

**VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES  
Meeting, Monday, August 17, 2015  
Regular Meeting: 6:00 P.M.  
PROPOSED EXECUTIVE/CLOSED SESSION 6:00-7:00 P.M.  
VILLAGE JUSTICE COURTROOM  
350 North Main Street  
Port Chester, New York  
AGENDA - REVISED**

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

<b>I</b>	<b>PROPOSED MOTION FOR EXECUTIVE SESSION</b>	<b>ACTION</b>
1	Concerning a particular person in the Planning & Development department.	
2	Interview- IDA	
3	Consultation with Village Attorney regarding: <ul style="list-style-type: none"> <li>• Port Chester Auxiliary Police</li> <li>• Vacant and abandoned houses</li> </ul>	

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

<b>II</b>	<b>AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:</b>	<b>ACTION</b>
1	Public hearing to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 "Zoning" that would: update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses, create a new C1M Neighborhood Retail – Medical Zoning District with changes to the Schedule of Use Regulations, and amend the Official Zoning Map to provide for the zoning designation of certain properties currently in the C1 Neighborhood Retail District to be changed to the new C1M District.	
<b>III</b>	<b>PUBLIC COMMENTS</b>	<b>ACTION</b>
<b>IV</b>	<b>PRESENTATION</b>	<b>ACTION</b>
1	Recommendations from the Board of Ethics regarding proposed amendment to the Code of Ethics.	
<b>V</b>	<b>RESOLUTIONS</b>	<b>ACTION</b>
	<b>Administration</b>	
1	Setting public hearing to consider the advisability of adopting a local law to amend the code of the village of Port Chester, Chapter 176, film permits.	
2	Tax Certioraris \$3,500.00.	
<b>VI</b>	<b>REPORT OF THE VILLAGE MANAGER</b>	<b>ACTION</b>

<b>VII</b>	<b>DISCUSSIONS</b>	<b>ACTION</b>
1	MTA	
2	Traffic Commission - Street cleaning.	
3	Traffic Commission – Parkway Drive.	
4	Adopt-An-Island	
5	Police / Court Project update	
6	Open positions status	
7	CDBG Program	
<b>VIII</b>	<b>CORRESPONDENCE</b>	<b>ACTION</b>
1	From Fire Patrol & Rescue Co. #1 on the election of James Magrone to active membership.	
2	From Eric Opdyke for the Jarden Westchester Triathlon for permission for the use of roadways on September 27, 2015 and Police Officers posted along the route.	
3	From Zofia Zawadzki regarding 201 Grace Church St.	
4	From Girtman Memorial Church of The Living God requesting Board input for a Community-Wide Health/Wellness Fair.	
5	From Down to Earth Farmers Market at the Promenade	
6	From Port Chester Soccer Club.	
7	From Clay Art Center regarding Village Signage	
8	From Howie Ravikoff regarding Medical in C1 district.	
<b>IX</b>	<b>MINUTES</b>	<b>ACTION</b>
1	Minutes from May 4, 2015	
2	Minutes from May 18, 2015	
3	Minutes from June 2, 2015	
4	Minutes from June 15, 2015	
5	Minutes from June 30, 2015	
6	Minutes from July 6, 2015	
7	Minutes from July 20, 2015	
8	Minutes from August 3, 2015	
<b>X</b>	<b>PUBLIC COMMENTS AND BOARD COMMENTS</b>	<b>ACTION</b>
<b>XI</b>	<b>PROPOSED MOTION FOR EXECUTIVE SESSION</b>	<b>ACTION</b>
4	Consultation with Village Attorney regarding settlement of a tax certiorari proceeding.	
5	Consultation with Village Attorney regarding correspondence from Attorney, Anthony Provenzano representing Mr. Richard Cuddy.	

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

**PROPOSED MOTION  
FOR  
EXECUTIVE SESSION**

AFFIDAVIT OF PUBLICATION  
AND  
NOTICE OF PUBLICATION RE



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Planning and Development Department**

**Village BOT Meeting Date:** 8/17/2015

**Item Type:** Continued Public Hearing and Discussion.

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:** Tony Cerreto, Village Attorney  
 Jessica C. Youngblood, Village Planner

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

Proposed C1M Neighborhood Retail – Medical District and associated zoning code changes.

**Summary**

**Background:**

The Board of Trustees held a public hearing on the draft zoning amendments to establish a new C1M District on July 20, 2015. On July 20, 2015 the BOT adjourned the public hearing until August 17, 2015 in order to consider public comments and requested additional zoning information presented at that time.

**Proposed Action**

Close the public hearing and further discuss definitions, special exception criteria, and off-street parking requirements for medical professions.

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER,  
CHAPTER 345, "ZONING", UPDATING THE USE CLASSIFICATION AND AMENDING  
EXISTING STANDARDS FOR THE GRANTING OF SPECIAL USE EXCEPTIONS FOR  
MEDICAL AND DENTAL OFFICES AND ESTABLISHING OFF-STREET PARKING  
REQUIREMENTS FOR SUCH USES, CREATING A NEW C1M NEIGHBORHOOD  
RETAIL – MEDICAL DISTRICT WITH CHANGES TO THE SCHEDULE OF  
REGULATIONS, AND AMENDING THE OFFICIAL ZONING MAP TO PROVIDE FOR  
THE ZONING DISTRICT DESIGNATION OF CERTAIN PROPERTIES CURRENTLY IN  
THE C1 NEIGHBORHOOD RETAIL DISTRICT TO BE CHANGED TO THE NEW C1M  
DISTRICT

SECTION 1: Purpose and Intent.

The Village Board of Trustees has observed an increased interest in opening medical and dental offices in the C1 Neighborhood Retail District along Westchester and Irving Avenues between Poningo and Oak Streets where such uses are not currently permitted. The Board desires to promote such uses in this area, provided that appropriate conditions and safeguards are installed to protect neighborhood character and not increase residential density. This local law will update the use classification for medical and dental offices, amend existing standards for the granting of special exception for such uses, establish off-street parking requirements, create a new zoning district classification C1M Neighborhood Retail-Medical District to permit medical and dental offices by a grant of special exception, and to amend the Official Zoning Map to change the zoning district designation of certain properties of the aforementioned area to the new C1M District. The Board finds and determines that this local law is consistent with the Village's Comprehensive Plan which encourages medical facilities and services to locate in the Village to serve its diverse population.

SECTION 2: The Code of the Village of Port Chester, Chapter 345, "Zoning", Article IX "Use and Dimensional Regulations for Nonresidence Districts", is hereby amended by the addition of a new section, Section 345-47.1 C1M Neighborhood Retail District, with accompanying amendment to the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B) to read as annexed hereto and to be made a part hereof.

SECTION 3: The Code of the Village of Port Chester, Chapter 345, "Zoning", Section 345- 60, is hereby amended as follows:

Section 345-60 General Procedure and conditions

A. The Planning Commission and/or Board of Trustees, as applicable, may establish general and special rules, effective upon being filed in the office of the Village Clerk, for the conduct before it of such procedures. Such rules shall be consistent with law and the purposes and objectives of this Regulation.

....

D. Jurisdiction to hear specific applications is as follows:

(1) Board of Trustees

....

(2) Planning Commission

(a) Multifamily.

....

(q) Medical and dental office [including x-ray and therapy room.]

....

SECTION 4: The Code of the Village of Port Chester, Chapter 345. "Zoning", Section 345-61, is hereby amended as follows:

Section 345-61 Special conditions and safeguards for certain special exception uses.

No authorization for a building permit shall be granted by the Planning Commission or Board of Trustees for any use listed in this section unless the Commission shall specifically find that, in addition to meeting all the general standards set forth in § 345-59, the proposed special exception use also meets the special conditions and safeguards required in this section.

.....

U. Medical and dental offices [including x-ray and therapy room.]

(1) [The use shall not be permitted on a lot having an area of less than 12,500 square feet.] Medical and dental offices shall not be hazardous to the surrounding neighborhood by reason of excessive traffic, assembly of persons or vehicles on the site, or congregations of children or pedestrians.

(2) [The site must be located within 500 feet of an M-1 Zone.] The site shall be suitably screened from adjoining residential uses and residential districts with planted evergreen buffers of appropriate height, type, spacing, and arrangement. Screens should be continually maintained. Native and non-invasive plants are encouraged.

(3) [The site must be located no more than .6 mile from a hospital.] Newly constructed medical or dental offices occupying the first floor must have 60% of any street adjacent façade transparent. The bottom of windows shall begin no higher than two (2) feet above grade level, and the top of all windows and doors shall be no lower than eight (8) feet above grade level. Taller windows are encouraged.

(4) Adequate emergency access shall be assured through access to a major thoroughfare.

(5) Medical and dental offices and their associated parking lots shall be in compliance with the Americans with Disabilities Act.

[(5)] (6) A site plan is to be provided for approval by the Planning Commission, showing compliance with the above conditions and the site plan regulations.

SECTION 5: The Code of the Village of Port Chester, Chapter 345. “Zoning”, Section 345-14, is hereby amended as follows:

A. General application of off-street parking, truck loading and vehicular access.

...

(4)The off-street parking requirements for buildings and uses in a C1 or C1M District may be satisfied if the subject premises are adjacent to or within 600 feet of a municipal parking facility and upon a showing of the availability of parking with such facility

C. Schedule of off-street parking space requirements

...

(2) For nonresidential land uses

Uses	Number of Spaces Required
...	
<u>Medical and dental offices</u>	<u>1 per 500 square feet of area devoted to patient use.</u>

...

SECTION 6: Change to Official Map.

The Official Zoning Map of the Village of Port Chester is hereby amended by changing the zoning classification of the following properties from C1 Neighborhood Retail District to a C1M Neighborhood Retail – Medical District:

Address	SBL
200 Westchester Ave	142.22-1-1
204-210 Westchester Ave	142.22-1-2
216 Westchester Ave	142.22-1-5
220 Westchester Ave	142.22-1-6
232 Westchester Ave	142.22-1-7
238 Westchester Ave	142.22-1-8
235 Westchester Ave	142.22-1-22
Irving Ave	142.22-1-23
227 Westchester Ave	142.22-1-24
223-225 Westchester Ave	142.22-1-25
219 Westchester Ave	142.22-1-26
211-217 Westchester Ave	142.22-1-27
Westchester Ave	142.22-1-28
200 Irving Ave	142.22-1-29
204 Irving Ave	142.22-1-30
206 Irving Ave	142.22-1-31
214 Irving Ave	142.22-1-32



220 Irving Ave	142.22-1-33
227 Irving Ave	142.22-1-35
223 Irving Ave	142.22-1-36
211 Irving Ave	142.22-1-37
199 Irving Ave	142.22-1-38
26 Poningo St	142.22-1-39

#### SECTION 7: Severability

If any provision of this local law is held to be invalid or unenforceable in whole or in part, such invalidity or unenforceability shall attach only to such provision or part thereof and the remaining part of such provision and all other provisions hereof shall continue in full force and effect.

#### SECTION 8: Effective Date.

This local law shall take effect immediately as provided by law upon due publication and filing with the Secretary of State.

ZONING

345 Attachment 3A  
 Village of Port Chester  
 Schedule of Regulations for Nonresidence Districts  
 Part 1, Use Regulations

Type of Use	Districts														
	C1 Neighborhood Retail §345-47	C1 Neighborhood Retail - Medical §345-47.1	C2 Main Street Business §345-48	C3 Office and Commercial §345-49	C4 General Commercial §345-50	C5 Train Station Mixed Use §345-50.1	C5T Downtown Mixed Use Transitional §345-50.2	CD Design Shopping Center §345-51	CDS Special Designed Commercial §345-52	PD Design Professional Building §345-53	DW Design Waterfront §345-54	DW2 Downtown Design Waterfront §345-54.1	M1 Light Industrial §345-55	M2 General Industrial §345-56 <sup>1</sup>	PMU Planned Mixed Use §345-57
<b>Residential Uses</b>															
1 Family Dwelling	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2 Family Dwelling	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Multifamily Dwelling	X	X	SE	X	X	SE	SE	X	X	X	SE	SE	X	X	P
Multifamily Dwelling (floors above first floor)	X	X	SE	X	X	P	P	X	X	X	SE	SE	X	X	P
<b>Residential Community Facilities</b>															
Church or other Place of Worship, Parish House, Rectory, Sunday School, Convent, Seminary	SE	SE	SE	SE	SE	SE	SE	SE	X	X	SE	SE	SE	SE	SE
<b>General Community Facilities</b>															
Assembly Hall	X	X	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	P
Convalescent home or nursing home	X	X	X	SE	X	X	X	X	X	X	SE	SE	X	X	P
Hospital	X	X	SE	SE	X	SE	SE	X	X	X	X	X	X	X	SE
[Medical and dental offices, not including operating room or community X-ray or therapy room]	[X]	[X]	[SE]	[P]	[X]	[SE]	[SE]	[P]	[P]	[P]	[X]	[X]	[X]	[X]	[SE]
Membership club, fraternal organization or similar social institution not operated for a profit	X	X	P	SE	SE	P	P	X	X	X	SE	SE	X	X	P
Nursery school, day camp or day care center	SE	SE	SE	SE	X	SE	SE	X	X	X	X	X	X	X	SE
Public utility facility	X	X	SE	SE	SE	SE	SE	X	X	X	SE	SE	P	P	SE
School, elementary or high, public, private, or parochial, having a curriculum equivalent to that ordinarily given in public schools.	X	X	SE	X	X	SE	SE	X	X	X	SE	SE	X	X	SE
[Medical and dental offices including X-ray and therapy room]	[X]	[X]	[SE]	[X]	[X]	[SE]	[SE]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[SE]
<u>Medical and dental offices</u>	X	SE	SE	SE	X	SE	SE	SE	SE	SE	X	X	X	X	SE
<b>Business Uses</b>															
Automobile repair garage	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X
Bank, excluding drive-in	P	P	P	P	P	P	P	P	P	P	SE	SE	P	P	P
Bar or Tavern	X	X	P	X	X	P	P	X	X	X	X	X	X	X	P
Bowling Alley	X	X	SE	SE	SE	SE	SE	P	P	X	X	X	X	X	P
Cabaret	X	X	P	X	X	P	P	X	X	X	X	X	X	X	P
Catering and Events Establishment	X	X	P	X	X	P	P	X	X	X	X	X	P	P	P
Commercial Indoor Athletic Training Facility	X	X	SE	X	X	SE	SE	X	X	X	X	X	X	P	P
Drive-in establishments other than restaurant, or circus, carnival, or other outdoor amusements	X	X	X	SE	SE	X	X	SE	SE	X	X	X	X	X	X
Drive-in and fast-food restaurant	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X
Food processing shop	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X
Funeral Home	SE	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	SE
Gasoline Station	X	X	X	X	SE	X	X	X	X	X	X	X	SE	SE	X
Health Club, including racquetball facilities and indoor swimming pools	X	X	P	P	P	P	P	P	P	X	X	X	X	X	P
Heating, air conditioning, plumbing, electrical, and similar construction businesses, excluding open storage of materials	X	X	X	X	P	X	X	X	X	X	SE	X	P	P	X

Notes:  
 P = permitted use  
 SE = special exception use  
 X = prohibited use

All unlisted uses are prohibited in all districts

<sup>1</sup>Editor's Note: See §345-56 for additional special exception uses in the M2 District.

ZONING

345 Attachment 3A  
 Village of Port Chester  
 Schedule of Regulations for Nonresidence Districts  
 Part 1, Use Regulations

Type of Use	Districts														
	C1 Neighborhood Retail §345-47	C1 Neighborhood Retail - Medical §345-47.1	C2 Main Street Business §345-48	C3 Office and Commercial §345-49	C4 General Commercial §345-50	C5 Train Station Mixed Use §345-50.1	C5T Downtown Mixed Use Transitional §345-50.2	CD Design Shopping Center §345-51	CDS Special Designed Commercial §345-52	PD Design Professional Building §345-53	DW Design Waterfront §345-54	DW2 Downtown Design Waterfront §345-54.1	M1 Light Industrial §345-55	M2 General Industrial §345-561	PMU Planned Mixed Use §345-57
Hotel or Motel	X	X	P	P	X	P	P	P	X	X	SE	SE	X	X	P
Hotel, Motel (floors above first floor)	X	X	P	P	X	P	P	P	X	X	SE	SE	X	X	P
Hotel, limited service	X	X	P	SE	X	P	P	SE	X	X	SE	SE	X	X	P
Marina or yacht club	X	X	X	X	X	X	X	X	X	X	SE	SE	X	X	X
Theater	X	X	P	P	X	P	P	X	X	X	SE	SE	P	P	P
Motor Vehicle Sales lot, motor vehicle salesroom and accessory repair shop	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X
Office, Office Building	P	P	SE	P	P	SE	SE	P	P	P	SE	SE	P	P	P
Office, Office Building (floors above first floor)	P	P	P	P	P	P	P	P	P	P	SE	SE	P	P	P
Off-street parking lot or garage for motor vehicles, but not including storage of used or new motor vehicles for sale or hire; minimum requirements shall be in accordance with § 345-14.	X	X	P	P	P	P	P	X	X	X	SE	SE	X	X	P
Pawnshops	X	X	X	X	X	X	X	X	X	X	X	X	SE	SE	X
Radio or television station studio, excluding transmission tower	X	X	SE	P	P	SE	SE	X	X	X	SE	SE	P	P	SE
Radio or television station studio excluding transmission tower (floors above first floor)	X	X	P	P	P	P	P	X	X	X	SE	SE	P	P	SE
Shooting ranges with accessory sales of guns and equipment	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X
Table-service restaurant, no drive-in, open front, fast food, or curb-service types	P	P	P	P	P	P	P	P	X	SE	SE	SE	X	X	P
Tax Preparation Office	X	X	P	X	X	P	P	X	X	X	SE	SE	X	X	P
Retail store or personal service shop, services clearly incidental to retail sales on the premises or to personal services	P	P	P	P	X	P	P	P	SE	X	SE	SE	X	X	P
Veterinary hospital or board and care of small animals	X	X	SE	X	SE	SE	SE	X	X	X	SE	SE	X	X	SE
Wholesale business, storage building or warehouse	P	P	X	X	P	X	X	X	X	X	SE	SE	P	P	X
<b>Industrial uses</b>															
Cold storage plant, ice plant, bottling central distribution station, light or power plant, or garbage or sewage disposal facility	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X
Creamery, ice cream plant or bakery plant	X	X	X	X	P	X	X	X	X	X	SE	SE	P	P	X
Laundry or dry-cleaning plant	X	X	X	X	X	X	X	X	X	X	SE	SE	P	P	X
Nonnuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than 5 horsepower	X	X	X	X	P	X	X	X	X	X	SE	SE	P	P	X
Open storage of equipment or materials	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	X
Printing plant	X	X	X	P	P	X	X	X	X	X	SE	SE	P	P	X
Research laboratory, provided that is shall not be obnoxious by reason of dissemination of smoke, dust, fumes, noise or vibration, or hazardous from fire waste materials or the creation of excessive demands upon municipal services	X	X	X	SE	SE	X	X	X	X	X	SE	SE	P	P	X
<b>Accessory Uses</b>															
CD Accessory garden center	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X
Customary accessory structure or use, including cultural, recreational, or athletic facility, meeting room or similar accessory structure or use related to a school, church, or other place of worship	P	P	P	P	P	P	P	P	P	P	SE	SE	P	P	SE
Ethical Pharmacy	X	X	SE	X	X	SE	SE	P	X	P	X	X	X	X	SE
Ground-floor office as accessory use to multifamily development	X	X	SE	X	X	SE	SE	X	X	X	SE	SE	X	X	P
Private garage or private off-street parking area, in accordance with § 345-14	P	P	P	P	P	P	P	P	SE	P	SE	SE	P	P	P
Sign, in accordance with § 345-15	P	P	P	P	P	P	P	P	P	P	SE	SE	P	P	P

Notes:  
 P = permitted use  
 SE = special exception use  
 X = prohibited use

All unlisted uses are prohibited in all districts  
<sup>1</sup>Editor's Note: See §345-56 for additional special exception uses in the M2 District.

ZONING

345 Attachment 3B

Village of Port Chester  
 Schedule of Regulations for Nonresidence Districts  
 Part 2, Dimensional Regulations

Type of Use	Districts														
	C1 Neighborhood Retail § 345-47	C1 Neighborhood Retail - Medical § 345-47.1	C2 Main Street Business § 345-48	C3 Office & Commercial § 345-49	C4 General Commercial § 345-50	C5 Train Station Mixed Use § 345-50.1	CST Downtown Mixed Use Transitional District § 345-50.2	CD Design Shopping Center § 345-51	CDS Special Designed Commercial § 345-52	PD Design Professional Building § 345-53	DW Design Waterfront § 345-54	DW2 Downtown Design Waterfront § 345-54.1	M1 Light Industrial § 345-55	M2 General Industrial § 345-56	PMU Planned Mixed Use § 345-57
Maximum Floor Area Ratio (See definition, § 345-2)	1.00	3.20	3.2 <sup>1</sup>	3.00	2.00	4.00 <sup>3</sup>	4.00 <sup>3</sup>	1.00	1.00	1.00	1.60	2.4 <sup>10</sup>	1.00	2.00	0.8 <sup>9</sup>
Maximum Floor Area Ratio For 1 Story	0.35	NR	NR	0.60	NR	NR	NR	0.35	NR	NR	0.40	NR	0.50	0.70	
<b>Minimum Size of Lot:</b>															
Area, nonresidential (square feet)	NR	NR	NR	NR	NR	NR	NR	21,780	65,340	21,780	10,000	NR	NR	NR	
Area per dwelling unit (square feet)	NR	NR	750 <sup>2</sup>	NR	NR	400 <sup>4</sup>	575 <sup>5</sup>	NR	NR	NR	750	600 <sup>11</sup>	NR	NR	
Width (feet) (e)	40	40	40	40	40	40	40	40	NR	40	40	40	40	40	
Depth (feet)	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	
<b>Minimum Yard Dimensions:</b>															
Front (feet)	NR	NR	NR	10	10	NR	NR	30	60	10	20	5	25	10	See §345-62
Side															
One (feet)	NR(a)	NR	NR(a)	(b)	NR(a)	NR(a)	NR(a)	30	50	20	(c)	5	20	10	
Total of 2 on interior lot (feet)	NR(a)	NR	NR(a)	(b)	NR(a)	NR(a)	NR(a)	60	100	40	(c)	10	40	20	
Rear (feet)	30	10	20	20	20	20	20	30	50	30	30	25	20	20	
<b>Maximum Height of Building:</b>															
In stories	2½	5	5	5	3	8 <sup>6</sup>	5 <sup>7</sup>	3	3	5	4	4	2	8	
In feet	35	60	60	60	45	90 <sup>6</sup>	60 <sup>7</sup>	45	45	60	50	50	40	70	
<b>Minimum Usable Open Space on Lot:</b>															
For each dwelling unit (square feet)	1,200	1,200	50 <sup>8</sup>	NR(d)	NR	50 <sup>8</sup>	50 <sup>8</sup>	NR	NR	100(d)	50 <sup>8</sup>	50 <sup>8</sup>	NR	NR	100

NOTES:

(a) If provided at least ten (10) feet per yard.

(b) One-half (½) the height of the building to which the yard is related, but not greater than twenty (20) feet.

(c) Each twenty-five (25) feet or one-half (½) the height of the building, whichever is greater.

(d) Twenty (20) square feet for each patient bed in a sanatorium, convalescent home or nursing home.

(e) Must be maintained from the minimum front yard depth to the rear lot line.

<sup>1</sup> A floor area ratio (FAR) bonus of 0.8 is available in accordance with §345-16.

<sup>2</sup> A minimum of 575 sq. ft. of lot area per dwelling unit can be achieved through a Building Height and Floor Area Bonus Program in accordance with §345-16.

<sup>3</sup> A Floor Area Bonus of 0.5 is available in accordance with §345-16.

<sup>4</sup> A minimum of 250 sq. ft. of lot area per dwelling unit can be achieved through a Building Height and Floor Area Bonus Program in accordance with §345-16.

<sup>5</sup> A minimum of 400 sq. ft. of lot area per dwelling unit can be achieved through a Building Height and Floor Area Bonus Program in accordance with §345-16.

<sup>6</sup> A building height bonus of 2 stories (30 feet) is available in accordance with §345-16.

<sup>7</sup> A building height bonus of 1 story (10 feet) is available in accordance with §345-16.

<sup>8</sup> See §345-7.E.

<sup>9</sup> A floor area bonus of 0.20 is available in accordance with §345-16. For any mixed use (commercial/residential) structure, a building height bonus of 2 stories (15 feet) is available in accordance with §345-16.

<sup>10</sup> A Floor Area Bonus of 0.2 is available in accordance with §345-16.

<sup>11</sup> A minimum of 500 sq. ft. of lot area per dwelling unit can be achieved through a Building Height and Floor Area Bonus Program in accordance with §345-16.

