amounts in budget for 2014-2015.

**Proposed Action**

That the Board of Trustees adopt the Resolution

**Attachments**

Resolution and contracts

RESOLUTION  
AGREEMENTS FOR SENIOR CITIZENS PROGRAMS

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

WHEREAS, the Village of Port Chester Senior Citizen Program requires instructors; and

WHEREAS, such services have been appropriated in the 2015 to 2016 Village Budget; and

WHEREAS, the Director of the Senior Program has selected several providers to facilitate these programs. Now, therefore be it

RESOVLED, that the Board of Trustees hereby authorizes the Village Manager to enter into the following agreements with regard to the Village of Port Chester Senior Citizens Programs;

- Susan Sabato, 26 Linden Street, Port Chester, NY. 10573 Arts & Crafts/Bingo Instructor \$25.00 per hour (12 classes a month)
- Domingo Colon, Tai Chi School of Westchester, 40 Crestview St. Bronxville, NY 10801 \$75 per class (classes twice a month)
- Kathleen Pasquale, Art Instructor, 2946 Quinlan Street, Yorktown Heights, NY 10598 \$75. per class. (classes are 1 ½ hrs. once a week 4x a month).

APPROVED AS TO FORM:

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

AYES:

NOES:

ABSENT:

DATE:

## AGREEMENT

This AGREEMENT, entered into this \_\_\_\_ day of July, 2015, by and between the VILLAGE OF PORT CHESTER, hereinafter referred to as the "VILLAGE" and SUE SABATO, 26 LINDEN STREET, PORT CHESTER, NY 10573 hereinafter referred to as the "CONTRACTOR."

### WITNESSETH

WHEREAS, the Village's Senior Citizen Program requires instructors; and

WHEREAS, the Contractor has demonstrated that it possesses the skills and abilities necessary to successfully assist the Village in this regard; and

WHEREAS, the Village Manager is authorized to enter into this Agreement as in the best interest of the Village.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

#### 1. Scope of Services

The Village hereby contracts with Contractor to provide as the arts & crafts, bingo instructor every Wednesday, Thursday and Saturday to all Port Chester residents who are duly registered at the Port Chester Senior/Community Center for such program. The Contractor shall notify the Port Chester Senior/Community Center Director sufficiently in advance in the event of cancellations due to weather or personal reasons. The Contractor shall leave the room, tables and chairs that are provided for the program and surrounding area as it was before each class. The Contractor shall report anything broken or not functioning.

#### 2. Term

The term of this agreement is June 1, 2015 and ending May 31, 2016, unless the Services set forth in the previous paragraph are earlier completed in which case this agreement shall terminate upon completion of such services.

#### 3. Compensation

The Village shall pay the Contractor \$25 per session, sessions will be Wednesday, Thursday and Saturday.

#### 4. Independent Contractor

In performing the Services, the Contractor shall be and at all times acting and performing as an independent contractor. Nothing in this agreement is intended to create an employer/employee relationship or to allow the Village to exercise control or direction over the manner or method by which the Contractor performs the Services which are the

subject of this agreement. It is understood that the Contractor may perform similar services to others besides the Village.

In no event shall the Village be responsible to the Contractor for the payment of any fringe benefits, pension, workers compensation or other benefits that may usually accrue to employees of the Village.

5. Invoicing

Invoices for payment shall be submitted to the Village Finance Office.

6. Indemnification

The Contractor agrees to indemnify and hold harmless the Village and its officers, agents and employees from any all claims, demands, costs, actions, causes of action, proceedings, expenses, losses, damages and liabilities, including attorneys fees, resulting from or caused by the willful or negligent omissions and/or acts of the Contractor in the performance of the Services.

7. Assignment

This agreement is predicated upon the unique skill, knowledge and expertise of the Contractor and is personal to the Contractor and may not be assigned.

8. Termination

This agreement may be terminated if the Contractor fails to perform the Services in a manner satisfactory to the Village.

9. Notices

(i) If to Contractor:

SUE SABATO  
26 Linden Street  
Port Chester, NY 10573

(ii) If to Village:

Christopher D. Steers  
Village Manager  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

10. Miscellaneous

This agreement embodies all of the representatives, warranties and agreements between the parties relating to the Contractor. No other representatives, warranties, covenants, understanding or agreements exist between the parties hereto. This agreement shall supersede all agreements, written or oral, relating to the retainer of the Contractor. This

agreement may not be amended, modified or terminated except by in writing signed by the parties.