NR = none required

**SEQRA DETERMINATION OF SIGNIFICANCE  
NEGATIVE DECLARATION  
RESOLUTION OF THE VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES**

**Establishment of a C1M Neighborhood Retail – Medical District with Associated  
Amendments to Off-Street Parking, the Official Zoning Map, and Special  
Exception Use Requirements**

**WHEREAS**, the Village Board of Trustees is in receipt of a zoning map and various text amendments submitted by Village Staff to better reflect existing and desired medical and dental uses along Westchester Avenue in the Central Business District; and

**WHEREAS**, the proposal includes the establishment of a new C1M Neighborhood Retail – Medical District under §345-47.1 of the Village Code in place of the existing C1 Neighborhood Retail District along Westchester Avenue and Irving Avenue between Poningo Street and Oak Street. The proposal also includes amendments to Village Code §345-61 Special Exception Use regulations and §345-14 Off-Street Parking, Truck Loading and Vehicular Access; and

**WHEREAS**, the proposal includes affecting the zoning designation of the following parcels in accordance with Town of Rye Tax Assessor records:

<b>Address</b>	<b>SBL</b>
200 Westchester Ave	142.22-1-1
204-210 Westchester Ave	142.22-1-2
216 Westchester Ave	142.22-1-5
220 Westchester Ave	142.22-1-6
232 Westchester Ave	142.22-1-7
238 Westchester Ave	142.22-1-8
235 Westchester Ave	142.22-1-22
Irving Ave	142.22-1-23
227 Westchester Ave	142.22-1-24
223-225 Westchester Ave	142.22-1-25
219 Westchester Ave	142.22-1-26
211-217 Westchester Ave	142.22-1-27
Westchester Ave	142.22-1-28
200 Irving Ave	142.22-1-29
204 Irving Ave	142.22-1-30
206 Irving Ave	142.22-1-31
214 Irving Ave	142.22-1-32
220 Irving Ave	142.22-1-33
227 Irving Ave	142.22-1-35
223 Irving Ave	142.22-1-36
211 Irving Ave	142.22-1-37
199 Irving Ave	142.22-1-38
26 Poningo St	142.22-1-39

**WHEREAS**, that pursuant to Part 617 of the SEQR Regulations, the Village of Port Chester Board of Trustees is Lead Agency for the SEQR Review of this Type 1 Action. Now therefore be it

**RESOLVED**, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Type 1 Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

---

Date

**PROPOSED LOCAL LAW TO UPDATE THE USE  
CLASSIFICATION AND AMEND EXISTING STANDARDS FOR  
THE GRANTING OF SPECIAL USE EXCEPTIONS FOR  
MEDICAL AND DENTAL OFFICES AND ESTABLISH OFF-  
STREET PARKING REQUIREMENTS FOR SUCH USES,  
CREATE A NEW C1M NEIGHBORHOOD RETAIL – MEDICAL  
ZONING DISTRICT WITH CHANGES TO THE SCHEDULE OF  
USE REGULATIONS, AND AMEND THE OFFICIAL ZONING  
MAP TO PROVIDE FOR THE ZONING DESIGNATION OF  
CERTAIN PROPERTIES CURRENTLY IN THE NEW C1M  
DISTRICT.**

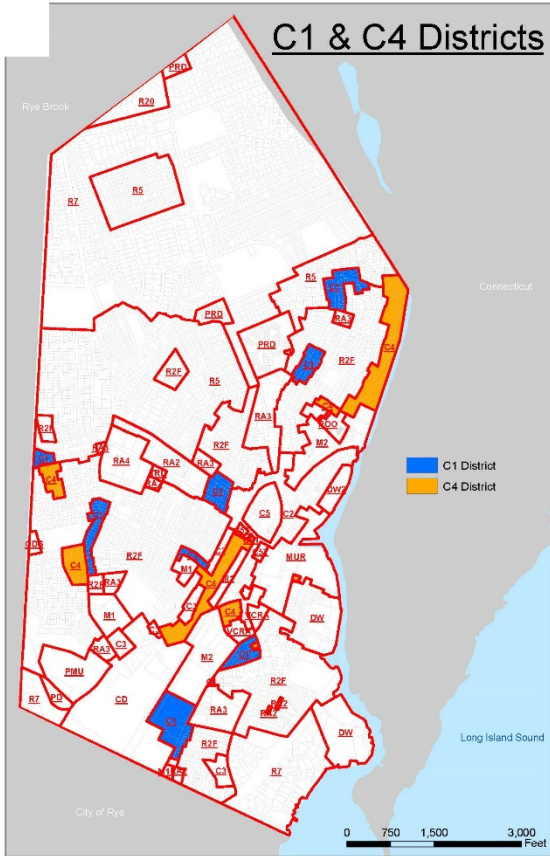
**PORT CHESTER, NY 10573  
WESTCHESTER COUNTY, NY**

**SEQRA DETERMINATION OF SIGNIFICANCE  
NEGATIVE DECLARATION**

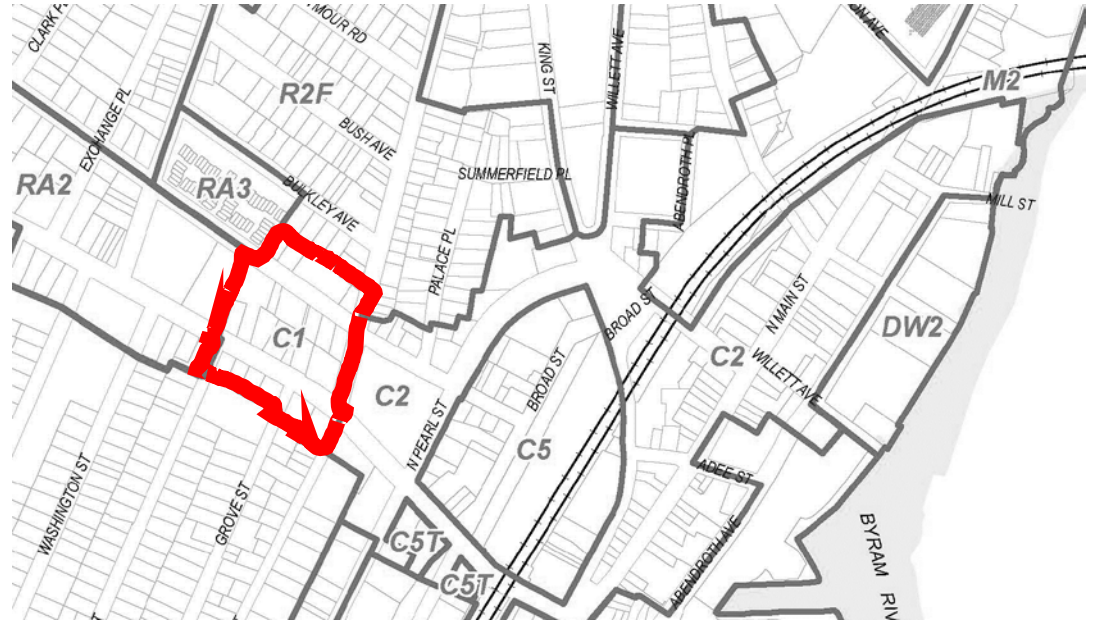
**VILLAGE BOARD OF TRUSTEES**

**PREPARED JULY 2015**

# PROPOSED ACTION IDENTIFICATION MAP



**Context Map: Affected C1 & C4 Zoning Districts  
Village of Port Chester, NY 10573**



**Proposed C1M District  
Village of Port Chester, NY 10573**



## **REASONS SUPPORTING THIS DETERMINATION**

The Proposed Action would permit medical and dental offices to be permitted by special exception in all commercial zoning districts in the Village of Port Chester and would create a new C1M Neighborhood Retail - Medical District in place of the existing C1 Neighborhood Retail District located from Oak Street to Poningo Street along Westchester Avenue and Irving Avenue. Specifically, the Proposed Action will update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses as well as amend the official zoning map to provide for the zoning designation of certain properties currently in the new C1M District.

Potential impacts relating to the Proposed Action include the following:

- 1) The Proposed Action includes the creation of a new C1M Neighborhood Retail - Medical District, updating the use classification and amending existing standards for the granting of special use exceptions for medical and dental offices, establishing off-street parking requirements for such uses, and amending the official zoning map to provide for the zoning designation of certain properties currently in the new C1M District.

The Village's adopted Comprehensive Plan Municipal Services and Educational Resources Recommendation #2 specifically includes, "*encouraging medical facilities and services to locate in the Village to serve the Village's diverse population.*" The Proposed Action aligns with Comprehensive Plan Economic Development Recommendation #1 to, "*expand economic opportunity and the Village's tax base by focusing efforts on retaining and expanding existing businesses and attracting new businesses.*" Additionally, the proposed new zoning district is located within the downtown commercial area and within an area where infrastructure can accommodate growth while preserving outlying residential neighborhood character through development and absorption in designated Planning Intensity Zones as identified in the Comprehensive Plan (2012). The proposed C1M District will achieve these goals. For these reasons, the Proposed Action does not conflict with adopted Village plans.

- 2) The Proposed Action includes zoning amendments to existing commercial districts within the Village of Port Chester. Existing commercial districts contain active medical and dental offices, and the Proposed Action would provide for consistency with existing land use conditions and market trends. More specifically, the Proposed Action includes the creation of a new zoning district located within the Central Business District (CBD) and in close proximity to the Metro North Port Chester station and Westchester County Bee Line bus options. The proposed district is adjacent to an existing C2 Central Business District, which permits medical and dental offices by special exception. The Proposed Action would bring the majority of the CBD into alignment with other commercial zoning districts and existing conditions.

For the aforementioned reasons, the Proposed Action fully encompasses the goals and policies of both planning and economic development strategies identified by the Village and its Comprehensive Plan and poses no adverse impacts to the development patterns or neighborhood character. For these reasons, the Proposed Action does not pose a negative or significant adverse impact to the economic and development policies adopted.

- 3) The Proposed Action includes specific amendments to existing special exception criteria for existing commercial districts, where applicable. The Proposed Action includes both the removal and addition of criteria. The Proposed Action will remove the following requirements: 1) located within 500 feet of an M1 Zone and 2) located within 0.6 miles from a hospital. The Proposed Action will include three (3) new special exception criteria to serve as safeguards to the surrounding neighborhood character. Specifically, the Proposed Action requires: medical and dental offices shall not be hazardous to the surrounding neighborhood by reason of excessive traffic, assembly of persons or vehicles on the site, or congregations of children or pedestrians; and newly constructed medical or dental offices occupying the first floor must have 60% of the street adjacent façade transparent. The bottom of windows shall begin no higher than two (2) feet above grade level, and the top of all windows and doors shall be no lower than eight (8) feet above grade level. Taller windows are encouraged; and medical and dental offices and their associated parking lots shall be in compliance with the Americans with Disabilities Act. The inclusion of these specific special exception criteria act as safeguards to directly protect the nature and character of proximate residential land uses in order to reduce any potential impacts from a new medical or dental establishment. Therefore, it is anticipated that the Proposed Action will not create a significant, long-term or adverse impact to the environment.
- 4) No construction activity will result from the Proposed Action. No anticipated impacts resulting from noise, odor, light or air will result from the Proposed Action. Therefore, no long-term or significantly adverse site disturbance impacts are anticipated from the Proposed Action.
- 5) The Proposed Action does not include physical, ground disturbance and will not affect existing water or soil conditions. The Proposed Action is not located in a FEMA designated flood zone and will not have an impact on surface water. The Proposed Action will not affect wetlands or areas of environmental significance. For these aforementioned reasons, the Proposed Action will neither cause significant or adverse impacts to soil or surface water.
- 6) The Proposed Action will not create material waste in any capacity. The Proposed Action does not require recycling services. For these reasons, no long-term or significant adverse impacts will result from the Proposed Action.
- 7) The Proposed Action will not require water supply and will not impact water demand. The Proposed Action will not significantly or adversely create long-term negative impacts.
- 8) There are no significant habitat areas or areas of threatened or endangered species in the proximity to the Proposed Action. No significant or adverse impacts will result.

- 9) The Proposed Action will not affect any significant, natural communities containing a rare, threatened, or endangered species, or a species of special concern. The Proposed Action will not have significant, adverse impacts to habitat areas or areas of threatened or endangered species.
- 10) The Proposed Action includes zoning text amendments to require off-street parking for medical and dental office uses of 1 off-street parking space per 500 square feet of area devoted to patron use for all commercial districts denoting such uses as a special exception. The Proposed Action also provides a zoning text amendment to include the proposed C1M District as part of §345-14-A-4, which states that, “*off-street parking requirements for buildings and uses in a C1 District may be satisfied if the subject premises are adjacent to or within 600 feet of a municipal parking facility and upon a showing of the availability of parking within such facility.*” Located within 600 feet from the proposed C1M District are two village-owned municipal lots.

Further, the Proposed Action amends existing special exception criteria for commercial districts to require new medical and dental office uses do not create excessive traffic or assembly of persons or vehicles on-site. For these aforementioned reasons, the Proposed Action will not pose adverse, significant impacts to the transportation network.

- 11) The Proposed Action does not include a residential component; therefore, the Proposed Action will not negatively or adversely impact the Port Chester Rye Union Free School District.
- 12) The Proposed Action will not result in changes in two or more elements of the environment, which alone would not have a significant effect on the environment; and, when considered together, would not result in a substantial adverse impact on the environment.
- 13) The Proposed Action is not related to another action which would be funded or approved by an agency which, when considered cumulatively, would meet one or any of the aforementioned criteria.

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> <li data-bbox="121 829 1485 861">i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li data-bbox="121 892 1485 924">ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li data-bbox="121 924 1485 955">iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> </ul>		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

\_\_\_\_\_

\_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? \_\_\_\_\_

b. What police or other public protection forces serve the project site?  
\_\_\_\_\_

c. Which fire protection and emergency medical services serve the project site?  
\_\_\_\_\_

d. What parks serve the project site?  
\_\_\_\_\_  
\_\_\_\_\_

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres

b. Total acreage to be physically disturbed? \_\_\_\_\_ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source.  
 \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
 \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No



• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

---

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

---

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

*i.* Estimate methane generation in tons/year (metric): \_\_\_\_\_

*ii.* Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

*i.* When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

*ii.* For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_

*iii.* Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

*iv.* Does the proposed action include any shared use parking?  Yes  No

*v.* If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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*vi.* Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

*vii.* Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

*viii.* Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

*i.* Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

*ii.* Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

*iii.* Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
---	--

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>n.. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul>	

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and coverytypes on the project site.

Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

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d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

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e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

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f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_

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g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

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h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database      Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database      Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

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iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_%

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
	<input type="checkbox"/> Yes <input type="checkbox"/> No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

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

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_





Robert P. Astorino  
County Executive

County Planning Board

June 9, 2015

Jessica Youngblood, Department of Planning & Development  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

**Subject: Referral File No: PCH 15-003 — Zoning Amendments, C1M District**

Dear Ms. Youngblood:

The Westchester County Planning Board has received a proposed local law to amend the Village Zoning Code. The amendments would create a new C1M Neighborhood Retail-Medical Zoning District and rezone the area along Westchester and Irving Avenues between Ponongo and Oak Streets to C1M from its current zoning, which is C1 Neighborhood Retail District. The proposed new zoning will update the regulations for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for these uses, which are not currently permitted under C1 zoning.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and find that there are no County or intermunicipal planning issues of concern to the County Planning Board. This action is a matter for local determination in accordance with your community's planning and zoning policies.

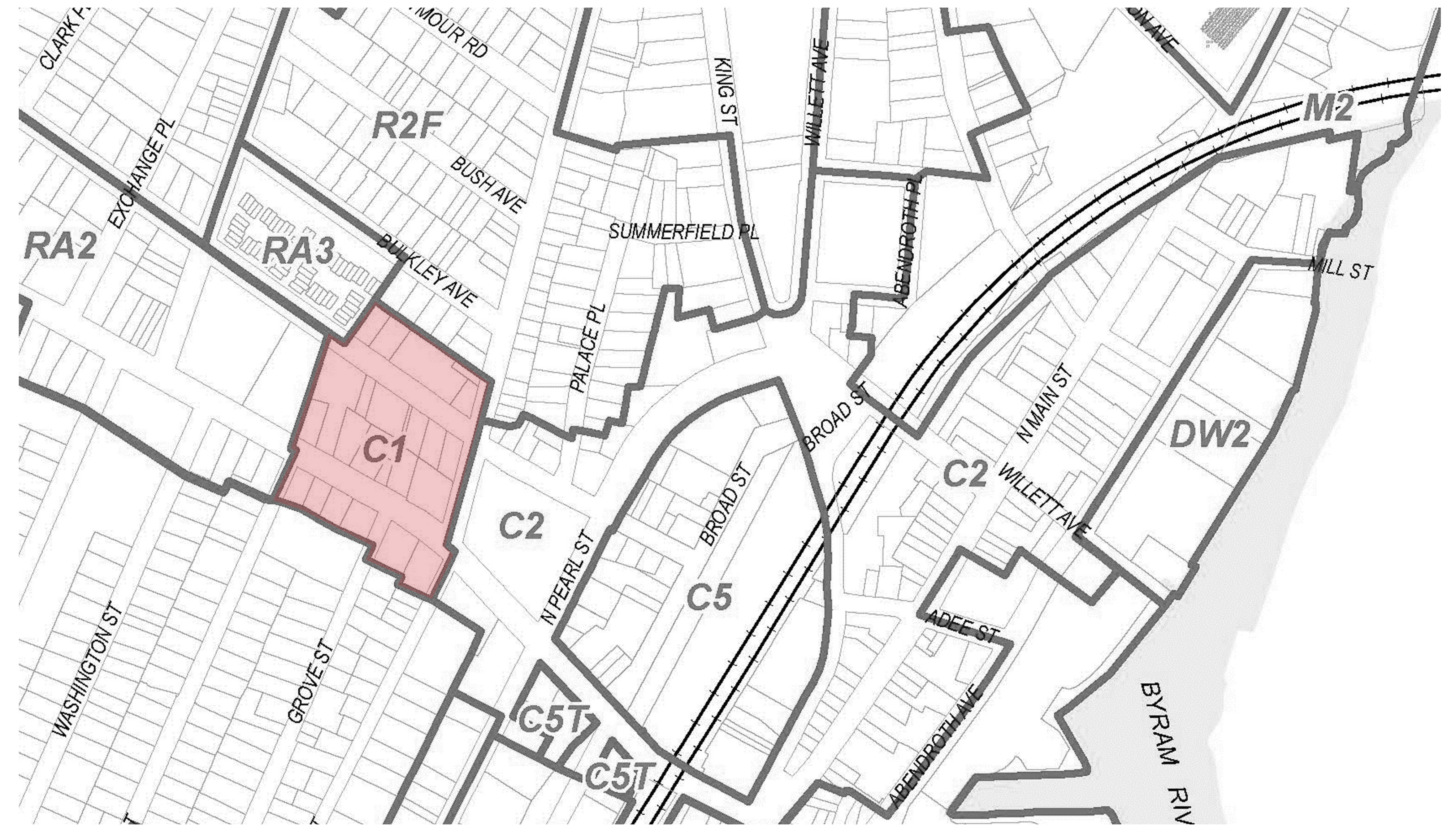
Thank you for calling this matter to our attention.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD

For:  
By:

Edward Buroughs, AICP  
Commissioner

EEB/KE



RA2

R2F

RA3

C1

C2

C5

C2

DW2

M2

CLARK PL

EXCHANGE PL

MOUR RD

BUSH AVE

KING ST

WILLETT AVE

SUMMERFIELD PL

ABENDROTH PL

BULKLEY AVE

PALACE PL

MILL ST

WASHINGTON ST

GROVE ST

N PEARL ST

BROAD ST

BROAD ST

N MAIN ST

WILLETT AVE

ADEE ST

ABENDROTH AVE

BYRAM RIV

C5T

C5T

## PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, July 20, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 “Zoning” that would: update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses, create a new C1M Neighborhood Retail – Medical Zoning District (C1M District) with changes to the Schedule of Use Regulations, and amend the Official Zoning Map to provide for the zoning designation of certain properties currently in the C1 Neighborhood Retail District to be changed to the new C1M District, as follows:

<u>Address</u>	<u>Section/Block/Lot</u>
200 Westchester Avenue	142.22-1-1
204-210 Westchester Avenue	142.22-1-2
216 Westchester Avenue	142.22-1-5
220 Westchester Avenue	142.22-1-6
232 Westchester Avenue	142.22-1-7
238 Westchester Avenue	142.22-1-8
235 Westchester Avenue	142.22-1-22
Irving Avenue	142.22-1-23
227 Westchester Avenue	142.22-1-24
223-225 Westchester Avenue	142.22-1-25
219 Westchester Avenue	142.22-1-26
211-217 Westchester Avenue	142.22-1-27
Westchester Avenue	142.22-1-28
200 Irving Avenue	142.22-1-29
204 Irving Avenue	142.22-1-30
206 Irving Avenue	142.22-1-31
214 Irving Avenue	142.22-1-32
220 Irving Avenue	142.22-1-33
227 Irving Avenue	142.22-1-35
233 Irving Avenue	142.22-1-36
211 Irving Avenue	142.22-1-37
199 Irving Avenue	142.22-1-38
26 Poningo Street	142.22-1-39

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk’s office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: July 10, 2015

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



Zoning Board of Appeals  
William Villanova, Chair

Planning Commission  
Gregg Gregory, Chair

222 Grace Church Street  
Port Chester, NY 10573

**AFFIDAVIT OF SIGN POSTING**

In the matter of the application

# \_\_\_\_\_ Address \_\_\_\_\_

Case #

Address

before the Village of Port Chester

PLANNING COMMISSION

ZONING BOARD OF APPEALS

On \_\_\_\_\_ a sign was posted on property located at

Day, Month, Year sign was posted

\_\_\_\_\_ noticing the meeting on \_\_\_\_\_

Location of proposed action

Date of meeting

in accordance with the sign posting requirements set forth in the Village Code.

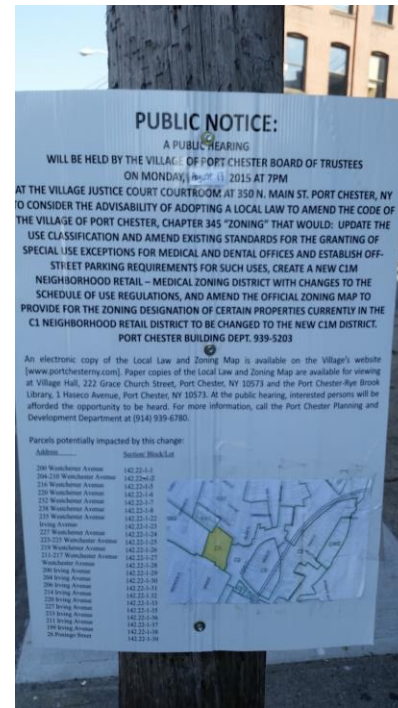
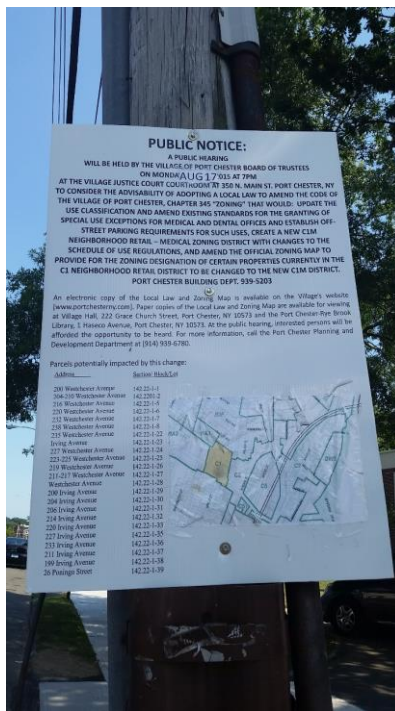
Signed \_\_\_\_\_

Name

Title

**Please have this document notarized and return with a picture of the posted sign at least 24 hours prior to the hearing to:**

*Constance R. Phillips (Connie)*  
222 Grace Church Street, Room 202  
Port Chester, New York 10573  
Phone: 914-481-8036 Fax:914-939-2733  
[cphillips@portchesterny.com](mailto:cphillips@portchesterny.com)





Zoning Board of Appeals  
William Villanova, Chair

Planning Commission  
Gregg Gregory, Chair

222 Grace Church Street  
Port Chester, NY 10573

**AFFIDAVIT OF MAILING**

In the matter of the application C1M District, zoning proposal  
# n/a Case # Address Address

before the Village of Port Chester

PLANNING COMMISSION

ZONING BOARD OF APPEALS

BOARD OF TRUSTEES

On July 10, 2015

Notice of Hearing letters were mailed via

Day, Month, Year letters were mailed

USPS First Class Mail

USPS Certified Return Receipt Mail

neighbors within a 500 radius of the above mentioned property.  
Distance (feet)

Signed [Signature] Assistant Director of Planning & Development  
Name Title

**Please have this document notarized and return within 24 hours of the hearing to:**

*Constance R. Phillips (Connie)*  
222 Grace Church Street, Room 202  
Port Chester, New York 10573  
Phone: 914-481-8036 Fax: 914-939-2733  
[cphillips@portchesterny.com](mailto:cphillips@portchesterny.com)

# **PUBLIC COMMENTS**



# **PRESENTATION**



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Office of the Village Attorney

**BOT Meeting Date:** 8/17/2015

**Item Type:** Resolution

**Sponsor's Name:** Anthony (Tony) Cerreto, Village Attorney

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

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

PROPOSED AMENDMENTS TO THE CODE OF ETHICS

**Summary**

**Background:**

The Board of Ethics is charged with providing advisory opinions to Village officers and employees to provide guidance on ethical issues. It also has the function of proposing amendments to the Code of Ethics for consideration by the Board of Trustees.

The Board of Ethics has been meeting over the past several months to identify recommended amendment to the Code. Two areas have been identified: gifts and nepotism.

At their request, I prepared a draft local law incorporating the proposed amendments, including replacing the existing definition of "Interest" with clearer language and accommodate the nepotism provisions.

The Board of Ethics is continuing their work reviewing the entire Code of Ethics. Consider this an interim work product to demonstrate progress and accomplishment. The Chair and members of the Board of Ethics will be attending the meeting to present and answer any questions the Board of Trustees may have.

Should the Board desire to advance the law to a public hearing, it needs to adopt a resolution to set a public hearing either as an add-on or call for one for the next meeting.

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

That the Board of Trustees act on the Add-On Resolution

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

Draft Local Law
-----------------

**Village of Port Chester, New York**

**Local Law No. \_\_\_ of the year 2015**

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 53, "ETHICS", WITH REGARD TO DEFINITIONS, GIFTS AND NEPOTISM

**Be it enacted by the Board of Trustees of the Village of Port Chester, New York**

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 53, "ETHICS", WITH REGARD TO DEFINITIONS, GIFTS AND NEPOTISM

SECTION 1: Purpose and Intent

Article 18 of the General Municipal Law prohibits municipal officers and employees from having certain conflicts of interest. Section 806 of the General Municipal Law requires the governing body of each local government to adopt a code of ethics that sets forth standards of conduct as guidance for their officers and employees. In 1968, the Village of Port Chester adopted a Code of Ethics which also established a Board of Ethics whose charge is to provide advisory opinions to Village officers and employees to assist them on ethical issues. In addition, the Board of Ethics is empowered to make recommendations as to any amendments to the Code to the Board of Trustees.

Recognizing that the Code of Ethics may be in need of up-date, the Board of Ethics has been regularly meeting and identifying discrete subject-matters for discussion, receiving input from the Village Manager and other Village staff, and arriving at a consensus with regard to proposed changes to the Code of Ethics. The Board of Ethics has been informed by recently-enacted local laws in other municipalities and the Model Code of Ethics for Local Governments promulgated by the State Office of the Comptroller. The Board of Ethics is continuing its work and will make further recommendation to the Board of Trustees in the regular course.

The purpose and intent of this local law is to further the goals of the Code of Ethics as originally enacted by providing for new provisions on the subjects of gifts and nepotism and more clearly defining the term "interest".

SECTION 2: The Code of the Village of Port Chester, Chapter 53, Section 53-5, is hereby repealed and new provisions are adopted in its place and stead to read as follows:

A. No municipal officer or employee shall solicit, accept or receive a gift in violation of Section 805-a (1) (a) of the General Municipal Law of the State of New York ("GML") as interpreted in this section.

B. No municipal officer or employee may directly or indirectly solicit any gift.

C. No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having and annual aggregate value of seventy-five (\$75) dollars or more when:

- (1) The gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her powers or duties; or
- (2) The gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or
- (3) The gift is intended as a reward for any official action on the part of the officer or employee.

D. For purposes of this section, “gift” includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. The determination of whether multiple gifts from a single donor exceed seventy-five (\$75) dollars shall be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.

E. A gift to a municipal officer or employee is presumed to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.

F. A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve (12) months.

G. This section does not prohibit the following:

- (1) Gifts made to the Village of Port Chester
- (2) Gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient’s status as a municipal officer or employee, is the primary motivating factor for the gift.
- (3) Gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary.
- (4) Unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads and calendars.
- (5) Awards and plaques having a value of seventy-five (\$75) dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community.

(6) Meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional educational conference or program and the meals and refreshments are made available to all participants.

(7) Gifts between officers and employees on special occasions, such as birthdays or seasonal holidays.

SECTION 3: The Code of the Village of Port Chester, Chapter 53, Section 53-15 “Definitions”, is hereby amended as follows: ....

#### INTEREST

[Includes, without limitation, any right, title, share or participation in anything or in any advantage, profit or benefit, whether such right, title, share or participation be direct or indirect, legal or beneficial, contingent or vested, financial or otherwise, as owner, partner, stockholder, mortgagee, creditor, broker, agent or in any other capacity, but shall not include an interest in any corporation listed on any security exchange, subject to the regulations of the Security Exchange Commission. For the purpose of this chapter, a municipal officer or employee shall be deemed to have an interest in the contract of his spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves; a firm, a partnership or association of such officer or employee is a member or employee; a corporation of which such officer or employee is an officer, director or employee; and a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee.]

A direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the Village, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any entity when he or she, his or her spouse or domestic partner or a member of his or her household is an owner, shareholder, partner, member, director, officer or employee or directly or indirectly owns or controls more than five (5) percent of the organization’s outstanding stock or membership interest.

#### RELATIVE

A spouse, domestic partner, parent, step-parent, sibling, step-sibling, sibling’s spouse or domestic partner, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of an officer or employee, and individuals having any of these relationships to the spouse or domestic partner of the officer or employee.

...

SECTION 4: The Code of the Village of Port Chester, Chapter 53, is hereby amended by adding a new section, Section 53-17, to read as follows:

Section 53-17. Nepotism.

Except as otherwise required by law:

A. No officer or employee, either individually or as a member of an agency, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within an agency.

B. No officer or employee may supervise a relative in the performance of the relative's official powers or duties unless authorized by the respective appointing authority.

#### SECTION 5: Severability

If any provision of this local law is held to be invalid or unenforceable in whole or in part, such invalidity or unenforceability shall attach only to such provision or part thereof and the remaining part of such provision and all other provisions shall continue in full force and effect.

#### SECTION 6: Effective Date

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

Deleted material being in brackets [... ] and added material being underlined:

# RESOLUTIONS





VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Office of the Village Attorney

**BOT Meeting Date:** 8/17/2015

**Item Type:** Resolution

**Sponsor's Name:** Anthony (Tony) Cerreto, Village Attorney

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

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

SETTING PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF ADOPTING A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 176, FILM PERMITS

**Summary**

**Background:**

The Village Code authorizes filming on private and public property by permit issued by the Village Clerk.

Recent Board discussion and public comment prompted the Board to direct the drafting of a local law to provide some flexibility to the otherwise rigid application of the Code with regard to operational time limitations.

At the same time, there has been identified a need to strengthen the application process by enabling the Clerk, on a case by case basis, to secure an operational or production plan.

The draft local law addresses these points.

If the Board wishes to advance the matter, a public hearing is required.

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

<b>Attachments</b>
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Draft Local Law
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SETTING A PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF ADOPTING A  
LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER  
176, WITH REGARD TO FILM PERMITS

On motion of TRUSTEE

, seconded by TRUSTEE

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

RESOLVED, that the Board of Trustees hereby sets a public hearing on September\_\_\_\_,  
2015 at 7:00 p.m. or as soon thereafter, at the Police Headquarters/Justice Court, 2<sup>nd</sup> Floor  
Courtroom, 350 North Main Street, Port Chester, to consider the advisability of adopting a local  
law that amends the Code of the Village of Port Chester, Chapter 176, Film Permits” with regard  
to operational time limitations and the need for applicants to submit an operational or production  
plan as part of the application process.

Approved as to Form

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Anthony M. Cerreto, Village Attorney

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER,  
CHAPTER 176, FILM PERMITS WITH REGARD TO THE OPERATIONAL LIMITATIONS  
FOR SUCH PERMITS

SECTION 1: The Code of the Village of Port Chester, Chapter 176, Article II, “Private Property”, Section 176-3, is hereby amended as follows:

Section 176-3. Application for Permits

Applications shall be obtained from and submitted to the Village Clerk in person or by mail and must contain at least the following information:

...

K. The Village Clerk reserves the right to request an operational or production plan as part of the application.

SECTION 2: The Code of the Village of Port Chester, Chapter 176, Article II, “Private Property”, Section 176-5, is hereby amended as follows:

Section 176-5. Operational Limitations.

Unless the Village Manager or his/her designee authorizes otherwise upon due consideration of the potential impacts presented by an application:

A. Filming for which a permit is required under Section 176-2 above shall in no event be conducted at the same location (i.e. in the same building or at the same street address) more than any portion of 12 calendar days within any twelve-month period.

B. No applicant shall permit any filming for which a permit has been issued to be conducted prior to 7:00 or after 10:00 p.m.

C.No applicant shall permit equipment used in connection with such filming, including but not limited to lights, generators and related equipment, to be set up or operated at the location described in Section 176-3 above prior to 7:00 a.m. or after 10:00 p.m.

SECTION 3. The Code of the Village of Port Chester, Chapter 176, Article III, “Public Property, Section 176-9, is hereby amended as follows:

Section 176-9. Application for permits.

A.Applications shall be obtained from and submitted to the Village Clerk in person or by mail and must contain at least the following information:

...

(5) The Village Clerk reserves the right to request an operational or production plan as part of the application.

SECTION 4: The Code of the Village of Port Chester, Chapter 176, Article III, “Public Property”, Section 176-12, is hereby amended as follows:

Section 176-12. Operational Limitations.

Unless the Village Manager or his/her designee authorizes otherwise upon due consideration of the potential impacts presented by an application:

A.No applicant shall permit any filming, [etc.,]. for which a permit has been issued to be conducted prior to 7:00 a.m. or after 10:00 p.m.

B.No applicant shall permit equipment used in connection with such filming, including but limited to lights and generators [, etc.,] and related equipment, to be set up or operated at the location described in Section 176-9 above prior to 7:00 a.m. or after 10:00 p.m.

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



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Office of the Village Attorney

**BOT Meeting Date:** 8/17/2015

**Item Type:** Resolution

**Sponsor's Name:** Anthony (Tony) Cerreto, Village Attorney

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

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

SETTLEMENT OF TAX CERTIORARI PROCEEDINGS BROUGHT CHALLENGING A  
 PROPERTY TAX ASSESSMENT

**Summary**

**Background:**

Several years ago, the Village of Port Chester relinquished its status as an assessing unit.

The Board of Trustees has determined to take a more active role in the settlement of tax certiorari proceedings.

By resolution adopted on March 2, 2015, the Board resolved that it approve any proposed settlements which result in a Village refund in excess of \$1,000.

Recent Board discussion was of the view that this monetary threshold be increased.

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

<b>Attachments</b>

SETTLEMENT OF TAX CERTIORARI PROCEEDINGS BROUGHT  
CHALLENGING A PROPERTY TAX ASSESSMENT

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

RESOLVED, that the resolution of March 2, 2015 be modified to reflect that the new threshold for Board approval of tax certiorari proceedings shall be the amount of refunds by the Village of Port Chester in excess of \$3,500.

Approved as to Form:

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



REPORT  
OF  
THE VILLAGE MANAGER




# Village of Port Chester

## Office of the Village Manager

### MEMORANDUM

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TO: Mayor and the Board of Trustees



FROM: Christopher D. Steers, Village Manager

DATE: August 17<sup>th</sup>, 2015

RE: Updates

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#### **INITIATIVES/PRIORITIES:**

➤ **Strategic Planning: Strategic Actions** (Opportunity Areas #1 Downtown TOD, #2 Downtown: Municipal Center, #3 Waterfront Redevelopment/Revitalization, #4 Fox Island, #5 United Hospital Site Redevelopment). We continue to move forward with various strategic planning initiatives (see Planning and development activities report).

#### **1) Opportunity Area #1:**

- **C1 Neighborhood Retail Zoning Analysis:** medical, dental office use Preliminary analysis regarding a potential zoning text change to permit medical in the C1 Neighborhood Retail District either as-of-right or by special exception permit subject to existing special exception criteria as defined in §345-61U.

Presentation to BOT completed March 2015. Planning Commission generally supports concept. Second Public hearing being held at this meeting.

- **Retail D (Background & Status):** Applicant, G&S Port Chester LLC, has submitted a formal zoning petition pursuant to §345-34 to the Board of Trustees regarding former "Coney's lot" (aka "Retail D"/"Unit 2B"), Section 142.031, Block 1 Lots 3,4,5,6,20,21,22,23 and 24 of the Town of Rye Official Tax Map and interstitial Liberty Street Right-of-Way, for amendments to the Urban Renewal Plan for the Modified Marina Redevelopment Project, regulations to the MUR Marina Redevelopment Project Renewal District, and Concept Development Plan of the Modified Marina Redevelopment to permit multi-family development.

**Note:** Staff met with G&S Development on July 30<sup>th</sup>, 2015. They stated that they are in the process of amending their petition to address the Planning commissions concerns. They wish to continue on the path that has been laid out based upon their petition.

**Note:** that the Board of Trustees retains discretionary approval authority over all requested amendments as well as site plan approval for the project by virtue of its location within the MUR Marina Urban Redevelopment District.

**Background:** Specifically, the applicant seeks a zoning amendment in order to construct a 5-story, 90,000 square foot mixed use building (“Waterfront Place”) consisting of four floors of 79 rental dwelling units (7 studios, 56 one- bedroom, and 16 two-bedroom) over 12,00 square feet of ground floor retail. The subject parcels were approved for three (3) stories and approximately 40,000 square feet of retail development as part of the overall project approval in 1999.

The petition proposes the following dimensional and bulk requirements for a newly mapped “MUR Mixed-Use District):

- Maximum Height: 5 stories or 70 feet
- Minimum Lot Area per Dwelling Unit: 250 Square Feet
- Minimum Lot Depth/Width: None
- Front/Side/Rear Setback: None
- Usable Open Space per Unit: None

Further, applicant is requesting an amendment to both the MMRP Urban Renewal Plan and MUR District regulations to add a multifamily dwelling parking regulation to the required parking table.

**Planning Commission Comments, May 28 2015:** (all comments paraphrased from PC meeting).

- Parking: will residential units need tags in the specified and already pre-determined parking spaces? What impact will this have in overall downtown parking scheme.
- Traffic: Site’s location should require an analysis for access/circulation/level of service, etc. Carried out through site plan approval by BOT.
- Density/Bulk Requirements: Applicant’s zoning seems to ‘pick’ the best of the amended C2 and new C5/C5T Districts’ dimensional regulations.
  - FAR: possibly too dense, as applicant seeks 3.2 as-of-right with possibility to 4.0. highest density reserved for C5 district as discussed during comprehensive plan/rezoning

- LAPDU: C2 lot area per dwelling unit (LAPDU) is 750sqft bonusable to 575sqft and C5 District is 575 sqft as-of-right with bonus down to 250 sqft. Applicant requests 250 as-of-right, another 'picked'
  - Yard Dimensions: setbacks
    - Setback - building to lot lines doesn't always leave a desirable landscape. Planning Commission expressed concern with The Mariner's footprint.
    - Height - no real issue; seems to be in concert with surrounding districts.
  - Overall, density proposed in Retail D "picks" the best of other districts and may not be synonymous to proposal site's geography in relation to other adjacent zoning districts.
- 2) **Opportunity Area #2:** As you are aware NDC has been engaged by the BOT to study the feasibility of developing a municipal center. As you are aware the BOT established a municipal center subcommittee to reevaluate current direction. NDC was asked to develop a proposal to do same and submit it to the BOT for consideration looking at the feasibility of 350 N. Main Street as an alternate site. The BOT has authorized the additional analysis. The final report is due on or about September 8<sup>th</sup>.
- 3) **Opportunity Area #3:** Bulkhead: Again, Boswell Engineering has been selected as the design consultant for the bulkhead replacement design. On Tuesday July 14<sup>th</sup> staff met with Boswell to negotiate final fees and contract terms. The negotiated fee to include the entire Vinyl area now including the cove is \$305,000.00 (negotiated down from \$390,000.00). The draft contract has been completed and has been forwarded to DOS for review and approval. Thereafter the agreement will be brought back to the BOT for approval. Concurrently staff will submit a resolution authorizing a budget modification for the capital project line to include the grant funds an addition to the Village's portion of the match.
- 4) **Opportunity Area #5:** Redevelopment of the former United Hospital Site (Starwood). The Mixed-use redevelopment proposal for the former United Hospital site located within the Village's PMU Planned Mixed Use District to permit: 500 "Millennial" housing units, 240 age-restricted housing units, an approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.

**SEQRA PROCESS:**

- Preliminary DEIS provided by Applicant December 30, 2014. Applicant submitted revised DEIS documentation May, June and July 2015 for consultant and staff review for completeness per SEQRA law. BOT adopted Applicant's DEIS as complete July 20, 2015. First SEQRA public hearing scheduled August 27, 2015, second scheduled September 2015. Public comment period closing September 25, 2015

- **NEXT-NEXT STEPS: LARGE LAND USE DECISIONS:** Both & AKRF has suggested/recommended that the Village discuss the PILOT and proposed density bonus program financial feasibility after DEIS accepted and public hearing and comment period are closed. A follow up memorandum from Mark Chertok relating to the public hearing process is forthcoming.

## **ACTIONS:**

- **Consolidated Funding Application Summary:** BOT provided support to further economic development opportunities described by the Regional Economic Development Council through 2015 CFA funding portal. The 2015 CFA Process opened May 1, 2015 and closed July 31, 2015. The Village submitting applications for one or more or a combination thereof for waterfront enhancements, downtown revitalization, and transit oriented development. Village IDA providing grant assistance totaling approximately \$5 million dollars. Staff attended June 9, 2015 CFA workshop. Again:
  - The IDA is providing additional support for the CFA application towards comprehensive, multi-modal transportation plan as related to reducing impediments to downtown economic development opportunities in furtherance of adopted village Economic Development strategies.
  - The Empire State Development (ESD) agency is highly enthused by our application and efforts to market/brand Port Chester's 150<sup>th</sup> anniversary and our overall objectives. Specifically due to effort to integrate each of our applications including transportation & bulkhead design - through the Market NY program. ESD stated that the Village can make a stronger application through Market NY versus an application to the Homes & Community Renewal (HCR) program, i.e. Main St. Program.
  - Further, we were informed by Homes and Community Renewal (HCR) Main St Program Director, The Village did not fully close out the previously awarded grant. This currently renders us ineligible for 2015 CFA funding. Staff is working with the State for the proper close out and has been told that the state is providing support for a future application next year.
- **New York State Community Development Block Grant Funding:** This program relates to State funding through the Office of Homes and Community Renewal (OHCR) including housing, public infrastructure, public facilities, economic development, etc. Total funding allocated for Westchester Communities is \$4.1 million. Program announced July 2015. Staff attended informational workshop July 28, 2015. Applications currently being prepared for October 23, 2015 submission.
- **New York State Environmental Facilities Corporation – State Revolving Fund:** This is a new state program to facilitate the replacement and repair of wastewater infrastructure and to fund projects that will result in the greatest reduction in risk to public health. Eligible projects include rehabilitation of wastewater treatment plants, repair/rehabilitation of sanitary sewers, and energy efficiency upgrades to wastewater treatment plants. Staff has

spoken with EFC and has scheduled follow-up conversations with Village Engineer to assist in determining eligibility.

- **MTA:** Staff continues to discuss a possible settlement to the property maintenance violations issued to the MTA. The context is in the realm of better routine maintenance and possible beautification utilizing existing and potential funds in a collaborative manner between the Village and the MTA.
- **Grant Writing RFP:** Interviews for the selection of a grant writing consultant will occur this week.

## **DEPARTMENT UPDATES:**

### ➤ **Police Department:**

#### **Training:**

- On July 23, six members of the Department successfully completed the Advanced Active Shooters Scenario tactics and Operations Course. The 3 day course of study was held at the New York State Preparedness Training Center in Oriskany, New York. This training evolution relies heavily upon a scenario-based approach to guide students through a mix of situations involving multiple disciplines of emergency responders. Topics covered include: Police EMS coordination, tactical emergency medical care, door breaching, and room clearing. This represents the Departments first group training effort at DHSES's state of the art training facility. Training, transportation, and lodging were funded by the New York State Division of Homeland Security and Emergency Services

#### **Case Highlights:**

- On Wednesday July 22, at 2:30pm Police Officer Jeff Garcia was performing sea trials on the Department's newly acquired 24 foot Boston Whaler patrol vessel, Harbor One. As PO Garcia approached buoy 36 off of Manursing Island he observed two small figures on the water approximately 2 miles south of Manursing Island in Rye. PO Garcia approached the figures and upon further inspection observed that they were two paddle boarders attempting to paddle against the current. PO Garcia called out to the paddle boarders and asked if they needed assistance. The boarders, a 13 year old female and a 15 year old male, both from Rye stated they did. The pair apparently had been caught in the current and were becoming exhausted. PO Garcia took the paddle boarders and their boards onto Harbor One and transported them to the Westchester Beach Club. This was the first day on the water for PO Garcia and Harbor One, which had yet to be officially put in service (it was still awaiting police markings) We are looking forward to great things from the Harbor Patrol Program. The program is funded through the New York State Office of Parks Recreation and Historic Preservation.

- On July 18, Police Officer Donald DeSimone, while assigned to the Westchester DEA Task Force was involved in a major drug arrest in the Bronx. The arrest, which yielded 15 arrests, approximately 1.5 kilos of cocaine, 1 kilo of heroin, and loaded handguns, was the culmination of a one year investigation into a drug trafficking organization (DTO) operating out of Middletown NY. In addition to making a huge impact on the cocaine and heroin supply in the Hudson Valley, the investigation also identified a suspect in the 2004 murder of a young woman in Orange County NY.

<b>Statistics</b>							
<b>FBI Part 1 Crimes</b>	<b>Jan. 1/14</b>	<b>Feb. 2/14</b>	<b>Mar. 3/14</b>	<b>Apr 4/14</b>	<b>May 5/14</b>	<b>June</b>	<b>July</b>
<b>Assault</b>	4 2	4 3	4 6	5 7	5 8	7	6
<b>Burglary</b>	4 1	1 4	4 2	2 1	1 5	1	5
<b>Larceny</b>	28 34	31 26	31 37	40 43	41 39	41	41
<b>Murder</b>	0 0	0 0	0 0	0 0	0 0	0	0
<b>Motor Veh. Theft</b>	0 1	0 1	0 0	1 1	2 0	0	0
<b>Rape</b>	0 1	0 0	0 0	1 0	0 0	0	1
<b>Robbery</b>	1 4	2 0	1 2	1 1	1 5	3	3

<b>Arrests/Tickets</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>
<b>Parking Tickets</b>	5312	3661	4240	4393	4093	3575	4,415 <sup>1</sup>
<b>Traffic Tickets</b>	559	433	555	643	582	425	581 <sup>2</sup>
<b>Arrests</b>	161	130	157	140	172	133	145 <sup>3</sup>
<b>Common Calls for Service</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>
<b>Aided, Medical</b>	192	150	154	144	157	142	150
<b>Accidents</b>	108	108	116	102	115	122	126
<b>Alarms</b>	106	96	80	86	83	86	120
<b>Directed Patrols</b>	166	116	101	109	87	51	57
<b>Domestic</b>	12	30	22	24	21	10	20
<b>School Crossings</b>	45	32	17	19	25	55	0
<b>Total Calls for Service</b>	1637	1401	1556	1525	1611	1551	3436

<sup>1</sup> Average for 2014-4627

<sup>2</sup> Average for 2014-390

<sup>3</sup> Average for 2014-112



➤ **Senior Center / Nutrition:** 8,312 Meals have been served to date: (JULY, 2015-May, 2016):  
39 Home Bound Seniors received their meals at home, per day Monday-Friday  
56 seniors attend the Saturday Program.

- Cooling Tower tested 8/11/2015 (results to be given by 8/14/2015)
- New Fire Extinguisher installed on the Senior bus - 8/13/2015
- Port Chester Recreation Dept. Special Citizen's Day Camp met at the PC Senior Center Mon-Fri for the month of July.
- New York State Farmers Market Coupon booklets worth \$20.00 for fresh fruits and vegetables from local farmers markets were distributed starting July 17, 2015. Booklets are given to any community member 60+ years or older, based on income requirements free of charge, while supplies last. 1 coupon book per family. 163 booklets given out.

▪ **Senior Center Calendar:**

July 9th—Christmas in July Celebration—Christmas Carols, Visit from Santa

July 16th—Butterflies with Steve Fratello and dedication of our new butterfly garden.

Visit from Lt. Governor of New York State. Certificate given to Anthony Neri for all his work and research on the Butterfly Garden.

July 18th—Trip to the Yogi Berra Museum in Montclair, NJ and lunch at Nauna's Restaurant.

July 20th—Moon Day Celebration—46th Anniversary of the Moon Landing—Movie the Reluctant Astronaut—Moon pies for dessert and TANG!!

Every Monday—Zumba 1 p.m. Every other Tuesday Tai Chi—10:30 a.m. Art Class every Friday morning at 10-12, Bingo Wed and Thurs afternoons. Mah Jong played every Friday afternoon at 1 p.m. Ang Rubino singers every Friday at 1 p.m.

July---100 Grocery Bags with fresh produce have been given out on the second Thursday of each month to PC seniors. Bags are prepared by the Food Bank of Westchester.

May, June & July---100 Grocery Bags with fresh produce have been given out on the second Thursday of each month to PC seniors. Bags are prepared by the Food Bank of Westchester.

▪ **Community Center Calendar:**

July 8th—Beautification Commission, Park Commission, Recreation Commission, Parks & Recreation.

July 15th—U.S. Coast Guard Meeting (Green Room)

➤ **Treasurer's Office:**

- The Finance Department is in the process of closing out its books in preparation for the Village's Preliminary audit which is scheduled for the week of July 20, 2015. The Village's annual audit is scheduled for August 24, 2015 through September 4, 2015.
- The Village Treasurer and Village Manager met with our Financial Advisor, of Capital Market to seek out a more profitable and meaningful way of investing Village funds. We also met with our major banks regarding compensating balances (an excess balance that is left in a bank to provide services such as bank transaction charges) and are utilizing all available means necessary to reducing said cost. The Village will has currently invested invest approximately \$1,000,000 in Certificate of Deposits.
- The contract for the new Payroll/Time Clock System has been drafted, is being reviewed, and is pending execution. The Finance and Human Resource Departments are currently working with the various departments within the Village to create procedure manuals for our new payroll and time clock system.

➤ **Engineering:**

- **50/50 Sidewalk Betterment Program:** Staff has been working to compile necessary data and is plotting out process implementation. Recognized Steps for program implementation Per the Village Treasure these are the steps:
  1. Map or Plan established and filed with the Village Clerk
  2. The Project adopted during budget process
  3. Funds are authorized by the Board of Trustees
  4. Funds are borrowed by Village Treasurer
  5. Bid specs are prepared by the Village Engineer
  6. Bid is awarded for Sidewalk work
  7. Public Hearing is set and participants were given due notice by publication and registered mail
  8. All parties interested are given opportunity to be heard and views taken into consideration
  9. Work is performed by the Contractor based on square footage
  10. A resolution is approved by the Board of Trustees appropriating the cost of participants
  11. A second public hearing is held regarding the cost
  12. Letters are sent to the each participants regarding their individual costs and how to pay
  13. If not paid within the specified time, payment would be assessment over a specified time

Maps of the proposed affected areas are attached. Staff will continue to finalize documentation, etc..., and present same to the BOT in September.

- **Street Paving:** The contract with PCI for street paving has been executed. The preconstruction meeting was held. Work begins this week.

Additionally, Westchester County is going to pave a portion of Westchester Avenue (the east bound lane from approximately Merritt Street to S. regent Street) during this cycle. We have

coordinated with them on the project to leverage the work. We will perform the required milling and complete the additional black topping not included by the County.

- **Westchester County Sewer DEF IMA:** A meeting was held on August 13<sup>th</sup> relating to the IMA. IMA recommendation to adopt is pending follow up from DEF of the results of the meeting and our request for additional time. In the interim we will be submitting our work plan for the required Sewer System Evaluation Study (SSES). From the Village Engineer:

### **Sewer System Evaluation Survey (SSES)**

The SSES is a comprehensive and systematic process aimed at identifying and investigating sanitary sewer system problems (e.g. inflow/infiltration sources, structural deficiencies) and developing maintenance and rehabilitation methods to solve these problems. During the survey, the system is thoroughly inspected and data about the conditions of various system components are collected. The main field investigative procedures typically include: • Flow Monitoring • Smoke Testing. • Manhole Inspections • Dyed Water Testing. • Close Circuit Television (CCTV) Inspection. The following steps are recommended in a comprehensive SSES program.

### **History**

The first step in understanding a municipality's collection system is to obtain information from its employees. Many long-term employees have an "institutional memory" that is often missing from official records. While this step appears obvious, it is far too often ignored and is detrimental to the program. The information can be obtained through interviews or questionnaires from employees from any division that has an understanding of where problems have been occurring within the system. In addition it is important to review the history of customer complaints. Both of these pieces of information provide immediate feedback on the location and magnitude of potential problems. During the question phase, information pertaining to existing maintenance procedures should be collected. Personnel responsible for these tasks should be asked to provide recommendations for changes within the current maintenance program.