11. Dispute Resolution

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

12. Governing Law

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

13. Interpretation/Severability

The captions set forth in this agreement are for convenience only and shall not be considered as part of this agreement or in any way limiting or amplifying its terms or provisions.

Each section, subsection and lesser section of this agreement constitutes a separate and distinct undertaking, covenant and/or provision. In the event that any provision of this agreement is determined to be unlawful, such provision shall be deemed to be severed from this agreement, but every other provision of this agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and delivered as of the date first above written.

VILLAGE OF PORT CHESTER

SUE SABATO

\_\_\_\_\_  
Christopher D. Steers  
Village Manager

\_\_\_\_\_  
Contractor

Approved as to Form:

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

## AGREEMENT

This AGREEMENT, entered into this \_\_\_\_ day of July, 2015, by and between the VILLAGE OF PORT CHESTER, hereinafter referred to as the "VILLAGE" And, KATHLEEN PASQUALE, hereinafter referred to as the "CONTRACTOR."

### WITNESSETH

WHEREAS, the Village's Senior Citizen Program requires instructors; and

WHEREAS, the Contractor has demonstrated that it possesses the skills and abilities necessary to successfully assist the Village in this regard; and

WHEREAS, the Board of Trustees authorizes the Village Manager to enter into this Agreement as in the best interest of the Village.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

#### 1. Scope of Services

The Village hereby contracts with Contractor to provide an Oil Painting class every Friday to all Port Chester residents who are duly registered at the Port Chester Senior/Community Center for such class (hereinafter termed as "the Services"). The Contractor shall notify the Port Chester Senior/Community Center Director sufficiently in advance in the event of cancellations due to weather or personal reasons. The Contractor shall leave the room, tables and chairs that are provided for the class and surrounding area as it was before each class. The Contractor shall report anything broken or not functioning.

#### 2. Term

The term of this agreement is June 1, 2015 and ending May 31, 2016, unless the Services set forth in the previous paragraph are earlier completed in which case this agreement shall terminate upon completion of such services.

#### 3. Compensation

The Village shall pay the Contractor \$75. per class (class will be 1 ½ hours) for providing the Services.

#### 4. Independent Contractor

In performing the Services, the Contractor shall be and at all times acting and performing as an independent contractor. Nothing in this agreement is intended to create an employer/employee relationship or to allow the Village to exercise control or direction over the manner or method by which the Contractor performs the Services which are the subject of this agreement. It is understood that the Contractor may perform similar services to others besides the Village.



In no event shall the Village be responsible to the Contractor for the payment of any fringe benefits, pension, workers compensation or other benefits that may usually accrue to employees of the Village.

5. Invoicing

Invoices for payment shall be submitted to the Village Finance Office.

6. Indemnification

The Contractor agrees to indemnify and hold harmless the Village and its officers, agents and employees from any all claims, demands, costs, actions, causes of action, proceedings, expenses, losses, damages and liabilities, including attorneys fees, resulting from or caused by the willful or negligent omissions and/or acts of the Contractor in the performance of the Services.

7. Assignment

This agreement is predicated upon the unique skill, knowledge and expertise of the Contractor and is personal to the Contractor and may not be assigned.

8. Termination

This agreement may be terminated if the Contractor fails to perform the Services in a manner satisfactory to the Village.

9. Notices

(i) If to Contractor:

Kathleen Pasquale d/b/a Kathleen Pasquale Design and Illustration  
2946 Quinlan Street  
Yorktown Heights, NY 10598

(ii) If to Village:

Christopher D. Steers  
Village Manager  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

10. Compliance

Contractor acknowledges the Village's Ant-Discrimination and Harassment Policy copy of which is annexed hereto.

11. Miscellaneous

This agreement embodies all of the representatives, warranties and agreements between the parties relating to the Contractor. No other representatives, warranties, covenants, understanding or agreements exist between the parties hereto. This agreement shall supersede all agreements, written or oral, relating to the retainer of the Contractor. This agreement may not be amended, modified or terminated except by in writing signed by the parties.

12. Dispute Resolution

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

13. Governing Law

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

14. Interpretation/Severability

The captions set forth in this agreement are for convenience only and shall not be considered as part of this agreement or in any way limiting or amplifying its terms or provisions.