### **Mapping**

During the interview process maps are commonly used to identify problematic locations. Having detailed maps is imperative to setting up any type of proactive evaluation program. The map becomes the means to properly track what comprises the system and where and how the system changes over time. The advent of satellite systems and technology (GPS) provides the ability to obtain very accurate locations of manholes, pump stations etc., with the click of a button. Furthermore this information can be stored in Geographic Information Systems (GIS) so as to have access to specific information regarding any attribute information associated with the collection system. Placing this information in such a system allows more

precise data to be stored, enabling any interested party to understand the make up and condition of its sewer system.

### **Flow Monitoring**

Locations of possible capacity issues can be identified by tracking sanitary sewer overflows and reported basement backups or through temporary flow monitoring. Temporary flow monitoring is usually one of the first actions taken to better understand the problematic areas within a collection system. It may also be performed to verify the success of rehabilitation projects associated with inflow/infiltration (I/I) removal. Rehabilitation success verification is performed by comparing pre- and post-rehabilitation flows in a project areas as well as using a control basin which has not been rehabilitated. Temporary flow monitoring studies generally last 60-120 days and are performed during a community's wet season. Electronic velocity and depth recording devices (flow meters) are strategically placed (usually in the upstream pipe entering a manhole) throughout the collection system. Typically each meter might be responsible for monitoring flow from 20,000-30,000 LF of tributary sewer. The purpose of installing flow meters is to determine the quantity of flow at a particular location during both dry and wet weather conditions. Sewers having high dry weather flows typically have little capacity for future connections. Drainage areas that experience high wet weather peaking factors, are typically scheduled for more detailed inspections. Peaking factors in excess of five times dry weather flows are generally considered to have excessive wet weather flow.

### **Smoke Testing / Manhole Inspections**

As noted previously, during rain events sanitary sewer flows tend to increase as a result of either inflow or infiltration. Inflow is defined as rain water that can enter a sewer system directly, while infiltration percolates through the ground and then enters a sewer. See Fig. 3 for typical sources of I/I. Inflow characteristically causes rapid increases in a sewer's flow and results in sewer overflows and or basement backups. Inflow usually recedes within four to five hours after the completion of a rain event. While infiltration is associated with slower increases in flow, and might take as long as four or five days to dissipate. When peak instantaneous flows increase in a sanitary sewer system by more than a factor of five, it is recommended to schedule more inspection activities in that basin. Since inflow usually creates more capacity problems, resulting in overflows, municipalities and engineers typically address this problem first. The two most common forms of inspection associated with locating inflow are smoke testing and manhole inspections. Each of these procedures can identify sources of inflow and assist in the development or correction of a municipality's mapping.

## Television Inspection

Internal television is typically performed as a result of: information collected during manhole inspections and smoke testing, customer complaints, excessive infiltration, or in association with a preventative maintenance program. The purpose of this type of inspection is to determine: • Structural condition • Location of structural defects • Identify size and material of construction • Locate service laterals • Locate obstructions and sources of infiltration

Flow monitoring devices will be placed in the key manholes as identified in the 1995 SSES conducted by the County.

- **Building / Code Enforcement Department:** See Building Inspector/ Code Enforcement Director's report attached.
- **EMS Audit:** See attached.
- **Planning and Development:** See Planning and Development Assistant Director's report attached. Including Grant Writing Work Group informational Memo.
- **Staffing** (for information only):
  - The Village Clerk position is open and advertised. The position is open until filled.
  - The Planning and Development Director Position will be discussed this meeting.
  - The Village Engineer's position has been advertised, we are receiving resumes, and conducting interviews (5 thus far). We have received a very good responses from well qualified applicants. I anticipate interviewing 8-10 candidates and thereafter choosing finalist.
  - The Voter Education Program Coordinator has been hired. The resume is attached.

## Attachments

CC: Senior / Executive Staff  
Maryanne Veltri, Office Assistant  
File

EXAMPLES OF WORK: (Illustrative Only) (Continued)

Reviews and approves/rejects plans and specifications submitted with building and plumbing permit applications for compliance with building codes, zoning ordinances and other applicable laws;

Responsible for the inspection of buildings in the process of construction or renovation for compliance with approved plans and specifications;

Responsible for the issuance of building and plumbing permits and certificates of occupancy upon completion of project;

Supervises the investigation of complaints and assists in prosecuting violations of the building code, zoning ordinances, fire codes and other pertinent community laws;

Prepares budgets for the Building Department, Zoning Board, Planning Board and Architectural Board of Review;

Supervises the work of technical, clerical staff, code enforcement officers, and fire inspectors.

REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES: Thorough knowledge of zoning and subdivision principles, practices and regulations; thorough knowledge of modern practices, principles, materials and tools used in building construction; thorough knowledge of the requirements of the local building codes and zoning ordinances; good knowledge of the New York State multiple residence law; good knowledge of the building trades; ability to analyze and interpret planning data and to present such data in oral and written form; ability to establish and maintain cooperative relationships with other public officials, with building contractors and with the general public; ability to read and interpret plans, maps, and specifications; ability to supervise and coordinate the work of others; honesty; thoroughness; tact; good judgement; physical condition commensurate with the duties of the position.

MINIMUM ACCEPTABLE TRAINING AND EXPERIENCE: Graduation from high school or possession of a high school equivalency diploma and either (a) five (5) years of experience as a municipal building inspector or building and plumbing inspector; or (b) six (6) years of experience as a municipal assistant building inspector or assistant building and plumbing inspector including or supplemented by one year of experience in a supervisory capacity; or (c) six (6) years of experience as a general contractor or clerk of the works including or supplemented by one year of experience in a supervisory capacity; or (d) a satisfactory equivalent combination of the foregoing training and experience.



Village of Port Chester

# Court Report

8/14/15



<b>Address of Current Court Cases</b>	<b>Defendant(s)</b>	<b>C-A/T Date</b>	<b>1st Court Date</b>	<b>Disposition Date</b>	<b>Adjournment /Court Date</b>	<b>Amount of Days</b>	<b>Fine</b>
66 Smith Street	Caccire, Leandro & Luz	09/16/10	07/07/10	03/08/12		601	7,500.00
80-82 S. Regent Street	Westmore Day Care Center		05/10/12	01/10/13		240	8,000.00
78 Purdy Avenue	DiBuono, Thomas (78-80 Purdy Ave Holding)		07/26/12	01/10/13		164	2,500.00
58 Haines Boulevard	Greco, Sabrina		01/26/11	02/28/13		752	5,000.00
Noth Regent Street	Sagamore Fund LLC c/o Cornicello & Tender LLP		06/23/11	04/18/13		655	0.00
4 Quintard Drive	Gitnik, Brian & Stephanie		04/18/13	05/09/13		21	0.00
4 Quintard Drive	Franzoso Contracting Inc. c/o Cerrato, Sweeney &		04/18/13	05/09/13		21	1,500.00
59 Cottage Street	Gonzales, Pedro		04/18/13	05/09/13		21	1,000.00
14 S. Main Street	Sinis, Panayotis & Pierre		05/09/13	05/09/13		0	3,600.00
16 S. Main Street	Sinis, Pierre & Hugette		09/13/12	05/23/13		250	27,500.00
112 Westchester Avenue	Sanz, Donaldo		10/25/12	05/23/13		208	250.00
264-268 King Street	Rye Central Assoc. c/o Exclusive Mgmt LLC		04/25/13	05/23/13		28	3,500.00
62 Grace Church Street	Marino, Susan		05/27/11	06/03/13		726	0.00
68 Grace Church Street	Marino, Susan & Claudio		05/27/11	06/03/13		726	0.00
5-7 Midland Avenue	Marion, Susan		05/27/11	06/03/13		726	0.00
169 Fairview Avenue	Galindo, Edixon & Rojas, Mireya		04/18/13	06/06/13		48	5,000.00
4 Quintard Drive	Gitnik, Brian & Stephanie		05/09/13	06/06/13		27	0.00
315-325 King Street	Longview Owners		03/28/13	06/27/13		89	500.00
91 Grace Church St.	Geny Sanchez		03/22/12	07/21/13		479	2,500.00
31 Central Avenue	Prime Home Improvements Inc. c/o Barbara		05/23/13	07/25/13		62	2,000.00
28-30 Grace Church Street	Graceland Management LLC		05/09/13	08/08/13		89	6,000.00
13 S. Main Street	Vu Tong	06/02/13	07/25/13	08/08/13		13	3,000.00
13 S. Main Street	G & S Port Chester Retail 1 LLC c/o Gregg Wasser	06/02/13	07/25/13	09/12/13		47	0.00
13 Eldredge Street	Cannavo, Rose		05/23/13	09/19/13		116	10,000.00
128 Poningo Street	Salinas, Jennifer & Eric	05/14/13	07/18/13	09/26/13		68	3,000.00
145 Grace Church Street	Perea, Luis	05/30/13	07/18/13	09/26/13		68	3,000.00
136-138 Irving Avenue	Tamma Rende Realty, LLC c/o Smith & Jacob LCP	06/18/13	08/08/13	09/26/13		48	5,000.00
14 Westchester Avenue	G & S Port Chester Retail 1 LLC c/o Gregg Wasser	06/03/13	07/25/13	10/10/13		75	1,500.00
10-14 Waterfront Place	G & S Port Chester Retail 1 LLC c/o Gregg Wasser	08/13/13	09/12/13	11/21/13		69	1,500.00
10-14 Waterfront Place	G & S Port Chester Retail 1 LLC c/o Gregg Wasser (Case No. 2)	08/14/13	09/26/13	11/21/13		55	3,500.00
25 Waterfront Place	G & S Port Chester Retail 1 LLC c/o Gregg Wasser	08/14/13	09/26/13	11/21/13		55	1,500.00
20 Waterfront Place	G & S Port Chester Retail 1 LLC c/o Gregg Wasser	08/13/13	10/10/13	11/21/13		41	3,500.00
200 William Street	Independence Realty-P.C. L.P./Realty-PC. It Independence/Independence Realty LTD c/o Wilrock Management & Consulting		02/28/13	12/05/13		277	225,000.00
1 Landmark Square	Condominium Assoc./Nardo Assoc. c/o Joseph	06/06/13	07/18/13	12/06/13		138	7,500.00

<b>Address of Current Court Cases</b>	<b>Defendant(s)</b>	<b>C-A/T Date</b>	<b>1st Court Date</b>	<b>Disposition Date</b>	<b>Adjournment /Court Date</b>	<b>Amount of Days</b>	<b>Fine</b>
200 William Street	Independence Realty - P.C. Limited Partnership c/o Collier, Cohen Shields & Bock	10/28/13	11/21/13	12/06/13		15	Combined
200 William Street	Independence Realty-Port Chester Limited Parnership c/o Collier Cohen, Shields & Bock	12/04/13	12/05/13	12/06/13		1	Combined
67 Putnam Avenue	Cepero, Juan F. & Cheryl		05/23/13	12/19/13		206	1,500.00
301 Midland Avenue	Blue Mountain Partners, LLC c/o Anderson & Co.	06/22/13	08/08/13	12/19/13		131	1,000.00
319-320 Irving Avenue	Rosario Ramirez & Julio Villagomez	08/21/13	09/12/13	12/19/13		97	1,500.00
3 Oakridge Drive	Ann Glennon	08/14/13	10/10/13	12/19/13		69	1,000.00
30 Quintard Drive	Salinas, Jennifer & Eric (Case No. 1)	06/18/13	07/18/13	01/16/14		178	3,000.00
30 Quintard Drive	Salinas, Jennifer & Eric (Case NO. 2)	08/13/13	09/12/13	01/16/14			Combined
179 Rectory Street	Sonora Group, Inc.		06/27/13	01/23/14		206	7,000.00
340 Locust Avenue	Palomino, Martin & Martha	06/22/13	07/25/13	01/23/14		178	1,500.00
505 N. Main St.	Roz Realty Corp C/o Bert Metter	09/30/13	12/05/13	01/23/14		48	2,000.00
536-548 Willett Avenue	Putnam Property Inc.	07/01/13	08/22/13	01/23/14		151	0.00
16 Alto Ave.	Maria Otiz	01/08/14	02/06/14	02/06/14		0	250.00
167 Irving Avenue	Sinis, Huguette		03/14/13	03/13/14		359	3,400.00
112 Westchester Avenue	Chavenuez, Romulo		04/18/13	03/20/14		332	5,000.00
36 Poningo Street	Aurora Loan Service LLC, c/o Corporation Service Company	07/23/13	10/24/13	04/03/14		159	11,800.00
221 William Street	Irving Place Properties, LLC / Whitetail Realty	05/15/13	05/09/13	04/03/14			16,800.00
279 King St	Anthony Tirone	02/26/14	03/27/14	04/24/14		27	0.00
36 Fox Island Road	Marie Lamberti and Joseph Lamberti	03/06/14	04/03/14	05/08/14		35	400.00
21 Grace Church Street	21 Grace Associates LLC, c/o Terry Huang	07/24/13	09/12/13	05/15/14		243	25,000.00
84 Washington St.	Sonia E. Aguayo	09/08/13	10/10/13	05/22/14		222	3,500.00
34 Arnett Street	Percy & Jacqueline Cajahuanca/Daria Mandujano	10/15/13	11/07/13	05/22/14		195	3,000.00
30 Bush Ave.	Juan Cervantes/Manuel Valdovinos-Sanchez	12/13/13	01/23/14	05/22/14		119	3,500.00
151 Westchester Ave. (2)	The Capitol Theatre LLC c/o Peter Shapiro	02/26/14	03/13/14	05/22/14		69	0.00
43-45 North Main St.	155 N. Main Street LLC c/o Jay B. Feinsod	12/13/13	01/23/14	06/19/14		146	11,000.00
63 Purdy Ave.	Brulinda Cruz	12/24/13	01/23/14	07/10/14		167	7,500.00
63 Purdy Ave.	Brunilda Cruz	02/26/14	03/27/14	07/10/14		103	7,500.00
44-48 N. Main Street	44-48 N. Main LLC c/o Harry Hedvit		06/27/13	07/17/14		380	1,600.00
109 Hobart Ave	Amparo Bahamon	01/27/14	02/27/14	07/17/14		140	250.00
88 Perry Ave	Makan Land Development-Two, LLC	03/12/14	04/24/14	07/17/14		83	750.00
88 Perry Ave	Markan Land Development - Two, LLC C/O David	04/23/14	06/12/14	07/17/14		35	750.00
2 South Main Street	Panagiotti & Pirre Sinis	06/12/13	08/22/13	08/07/14		345	5,000.00
4 South Main Street	Panagiotti & Pirre Sinis	06/12/13	08/22/13	08/07/14		345	8,000.00
6 South Main Street	Panagiotti & Pirre Sinis	06/12/13	08/22/13	08/07/14		345	4,000.00
8 South Main Street	Panagiotti & Pirre Sinis	07/12/13	08/22/13	08/07/14		345	2,500.00

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55 Oak St.	55 Oak Street Apartment, LLC c/o Daniel Delisa	09/30/13	10/10/13	08/07/14		297	9,600.00
112 Oak St.	Juana Gialerakis / Daniel Delisa / Marie Sophia	09/30/13	10/10/13	08/07/14		297	9,800.00
278 Locust Ave	The Seven Group Holdings, LLC	01/23/14	02/27/14	08/07/14		160	7,000.00
2 South Main St.	Panagiotis Sinis & Pierre Sinis & Sinis Estates c/o Robert Diaz	03/24/14	05/08/14	08/07/14		89	5,000.00
29 Maple Place	Angel Quillie	09/10/13	11/07/13	08/14/14		277	2,000.00
163 North Main St.	Marvin Widensberg Associates	05/01/14	06/12/14	08/14/14		62	3,500.00
151 Westchester Ave. (3)	The Capital Theatre LLC c/o: Peter S. Shapiro	06/04/14	07/10/14	08/21/14		41	100.00
22 Burdsall Drive	Andrea Granata	05/16/14	07/10/14	09/11/14		61	0.00
248 S. Regent St.	Random Property Group LLC c/o Finishing Touches	06/30/14	09/11/14	09/11/14		0	150.00
50 Oak St.	50 Oak St. Corp. c/o Lynn Scott	06/30/14	09/11/14	09/11/14		0	150.00
65-67 Fox Island Rd.	SR Holdings I, LLC	07/08/14	09/11/14	09/11/14		0	150.00
N. Regent St.(14 University Pl)	UCF Regent Park, LLC	04/10/14	05/22/14	09/18/14		116	1,000.00
28-30 Fox Island Road (1)	Marie Lamberti and Joseph Lamberti	03/06/14	04/03/14	09/25/14		172	400.00
28-30 Fox Island Road (2)	Marie Lamberti and Joseph Lamberti	03/06/14	04/03/14	09/25/14		172	2,000.00
63 Arnett St.	Luis Guircocha	04/11/14	05/22/14	10/09/14		137	2,000.00
Martin Pl. / AKA 25 Martin Pl	G&S Port Chester Retail 1 LLC c/o: Gregg Wasser	09/19/14	09/19/14	10/09/14		20	0.00
Waterfront Pl/Westchester Ave.	G&S Port Chester Retail 1 LLC c/o: Gregg Wasser	09/05/14	10/09/14	10/09/14		0	0.00
325 N. Main Street	Shodan Property, LLC c/o Marc Tessitore	10/24/13	12/19/13	10/16/14		297	4,250.00
129 Washington St.	Alfonso Paltin	01/10/14	02/06/14	10/16/14		250	10,500.00
150 Midland Avenue	Home Depot USA, Inc c/o Corporation Service	05/21/14	06/12/14	10/16/14		124	26,350.00
76 Purdy Avenue	Salvador Sagastume	05/30/14	08/07/14	10/23/14		76	4,200.00
237 Columbus Ave.	UCF Regent Park, LLC	02/28/14	03/27/14	11/06/14		219	500.00
412 Orchard St.	Miriam Perez	06/04/14	07/10/14	11/13/14		123	3,750.00
130 Midland Ave.	Pathmark Stores Inc. c/o Blumbergeexcelsior Corp Tax Svcs	02/20/14	03/27/14	01/08/15		281	17,500.00
130 Midland Ave.	Mary Jean Vaccaro Annuity Trust & William Vaccaro Annuity Trust	10/15/14	11/20/14	01/08/15		48	4,200.00
23 Putnam Ave.	Frank Blasi	06/12/14	08/21/14	01/22/15		151	0.00
110 N. Main Street	Liborio Castillo & Rosa Castillo	09/19/14	10/09/14	02/05/15		116	0.00
69 Traverse Ave	Raymond Patierno & Anthony R. Valentino	12/12/14	01/22/15	02/05/15			500.00
25 Arnett St. (Matter 2)	Jeanette Pizarro	03/07/14	04/24/14	03/12/15		318	8,000.00
14 University Place, Apt 2-A (#1)	UCF Regent Park, LLC	05/10/14	06/12/14	03/12/15		270	1,000.00
33-35 Olivia St	Nazeeh Abdul-Basheer	09/19/14	10/09/14	03/12/15		153	100.00
120-122 Pearl Street	Juan Medina/Adelia Medina	10/09/14	11/20/14	04/09/15		139	0.00
30 Fox Island Rd.	30 Fox Island Road	12/03/13	01/23/14	04/16/15		443	8,250.00
321 Boston Post Rd.	Trefz Corp. c/o: Ernest C. Trefz Chairman & McDonalds USA, LLC	11/13/14	01/08/15	04/23/15		105	3,000.00

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37 Francis Lane	Bernardo Fernandez & Olga Fernandez	02/26/15	04/09/15	04/23/15			500.00
143 Westchester Ave.	DMMJ Realty Corp. c/o Jesus Barajas	07/17/14	09/25/14	05/07/15		222	1,200.00
48 Irenhyl	Nalini Singh	08/11/14	10/09/14	05/07/15		208	2,000.00
16 College Ave	Jean-Claude Lukunku	07/18/14	09/11/14	05/14/15		243	2,400.00
142 Fairview Ave	Maria Vita & Nancy & Anthony Chrusciel	10/21/14	11/20/14	06/04/15		194	4,000.00
353 William St.	Nancy Zuleta	06/12/14	08/24/14	06/11/15		287	2,100.00
315-325 King Street	Longview Owners Inc. C/O Stillman Management	10/29/13	11/21/13	07/09/15		588	7,500
30 Broad Street	Spring Corporation	11/20/13	12/19/13	07/09/15		560	8,000
27 Central Avenue	Lopez, Nelly S./Louis/Nelly H.		05/23/13	10/08/15			
115 Touraine Avenue	Harold Vigil Jr.	03/07/14	04/03/14	Withdrawn by prosecutor			
11 Hillside Ave	A.E.A. Motors LLC	07/29/14	09/25/14	Case closed by prosecutor			0
151 Westchester Ave. (1)	The Capitol Theatre LLC c/o Peter Shapiro	02/07/14	03/13/14	Dismissed by prosecutor			
238 S. Regent	Ernest Saxon & Rebecca Saxon	06/30/14	09/25/14	Dismissed by prosecutor			
5 Ryan Avenue	Gerardo Ceja/Maria Hernandez	09/26/14		Rescinded			
8 Armett St.	Anne Petrucelli	04/11/14	05/22/14	Withdrawn by prosecutor			0.00
25-27 Elderedge St.	David Luzzi & Mario Capocci	12/27/13	01/09/14	Withdrawn by prosecutor	08/21/15		
456 Willett Ave.	Louis Varamo & John Varamo	04/23/14	06/26/14	Withdrawn by prosecutor	12/11/14		
45 Ellendale Ave	John Varamo	04/23/14	06/26/14	Withdrawn by prosecutor	12/11/14		
416 Elm Street	416 Elm Street Corp. c/o Maria Miranda	06/30/14	09/11/14	Withdrawn by prosecutor	11/13/14		
14 Willow St.	Joan Valenti	09/08/14	10/23/14	Withdrawn by prosecutor	05/07/15		
223 Irving Ave. AKA 225 Irving Ave,	Branca Realty, LLC	04/15/15	06/11/15	Withdrawn by prosecutor			
70 Grove Street	Coley William Criss	08/28/13	10/24/13		10/22/15	718	9,600.00
40 Westchester Avenue - Waterfront	G & S	04/13/15	06/11/15		11/05/15		
145 Irving Avenue	Hafiz, Michael	10/31/11	12/09/11		04/10/14		
12 Chestnut Street	DePauw, Joseph & Deryl	06/04/13	08/08/13		10/22/15		
25 Armett Street	Torres, Jeanette	06/29/13	08/08/13		08/06/15		
437 Franklin Street	Wladyslaw & Stanislaw Podraza	07/02/13	08/22/13		12/05/13		
57 Sand Street	Francesca D'ascoli	08/13/13	09/26/13		09/10/15		
29 Willett Ave	Znicholas Carriello & Ellen Conway	09/04/13	11/07/13		11/05/15		
31 Poningo St	Daniel Williams & Hazel Williams	09/07/13	11/07/13		10/15/15		
119-121 Smith St.	Felipe R. Garcia/Lei Garcia	10/17/13	11/07/13		10/15/15		
55-57 Poningo St.	Jorge Guiracochoa	10/31/13	12/05/13		11/12/15		
159 Highland St.	Joan Valenti	12/23/13	01/23/14		09/10/15		
322 Olivia St.	Michelle Pierro	12/31/13	02/06/14		09/24/15		
14 South Main Street	Panagioti Sinis/ Pierre Sinis	03/11/14	04/24/14		09/24/15		
52 Palace Pl	Panagiotis Sinis & Pierre Sinis	03/12/14	04/24/14		05/21/15		
52 Grove St	Engrid Walden	03/22/14	04/24/14		10/22/15		
112 Highland Street (S-142.23 B-1 L-4	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		

<b>Address of Current Court Cases</b>	<b>Defendant(s)</b>	<b>C-A/T Date</b>	<b>1st Court Date</b>	<b>Disposition Date</b>	<b>Adjournment /Court Date</b>	<b>Amount of Days</b>	<b>Fine</b>
127 Westchester Avenue(S-142.30 B-	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
139 Highland Street (S-142.23 B-1 L-4	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
139 Highland Street (S-142.23 B-1 L-4	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
307 North Main Street (S-136.79 B-2	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
307 North Main Street (S-136.79 B-2	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
Horton Avenue (S-136.79 B-1 L-43)	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
North Main Street (S-136.79 B-1 L-41)	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
Willett Avenue (S-142.23 B-1 L-17)	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
Willett Avenue (S-142.23 B-1 L-30)	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
William Street (S-142.38 B-1 L-41)	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
William Street (S-142.38 B-1 L-42)	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
William Street(S-142.38 B-1 L-40)	MTA (Metro Transit Authority)	03/21/14	05/08/14		09/17/15		
48 Grove (1) for PM	Brunilda Cruz	03/28/14	05/08/14		10/15/15		
48 Grove (2) for Permit(s)	Brunilda Cruz	03/28/14	05/22/14		10/15/15		
15 Marathon Pl	Peter Giorno	04/30/14	06/26/14		08/20/15		
257 Columbus Ave.	Ricardo Marciano & marcia Goncalves	05/02/14	06/26/14		06/18/15		
144 Smith St.	Francisca Quiroa De Calderon/Marvin A. Calderon	05/23/14	06/26/14		09/24/15		
51 Purdy Avenue	Briga Realty Inc. c/o Robert Capolongo	05/21/14	07/10/14		09/17/15		
55 Purdy Avenue	Briga Realty Inc. c/o Robert Capolongo	05/21/14	07/10/14		09/17/15		
400 Westchester Ave	Port Chester Carver Center / Joe Kwasniewski	05/07/14	07/24/14		08/20/15		
106 Westchester Ave	Sudarshan K. Singla	05/27/14	07/24/14		11/19/15		
395 Irving Ave.	Riccardo DeFreitas / Emilia DeFreitas	05/28/14	07/24/14		10/15/15		
21 Touraine Ave.	Mariam Perez	05/28/14	08/07/14		10/22/15		
42 Soundview St.	Cesar Calderon	05/30/14	08/21/14		07/09/15		
40 Grace Church St.	Brisa Marina c/o Juan Cepeda	06/12/14	08/21/14		10/08/15		
416 Willett Ave.	Piotr Potapowicz / Mario Potapowicz	06/12/14	08/21/14		10/15/15		
52 Eldredge St.	Frank Testa	06/30/14	09/11/14		09/10/15		
48 Grove St.	Brunilda Cruz	06/30/14	09/11/14		10/15/15		
38 Perry Ave.	Scott Simonsen	07/09/14	09/11/14		07/17/15		
1-11 Willett Avenue (BarTaco	E.O.S. Realty, LLC	07/18/14	09/11/14		09/24/15		
1-11 Willett Avenue (BarTaco Restaurant) (2)	E.O.S. Realty, LLC	07/18/14	09/11/14		09/24/15		
141 Highland St.	Frank Barchella / Angela Barchella	08/18/14	10/09/14		10/08/15		
16 Grace Church St.	16 Grace Church Street	08/30/14	10/23/14		10/08/15		
70 Grace Church St.	70 Grace Church Realty LLC	09/06/14	10/23/14		10/08/15		
62 Leicester St.	Anthony Casterella	10/01/14	11/06/14		08/13/15		
167 Irving Avenue	Hugunette Sinis c/o Sinis and Sinis Enterprises	10/09/14	11/06/14		09/24/15		
48 Irenhyl (Amended)	Nalini Singh	10/22/14	11/13/14		11/12/15		