Each section, subsection and lesser section of this agreement constitutes a separate and distinct undertaking, covenant and/or provision. In the event that any provision of this agreement is determined to be unlawful, such provision shall be deemed to be severed from this agreement, but every other provision of this agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and delivered as of the date first above written.

VILLAGE OF PORT CHESTER

KATHLEEN PASQUALE

\_\_\_\_\_  
Christopher D. Steers  
Village Manager

\_\_\_\_\_  
Contractor-d/b/a Kathleen Pasquale Design  
and Illustration

Approved as to Form:

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

## AGREEMENT

This AGREEMENT, entered into this \_\_\_\_\_ day of July, 2015, by and between the VILLAGE OF PORT CHESTER, hereinafter referred to as the “VILLAGE” and TAI CHI SCHOOL OF WESTCHESTER, 40 Crestview Street, Bronxville, New

York 10801, hereinafter referred to as the “CONTRACTOR.”

### WITNESSETH

WHEREAS, the Village’s Senior Citizen Program requires instructors; and

WHEREAS, the Contractor has demonstrated that it possesses the skills and abilities necessary to successfully assist the Village in this regard; and

WHEREAS, the Board of Trustees authorizes the Village Manager to enter into this Agreement as in the best interest of the Village.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

#### 1. Scope of Services

The Village hereby contracts with Contractor for Domingo Colon to provide Tai Chi classes every other Tuesday to all Port Chester residents who are duly registered at the Port Chester Senior/Community Center for such class. The Contractor shall notify the Port Chester Senior/Community Center Director sufficiently in advance in the event of cancellations due to weather or personal reasons. The Contractor shall leave the room, tables and chairs that are provided for the class and surrounding area as it was before each class. The Contractor shall report anything broken or nor functioning.

#### 2. Term

The term of this agreement is June 1, 2015 and ending May 31, 2016, unless the Services set forth in the previous paragraph are earlier completed in which case this agreement shall terminate upon completion of such services.

#### 3. Compensation

The Village shall pay the Contractor \$75 per class (one hour) for providing the Services.

#### 4. Independent Contractor

In performing the Services, the Contractor shall be and at all times acting and performing as an independent contractor. Nothing in this agreement is intended to create an employer/employee relationship or to allow the Village to exercise control or direction over the manner or method by which the Contractor performs the Services which are the subject of this agreement. It is understood that the Contractor may perform similar services to others besides the Village.

In no event shall the Village be responsible to the Contractor for the payment of any fringe benefits, pension, workers compensation or other benefits that may usually accrue to employees of the Village.

5. Invoicing

Invoices for payment shall be submitted to the Village Finance Office.

6. Indemnification

The Contractor agrees to indemnify and hold harmless the Village and its officers, agents and employees from any all claims, demands, costs, actions, causes of action, proceedings, expenses, losses, damages and liabilities, including attorneys fees, resulting from or caused by the willful or negligent omissions and/or acts of the Contractor in the performance of the Services.

7. Assignment

This agreement is predicated upon the unique skill, knowledge and expertise of the Contractor and is personal to the Contractor and may not be assigned.

8. Termination

This agreement may be terminated if the Contractor fails to perform the Services in a manner satisfactory to the Village.

9. Notices

(i) If to Contractor:

Tai Chi School of Westchester  
40 Crestview Street  
Bronxville, NY 10801

(ii) If to Village:

Christopher D. Steers  
Village Manager  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

10. Compliance

Contractor acknowledges the Village's Ant-Discrimination and Harassment Policy copy of which is annexed hereto.

11. Miscellaneous

This agreement embodies all of the representatives, warranties and agreements between the parties relating to the Contractor. No other representatives, warranties, covenants, understanding or agreements exist between the parties hereto. This agreement shall supersede all agreements, written or oral, relating to the retainer of the Contractor. This agreement may not be amended, modified or terminated except by in writing signed by the parties.

12. Dispute Resolution

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

13. Governing Law

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

14. Interpretation/Severability

The captions set forth in this agreement are for convenience only and shall not be considered as part of this agreement or in any way limiting or amplifying its terms or provisions.

Each section, subsection and lesser section of this agreement constitutes a separate and distinct undertaking, covenant and/or provision. In the event that any provision of this agreement is determined to be unlawful, such provision shall be deemed to be severed from this agreement, but every other provision of this agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and delivered as of the date first above written.