<b>Address of Current Court Cases</b>	<b>Defendant(s)</b>	<b>C-A/T Date</b>	<b>1st Court Date</b>	<b>Disposition Date</b>	<b>Adjournment /Court Date</b>	<b>Amount of Days</b>	<b>Fine</b>
202 South Regent St.	Cassone Brothers, Inc.	09/22/14	11/20/14		08/20/15		
148 Poningo St.	Ivan Padron	09/29/14	11/20/14		09/24/15		
16 Grace Church St. Apt 2 (Case No.	16 Grace Church Realty LLC c/o Juan Ceoeda	10/20/14	12/04/14		06/18/15		
92 Purdy Ave.	Panagioti Sinis/ Pierre Sinis	10/29/14	12/04/14		11/12/15		
2 Highland St.	JRK II LLC	10/29/14	12/04/14		08/13/15		
109 Adee St.	Vilma Cochachi	11/14/14	12/04/14		08/13/15		
2 South Main St.	Pierre Sinis / Panagioti Sinis	12/10/14	01/08/15		09/24/15		
6 South Main Street	Pierre Sinis / Panagioti Sinis	12/10/14	01/08/15		09/24/15		
216 Madison Ave	216 Madison Ave. Corp., c/o Martin Olivieri	11/24/14	01/22/15		11/12/15		
1-11 Willett Avenue (BarTaco Restaurant) (3)	E.O.S. Realty, LLC	11/26/14	01/22/15		09/24/15		
108 Soundview St.	Dinarte Pereira	12/03/14	01/22/15		07/02/15		
47 Sands St.	Pedro I. Santos & Ninfa Santos	12/23/14	02/05/15		10/15/15		
61 Oak St.	Annette James	12/23/14	02/05/15		09/10/15		
24 Madison Ave	Richard Stingone	12/24/14	02/05/15		09/24/15		
137-139 Willett Ave	Leandro Caccire/Luz Caccire	12/31/14	02/05/15		09/10/15		
109 Adee St. (AMENDED)	Vilma Cochachi	12/23/14	02/26/15		08/13/15		
2 Lockwood Pl	J.J.L. Lockwood Corp. c/o: Louis Varmo	12/23/14	02/26/15		10/08/15		
46 Sylvan Rd.	Fanny Y. Rios	01/05/15	02/26/15		10/08/15		
47 Fox Island Rd.	Thomas J. Bottiglieri & Albert Fanelli	01/16/15	02/26/15		09/10/15		
172 Highland St.	Alfonso Paltin & Rosa Paltin	01/22/15	02/26/15		Not Noted		
346 Locust Ave	Jose S. Roque/Olga M. Hernandez	01/28/15	03/12/15		Not Noted		
1 Madison Avenue	Marcelo Duche	01/29/15	03/12/15		Not Noted		
78-80 Poningo St.	Ernesto Rodriguez & Augus Rodriguea	02/09/15	03/12/15		09/24/15		
48 Irenhyl (2) (sidewalk obstruction)	Nalini Singh	02/13/15	03/12/15		11/12/15		
544 Locust Ave	Greater Westchester Property Croup LLC c/o Finishing Touches	02/09/15	03/26/15		09/10/15		
334 Willett Ave.	Vincent Ferraro	02/11/15	03/26/15		10/15/15		
89 North Regent St.	Juan Sabillon & Ana Sabillon	02/13/15	03/26/15		08/13/15		
29 N. Main St.	RJL Restaurant Inc. c/o Robert Luiso	02/20/15	04/09/15		pend. return date		
Willett Ave. 142.23-1-17	MTA (Metro Transit Authority) c/o Thomas F.	02/20/15	04/09/15		09/17/15		
King St. 142.30-2-29	MTA (Metro Transit Authority) c/o Thomas F.	02/20/15	04/09/15		09/17/15		
Horton Avenue (S-136.79 B-1 L-43)	MTA (Metro Transit Authority) c/o Thomas F.	02/23/15	04/09/15		09/17/15		
Broad St.	MTA (Metro Transit Authority) c/o Thomas F.	02/23/15	04/09/15		09/17/15		
John St. 142.46-1-7	MTA (Metro Transit Authority) c/o Thomas F.	02/24/15	04/09/15		09/17/15		
S. Main St. 142.53-1-2	MTA (Metro Transit Authority) c/o Thomas F.	02/25/15	04/09/15		09/17/15		
Broad St. 142.30-2-23	MTA (Metro Transit Authority) c/o Thomas F.	02/27/15	04/09/15		09/17/15		
Broad St. 142.30-2-23.1 (sidewalk)	MTA (Metro Transit Authority) c/o Thomas F.	03/04/15	04/09/15		09/17/15		

<b>Address of Current Court Cases</b>	<b>Defendant(s)</b>	<b>C-A/T Date</b>	<b>1st Court Date</b>	<b>Disposition Date</b>	<b>Adjournment /Court Date</b>	<b>Amount of Days</b>	<b>Fine</b>
29 N. Main St.	RJL Restaurant Inc. c/o Robert Luiso	03/20/15	04/09/15		pend. return date		
457 West Street	Angilo Elusma	02/25/15	04/23/15		10/22/15		
240 Madison Ave.	Alberto Salvador Alvarez, Juan Cevallos & Lilia	02/27/15	04/23/15		09/17/15		
13 Riverdale AKA 11 Riverdale Ave.	The Gym at Union Square LLC	03/16/15	04/23/15		10/08/15		
11 South Pearl St.	11 South PS INC c/o Law Office of Anthony R. Tirone, Esq PC	03/19/15	04/23/15		11/05/15		
63 Armett St.	Luis Guiracocha	03/04/15	05/07/15		10/15/15		
417 N. Main St.	417 North Main Street Inc., c/o: Efthymia	03/11/15	05/07/15		09/10/15		
346 Locust Ave (PM) Case No. 2	Jose S. Roque & Olga M. Hernandez	03/12/15	05/07/15		08/13/15		
109 Adee St.	Vilma Cochachi	03/30/15	05/07/15		08/13/15		
30 Bush Ave. (2) AMENDED	Wilbert A. Robles	04/01/15	05/14/15		11/12/15		
439 West St.	Giuseppe Cabibbo & Elvira Cabibbo	04/01/15	05/14/15		09/12/15		
46 Fox Island Rd.	Capital Realty Partners c/o Finishing Tournaments c/o Len Cannavo	04/08/15	05/14/15		08/13/15		
2 Highland St. (AMENDED)	JRK II LLC, DBA Byram Self Storage II LLC	04/13/15	06/11/15		08/13/15		
Waterfront Pl & 30-48 S. Main St.	G & S	04/14/15	06/11/15		11/05/15		
38 Perry Ave. (Case No. 2)	Scott Simonsen	04/21/15	06/18/15		7/17/15 White Plains Court		
5-7 Ridgeview Place	Maria Romeo & Romeo B. Delisa	04/29/15	06/18/15		09/10/15		
92 Purdy Ave.	Panagiotis Sinis c/o Piere Sinis	05/05/15	07/09/15		11/19/15		
98 Fox Island Rd.	Fox Island Holding LLC c/o Corporation Service	05/08/15	07/09/15		09/25/15		
89 Fox Island Rd.	Conncavage Marine Construction, Inc. c/o Nicholas Concavage	05/06/15	07/09/15		09/25/15		
115 Midland Ave.	Luis Lopez & Aldofina Cabera	05/28/15	08/13/15		08/06/15		
52 Soundview St.	Janeth Campos	05/21/15	07/23/15		09/10/15		
99 Inwood Ave	Thomas Bottiglieri & Peter Marazziotti	05/22/15	07/23/15		09/10/15		
79 Elmont Ave	Elmont Holdings, LLC	06/16/15	08/06/15		09/10/15		
575 King St.	Congregation Kneses Tifereth Israel	06/16/15	08/06/15		11/05/15		
31 Bush Ave.	Roberto Alcantara	06/15/15	08/06/15		08/13/15		
115 Rectory St.	115 Rectory St. LLC c/o Rama Balidemaj	06/23/15	08/06/15		09/24/15		
562 Willett Ave.	Juan Carlos Rodriguez & Melina Bustamante	06/17/15	08/20/15				
235 Locust Ave.	Efthy	07/07/15	09/10/15				
330-350 South Regent St.	Port Chester Apartments, Inc. c/o Charles	07/10/15	09/10/15				
23 Washington St.	Zoe Zambrano c/o Charlotte Garcia	04/15/15	06/18/15		08/20/15		
47 Fox Island Rd.	Thomas J. Bottiglieri & Albert Fanelli	06/25/15	Pend. Court Date		09/10/15		
23 Washington St. (Case No.2) grass	Zoe Zambrano c/o Charlotte Garcia & Wells Fargo Co c/o John Stumpf	06/17/15	Pend. Court Date				
7 Bent Ave.	7 Bent Ave. LLC/c/o Peter M. Bauer	06/23/15	Pend. Court Date				
200 William Street	World Prop Upstate LLC/Independence Rlty/926 PC Mgmt Grp	06/16/15	08/20/15		09/10/15		





Village Prosecutor – Housing  
Status Report / April 23, 2015

The following matters appeared on the Justice Court’s calendar on April 23, 2015.

**11 South PS, Inc. / 11 South Pearl Street (Anthony R. Tirone)**

Defendant was not present at arraignment but submitted a letter to the Court containing general denials. A plea of not guilty was entered by the Court on April 23, 2015 and the matter was adjourned to May 21, 2015.

**16 Grace Church Realty / 16 Grace Church Street**

Defendant appeared by counsel on April 23, 2015, accepted service and entered a plea of not guilty. The matter was adjourned to June 18, 2015 for compliance and disposition.

**16 Grace Church Realty / 16 Grace Church Street (File: 212)**

Defendant appeared by counsel on April 23, 2015, who confirmed that an architect has been retained for purposes of drawing plans to correct building code violations. As such, the matter was adjourned to June 18, 2015 for compliance and disposition.

**70 Grace Church Realty / 70 Grace Church Street**

Defendant appeared by counsel on April 23, 2015, who confirmed that an architect has been retained for purposes of drawing plans to correct building code violations. As such, the matter was adjourned to June 18, 2015 for compliance and disposition.

**Alvarez, Alberto Salvador / 240 Madison Avenue**

Defendant Juan Cevallos appeared pro se on April 23, 2015 and a plea of not guilty was entered by the Court. The matter was adjourned to May 21, 2015 to afford defendant time to obtain counsel.

**Briga Realty, Inc. / 51 Purdy Avenue**

Neither Defendant nor their attorney appeared on April 23, 2015 and as such, a warrant letter will be issued at prosecutor’s request, returnable June 4, 2015.

**Briga Realty, Inc. / 55 Purdy Avenue**

Neither Defendant nor their attorney appeared on April 23, 2015 and as such, a warrant letter will be issued at prosecutor’s request, returnable June 4, 2015.

**Casterella, Anthony / 62 Leicester Street**

Defendant appeared pro se on April 23, 2015 and the matter was adjourned to June 18, 2015 to allow defendant time obtain counsel.

**Duche, Marcelo / 1 Madison Avenue**

Defendant appeared by counsel on April 23, 2015 and entered a plea of not guilty. The matter was adjourned to June 18, 2015 for compliance and disposition.

**Elusma, Angilo / 457 West Street**

Defendant Angilo Elusma appeared pro se on April 23, 2015 and entered a plea of not guilty. The matter was adjourned to May 7, 2015 to allow defendant time to obtain counsel.

**Fernandez, Bernardo / 37 Francis Lane**

Defendant appeared by counsel on April 23, 2015 and presented settlement payment in the amount of \$500. Said settlement was accepted by the Court.

**Guiracocha, Jorge / 55-57 Poningo Street**

Defendant appeared by counsel on April 23, 2015 and confirmed that defendant is in compliance with the Certificate of Occupancy. As such, matter was adjourned to June 11, 2015 for compliance and disposition.

**Lamberti, Marie / 30 Fox Island**

Per the settlement stipulation, defendant's appearance was adjourned. Payment in the amount of \$1,031.25 was confirmed received.

**Brisa Marina / 40 Grace Church Street**

Defendant appeared by counsel on April 23, 2015, who confirmed that an architect has been retained for purposes of drawing plans to correct building code violations. As such, the matter was adjourned to June 18, 2015 for compliance and disposition.

**RJL Restaurant / 29 North Main Street**

Defendant appeared by counsel on April 23, 2015 and entered a plea of not guilty. The matter was adjourned to May 21, 2015 for compliance and disposition.

**Singla, Sudarshan / 106 Westchester**

Defendant appeared on April 23, 2015. The matter was adjourned to June 18, 2015 for compliance and disposition.

**Spring Corporation / 30 Broad Street**

Defendant owner and defendant tenant both appeared by their respective counsel. Tenant's attorney will attempt to obtain a temporary Certificate of Occupancy and as such, the matter was adjourned to June 11, 2015.

**The Gym at Union Square / 13 Riverdale Avenue**

A member of the defendants' LLC appeared on April 23, 2015 and noted that defendant is close to compliance and that defendant entity is not properly named on the Appearance Ticket. A plea of not guilty was entered by the Court and a warrant letter will be issued, returnable May 7, 2015.

**Trefz Corporation (McDonalds) / 321 Boston Post Road**

Defendant appeared on April 23, 2015 and signed a settlement stipulation agreeing to pay a \$3,000 fine. The matter was adjourned to June 4, 2015 for payment of fine.

**Walden, Engrid / 52 Grove Street**

Defendant appeared on April 23, 2015. The matter was adjourned to June 18, 2015 for the issuance of permits.

Village Prosecutor – Housing  
Status Report / May 7, 2015

The following matters appeared on the Justice Court's calendar on May 7, 2015.

**Papadopoulos, Efthymia / 417 North Main Street**

Defendant's son, Peter Papadopoulos, appeared pro se on May 7, 2015 and entered a plea of not guilty. The matter was adjourned to July 23, 2015 for compliance and disposition.

**Hedvit, Harry / 44 – 48 North Main Street**

Defendant failed to appear on May 7, 2015 for arraignment, and as such, a Warrant Letter will be issued by the court, returnable May 14, 2015.

**Barchella, Angela / 141 Highland Street**

Defendant appeared by counsel on May 7, 2015 who confirmed that the illegal dwellings in the attic and basement are the process of being removed. As such the matter was adjourned to June 4, 2015 to afford defendant time to meet with Code Enforcement and Building Department to obtain the necessary permits.

**Valenti, Joan / 14 Willow Street**

Defendant failed to appear on May 7, 2015. However, matter to be withdrawn per Code Enforcement.

**Bottiglieri, Thomas / 47 Fox Island Road**

Defendant failed to appear on May 7, 2015 and the matter was adjourned to July 9, 2015 to afford the Village time to obtain service.

**Cochachi, Vilma / 109 Adee Street**

Two matters under this defendant address - matters to be combined. Defendant appeared pro se on May 7, 2015 and entered a plea of not guilty. Defendant confirmed that due to health concerns and weather, corrective work has not been on-going. The matter was adjourned to July 9, 2015 to afford Defendant time to obtain the necessary permits from DPW.

**Criss, William / 70 Grove Street**

Defendant appeared by counsel on May 7, 2015 and informed that defendant is in the process of meeting with the Planning Commission and ZBA to submit a site plan application and approval for a variance. As such, the matter was adjourned to July 23, 2015.

**DMMJ Realty Corp., Jesus Barajas / 143 Westchester Avenue**

Defendant appeared pro se on May 7, 2015 and signed a settlement stipulation, agreeing to pay a fine of \$1,200. Said stipulation was so-ordered by the Court. Payment was received, and as such, prosecutor's file will be closed.

**Elisma, Angilo / 457 West Street**

Defendant appeared pro se on May 7, 2015 and confirmed that he had retained counsel, but his attorney was not able to attend due to a conflict. As such, the matter was adjourned to May 14 and the Court directed defendant's counsel to submit a Notice of Appearance to the Court and Prosecutor.

**Greater Westchester Properties (Finishing Touches) / 544 Locust Avenue**

Defendant appeared by counsel on May 7, 2015, who stated that the residence in question is in the process of being converted back to a two-family home and that defendant is seeking a variance from the ZBA. As such, the matter was adjourned to July 9, 2015 for compliance and disposition.

**Guiracocha, Luis / 63 Armett Street**

Defendant failed to appear on May 7, 2015, and as such, a Warrant Letter will be issued by the Court, returnable May 21, 2015.

**Hernandez, Olga / 346 Locust Avenue**

Defendant appeared by counsel on May 7, 2015, who confirmed that defendant is in the process of obtaining a fire safety inspection. As such, the matter was adjourned to June 18, 2015 for compliance and disposition (1<sup>st</sup> of two matters for this property = Fire Safety Inspection).

**Roque, Jose / 346 Locust Avenue**

Defendant appeared by counsel on May 7, 2015, and entered a plea of not guilty. The matter was adjourned to June 18, 2015 for compliance and disposition (2<sup>nd</sup> of two matters for this property = Exterior Property/Couch).

**Marciano, Ricardo / 257 Columbus Avenue**

Defendant failed to appear on May 7, 2015, and as such, a Warrant Letter will be issued by the Court, returnable May 21, 2015.

**MTA Matters / Neil Mastropietro**

In light of the on-going settlement negotiation, the MTA matters were adjourned to June 18, 2015.

**Perez, Miriam / 412 Orchard Street**

Defendant failed to appear on May 7, 2015, and as such, a Warrant Letter will be issued by the Court, returnable May 21, 2015.

**DeCalderon, Francisca / 144 Smith Street**

Defendant appeared pro se on May 7, 2015 and confirmed that they are in the process of obtaining permits and have retained an architect to prepare plans. As such, the matter was adjourned to June 18, 2015 at which time plans will be provided to the Prosecutor.

**Santos, Pedro / 47 Sands Street**

Defendant appeared by counsel on May 7, 2015 and noted that a significant amount of corrective work on the property remains outstanding and that defendant is working on obtaining a plumber and an electrician. As such, the matter was adjourned to July 9, 2015.

**Singh, Nalini / 48 Irenhyl Avenue**

Defendant appeared pro se on May 7, 2015 for payment of \$2,000 fine in accordance with the executed stipulation's installment payments. The matter was adjourned to June 18, 2015 for further payment of fine.

**Sinis, Panagioti / 92 Purdy Avenue**

Defendant appeared pro se on May 7, 2015 and stated that they have unsuccessfully attempted to obtain a contractor and that they are discussing a wall erected by the tenant. As such, the matter was adjourned to June 4, 2015 for compliance and disposition.

**The Gym At Union Square / 13 Riverdale Avenue**

Defendant failed to appear on May 7, 2015, and as such, a Warrant Letter will be issued by the Court, returnable May 21, 2015.

Village Prosecutor – Housing  
Status Report / May 14, 2015

The following matters appeared on the Justice Court's calendar on May 14, 2015.

**Hedvit, Harry / 44 – 48 North Main Street (1)**

**Hedvit, Harry / 44 – 48 North Main Street (2)**

Defendant appeared on May 14, 2015 pro se and indicated he was retaining an attorney. As such, the matter was adjourned to June 4, 2015.

**Cabibbo, Giuseppe / 439 West Street**

Defendant appeared pro se on May 14, 2015 and entered a plea of not guilty. Defendant confirmed that an architect has been retained and that he is working on obtaining permits. An inspection will be scheduled, and as such, the matter was adjourned to June 11, 2015 for compliance and disposition.

**Campos, Janeth / 57 Leonard Street**

Defendant failed to appear on May 14, 2015, and as such, a Warrant Letter will be issued by the Court, returnable June 4, 2015.

**Capital Realty Partners / 46 Fox Island Road**

Defendant failed to appear on May 14, 2015, and as such, a Warrant Letter will be issued by the Court, returnable June 11, 2015.

**Cruz, Brunilda / 48 Grove Street**

Defendant failed to appear on May 14, 2015, and as such, a Warrant Letter will be issued by the Court, returnable June 11, 2015.

**Elisma, Angilo / 457 West Street**

Defendant appeared pro se on May 14, 2015 and explained to the court that he had retained counsel, but his attorney was again not able to attend. As such, the matter was adjourned to June 4, 2015.

**Giorno, Peter / 15 Marathon Place**

Defendant appeared by counsel, Joseph Vita, on May 14, 2015, who confirmed that an architect has been retained. An appointment with the Building Department was scheduled for June 10, 2015. Parties appeared before the Court and the matter was adjourned to June 18, 2015.

**Independence Realty / 200 William Street**

Defendant appeared by counsel, Anthony Tirone, on May 14, 2015. The prosecutor informed the court that the final settlement payment has not yet come due, but that there has been a complete lack of compliance pursuant to the settlement stipulation. The matter was initially set down for trial and for a settlement conference. Given that the third payment had not yet come due, the court found that the matter was not sufficiently ripe. The Prosecution will need to bring an Order to Show Cause to bring the matter before the court. In the interest of judicial economy, this will be addressed after the final payment is due.

**J.J.L. Lockwood Corporation / 2 Lockwood Place**

Defendant appeared by counsel, Jeffery Rednick, on May 14, 2015 and claimed that he has not received a copy of the accusatory instrument. Settlement and stipulation were discussed, and counsel confirmed he would be ready to proceed at the next calendar date. As such, the matter was adjourned to June 4, 2015.

**James, Annette / 61 Oak Street**

Defendant appeared by counsel, Mark Kamensky, on May 14, 2015 who confirmed that an electrician has been retained and that defendant does not have the funds to take down subject porch. The matter was adjourned to June 11, 2015 for compliance and disposition.

**Lukunku, Jean Claude / 16 College Avenue**

Defendant appeared by counsel, Russell Smith, on May 14, 2015 and confirmed defendant was in compliance. Defendant and counsel signed a settlement stipulation agreeing to pay a fine of \$2400. Said stipulation was so ordered by the court and the matter adjourned to July 9, 2015 for payment of fine.

**Perez, Miriam / 21 Touraine Avenue**

Defendant appeared pro se on May 14, 2015 and confirmed that she is obtained a building permit to legalize existing porch, which will be provided to Code Enforcement. Fire safety inspection to be scheduled. Due to defendant's medical concerns, the matter was adjourned to July 9, 2015.

**Rios, Fanny / 46 Sylvan Road**

Defendant appeared pro se on May 14, 2015 and noted that her attorney could not be present this day, but that she is working on compliance. As such, the matter was adjourned to June 18, 2015 so defendant could return with her attorney.

**Robles, Wilmer / 30 Bush Avenue**

Defendant appeared pro se on May 14, 2015 and entered a plea of not-guilty. Defendant noted that an architect has been retained and plans have been prepared and that he is working on obtaining a building permit. As such the matter was adjourned to June 11, 2015 to afford defendant time to fix remaining issues and obtain certificate of occupancy.

**Rodriguez, Ernesto / 78 – 80 Poningo Street**

Defendant failed to appear on May 14, 2015, and as such, a Warrant Letter will be issued by the Court, returnable June 11, 2015.

**Testa, Frank / 52 Eldredge Street**

Defendant appeared by counsel, Anthony Tirone, on May 14, 2015 and requested an adjournment to June 18, 2015, which was granted by the court.

**Vita, Maria / 142 Fairview Avenue**

Defendant Nancy Chrusciel appeared pro se on May 14, 2015 and noted that co-defendant could not be present. As such, the matter was adjourned to June 4, 2015 so that both parties can attend.

**Lopez, Luis / 27 Central Avenue**

Defendant appeared by counsel, Jeffery Rednick, on May 14, 2015 who confirmed that the subject attic and basement are still present, but that electric and plumbing have been cut so that they are not habitable. Also noted that defendant faced same charges in 2006 and paid a \$12, 500 fine and suggested that this claim was for the same thing. An inspection with the Building Department was scheduled for May 20, 2015 and as such, the matter was adjourned to June 4, 2015.

**Sinis, Huguette / 167 Irving Avenue**

Defendant failed to appear on May 14, 2015, and as such, a Warrant Letter will be issued by the Court, returnable June 18, 2015.



Village Prosecutor – Housing  
Status Report / May 21, 2015

The following matters appeared on the Justice Court's calendar on May 21, 2015.

**11 South PS, Inc. / 11 South Pearl Street**

Defendant appeared by counsel Anthony Tirone on May 21, 2015 and informed that the building is now under contract to be sold and then leveled to become a parking lot for Neri's Bakery. The building will be sold empty. July 15 is the target date to have all tenants out. Defendant's counsel also noted that since the building is to be sold and demolished, no work towards compliance has been done. The matter was adjourned to July 16 for disposition.

**Alvarez, Alberto Salvador / 240 Madison Avenue**

Defendants Alvarez, Cervillos and Lillia appeared pro se on May 21, 2015. Defendants noted that it was too expensive to replace the deck and as such the deck has been removed, apparently without permit. Defendants will meet with Building Department and work on obtaining the necessary permits. As such, the meeting was adjourned to July 23, 2015.

**Blasi, Frank / 23 Putnam Avenue**

Defendant appeared pro se on May 21, 2015 and informed that the final inspection was completed and a Certificate of Occupancy issued. A copy of Certificate of Occupancy will be provided to Code Enforcement. Previous settlement stipulation signed and fine paid. Matter to be closed.

**Caccire, Leandro / 137 – 139 Willet Avenue**

Defendant appeared pro se on May 21, 2015 and informed that a Certificate of Occupancy has been issued. As such, the matter was adjourned to June 4, 2015 for compliance and disposition.

**63 Arnett Street / Guiracochoa, Luis**

Defendants appeared pro se on May 21, 2015 and entered a plea of not guilty. Defendant indicated he needed time to retain an attorney and as such, the matter was adjourned to June 18, 2015.

**Marciano, Richard / 257 Columbus Avenue**

Defendant appeared pro se on May 21, 2015 and noted that the demolition work in the basement has been completed along with electrical work. Noted he never had tenants living in the basement. Defendant needs to schedule an appointment with the building department, which his contactor has been working on. As such, the matter was adjourned to June 18, 2015 for compliance and disposition.

**Pereira, Dinarte / 108 Soundview Street**

Prior to the scheduled court date, Defendants counsel requested an adjournment to allow defendants sufficient time to deconstruct the basement and obtain a Certificate of Compliance. Adjournment agreed to on consent. As such, the matter was adjourned to July 2 to allow defendant time to obtain permits and Certificate of Occupancy.

**Perez, Miriam / 412 Orchard Street**

Defendant failed to appear on May 21, 2015 and given that this is defendant's fourth failure to appear, a Bench Warrant will be issued by the Court.

**RJL Restaurant, Inc. / 29 North Main Street**

Defendant's counsel, Peter Grimaldi appeared on May 21, 2015 and was unable to provide any update or information with respect to compliance or meetings with the Building Department. As such, the matter was adjourned to July 2 for compliance and disposition.

**Sinis, Panagioti / 14 South Main Street**

Defendants appeared pro se on May 21, 2015 and informed that they have removed keyed entry doors into bedrooms, and that they are also evicting tenants. Defendants also informed they have pulled a plumbing permit, the plumbing work has been completed and that a final inspection needs to be scheduled with the Building Department, which they will schedule today. As such, the matter was adjourned to June 18, 2015 for compliance and disposition.

**Sinis, Pierre, 2 South Main Street**

Defendants appeared pro se on May 21, 2015 and informed that a tenant had illegally demo'd the property and a Stop-Work order was issued. Defendants noted that architectural plans have been completed. Defendant's General Contractor has not yet pulled a permit but will do so. As such, the matter was adjourned to June 18, 2015 for compliance and disposition.

**Sinis, Pierre, 6 South Main Street**

Defendants appeared pro se on May 21, 2015 and informed that a Certificate of Occupancy was issued for the top floor. The violation had been removed and then upon re-inspection another area of violation was uncovered. As such, the matter was adjourned to June 18, 2015 for compliance and disposition.

**The Gym at Union Square / 13 Riverdale Avenue**

Prior to the scheduled court date, Defendants counsel requested an adjournment to June 4, 2015 to allow Defendants time to complete a follow up inspection. Defendant's counsel noted that defendant is close to compliance. Defendant's counsel agreed to the proper name / entity (Gym at Port Chester) substitution on the record and noted that he will be present to arraign his client. As such, the matter was adjourned to June 4, 2015.

Village Prosecutor – Housing  
Status Report / June 4, 2015

The following matters appeared on the Justice Court's calendar on June 4, 2015.

**Hedvat, Harry / 44 – 48 North Main Street**

Defendant appeared pro se on June 4, 2015 and noted that his attorney was again not able to attend. As such the matter was adjourned to July 23, 2015 for compliance and disposition.

**Barchella, Angela / 141 Highland Street**

Defendant's counsel, Tony Castro, appeared on June 4, 2015. The matter was adjourned to June 18, 2015 for compliance and disposition.

**Briga Realty, Inc. / 51 Purdy Avenue**

Defendant failed to appear on June 4, 2015 and as such a Bench Warrant will be issued by the Court at the Prosecutor's request, returnable June 18, 2015.

**Briga Realty, Inc. / 55 Purdy Avenue**

Defendant failed to appear on June 4, 2015 and as such a Bench Warrant will be issued by the Court at the Prosecutor's request, returnable June 18, 2015.

**Caccire, Leandro / 137 – 139 Willet Avenue**

Defendant failed to appear on June 4, 2015 and as such a Warrant Letter will be issued, returnable June 18, 2015.

**Calderon, Cesar / 42 Soundview Street**

Defendant's counsel, Jeffery Rednick, appeared on June 4, 2015 and stated that they have obtained a Certificate of Compliance and that an inspection was completed that showed the sink had been removed. This was the reason the Certificate of Compliance was issued. The matter was adjourned to July 9, 2015.

**Campos, Janeth / 57 Leonard Street**

Defendant failed to appear on June 4, 2015 and as such a Warrant Letter will be issued, returnable June 18, 2015.

**Carriello, Nicholas / 29 Willet Avenue**

Defendant failed to appear on June 4, 2015 and as such a Warrant Letter will be issued, returnable June 18, 2015.

**Defreitas, Riccardo / 395 Irving Avenue**

Defendant's counsel, Louis Reda, appeared on June 4, 2015 and confirmed that work with respect to the fire escape, soffit and sheetrock by the boiler has been partially completed. Work to achieve compliance still remains outstanding along with a fire safety inspection. As such, the matter was adjourned to August 6, 2015.

**Elisma, Angilo / 457 West Street**

Defendant's counsel, Alter Fogel, appeared on June 4, 2015 and entered a plea of not guilty. Defendant's counsel noted that the exterior work has been completed and that the remaining work with respect to the interior of the building will be addressed shortly. An inspection will also be scheduled within a week. As such, the matter was adjourned to July 23, 2015 for compliance and disposition.

**G & S Port Chester / Waterfront Place**

Defendant's counsel, Dan Tartaglia, appeared on June 4, 2015 and confirmed that he met with the Building Inspector to review all open violations and open permits. Mr. Tartaglia confirmed that all sidewalks and electrical work have been completed, along with the removal of graffiti. Defendant was instructed to contact D.P.W. with respect to permitting for the sidewalks. As such, the matter was adjourned to July 23, 2015 for compliance and disposition.

**G & S Port Chester**

See above.

**J.J.L. Lockwood Corp / 2 Lockwood Place**

Counsel for defendants, Jeffery Rednick, appeared on June 4, 2015 and noted that he and his client will be ready to proceed shortly and requested a brief adjournment. As such the matter was adjourned to July 9, 2015 for compliance and disposition.

**Longview Owners, Inc. / 315 – 325 King Street**

Counsel for defendants, Robert Beck appeared on June 4, 2015 and noted that a consultation with the Building Inspector has been scheduled and that two issues remain outstanding: gas work on vent in laundry room and work on the annunciator panel. Settlement was discussed and defendant's counsel agreed to a fine of \$7500 and was given a settlement stipulation. The matter was adjourned to July 9, 2015 for final disposition.

**Lopez, Luis / 27 Central Avenue**

Counsel for defendants, Jeffery Rednick, appeared on June 4, 2015 and confirmed that an inspection has been scheduled for next week. As such the matter was adjourned to July 9, 2015 for compliance and disposition.

**Paltin, Alfonso / 172 Highland Street**

Counsel for defendants, Tony Mamo appeared on June 4, 2015 who confirmed that an architect has been retained and plans have been submitted, but not yet approved. Defendant's counsel also confirmed that the property is now vacant and will need to be re-inspected. The matter was adjourned to July 23, 2015 for compliance and disposition.

**Pizarro, Jeanette / 25 Arnett Street (1)**

Defendant appeared on June 4, 2015. Confirmation of payment of fine. The matter was adjourned to June 18, 2015.

**Pizarro, Jeanette / 25 Arnett Street (2)**

See above.

**Sinis, Panagioti / 92 Purdy Avenue**

Defendants Olga and Maria appeared on June 4, 2015 and confirmed that they have obtained estimates from contractors and paperwork from Building Department. They are working on retaining an architect to prepare plans for demolition of the wall. As such, the matter was adjourned to August 6, 2015.

**The Gym at Port Chester (Union Square) / 13 Riverdale Avenue**

Defendants counsel, Steven Bagwin appeared on June 4, 2015 and confirmed that they met with the Building Inspector on May 27, 2015. They are working with subcontractors to obtain the Certificate of Occupancy. A meeting with the Fire Marshall took place on May 22 and the sprinkler system has been resolved. A float test will be completed within the next 30-days. Defendant's counsel appeared before the Court and agreed to substitute the name on the matter with the correct client name (The Gym at Port Chester, Inc.). The matter was adjourned to July 9, 2015 for compliance and disposition.

**Valenti, Joan / 159 Highland Street**

Defendant failed to appear on June 4, 2015 and as such, a Warrant Letter will be issued, returnable June 18, 2015.

**Vita, Maria / 142 Fairview Avenue**

Co-defendants appeared on June 4, 2015 and confirmed that compliance has been obtained, including the sidewalks, stairs, steps and fence removal. Defendants were given a stipulation of settlement and agreed to a fine of \$2750, which is due on July 9, 2015. Said stipulation was so-ordered by the Court.

Village Prosecutor – Housing  
Status Report / June 11, 2015

The following matters appeared on the Justice Court’s calendar on June 11, 2015.

**Juan Cepeda / 16 Grace Church Street**

Defendant’s counsel, Tony Castro appeared on June 11, 2015. The matter was adjourned to June 18, 2015 for compliance and disposition.

**Branca Realty / 223 Irving Avenue**

Defendant Gene Branca appeared on June 11, 2015. *The matter was adjourned to July 16, 2015.*

**Cabibbo, Giuseppe / 439 West Street**

Defendant failed to appear on June 11, 2015 and as such, a Warrant Letter will be issued, returnable July 23, 2015.

**Capital Realty Partners / 46 Fox Island Road**

Defendant failed to appear on June 11, 2015 and as such, a Warrant Letter will be issued, returnable July 9, 2015.

**Cassone Brothers, Inc. / 202 South Regent Street**

Defendants Dave Laporte and Mary Lou Cassone appeared on June 11, 2015 and expressed frustration with the housing process and asked for guidance from the Village. A Hazard Analysis was provided. Defendants continue to work toward compliance. Defendants were advised to seek an extension when the 30-day period is over. The matter was adjourned to August 20, 2015 for compliance and disposition.

**Cruz, Brunilda / 63 Purdy Avenue**

Defendant appeared on June 11, 2015 and confirmed that she continues to make fine payment on this matter. Matter adjourned to August 6, 2015 for verification of continued payment of fine.

**Cruz, Brunilda / 48 Grove Street (Architectural)**

Defendant appeared on June 11, 2015 and confirmed that she has retained an architect but plans have not yet been prepared. As such, the matter was adjourned to August 6, 2015.

**Cruz, Brunilda / 48 Grove Street (Property)**

Defendant appeared on June 11, 2015 and noted that the work to clean up the property has been completed. Defendant to call and schedule an inspection. As such, the matter was adjourned to August 6, 2015.

**E.O.S. Realty, Bar Taco / 1 – 11 Willet Avenue**

Defendant’s counsel, Anthony Tirone appeared on June 11, 2015 and stated that all three parties (Mariner, Marina, Defendant property owner) are working to resolve certain land-use issues, as well as a conveyance of the property. As such, the matter was adjourned to July 23, 2015.

**G&S Port Chester / 40 Westchester Avenue**

Defendant failed to appear on June 11, 2015. The court noted that a letter will be sent to defendants and that the Prosecutor is to notify defendant's counsel, Dan Tartaglia. The matter was adjourned to June 18, 2015 for arraignment.

**G&S Port Chester / 30 – 18 South Main Street**

See above.

**Garcia, Felipe / 119 – 121 Smith Street**

Defendant's counsel, Mike Caese appeared on June 11, 2015 and was unable to provide an update. Defendant was informed that their building permit expires on July 22, 2015 and that demolition remains outstanding. As such, the matter was adjourned to August 6, 2015.

**James, Annette / 61 Oak Street**

Defendant's counsel, Mark Kaminski appeared on June 11, 2015 and confirmed that electrical work has been completed and the property has a potential buyer. Defendant's counsel noted that all remaining work will be completed shortly. As such, the matter was adjourned to September 10, 2015.

**JRK II, LLC / 2 Highland Street**

Defendant did not appear on June 11, 2015 but did request and adjournment through improper channels. As such, a Warrant Letter will be issued, returnable July 9, 2015.

**Medina, Adelia / 120 – 122 Pearl Street**

Defendant appeared on June 11, 2015 and noted that the fire safety inspection has been completed. Defendant was instructed to pay the \$50 re-inspection fee and to obtain a placard showing that they passed the fire safety inspection. The matter was adjourned to August 20, 2015.

**Padron, Ivan / 148 Poningo Street**

Defendant's counsel, Tony Castro appeared on June 11, 2015 and noted that the LLC that purchased the subject property is now offering it for sale. Nothing has been done with respect to compliance. The matter was adjourned to September 24, 2015.

**Port Chester Carver Center / 400 Westchester Avenue**

Philip Mutino appeared on behalf of defendants on June 11, 2015 and noted that an architect has been retained and that they have obtained a permit for the fire escape. Defendant was instructed to pay the \$50 re-inspection fee. The matter was adjourned to August 20, 2015.

**Robles, Wilmer / 30 Bush Avenue**

Defendant failed to appear on June 11, 2015 and as such, a Warrant Letter will be issued, returnable July 16, 2015.

**Rodriguez, Ernesto / 78 – 80 Poningo Street**

Defendant's counsel, Tony Castro appeared on June 11, 2015 and entered a plea of not guilty. The matter was adjourned to September 24, 2015.

**Sabillon, Ana / 89 North Regent Street**

Defendant counsel, Vincent Valeno informed that an architect has been retained and plans completed. They will need to meet with the Building Department to submit plans and obtain permit. The matter was adjourned to August 13, 2015.

**Spring Corporation / 30 Broad Street**

Defendant owner and defendant tenant both appeared by their respective counsel (Mark Kaminski; John Crane) on June 11, 2015. All parties appeared before the Court. Fire safety inspection needs to be completed and then a Certificate of Occupancy. Settlement was discussed among all parties. The matter was adjourned to July 9, 2015.

**Stingone, Richard / 24 Madison Avenue**

Defendant (Jackie) appeared on June 11, 2015 along with her fiancé and noted that they house was obtained in its current condition through a divorce. Defendants have retained an architect and are working on preparing plans and have also obtained prices from contractors. The matter was adjourned to September 24, 2015.

**Zuleta, Nancy / 353 William Street**

Defendant appeared on June 11, 2015. Defendant's son noted that all repairs are almost complete and that everything will be finished within 90-days. Defendants were presented with a settlement stipulation and agreed to pay a fine of \$2100, which is due September 24, 2015.

**Guiracocha, Jorge / 55-57 Poningo Street (not on calendar)**

Defendant appeared by counsel on June 11, 2015 and confirmed that permit has been obtained. As such, the matter was adjourned to August 6, 2015.



Village Prosecutor – Housing  
Status Report / June 18, 2015

The following matters appeared on the Justice Court’s calendar on June 18, 2015.

**Wells Fargo, Zambrano, Zoe / 23 Washington Street**

Counsel for Wells Fargo, Deena Kahlifa appeared on June 18, 2015 and entered a plea of not guilty and requested a dismissal since the snow condition has melted away. She also accepted service for the 23 Washington matter and noted that the bank is not the owner of the property and not therefore responsible. The matter was adjourned to August 20, 2015.

**16 Grace Church Realty / 16 Grace Church Street**

See below

**70 Grace Church Realty / 70 Grace Church Street**

See below

**Juan Cepeda / 16 Grace Church Street**

Defendant’s counsel, Tony Castro appeared on June 18, 2015 on the three above matters and noted that the architect they retained is moving very slowly. They also met with Steve Velardo on June 8. As such, this matter was adjourned to October 8, 2015.

**Martin Oliviri, 216 Madison Ave. Corp. / 216 Madison Avenue**

Defendant appeared on June 18, 2015 and noted that he has the required permits and all of the work is almost complete. The roof was removed, reframed, gutted and now waiting for ConEd to bring power. He also noted that insurance company issues prevent full completion. As such, the matter was adjourned to November 12, 2015 for compliance and disposition.

**Arroyo, Saul & Loida / 533 Willet Avenue**

Defendants’ failed to appear June 18, 2015 and as such a Warrant Letter will be issued returnable July 16, 2015.

**Barchella, Angela / 141 Highland Street**

Defendant’s counsel, Tony Castro appeared on June 18, 2015 and noted that they met with Steve Velardo on July 6, 2015. The matter was adjourned to October 8, 2015.

**Campos, Janeth / 57 Leonard Street**

Defendants failed to appear on June 18, 2015 and as such a Warrant Letter will be issued returnable July 16, 2015.

**Bordeaux 25 Realty, Didden, Bart / 25 Willet Avenue**

Defendant failed to appear on June 18, 2015 and as such a Warrant Letter will be issued returnable July 16, 2015.

**Briga Realty, Inc. / 51 Purdy Avenue**

See below.

**Briga Realty, Inc. / 55 Purdy Avenue**

Defendants failed to appear on June 18, 2015. The Prosecutor informed the court that this is defendants fourth time not appearing. The court provided the name of counsel of record in this matter (Pat Gizzo) and directed the Prosecutor to call him and determine if he is still counsel of record. The matter was adjourned to July 9, 2015.

**Caccire, Leandro / 137 – 139 Willet Avenue**

Defendants' appeared on June 18, 2015 and noted that this all came from a fire alarm that was set off. Defendants' have their Certificate of Occupancy, which they will get a copy of and get over to Lawrence Chiuli. The matter was then adjourned to September 10, 2015.

**Carriello, Nicholas / 29 Willet Avenue**

Defendant failed to appear on June 18, 2015 and as such a Warrant Letter will be issued, returnable July 16, 2015.

**Casterella, Anthony / 33 Barton Place (62 LIECESTER)**

Defendant failed to appear on June 18, 2015 but called the court claiming he was having car trouble and was over three hours away. Defendant requested an adjournment, which was granted to August 13, 2015.

**D'Ascoli, Francesca / 57 Sands Street**

Defendant's counsel, Mario DeMarco appeared on June 18, 2015 and noted that the defendant was deceased. The matter was adjourned to September 10, 2015.

**DePauw, Joseph / 12 Chestnut Street**

Defendants Joseph and Deryl appeared on June 18, 2015 and noted that they have withdrawn their application to the Zoning Board. A building permit was obtained in November 2014 but because of snow they could not work. Electrical work is needed and pictures provided a view into how much progress is being made. Defendant's noted that they have only owned the house for 4-years, which was taxed as a 4-family. Defendants' claim that they were being taxed as a four-family and thought all was ok. There is an open building permit dating back to 1928. The matter was adjourned to October 22, 2015.

**Duche, Marcelo / 1 Madison Avenue**

Defendant's counsel, Tony Castro appeared on June 18, 2015 and provided a copy of the registration, which had been changed to the residence from the PO Box. A gate was installed but reports are still showing the vehicle there, which is still over 6,600lbs. The bottom vehicle is ok when covered, but top vehicle not ok no matter what they do because you cannot park a vehicle over 6,600Lbs in a residential driveway. The matter was adjourned to October 8, 2015 for compliance and disposition.

**Ferraro, Vincent / 334 Willet Avenue**

Defendant appeared on June 18, 2015 and confirmed that he has met with the inspectors and now just needs to get a permit. As such, the matter was adjourned to October 15, 2015.

**G&S Port Chester / 40 Westchester Avenue**

Defendant's counsel, Dan Tartaglia appeared on June 18, 2015 and entered a plea of not guilty. Noted that this concerns egress being blocked. The matter was adjourned to August 6, 2015.

**G&S Port Chester / 30 – 18 South Main Street**

Defendant's counsel, Dan Tartaglia appeared on June 18, 2015 and entered a plea of not guilty. Noted that this condition was conditioned upon NYS DOT approval from 15 years ago, this is why it was placed elsewhere. The matter was adjourned to August 6, 2015.

**Giorno, Peter / 15 Marathon Place**

Defendant appeared on June 18, 2015 and noted that he has met with the building inspector and that plans are complete and will be filed today. All safety related work is complete and progress is being made. Defendant was informed that his fire safety inspection will expire. The matter was adjourned to August 20, 2015.

**Guiracocha, Luis / 63 Arnett Street**

Defendant's counsel, Mark Kaminski appeared on June 18, 2015 and confirmed that they have been in touch with an architect for the attic and basement and they are working on completing plans. Fire Inspection and property issues remain outstanding. A foreclosure is also possibly pending. The matter was adjourned to October 15, 2015.

**Hernandez, Olga / 346 Locust Avenue**

Defendant's counsel, John Crane appeared on June 18, 2015 and noted that they still need a fire inspection. Defendants were advised that their fire safety fee was paid on May 7, 2015. It was also noted that there is no phone number for defendant on its application. The matter was adjourned to August 13, 2015.

**Roque, Jose / 346 Locust Avenue**

See above. Matter adjourned to August 13, 2015.

**Marciano, Ricardo / 257 Columbus Avenue**

Defendant appeared on June 18, 2015 and noted that they are working towards compliance and that the final inspection is scheduled for June 23, 2015. Defendant started compliance upon issuance of the matter. A settlement amount of \$4,000 was offered to defendant in light of his bringing everything into compliance so quickly. Defendant noted he would have to speak to his attorney before he could accept.

**Brisa Marina / 40 Grace Church Street**

Defendant's counsel, Tony Castro appeared on June 18, 2015 and noted that the architect they are working with has been very slow. The matter was adjourned to October 8, 2015.

**Pajares, Jorge & Paula / 69 Smith Street**

Defendants did not appear on June 18, 2015 as this was a control date to ensure they are making payments under settlement stipulation. The matter was adjourned to July 16, 2015 to ensure payment is made.

**Pierro, Michelle / 322 Olivia Street**

John Dillion, counsel for the estate appeared on June 18, 2015 and noted that he believed most of the violations have been corrected. Mildred Cerrone is the Executrix. The matter was adjourned to September 24, 2015.

**Pizarro, Jeanette / 25 Arnett Street**

Defendant failed to appear on June 18, 2015 and also failed to make a payment under the settlement stipulation they executed. As such a Warrant Letter will be issued, returnable July 16, 2015.

**Potapowicz, Piotr & Mario / 416 Willet Avenue**

Defendant appeared on June 18, 2015 and noted that he has spoken with several people from the Building Department and has not gotten a response. The deck was built without a permit 20-years ago. He needs a rejection letter from the Building Department to apply for the variance. He applied in October 2010, paid the fee and still has not received the rejection letter. The matter was adjourned to October 15, 2015.

**Quiroa DeCalderon, Francisca / 144 Smith Street**

Defendant failed to appear on June 18, 2015 and as such a Warrant Letter will be issued, returnable July 9, 2015.

**Rios, Fanny / 46 Sylvan Road**

Defendant's counsel, Tony Castro appeared on June 18, 2015 and confirmed that they have a Certificate of Occupancy and defendant claims that she is not running a taxi business and is willing to try the matter. Mr. Castro noted that the business is incorporated to the house but the business is not run out of there. There have been neighbor complaints and drivers have been observed going in and out all night. Taxis were also observed speeding down the block. It is believed that the drivers are sleeping at the house. The matter was adjourned to October 8, 2015 for compliance and disposition.

**Rohr, Rohr & Benne / 422 North Main Street**

Defendants Karen Bennett and Michael Rohr appeared on June 18, 2015 and noted that the fire safety inspection is still needed for the sign shop, but this is in the works. Their attorney on this matter is John Colangelo, but he could not appear on this matter since his conflict as a judge. Most of the work has been completed and they have hired JMC Engineers.

**Romeo, Maria / 5 – 7 Ridgeview Place**

Defendant failed to appear on June 18, 2015. The court found good service defendant Romeo but no service on Mr. Delisa. The Village will continue to attempt service on Mr. Delisa. The court will issue a Warrant Letter returnable July 9, 2015.

**Simonsen, Scot / 38 Perry Avenue**

Defendant appeared on June 18, 2015 and entered a plea of not guilty. The court noted that due to its familiarity with the building Judge Sisca will recuse himself from further proceedings, other than the arraignment. Defendant explained that they have been covering the vehicle graphics with a magnetic patch, however they claim that must have forgot one day. Defendant to send picture of the registration, along with other photographs. As such, the matter was adjourned to a different court on July 17, 2015 at 9:00am.

**Singh, Nalini / 48 Irenhyl Avenue**

Defendant did not appear on June 18, 2015 as this was a placeholder for the payment of fine. Payment to be verified and the matter adjourned to July 16, 2015 to keep it open.

**Sinis, Huguette / 167 Irving Avenue**

Defendants Olga and Maria appeared on June 18, 2015 and confirmed that the graffiti issue has been taken care of. They have an appointment to meet with Peter Miley on July 6, 2015 and she will clean up the property. As such the matter was adjourned to September 24, 2015.

**Sinis, Panagioti / 14 South Main Street**

Defendants Olga and Maria appeared on June 18, 2015 and were told to get an inspection completed and that there are open permits from plumbing and electrical. Defendant's noted that they chimney was cleaned last week. Defendants were also reminded that the Fire Safety Inspection is due. The matter was adjourned to September 24, 2015.

**Sinis, Pierre / 2 South Main Street**

Defendants Olga and Maria appeared on June 18, 2015 and informed that they paid the fee for both buildings and an inspection was performed on May 1, 2015 and the buildings are in compliance. Fire Safety fee was paid. The matter was adjourned to September 24, 2015.

**Sinis, Pierre / 6 South Main Street**

Defendants Olga and Maria appeared on June 18, 2015 and informed that they paid the fee for both buildings and an inspection was performed on May 1, 2015 and the buildings are in compliance. A Re-inspection for 6 South Main is scheduled for June 24, 2015. Some units passed and some did not. The matter was adjourned to September 24, 2015.

**Testa, Frank / 52 Eldredge Street**

Defendant's counsel, Anthony Tirone appeared on June 18, 2015 and requested an adjournment, which was granted to September 10, 2015.

**Valenti, Joan / 159 Highland Street**

Defendant failed to appear on June 18, 2015 and as such a Warrant Letter will be issued, returnable July 16, 2015.

**Walden, Engrid / 52 Grove Street**

Defendant appeared by the property manager, Sterling on June 18, 2015 who confirmed that a permit was issued on June 16 and he is going to pick it up today. Defendant noted that a foreclosure action has appeared to commence. The matter was adjourned to October 22, 2015.

**Williams, Daniel / 31 – 33 Poningo Street**

Defendant's counsel, Mark Kaminski appeared on June 18, 2015 and confirmed that architect Mike Boender has been retained and Proposed Project Plans have been filed. A use variance will be needed and they will ask this of the Planning Commission. Defendant's counsel was informed that a Fire Safety inspection is needed, which they agreed to schedule and pay the fee for. The matter was adjourned to October 15, 2015.