VILLAGE OF PORT CHESTER

TAI CHI SCHOOL OF WESTCHESTER

\_\_\_\_\_  
Christopher D. Steers  
Village Manager

\_\_\_\_\_  
Contractor – Domingo Colon

Approved as to Form:

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

# DISCUSSION

# CORRESPONDENCE

**PARK COMMISSION**  
**Port Chester, New York**

June 18, 2015

Mayor Dennis Pilla and the Board of Trustees:

At our meeting held June 10, 2015 a request to use Columbus Park to celebrate Unity Day on August 8, 2015 from 11:00 a.m. to 7:00 p.m. was approved by the Commission.

The Commission is asking you to consider closing Ryan Avenue from Purdy Avenue to Fox Island Road on August 8<sup>th</sup> to allow for emergency vehicles that may need to reach this site. With approximately 650 people in attendance and soccer being played on the soccer field, the parking lot cannot accommodate all the vehicles.

Please consider our request to close this road for the day.

Sincerely,

*Jerry Terranova*

Jerry Terranova  
Chairman

/vs



**C.J. PAGANO & SONS, INC**  
*Realtors, Appraisers & Insurance Brokers*

**420 Westchester Avenue  
Port Chester, NY 10573**

**Bus: 914-939-1123**

**Fax: 914-939-1136**

**Email: npagano@cjpagano.com**

**Neil J. Pagano  
President**

June 23, 2015

Mayor Dennis Pilla and  
Members of the Board of Trustees  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573  
Attn: Dr. Janusz Richards, Village Clerk

**Re: Village of Port Chester Industrial Development Agency**

Gentlemen:

Effective immediately, I will be resigning as a member of the Port Chester Industrial Development Agency and Port Chester Local Development Corporation.

It has been an honor and my pleasure to serve the people of Port Chester for the past six years as a member of this very important body.

I want to thank you for the opportunity.

Sincerely,



NEIL J. PAGANO





**VILLAGE OF PORT CHESTER**  
**Beautification Commission**  
222 Grace Church Street, Port Chester, New York 10573



June 25, 2015

Mayor Pilla and Board of Trustees  
c/o Village Hall  
222 Grace Church St.  
Port Chester, NY 10573

Dear Mayor Pilla and Board of Trustees,

My name is Lou Del Bianco and I am a representative of the Port Chester Beautification Commission. I would like the following request to be added to the agenda for your next meeting.

I am writing to you to get permission to erect "Adopt an Island" signs at 2 traffic islands in Port Chester. The first is at Indian Road and Puritan Dr. The second is North Regent St. at Webster and Elizabeth Streets where the Luigi Del Bianco Memorial is located. I've attached some photos of the locations for you.

Years ago, the Port Chester Beautification Commission started a program called "Adopt an Island" where local landscapers were acknowledged for the labor and materials they donated to beautify a traffic island of their choosing. This was done in the form of a sign at each island. It's a great way to let our villagers know the generosity of local businesses. The program fell by the wayside and the PCBC wants to bring it back. Right now, John Zicca Landscaping has a sign at the Glen Ave / Puritan Dr. but one has been lost at the Indian Rd location. We would like your permission to restore the lost sign and add a new one to the island at the Luigi Del Bianco Memorial.

John has said many times that the only thing he wants is acknowledgement for his donations. We feel this will inspire other landscapers to follow suit and adopt their own islands. It really does make a difference.

Thank you for your attention to this matter. We look forward to hearing from you.

Sincerely,



Lou Del Bianco  
The Port Chester Beautification Commission





**PORT CHESTER  
BEAUTIFICATION  
COMMISSION**

**ADOPT AN ISLAND**



**PROUDLY PLANTED BY:  
JOHN ZICCA**



PURITAN DR

STOP

PORT CHESTER  
BEAUTIFICATION  
COMMISSION  
ADDY AN ISLAND BUSH  
PROCELY PLANTED BY  
JOHN ZICCA











TRAFFIC COMMISSION  
Port Chester, New York

June 26, 2015

Mayor Pilla and the Board of Trustees  
Village of Port Chester

Dear Mayor Pilla and the Board of Trustees:

At the June 23, 2015 meeting of the Traffic Commission parking changes in the Brooksville area were discussed and the following changes to the Village Code are recommended for your approval:

This is a request from "DPW" REGARDING STREET CLEANING AND SNOW REMOVAL in that area

**Chapter 319-22. Parking prohibited certain times.**

**Chapter 319-76. Schedule XV: Parking Prohibited Certain Times (street cleaning)**

Name of Street	Side	Time	Location
Locust Avenue	East	Monday 8:30-11:30 a.m.	Rectory Street to Terrace Avenue
Locust Avenue	West	Tuesday 8:30-11:30 a.m.	Highland Street to Halstead Avenue
Madison Avenue	East	Tuesday 8:30-11:30 a.m.	Entire Length
Orchard Avenue	West	Tuesday 8:30-11:30 a.m.	Entire Length
Riverdale Avenue	West	Tuesday 8:30-11:30 a.m.	Hillside Avenue to Connecticut line
Edison Place	West	Tuesday 8:30-11:30 a.m.	Entire length
Read Street	South	Tuesday 8:30-11:30 a.m.	Entire length

Sincerely,

*Joseph Gianfrancesco Jr.*

*Traffic Commission* Chairman



**TRAFFIC COMMISSION**  
**Village of Port Chester, New York**

June 26, 2015

Mayor Pilla and the Board of Trustees  
Village of Port Chester

Dear Mayor Pilla and the Board of Trustees:

At the Traffic Commission meeting held June 23, 2015, the Commission discussed the traffic problems on Parkway Drive which intensify in the spring and summer months.

Every year we receive complaints about Parkway Drive being very hard to travel especially during events. At the widest point it is only 30.5 ft wide with parking on both sides and two travel lanes. Often traffic gets so congested vehicles are forced to back up a great deal for traffic to correct itself. These actions create an unsafe condition for both vehicles and pedestrians. A normal lane width should be approximately 10-11 ft wide. Having twoway traffic also creates a problem for pedestrians, many who are children, attempting to cross the street.

The Commission recommends changing Parkway Drive to a one-way street from Putnam Ave Westbound to King Street for a 30-60 day trial period to test the new traffic pattern before deciding on a permanent change. Signage for the trial period has been set aside in anticipation of your approval.

The trial period will allow the traffic commission as well as the board to gather information as to the impact of vehicular and pedestrian traffic as well as the impact of the traffic pattern changes to the neighborhood.

We appreciate your attention to this matter.

Sincerely,

*Joseph Gianfrancesco Jr.*

Joseph Gianfrancesco Jr.  
Chairman



emailed Mayor  
7-1-15

## VINCENT CASSARA

14 Nautilus Place, New Rochelle, NY 10805  
cussininnie@aol.com

June 30, 2015

VILLAGE OF PORT CHESTER

Village of Port Chester  
Mayor and Board of Trustees  
222 Grace Church Street  
Port Chester, New York

JUL 01 2015

RECEIVED 

Re: Port Chester Yacht Club

Dear Honorable Mayor Pilla and the Honorable Board of Trustees:

This letter is intended to demonstrate how valuable Village of Port Chester (hereinafter "Village") resources are being exploited for the benefit of a few local residents since a large portion of the membership are not Port Chester residents and some do not even reside in New York State.

PCYC is not the benevolent community club that it purports to be, but rather a bigoted "good old boys club" governed by a few hard-nosed bullies who rule by fear. For almost ten years the former Commodore (recently deceased) had run the club as if it were his private marina, convincing the members that only his opinions and decisions mattered and anyone who dared to question him would be subject to his wrath, all the while benefitting financially in his role as Commodore since he would personally charge members a fee for services that should be free.

The Commodore's public display of bigotry at the Village Trustee meeting of December, 2014 was a prime example of the bigotry he displayed on a regular basis around the club. His favorite expression to those who would dare to confront him was "there's another nigger in the wood pile". Frequently he would verbally and even physically assault members who disagreed with him. When this writer filed formal complaints against the commodore at membership meetings, the Board, as well as members, were not only permitted, but encouraged, to heckle and berate the writer as a trouble maker. This writer was eventually improperly expelled from the club for daring to criticize the Commodore for his improper actions.

The past Commodore's actions were condoned by his hand selected Board of Governors and therefore, his reign continues. His successor, the Vice Commodore, has publically endorsed his predecessor's actions by constantly defending him.