**Aurora / 36 Poningo Street**

Defendant's counsel, Maria Corrao appeared on June 18, 2015 although this matter was not scheduled for the June 18, 2015 calendar. She will have her partner (Lance Margolin) reach out to the Prosecutor on this. The property was taken back by Aurora following its mortgage foreclosure. Mr. Margolin claims that his client has spent over a year bringing the house into code compliance and just finished the energy audit inspections.

Village Prosecutor – Housing  
Status Report / July 9, 2015

The following matters appeared on the Justice Court's calendar on July 9, 2015.

**Bottiglieri, Thomas / 47 Fox Island Road & Bottiglieri, Thomas / 47 Fox Island Road**

Defendant's counsel, Jeffery Klein appeared on July 9, 2015 on behalf of his client and entered a plea of not guilty. Mr. Klein agreed to waive service on the second docket (56055). Mr. Klein noted that the notice of violation did not reach his clients. A fire inspection was completed 18-months ago and there appears to be an issue with the proper address. Defendant's counsel noted that the property is in compliance and all that is needed is an inspection. As such, the matter was adjourned to September 10, 2015 for compliance and disposition.

**Briga Realty / 51 & 55 Poningo Street**

Defendants failed to appear on July 9, 2015. The Prosecutor spoke with Pat Gizzo, the attorney who had appeared on their behalf in the beginning of the matter. He is no longer counsel and indicated that he would inform Briga that the Prosecutor is looking for them, but would not provide their phone number. The matter was adjourned to September 17, 2015 to allow time for defendants to be located.

**Capital Realty Partners / 46 Fox Island Road**

Defendants did not appear on July 9, 2015. The matter was adjourned to July 23, 2015 to allow defendant's counsel time to appear.

**Cochachi, Vilma / 109 Adee Street**

Defendant failed to appear on July 9, 2015. As such, a Warrant Letter will be issued by the Court, returnable August 13, 2015.

**Concavage Marine Con / 89 Fox Island Road**

**Fox Island Road LLC / 89 Fox Island Road**

Defendant Concavage (tenant) appeared on July 9, 2015 by their attorney, Anthony Tirone. Counsel for defendant-owner (Fox Island Road, LLC), Charles Gottlieb of Cuddy & Fedder had previously requested an adjournment, which was granted and is why that defendant did not appear. Judge Sisca indicated that he would be recusing himself from this matter and scheduled this matter for a Friday calendar date. Mr. Tirone indicated that he would wait to arraign his client at the next adjourn date and neither party was arraigned. As such, the matter was adjourned to Friday, September 25, 2015.

**Fox Island Holding / 98 Fox Island Road**

Defendants' counsel, Ms. Sisca appeared on July 9, 2015, along with defendants Michael Stelluti from Smith Party Rentals and Anthony Giordano of Fox Island Holding and all pleaded not guilty. Defendants counsel and defendants confirmed that they have retained architect Gary from Arconics and plans have been submitted to the Building Department. Permits have been filed for and they need to obtain a Certificate of Occupancy. Judge Sisca initially heard the matter and then recused himself. The matter was adjourned to Friday, September 25, 2015.

**Greater Westchester Properties / 544 Locust Avenue**

Defendants did not appear on July 9, 2015. The matter was adjourned to July 23, 2015 to allow defendant's counsel time to appear.

**JJL Lockwood Corp / 2 Lockwood Place**

Defendants counsel, John Crane appeared on July 9, 2015 and confirmed that the garbage pail issue has been resolved and the fence still needs to be made larger. The matter was adjourned to October 8, 2015 for compliance and disposition.

**JRK II, LLC / 2 Highland Street**

Defendant failed to appear on July 9, 2015. As such, a Warrant Letter will be issued by the court, returnable August 13, 2015.

**Longview Owners, Inc. / 315-325 King Street**

Defendant submitted a check in the amount of \$7,500 and an executed settlement stipulation by mail. Minor modifications were made and updated versions exchanged. This will be submitted to the court on July 16, 2015. The matter was adjourned to August 13, 2015 for payment of fine.

**Lopez, Luis / 27 Central Avenue**

Defendant's counsel, Jeffery Rednick appeared on July 9, 2015 and repeated his claim that this action is duplicative of one filed in 2007, which was cleared and that nothing significant has changed. As such, the matter was adjourned to October 8, 2015.

**Sinis, Panagiotis / 92 Purdy Avenue**

Defendants Maria and Olga appeared on July 9, 2015 and attempted to enter a plea of not-guilty. Given that Olga's husband is the listed owner, the court is requiring his presence at the arraignment and that Olga may not represent him. As such, the matter was adjourned to July 16, 2016 so that the named defendant can appear and enter a plea.

Defendants indicated that there are two structures on the property (front is restaurant). A fire inspection was performed on the front of the building and more time is needed for the rear. They have been working on evicting tenants, which have been given them a hard time. Their attorney served the tenants and informed them then needed to be out in 45-days. Tenants are giving them a hard time and it has taken a while to get the inspection. A large portion of compliance is complete. The flue and discharge pipe on the water heater need to be repaired. A re-inspection needs to be scheduled.

**Perez, Miriam / 21 Touraine Avenue**

Defendant Miriam Perez appeared on July 9, 2015 and noted that a fire safety inspection will be scheduled shortly. Ms. Perez also claims she left copies of the documentation for the Building Department. The matter was adjourned to October 22, 2015.

The Prosecutor also addressed the 412 Orchard Street matter where a stipulation of settlement was executed several months back but no payment has been made to date. Mr. Perez was informed that the Village would seek double the fine and more if the fine is not paid in short order.

**Quiroa DeCalderon, Francisca / 144 Smith Street**

Defendant requested an adjournment due to a pending vacation. Said adjournment was granted and the matter adjourned to September 24, 2015.

**Romeo, Maria / 5-7 Ridgeview Place**

Defendants failed to appear on July 9, 2015 and as such, a Warrant Letter will be issued by the Court returnable August 6, 2015.



**Santos, Pedro / 47 Sands Street**

Defendant's counsel appeared on July 9, 2015 and requested an adjournment. Request was granted and the matter adjourned to October 15, 2015.

**Singla, Sudarshan / 106 Westchester Avenue**

Defendant Singla Sudarshan appeared pro-se on July 9, 2015. Dr. Singla repeated his claim that he would seek a Prosecutorial Misconduct charge against the Prosecutor should the Prosecutor not dismiss the matter against him. He has furnished the Village Manager and Mayor with BD mortgage documents. He is sure that the mortgage document shows a 2-family set up, but those are illegal apartments and need to be fixed. Dr. Singla was informed to proceed as how he saw fit and was informed to produce a contract of sale and other documents other than the mortgage document. In order to give defendant ample time, the matter was adjourned to November 19, 2015

**My Notes MEETING W/MILEY BI // July 9, 2015**

There are 2 apartments on the top floor, both with residents living there. These are 2 illegal apartments, which need to be permitted and inspected. Failed both fire inspections. Bottom line is that he has 2 illegal apartments that need to be legalized. Possibly an application to Planning or Zoning Board, along with a set of drawings demonstrating code compliance. Dr. Singla will also work to locate the contact of sale and mortgage documentation. He claims a competent attorney did this and this is not his fault. He is considering selling the property. The matter was adjourned to November 19, 2015 allow Mr. Singla time to gather additional evidence. These apartments need to be legalized; perhaps a full application to the Planning Commission, ZBA, along with a building permit and set of drawings showing code compliance.

**Spring Corporation / 30 Broad Street**

Defendant-tenant and defendant owner appeared along with Tenant's counsel, John Crane, and owner's counsel, Mark Kaminsky. After several negotiations and discussions, defendant agreed to pay a penalty of \$8,000. This will be broken up into two payments of \$4,000, one due on August 13, 2015 and the final payment due October 15, 2015. Defendants and counsel executed a stipulation of settlement, which was so-ordered by the Court. The matter was adjourned to October 15, 2015 for payment of fine.

**The Gym at Port Chester / 13 Riverdale Avenue**

Defendant's counsel, Steven Bagwin appeared on July 9, 2015. Mr. Bagwin was informed that he needed to pay the \$50 re-inspection fee. He also noted that his client is paying a lot of money in temporary Certificate of Occupancy fees. The building is in compliance and settlement was discussed. Defendant's agreed to pay a fine of \$1,500, which is payable by October 8, 2015. As such, the matter was adjourned to October 8, 2015.

**Vita, Maria / 142 Fairview Avenue**

Defendant Maria Vita appeared on July 9, 2015, but defendant Kruschele failed to appear. Ms. Vita had her payment for the funds due under the settlement stipulation, but Ms. Kruschele was not there and the payment was due today. Ms. Vita was informed to pay the entire amount and then seek redress from Ms. Kruschele. Ms. Vita made the payment in full and this matter is to be closed. Prior to payment, matter was adjourned to July 23, 2015 for payment of fine.

Village Prosecutor – Housing  
Status Report / July 16, 2015

The following matters appeared on the Justice Court's calendar on July 16, 2015.

**11 South PS, Inc. / 11 South Pearl Street**

Defendant Anthony Tirone failed to appear on July 16, 2015. The matter was adjourned to August 6, 2015.

**Arroyo, Saul & Loida / 533 Willet Avenue**

Defendant Saul Arroyo appeared on July 16, 2015 and explained that he has been looking for his attorney, Monroe Mann, but could not find him. No compliance has taken place and the agreed upon fine in the settlement stipulation has not been paid. Settlement is from over 2 years ago. Mr. Arroyo is now interested in paying the fine as he would possibly like to sell the property. Advised to track down his file from Mr. Mann and obtain a new attorney. The matter was adjourned to September 10, 2015 to allow defendant time to locate his attorney.

**Bordeaux 25 Realty / 25 Willet Avenue**

Defendant did not appear on July 16, 2015. A reminder warrant letter will be issued, returnable October 22, 2015.

**Branca Realty / 223 Irving Avenue**

Defendant appeared on July 16, 2015. Matter withdrawn per prosecutor.

**Campos, Janeth / 57 Leonard Street**

Defendant failed to appear on July 16, 2015. A warrant letter will be issued returnable August 6, 2015.

**Carriello, Nicholas / 29 Willet Avenue**

Defendant failed to appear on July 16, 2015. A warrant letter will be issued returnable August 6, 2015.

**Pajares, Jorge & Paula / 69 Smith Street**

Defendant did not appear on July 16, 2016. Matter on calendar for payment of fine and adjourned to November 5, 2015.

**Pizarro, Jeanette / 25 Armett Street**

**Pizarro, Jeanette / 25 Armett Street**

Defendant failed to appear on July 16, 2015. A warrant letter will be issued returnable August 6, 2015.

**Robles, Wilmer / 30 Bush Avenue**

Defendant appeared on July 16, 2016 and stated that he now has permits for the electrical and plumbing work and that an electrician and plumber have been hired. As such the matter was adjourned to November 12, 2015 to allow defendant the necessary time to complete the work and obtain paperwork.

**Singh, Nalini / 46 Irenhyl Avenue**

Defendant did not appear on July 16, 2016. Matter on calendar for payment of fine and adjourned to November 12, 2015.

**Valenti, Joan / 159 Highland Street**

Defendant failed to appear on July 16, 2015. A warrant letter will be issued returnable August 6, 2015.

**Sinis, Panagioti / 92 Purdy Avenue**

Defendant Huguette Sinis appeared on July 16, 2015 and entered a plea of not guilty. The matter was adjourned to November 12, 2015 for compliance and disposition.

**Bottiglieri, Thomas / 47 Fox Island Road & Bottiglieri, Thomas / 47 Fox Island Road**

Defendant's counsel, Jeffery Klein appeared on July 9, 2015 on behalf of his client and entered a plea of not guilty. Mr. Klein agreed to waive service on the second docket (56055). Mr. Klein noted that the notice of violation did not reach his clients. A fire inspection was completed 18-months ago and there appears to be an issue with the proper address. Defendant's counsel noted that the property is in compliance and all that is needed is an inspection. As such, the matter was adjourned to September 10, 2015 for compliance and disposition.

**Briga Realty / 51 & 55 Poningo Street**

Defendants failed to appear on July 9, 2015. The Prosecutor spoke with Pat Gizzo, the attorney who had appeared on their behalf in the beginning of the matter. He is no longer counsel and indicated that he would inform Briga that the Prosecutor is looking for them, but would not provide their phone number. The matter was adjourned to September 17, 2015 to allow time for defendants to be located.

**Capital Realty Partners / 46 Fox Island Road**

Defendants did not appear on July 9, 2015. The matter was adjourned to July 23, 2015 to allow defendant's counsel time to appear.

**Cochachi, Vilma / 109 Adeo Street**

Defendant failed to appear on July 9, 2015. As such, a Warrant Letter will be issued by the Court, returnable August 13, 2015.

**Concavage Marine Con / 89 Fox Island Road**

**Fox Island Road LLC / 89 Fox Island Road**

Defendant Concavage (tenant) appeared on July 9, 2015 by their attorney, Anthony Tirone. Counsel for defendant-owner (Fox Island Road, LLC), Charles Gottlieb of Cuddy & Fedder had previously requested an adjournment, which was granted and is why that defendant did not appear. Judge Sisca indicated that he would be recusing himself from this matter and scheduled this matter for a Friday calendar date. Mr. Tirone indicated that he would wait to arraign his client at the next adjourn date and neither party was arraigned. As such, the matter was adjourned to Friday, September 25, 2015.

**Fox Island Holding / 98 Fox Island Road**

Defendants' counsel, Ms. Sisca appeared on July 9, 2015, along with defendants Michael Stelluti from Smith Party Rentals and Anthony Giordano of Fox Island Holding and all pleaded not guilty. Defendants counsel and defendants confirmed that they have retained architect Gary from Arconics and plans have been submitted to the Building Department. Permits have been filed for and they need to obtain a Certificate of Occupancy. Judge Sisca initially heard the matter and then recused himself. The matter was adjourned to Friday, September 25, 2015.

**Greater Westchester Properties / 544 Locust Avenue**

Defendants did not appear on July 9, 2015. The matter was adjourned to July 23, 2015 to allow defendant's counsel time to appear.

**JJL Lockwood Corp / 2 Lockwood Place**

Defendants counsel, John Crane appeared on July 9, 2015 and confirmed that the garbage pail issue has been resolved and the fence still needs to be made larger. The matter was adjourned to October 8, 2015 for compliance and disposition.

**JRK II, LLC / 2 Highland Street**

Defendant failed to appear on July 9, 2015. As such, a Warrant Letter will be issued by the court, returnable August 13, 2015.

**Longview Owners, Inc. / 315-325 King Street**

Defendant submitted a check in the amount of \$7,500 and an executed settlement stipulation by mail. Minor modifications were made and updated versions exchanged. This will be submitted to the court on July 16, 2015. The matter was adjourned to August 13, 2015 for payment of fine.

**Lopez, Luis / 27 Central Avenue**

Defendant's counsel, Jeffery Rednick appeared on July 9, 2015 and repeated his claim that this action is duplicative of one filed in 2007, which was cleared and that nothing significant has changed. As such, the matter was adjourned to October 8, 2015.

**Sinis, Panagiotis / 92 Purdy Avenue**

Defendants Maria and Olga appeared on July 9, 2015 and attempted to enter a plea of not-guilty. Given that Olga's husband is the listed owner, the court is requiring his presence at the arraignment and that Olga may not represent him. As such, the matter was adjourned to July 16, 2016 so that the named defendant can appear and enter a plea.

Defendants indicated that there are two structures on the property (front is restaurant). A fire inspection was performed on the front of the building and more time is needed for the rear. They have

been working on evicting tenants, which have been given them a hard time. Their attorney served the tenants and informed them then needed to be out in 45-days. Tenants are giving them a hard time and it has taken a while to get the inspection. A large portion of compliance is complete. The flue and discharge pipe on the water heater need to be repaired. A re-inspection needs to be scheduled.

**Perez, Miriam / 21 Touraine Avenue**

Defendant Miriam Perez appeared on July 9, 2015 and noted that a fire safety inspection will be scheduled shortly. Ms. Perez also claims she left copies of the documentation for the Building Department. The matter was adjourned to October 22, 2015.

The Prosecutor also addressed the 412 Orchard Street matter where a stipulation of settlement was executed several months back but no payment has been made to date. Mr. Perez was informed that the Village would seek double the fine and more if the fine is not paid in short order.

**Quiroa DeCalderon, Francisca / 144 Smith Street**

Defendant requested an adjournment due to a pending vacation. Said adjournment was granted and the matter adjourned to September 24, 2015.

**Romeo, Maria / 5-7 Ridgeview Place**

Defendants failed to appear on July 9, 2015 and as such, a Warrant Letter will be issued by the Court returnable August 6, 2015.

**Santos, Pedro / 47 Sands Street**

Defendant's counsel appeared on July 9, 2015 and requested an adjournment. Request was granted and the matter adjourned to October 15, 2015.

**Singla, Sudarshan / 106 Westchester Avenue**

Defendant Singla Sudarshan appeared pro-se on July 9, 2015. Dr. Singla repeated his claim that he would seek a Prosecutorial Misconduct charge against the Prosecutor should the Prosecutor not dismiss the matter against him. He has furnished the Village Manager and Mayor with BD mortgage documents. He is sure that the mortgage document shows a 2-family set up, but those are illegal apartments and need to be fixed. Dr. Singla was informed to proceed as how he saw fit and was informed to produce a contract of sale and other documents other than the mortgage document. In order to give defendant ample time, the matter was adjourned to November 19, 2015

**My Notes MEETING W/MILEY BI // July 9, 2015**

There are 2 apartments on the top floor, both with residents living there. These are 2 illegal apartments, which need to be permitted and inspected. Failed both fire inspections. Bottom line is that he has 2 illegal apartments that need to be legalized. Possibly an application to Planning or Zoning Board, along with a set of drawings demonstrating code compliance. Dr. Singla will also work to locate the contact of sale and mortgage documentation. He claims a competent attorney did this and this is not his fault. He is considering selling the property. The matter was adjourned to November 19, 2015 allow Mr. Singla time to gather additional evidence. These apartments need to be legalized; perhaps a full application to the Planning Commission, ZBA, along with a building permit and set of drawings showing code compliance.

**Spring Corporation / 30 Broad Street**

Defendant-tenant and defendant owner appeared along with Tenant's counsel, John Crane, and owner's counsel, Mark Kaminsky. After several negotiations and discussions, defendant agreed to pay a penalty

of \$8,000. This will be broken up into two payment of \$4,000, one due on August 13, 2015 and the final payment due October 15, 2015. Defendants and counsel executed a stipulation of settlement, which was so-ordered by the Court. The matter was adjourned to October 15, 2015 for payment of fine.

**The Gym at Port Chester / 13 Riverdale Avenue**

Defendant's counsel, Steven Bagwin appeared on July 9, 2015. Mr. Bagwin was informed that he needed to pay the \$50 re-inspection fee. He also noted that his client is paying a lot of money in temporary Certificate of Occupancy fees. The building is in compliance and settlement was discussed. Defendant's agreed to pay a fine of \$1,500, which is payable by October 8, 2015. As such, the matter was adjourned to October 8, 2015.

**Vita, Maria / 142 Fairview Avenue**

Defendant Maria Vita appeared on July 9, 2015, but defendant Kruschele failed to appear. Ms. Vita had her payment for the funds due under the settlement stipulation, but Ms. Kruschele was not there and the payment was due today. Ms. Vita was informed to pay the entire amount and then seek redress from Ms. Kruschele. Ms. Vita made the payment in full and this matter is to be closed. Prior to payment, matter was adjourned to July 23, 2015 for payment of fine.

Village Prosecutor – Code Violations  
Status Report / August 6, 2015

The following matters appeared on the Justice Court's calendar on August 6, 2015.

**11 South PS, Inc. / 11 South Pearl Street**

Defendant failed to appear on August 6, 2015. The matter was adjourned to November 5, 2015.

**115 Rectory St. LLC / 115 Rectory Street**

Counsel for defendant, Charles Gottlieb (Cuddy Feder) requested an adjournment to allow time to confer with his client and gather information. As such, the matter was adjourned on consent to September 24, 2015.

**Cabrera, Adolfin & Lopez, Luis / 115 Midland Avenue**

Counsel for defendant, Mario DeMarco requested an adjournment due to a scheduling conflict. As such, the matter was adjourned to August 13, 2015.

**Alcantara, Roberto / 31 Bush Avenue**

Counsel for defendant, Mario DeMarco requested an adjournment due to a scheduling conflict. As such, the matter was adjourned to August 13, 2015.

**Campos, Janeth (Beltre, Ramon) / 57 Leonard Street**

Counsel for defendant, Michael Keesee appeared on August 6, 2015 and informed that plans were reviewed with an architect in July 2015 but were missing information needed for approval. Since this nothing further has been done by defendants. Mr. Keesee also informed that co-defendant Ramon Beltre is now divorced from co-defendant Janeth Campos. The matter was adjourned to November 19, 2015.

**Campos, Janeth / 52 Soundview Street**

Defendant failed to appear on August 6, 2015 despite being informed to do by the court on July 23. Pursuant to the court, a Warrant Letter will be issued, returnable September 10, 2015.

**Carriello, Nicholas / 29 Willet Avenue**

Defendant appeared on August 6, 2015 and explained that she had not received any letters from the court regarding appearance dates, which is why she was not present at the last several court dates. This appears to be due to an incorrect address listed with the Town Assessor. Defendant informed that all work had been completed in November 2014. Although all of the work was completed, defendant never returned for the disposition of the matter. Defendant was told that the matter still needed to be disposed of and a fine paid. Defendant was also instructed to provide her correct mailing address as well as contacting the Rye Town Assessor to correct the address issue. The matter was adjourned to November 5, 2015 for disposition.

**Congregation Knees Tifereth Israel (KIT) / 575 King Street**

Counsel for defendant, Larry Engle appeared on August 6, 2015 and entered a plea of not guilty. Mr. Engle informed that all work to the sidewalk has already been completed and the inspection set. Mr. Engle was told that he is required to furnish proof of completion to satisfaction by DPW. The matter was adjourned to November 5, 2015 for disposition.

**Cruz, Brunilda / 63 Purdy Avenue**

Defendant requested an adjournment due to treatment for a medical condition. As such, the matter was adjourned to October 15, 2015.

**Cruz, Brunilda / 48 Grove Street**

Defendant requested an adjournment due to treatment for a medical condition. As such, the matter was adjourned to October 15, 2015.

**Defreitas, Riccardo / 395 Irving Avenue**

Counsel for defendant, Lou Reeda requested an adjournment as his client has changed jobs and needs additional time to address the violations. As such, the matter was adjourned to October 15, 2015.

**Elmont Holdings, LLC / 77-79 Elmont Avenue**

Defendant appeared before the court on August 6, 2015. The matter was adjourned to September 10, 2015 to allow defendant time to obtain an attorney.

**G&S Port Chester / 40 Westchester Avenue**

Counsel for defendant, Dan Tartaglia appeared on August 6, 2015. This matter involves a blocked egress at the Lowes movie theater. Mr. Tartaglia was advised to contact DPW and obtain proof of correction stamped by DPW as well as a follow up fire safety inspection. The matter was adjourned to November 5, 2015 for compliance and disposition.

**G&S Port Chester / 30-18 South Main Street**

Counsel for defendant, Dan Tartaglia appeared on August 6, 2015. This matter involves an improperly positioned crosswalk. Mr. Tartaglia informed that he has attempted to contact NYSDOT to no avail and has hired traffic consultant Dunn Engineering. Additional time will be needed to obtain proof from DOT showing that DOT directed that the crosswalk be installed in its current position. This dates back 20-years. As such, the matter was adjourned to November 5, 2015.

**Garcia, Felipe / 119-121 Smith Street**

Counsel for defendant, Michael Keese appeared on August 6, 2015 and was told that defendant's building permit has expired. It appears that all work has stopped. Defendant will work to renew the building permit. The matter was adjourned to October 15, 2015.

**Greater Westchester Properties, LLC / 544 Locust Avenue**

Counsel John Crane appeared on August 6, 2015. The court produced a letter indicating that attorney Anthony Tirone was counsel of record for defendant. Mr. Crane will address this with Mr. Tirone. The matter was adjourned to September 10, 2015.

**Guiracocha, Jorge / 55-57 Poningo Street**

Counsel for defendant, Frank Alligretti appeared on August 6, 2015 and informed that permits have been issued, however the installation of the fire escape has not yet begun. Work also needs to be done to enlarge windows for emergency egress. Mr. Alligretti was informed that defendant's permit may be soon expiring and that he should seek a renewal. The work is expected to take approximately 3-months. Mr. Alligretti was given a copy of the settlement stipulation for review. The matter was adjourned to November 12, 2015 for compliance and disposition.



**Romeo, Maria / 5-7 Ridgeview Place**

Defendant's son, Daniel DeLissa appeared before the court on August 6, 2015 and informed that his mother is 89-years old and was unable to attend. The matter was adjourned to September 10, 2015 to afford defendant time to obtain an attorney.

**Sinis, Panagiotis / 92 Purdy Avenue**

Defendants Olga and Maria appeared on August 6, 2015 and informed that they have retained an architect and contractor and that the plans are ready. The plans will still need to be reviewed by the Building Department. Defendants indicated that they believe that the work should only take a few days to complete. The matter was adjourned to November 19, 2015.

**Valenti, Joan / 159 Highland Street**

Defendant failed to appear on August 6, 2015. As such, a Warrant Letter will be issued, returnable September 10, 2015.





**VILLAGE OF PORT CHESTER**  
**DEPARTMENT OF PLANNING & DEVELOPMENT**

222 Grace Church Street, Rm. 202  
 Port Chester, NY 10573  
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Jesica Youngblood, Assistant Director of  
 Planning and Development  
 Constance Phillips, Planning Commission  
 Secretary

**ACTIVE PLANNING AND DEVELOPMENT INITIATIVES**

**PLANNING**

INITIATIVE	SUMMARY	STATUS
Redevelopment of the former United Hospital Site (Starwood)	Mixed-use redevelopment proposal for the former United Hospital site located within the Village’s PMU Planned Mixed Use District to permit: 500 “Millennial” housing units, 240 age-restricted housing units, an approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.	Preliminary DEIS provided by Applicant December 30, 2014. Applicant submitted revised DEIS documentation May, June and July 2015 for consultant and staff review for completeness per SEQRA law. BOT adopted Applicant’s DEIS as complete July 20, 2015. First SEQRA public hearing scheduled August 25, 2015, second scheduled September 2015. Public comment period closing September 25, 2015.
Lot Line Adjustment	Land subdivision law amendment to allow for administrative approval of minor lot line adjustments or apportionments that will not create additional buildable lots or alter zoning districts.	Local law adopted July 6, 2015.
School Children Generation Mitigation Formula (Funded, initiated by the Village IDA)	Development of mitigation formula applicable to multi-family residential development seeking to provide monetary contribution to any additional impact to the school district as a result of the project.	Presentation to BOT, December 2014. Consultant revised final document to include additional multi-family development examples.
Project Proposal Forms	Intake and processing of proposals which may require review by the Planning Commission, Zoning Board, and Waterfront Commission.	Ongoing. Allow for tracking market trends relative to existing zoning provisions.
Planning Workshops	Workshop meetings with the Planning Commission to discuss various topics regarding the implementation of	Ongoing.