The membership is mostly comprised of complacent puppets who don't want to rock the boat knowing that any opposition would have to penetrate the inner circle and come with dire consequences. This atmosphere is tolerated because the members are well aware of the ridiculously inexpensive accommodations they are able to take advantage of at the expense of the Village. Where else can a private club consisting of 150 boaters rent valuable waterfront property for \$2500 a month?

Unbeknown to the Village, many illegal, unsafe and costly activities continue to take place at PCYC, such as:

1. Each time the area around the boat docks is dredged, by PCYC, to maintain proper depth the contaminated dredge material is piled on shore adjacent to the boat ramp. The contaminated material is mixed with compost by Village employees and eventually hauled out to some unsuspecting recipient to contaminate another area (certainly putting the Village at risk of a lawsuit). According to NYS D.E.C. regulations, the contaminated material should be properly disposed of in a regulated landfill.

2. PCYC trash and recyclables are regularly picked up by Village employees.

3. Heavy equipment and personnel from the adjacent village sanitation site are frequently utilized to perform work at the PCYC site. (since a certain PCYC member is also a Village employee)

4. PCYC recently cut trees and built a makeshift bulkhead with rock and "unknown" backfill material on the water's edge without proper permitting from the Village, the Army Corps of Engineers or the Department of Environmental Conservation.

5. PCYC has reconfigured the dock layouts to increase boat dockage by sinking pilings out further into navigable waters, thus encroaching on the channel without proper approvals from the Village or the Army Corps of Engineers.

6. PCYC operates an antiquated and unsafe marine railway system, used to launch and retrieve boats, with poorly maintained equipment (i.e. a nearly 50 year old uninspected line truck and antique equipment). A serious incident occurred when the deteriorated steel cable snapped while hauling a heavy boat causing the boat to roll back into the water and nearly injuring those involved.

7. The Commodore charges a fee to members and others to install moorings in Village of Port Chester and Village of Rye waters without permits to do so and on at least one occasion the police were called because the moorings were too close to other boats.

8. PCYC has had several near fatal unreported incidents involving negligence and improper use of equipment:

1. On one occasion a mobile crane was toppled over resulting in a serious shoulder injury.
2. On another occasion while lifting heavy docks with a large mobile crane a worker was nearly crushed when a steel ring, which was not intended for lifting, opened, causing the heavy

dock to crash to the ground just as the worker stepped aside. The comments ranged from horror to joking and even; "I told them that ring was not strong enough".

9. PCYC has performed shoddy plumbing work and major structural repairs to the under-framing of the club house without proper permits.

10. PCYC is currently in violation for not complying with Village requirements to repair a seriously undermined portion of the bulkhead (which could possibly collapse at any time) where the ramp attaches to the mainland. The Commodore displayed his disdain for the Village requirements stating at a membership meeting that he had no intention of complying with the requirements and further stated that he intended to force the village to foot the bill.

11. PCYC has frequently blocked access to the resident's designated waterfront viewing area and made it difficult for residents to exercise their right under the lease agreement to utilize the boat launching ramp free of charge. Non-residents are charged a fee of \$25 to launch and retrieve boats.

To further demonstrate the arrogance of PCYC; the Coast Guard Auxillary was forced to remove any plaques and pictures it had been awarded over its nearly 65 years of residency at the club even though PCYC is mandated under its lease agreement to provide a meeting place for the Auxillary.

The PCYC site is a valuable, underutilized, Village asset which under its current status is an embarrassment and an unintended expense to the residents of Port Chester. The site is a potential financial resource to the village if it were properly managed either by the village or out-sourced to a professional manager.

PCYC has repeatedly violated the terms of their lease agreement as well as state and federal laws and no longer deserves the privilege to continue operating and bilking the residents of the Village of Port Chester of valuable resources.

Sincerely,

  
Vincent Cassara

Former member of PCYC

Current member of the Coast Guard Auxillary, Flotilla 71

cc: Anthony M. Cerreto, Council for the Village of Port Chester  
The Village of Port Chester Waterfront Commission  
U. S. Army Corps of Engineers  
NYS Department of Environmental Conservation  
Occupational Safety & Health Administration  
The Westmore News

**PUBLIC COMMENTS  
AND  
BOARD COMMENTS**

**PROPOSED MOTION  
FOR  
EXECUTIVE SESSION**