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Jesica Youngblood, Assistant Director of  
 Planning and Development  
 Constance Phillips, Planning Commission  
 Secretary

	Comprehensive Plan recommendations and zoning amendments for BOT review.	
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**ZONING AMENDMENTS**

<b>INITIATIVE</b>	<b>SUMMARY</b>	<b>STATUS</b>
C1 Neighborhood Retail Zoning Analysis: medical, dental office use	Analysis of a potential zoning text change to permit medical in the C1 Neighborhood Retail District by special exception permit subject to existing special exception criteria as defined in §345-61U.	Presentation to BOT completed March 2015. Planning Commission supports concept. Public hearing July 20 and August 17. Anticipated adoption of 1 of 2 strategies anticipated by Fall 2015.
Minor Change of Use	Amendment to streamline approval process for minor change of use in C2, C5, and C5T Districts. Would enable administrative approval of change of occupancy to another approved use of equal or lesser impact rather than full site plan approval by Planning Commission. Targeted to facilitate the re-occupancy of vacant second and third story office spaces downtown.	Presentation to BOT anticipated May 2015. Planning Commission supports concept. Staff has prepared draft local law for BOT review and adoption.

**ADMINISTRATION**

<b>INITIATIVE</b>	<b>SUMMARY</b>	<b>STATUS</b>
Records Management	Maintains and records all planning, zoning files including escrow accounting for active applications	Ongoing
Board/Commission Management	Staff, professional development; professional certification	Ongoing
IDA Management	Records and maintains all IDA files; liaise between Village and IDA.	Ongoing
Web Management	Maintains Planning, Zoning IDA, LDC webpages.	Ongoing

**GRANTS**

<b>INITIATIVE</b>	<b>SUMMARY</b>	<b>STATUS</b>
New York State Regional Economic Development Council Grant Funding	Application, management and oversight of awarded 2013 Department of State Local Waterfront Revitalization Program grant for the repair of the collapsed bulkhead with new public activity platform: implementation of for final design and construction documentations plus all applicable permits for the collapsed bulkhead. Application, management and oversight of other applicable local, state and federal grant opportunities.	<p>DOS-LWRP FY2013-2014: awarded \$225,420 for design and construction plans + permits. Contract executed October 2014. RFP solicited February 2015, closed March 16, 2015. July 6, 2015</p> <p>2015 CFA Process opened May 1, 2015 and closes July 31, 2015. Village submitting applications for one or more or a combination thereof for waterfront enhancements, downtown revitalization, and transit oriented development. Village IDA providing grant assistance. Staff attended June 9, 2015 CFA workshop.</p>
New York State Community Development Block Grant Funding	State funding through the Office of Homes and Community Renewal (OHCR) including housing, public infrastructure, public facilities, economic development, etc. Total funding allocated for Westchester Communities is \$4.1 million.	Program announced July 2015. Staff attended informational workshop July 28, 2015. Applications currently being prepared for October 23, 2015 submission.
New York State Environmental Facilities Corporation – State Revolving Fund	New state program to facilitate the replacement and repair of wastewater infrastructure and to fund projects that will result in the greatest reduction in risk to public health. Eligible projects include rehabilitation of wastewater treatment plants, repair/rehabilitation of sanitary sewers, and energy efficiency upgrades to wastewater treatment plants.	Staff has spoken with EFC and has scheduled follow-up conversations with Village Engineer Dolph Rotfeld.

**ENVIRONMENTAL PLANNING**

<b>INITIATIVE</b>	<b>SUMMARY</b>	<b>STATUS</b>
Hazard Mitigation Planning (County-wide Plan)	Westchester County preparation county-wide hazard mitigation planning, i.e. hurricanes, blizzards, flooding, etc. Completion ensures eligibility for emergency management funding.	Final draft report distributed to municipalities April 2015. Staff presented report at the May 18, 2015 meeting. Draft report under review by FEMA and Westchester County, with anticipated adoption Fall 2015.
MS4 Permit Management	Municipal separate storm sewer system (MS4) permit required by Federal Government under the Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) program to prevent harmful pollutants from being washed or discharged into a waterbody.	Annually. NYSDEC Audit completed June 2 for compliance review. Village Staff provides structure and assistance for future audits.
Local Waterfront Revitalization Program (LWRP)	Update to adopted 1992 village waterfront policy and vision plan. Guidelines for Waterfront Commission project consistency review.	Finalizing Draft LWRP document for NY Department of State (DOS) official 60 Day Document Review. Formal BOT adoption 2015.

**VISIONING, BRANDING, AND ECONOMIC DEVELOPMENT STRATEGIES**

Economic Development Promotional Material	Economic development promotional materials citing Comprehensive Plan, Strategic Plan, LWRP vision. Coordination with IDA Strategic Planning efforts.	Ongoing
150 <sup>th</sup> Anniversary	Proposed formation of a steering committee to complete specific beautification projects in anticipation of the Village's 150 <sup>th</sup> anniversary in 2018. Possible projects include: <ul style="list-style-type: none"> <li>• Streetscape improvements</li> <li>• Area branding</li> <li>• Placemaking Charette</li> <li>• Historic preservation designation</li> <li>• New/improved greenspace and/or bike and pedestrian amenities</li> <li>• Area-wide programs/events/initiatives</li> </ul>	2015-2018

# Planning Commission, Zoning Board of Appeals, and IDA Applications

The Office of Planning & Development oversees activities for the Planning Commission, Zoning Board of Appeals, Waterfront Commission, Industrial Development Agency and Board of Trustees. Below are two tables of both active and recently approved applications managed by the Office of Planning & Development. Additional information is available through the Office's website ([http://www.portchesterny.com/Pages/PortChesterNY\\_Planning/index](http://www.portchesterny.com/Pages/PortChesterNY_Planning/index)).

## ACTIVE PLANNING APPLICATIONS

Address	Project Description	Status of Project
400 N Main Street	Accessory storage structure.	Public hearing scheduled August 2015.
314-316 Boston Post Road	New retail and office building.	Public meeting schedule August 2015.
141 Abendroth Ave	Site plan conditions amendments.	Public hearing adjourned to June 2015.
70 Grove Street	Legalization for expansion of existing auto-body repair with accessory office.	Public hearing (ZBA) August 2015.

## APPROVED APPLICATIONS

Address	Project Description
509 Boston Post Road	New boutique health club facility.
14 University Place	New property structures, tenant storage units.
110 Westchester Ave	New dental office.
74, 98 Fox Island Road	Relocation of existing laundry facility at 98 Fox Island Road to 74 Fox Island Road with expansion of existing warehouse at 98 Fox Island Road.
110 Westchester Ave	New dental office.
10 Pearl Street	Demolition of existing building for new restaurant and four floors of office.
29, 37-39 N Main Street	Expansion of existing restaurant into outdoor patio space.
10 Bulkley Ave	Site plan approval for woodworking shop.
141 Willett Ave	New health club.
21 Abendroth Ave	Shared parking approval.
141 Willett Ave	New health club.
120 N Pearl	New multi-family building (50 units) with high-end amenities + parking.
163 N. Main	Tarry Market Alley way.
8 Slater	Warehouse expansion for vehicle storage.
25 Willett Ave	Creation of American Bar & Restaurant.
242 King St	Expansion of existing office building.
264 Boston Post Road	Legalization of freezer at existing drive-thru restaurant.
411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Verizon).
411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
135 S Main Street	Site plan approval for construction of two new two-family residences.

117 N Main Street	Open a family oriented Papa John's pizza restaurant.
999 High Street	Renewal for special exception use permit for wireless telecomm facility (AT&T).
167-169 Terrace Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
999 High Street	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
222 Grace Church St	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
45 Townsend	Remove an existing two family dwelling and use the parcel for open storage of materials.
126 North Main St	Gastropub styled restaurant featuring weekend acoustic performances.
33 New Broad St	Open micro distillery as part of larger sustainable/farming operation.
152 King Street	Proposed interior renovations to a 1-story building to convert existing repair bays to a convenience store.
96 Perry Ave	Two-lot subdivision
145 Westchester Ave	Expansion of use and operation of the space by annexing it into the adjacent existing overall operations of The Capitol Theatre.
149-151 Westchester Ave	Capitol Theatre expansion of capacity use/increase occupancy from 1,835 to 2,205; add exterior walk in cooler, use of sidewalk hydraulic material lift and addition of mobile stand up bars.
36 Midland Avenue	Installation of sectional overhead doors & relocation of 3 parking spaces.
104 North Main Street	Reconfigure existing takeout restaurant & expand kitchen & dining room into existing adjacent tenant spaces, renovate existing basement for auxiliary use to restaurant on 1st floor, install new NFPA Sprinkler System throughout entire building.
110 Midland Avenue	Installation of a self-contained cosmetic spray booth within open warehouse space in accordance with Westchester County emission permit.
110 North Main Street	Raise existing roof structure to provide habitable space. Existing 2nd floor to be used as an office, storage, private dining and a service kitchen for private dining.
400 Westchester Ave	Construct a rear handicap-accessible rear facility entrance with canopy and fence; Replace playground equipment
275 Boston Post Road	Renovate existing vacant food service establishment into a Popeye's franchise restaurant with drive-thru.
110 Westchester Ave	Provide pedestrian access from Village owned muni parking lot to rear of common property line, install new exit door, walkway with lighting new fencing and new lawn.
26 Putnam Ave	Site Plan approval for continued use of an existing Sign/Graphic Design Shop (2nd fl.) and approval for a change of use (1st fl.) for current non-conforming use as a laundromat.
21 Abendroth	Shared parking approval
411 Westchester Ave	Modification of existing wireless facilities.
500 N. Main Street	Health club approval
110 Midland	Amendment to approved site plan; special exception use.
3 West Street	New two-family home with on-site parking.
528 Willett Ave	Site plan approval for new underground storage tank, site improvements and convenience store.





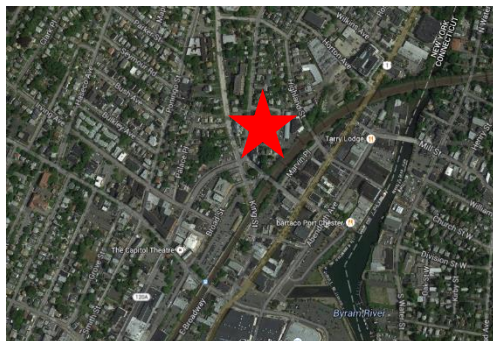
**VILLAGE OF PORT CHESTER**  
**DEPARTMENT OF PLANNING &**  
**DEVELOPMENT**

**222 Grace Church Street, Rm. 202**  
**Port Chester, NY 10573**  
**(P) 914.937.6780**  
**(F) 914.939-2733**

Jesica Youngblood, Assistant Director of  
Planning & Development  
Constance Phillips, Planning  
Commission Secretary

To: Chairman Gregory and Planning Commissioners  
From: Jesica Youngblood, Assistant Director of Planning & Development  
Re: July 27, 2015 Planning Commission Meeting Comment Memorandum  
CC: C. Steers, T. Cerreto, P. Miley, D. Rotfeld, C. Phillips  
Date: July 23, 2015

**2. 141 Abendroth Avenue/21 Willett Avenue (Case #2015-0118)**  
**Formerly #679(F113) & 408E(F113)**



Section, Block, Lot: 142.23-2-47 (formerly 142.23-2-13, 142.23-2-14, 142.23-2-15)  
Zoning District: C2 Main Street Business District  
Lot size: 60,559 sqft,  
Owner: Mariner Port Chester LLC  
Applicant: Anthony Gioffre, Esq. of Cuddy & Feder, LLP o/b/o The Mariner Port Chester, LLC

**Project Overview:**

The Applicant seeks relief from conditions numbers 16, 22, and 31 of the adopted Site Plan Resolution (dated January 25, 2010):

- **Condition #16:** *“The applicant shall place all overhead utilities underground, shall reconstruct all sidewalks and curbs and shall install street landscaping and associated facilities immediately surrounding the site in accordance with Village standards and specifications, prior to the issuance of a Certificate of Occupancy.”*
- **Condition # 31:** *“All on-site utilities shall be installed underground.”*

- Condition # 22: *“The Applicant shall fund an escrow account of sufficient amount to provide monitoring of the Abendroth Avenue/Willett Avenue intersection at 6 month intervals for a period of two years after 75% of the units in the building are occupied. Said monitoring shall be supplied to the Planning Commission in a timely manner. If, in the sole opinion of the Planning Commission, the Levels of Service or overall traffic conditions are the intersection deteriorate appreciably, the applicant shall install a traffic light at this intersection, at its sole expense, to mitigate this situation.”*

**SEQRA Classification:**

The project is classified as a Type II Action under the State Environmental Quality Review Act and requires no further action.

**Required Approvals:**

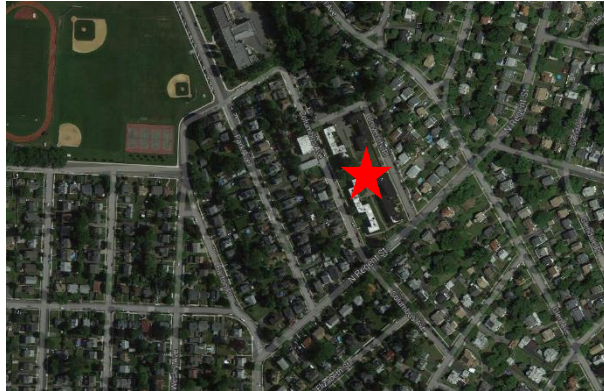
- Site Plan amendment approval (Planning Commission)

**Next Steps:**

As requested from the Commission, ConEdison representatives Paul Cherion, construction manager, and Jane Solnick, Director of Public Affairs, attended the March 30 meeting to discuss options and alternatives to burying the existing power lines. As a result of the meeting, additional discussion among ConEdison, The Mariner and the Village occurred on May 4, 2015. ConEdison is to provide The Mariner with various cost estimates for two design configurations for power line re-wiring feasibility. Applicant has submitted a letter of adjournment until the issue is resolved. It is recommended that the Commission adjourn the meeting until September 28, 2015.

***Continue to Next Page***

### 3. 14 University Place (Case #2014-0116)



Section, Block, Lot: 136.61-1-27  
Zoning District: R5 One Family Residence District  
Lot size: 2.74 acres  
Owner: UCF Regent Park, LLC  
Applicant: UCF Regent Park, LLC /Paul Berte, P.E., Fusion Engineering, Inc.

#### **Project Overview:**

Applicant to legalize exterior site improvements and existing 73-unit residential development with tenant-only basement storage located off of N Regent Street between Columbus Avenue and University Place (also known as Regent Gardens Apartments). Site improvements are cosmetic in nature and include the already-constructed 36" high post and rail fence along the property boundary, the addition of a ±12'X16.5' wood frame gazebo at the corner of Columbus Avenue and North Regent Street, a wood frame 13.5'X13.5' pergola situated over an existing sidewalk/courtyard area in the center of the facility, and an 11'X11' pergola at the building situated at 14 University Place. The application also includes the legalization of two (2) stone signs at the southwestern and southeastern corners of the property.

The exterior site improvements are considered structures per Village Code and therefore require site plan approval per Chapter 345 Zoning of the Village Code.

The application also includes tenant-only storage located in the basement of buildings. No impacts to traffic, infrastructure or to the environment are anticipated from the application.

#### **Project Proposal From:**

As indicated by the Applicant in the Project Proposal Form and subsequent discussions with the Planning Office, the following information was presented:

- No additional staff required;
- No additional units added; and

- Site work is exterior and cosmetic in nature only

### **Zoning Compliance Review:**

The previously provided Zoning Compliance Form completed and certified by the Village Building Inspector indicated that the proposed ‘multi-family residential’ use is permitted in the R5 Residential District based on previous zoning determinations. However, the gazebo, the two stone signs, and one of the two pergolas require area variances. Additionally, the perimeter fence is located within the public right of way. As a result, the Applicant must enter into a license agreement, signed by the Village Manager, to place the fence within the property lines.

### **SEQRA Classification:**

The Proposal is considered a Type II Action under SEQRA and does not require further environmental review.

### **Required Approvals:**

- Site plan approval (Planning Commission)
- Area variances (Zoning Board of Appeals)
- Lease Agreement for fence in Village right-of-way (Board of Trustees)

### **Next Steps:**

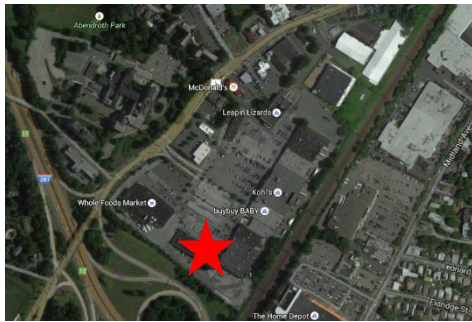
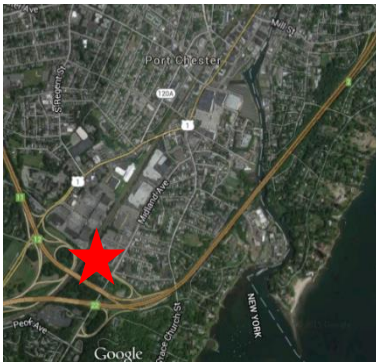
The Planning Commission referred the Applicant to the ZBA at the November 24<sup>th</sup> meeting for the required area variances. On March 19, 2015 the ZBA granted approval for area variances for signage but denied the area variance for the existing gazebo. Applicant will relocate the gazebo to conform to district setback requirements per ZBA hearing. Applicant will enter into agreement with the Village via a license for the location of the existing 3-foot fence located along the perimeter of the property.

As a result of the May and June meetings, the Village Engineer will approve revised drainage plans supplied by the Applicant prior to approval.

The Planning Commission may consider closing the Public Hearing and adopting the draft site plan approval provided no significant, outstanding planning or engineering comments remain.

Upon approval, Staff will recommend the Village Manager enter into a license agreement with the Applicant for the fence placed within the public right-of-way, subject to Village Attorney review.

## 4. 509 Boston Post Road (Case #2015-0126)



Section, Block, Lot: 142.53-1-1  
Zoning District: CD Design Shopping Center District  
Lot size: 30 acres (entire 'Kohl's Shopping Center')  
Owner: AVR Port Chester, LLC  
Applicant: JJJ Fitness, MUD Architects

### **Project Overview:**

Applicant seeks a change of use from an existing retail establishment to a health club facility in the Kohl's Shopping Center. The specific tenant space is the existing Dress Barn establishment located in the southeast corner of the site. The Proposal is in the CD Design Shopping Center and comprises 3,016 square feet of the existing thirty-acre site (< 1% of entire site).

The Proposal is strictly an interior fit out and includes providing 1,082 sqft of new studio space, 610 sqft of reception space, 140 sqft of office, and the balance comprising locker rooms and toilet facilities. The Proposal's new bathrooms require new piping facilities.

Per the Village Zoning Code, the proposed use as a health club is less intense than the existing retail establishment in terms of parking, loading, circulation and operational considerations. Specifically, the Proposal seeks to maximize operation during the early morning hours to reduce circulation and parking demands. A retail space of 3,000 sqft requires twelve (12) parking spaces where a health club requires four (4). Because the entire Kohl's site considers retail services as the primary uses, the proposed use's parking requirement is already met. This reduction of parking demonstrates a reduction of overall site intensity.

### **Comprehensive Plan Consistency:**

The proposed use satisfies Economic Development recommendation #1, 'Strengthen and expand economic opportunity...by focusing efforts on retaining and expanding existing businesses.' The Proposal demonstrates both local and national trends demanding new, lifestyle-focused health club facilities.

**Zoning Compliance Review:**

The Zoning Compliance Form completed and certified by the Village Building Inspector indicates that the proposed “health club” is a permitted use in the C2 Main Street Business District.

No off-street loading is required for the Proposal. Draining and lighting facilities previously approved per original site plan.

**SEQRA Classification:**

The project is classified as a Type II Action under the State Environmental Quality Review Act and requires no further action.

**Required Approvals:**

- Site Plan amendment approval (Planning Commission)

**Next Steps:**

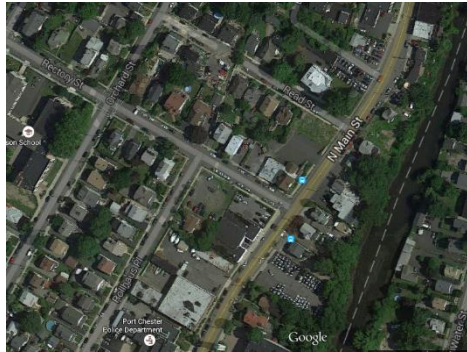
The Planning Commission may consider closing the public hearing and adopt the draft site plan approval provided no outstanding public comments or planning/engineering concerns remain.

***Continue To Next Page***

## 5. 501 Willett Ave (Case #2015-0125)

*Application withdrawn.*

## 6. 400 N Main Street (Case #2015-0127)



Section, Block, Lot: 136.72-1-1  
Zoning District: C4 General Commercial District  
Lot size: 19,103 sq ft., 0.117 acres  
Owner: 400 North Main Street LLC  
Applicant: 400 N Main Street, LLC, Edgewater Architects

### **Project Overview:**

The Applicant seeks legalization of an accessory structure (shed) located on the northwestern property line at 400 N Main Street, known specifically as Section 136.72, Block 1, Lot 1 (aka Alba's Restaurant), located in the C4 General Commercial District. The accessory structure is 500 square feet in size and purposed to store temporary/moveable restaurant equipment and dumpsters. The Project does not seek to amend or expand the previously approved restaurant use.

Applicant proposes new drainage shed roof gutter/leader to connect to nearby existing catch basin and system.

### **Zoning Compliance Review:**

The Zoning Compliance Form completed and certified by the Village Building Inspector indicates that the accessory structure is permitted in the C4 District. Originally the Applicant required a 6.3ft variance. Applicant now proposes to conform to district zoning regulations.

**SEQRA Classification:**

The project is classified as a Type II Action under the State Environmental Quality Review Act and requires no further action.

**Required Approvals:**

- Site plan approval (Planning Commission)
- Notification to Westchester County Planning Board (Village Staff)
- Notification to the Town of Greenwich, Connecticut (Village Staff)

**Next Steps:**

Applicant amended application for the proposed shed to reduce its size and encroachment into the rear yard setback. Proposed structure demonstrates a 6.3' setback.

The Planning Commission may consider setting the public hearing for August 31, 2015 on the revised site plan provided there are no significant or unresolvable planning or engineering comments.







# Village of Port Chester

## Office of the Village manager

### MEMORANDUM

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TO: Christopher Steers

FROM: Grant Writing Work Group

DATE: August 17, 2015

RE: Grant Writing Work Group Status Update

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**CFA:** The Grant Writing Work Group completed 2015 CFA project applications for bulkhead repair, multi-modal transportation planning and efforts related to the Village's sesquicentennial celebration. The completed applications totaled \$5.15 million in funding requests.

**GIGP:** The Mayor inquired specifically to the 2015 CFA Green Innovation Grant Program. The Village did not meet eligibility requirements at the CFA 2015 deadline. We would require a "shovel ready" project at application.

**Grant Writing Services RFP:** The village solicited an RFP and received two responsive qualified bids from Millennium Strategies and Laberge Group. Staff has scheduled interviews and will present a recommendation for RFP award to the BOT on September 8, 2015. The awardee will be tasked with assisting in the forthcoming Community Development Block Grant (CDBG) application, administration of existing grants, and development of a grant writing strategic plan which will identify and target grant writing opportunities in line with the Village Strategic Plan.

**EFC:** NYS Clean Water Grants Revolving Fund has approximately \$50 million dollars in state funding for wastewater system projects available sometime this spring. Individual awards are capped at \$5 million. The funding will be available as a zero-low interest 5 to 30 year loan for projects which impact wastewater systems. The Work Group's current goal is to have our sewer project listed on the Intended Use Plan (IUP) by the September 4<sup>th</sup> deadline. Listing on the IUP is a requirement for eligibility for funding in future rounds. Staff is meeting with Dolph's office the week of the 17th to discuss feasibility, eligibility and engineering work required for filing with the IUP.

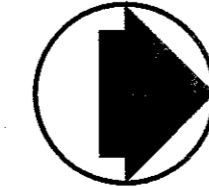
**CDBG:** The newly announced \$4.1 million pot of Community Development Block Grant money is to be shared by Westchester Communities with 50,000 or less population. The categories for grant applications include Public Infrastructure Public Facilities Economic Development), and Housing Rehab Activities. The group anticipates using a combination of previous application proposals (street,

sidewalk, and park improvements) and new proposals including sewer infrastructure and fire house improvements. The Village Engineer and RFP awardee will coordinate with the group on these applications. Applications are due October 23, 2015.





PLAN  
SCALE 1"=100'



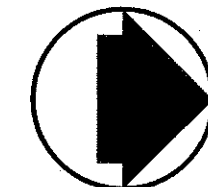
ANY ALTERATIONS OR REVISIONS OF THESE PLANS, UNLESS DONE BY OR UNDER THE DIRECTION OF THE NYS LICENSED AND REGISTERED ENGINEER THAT PREPARED THEM, IS A VIOLATION OF THE NYS EDUCATION LAW.

THIS PLAN NOT VALID FOR CONSTRUCTION WITHOUT ENGINEER'S SEAL & SIGNATURE	Rev: 8/4/15	2015 SIDEWALKS VILLAGE OF PORT CHESTER WESTCHESTER COUNTY, NEW YORK  <b>dolph rotfeld engineering, p.c.</b> 200 White Plains Road, Tarrytown, NY 10591 <small>(914) 831-8800</small>	Sheet
	design by: DR		1
	drawn by: PF		2
	chkd by: DR		
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PLAN  
SCALE 1"=100'



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

THIS PLAN NOT VALID FOR CONSTRUCTION WITHOUT ENGINEER'S SEAL & SIGNATURE	_____ _____ _____ _____ _____	2015 SIDEWALKS VILLAGE OF PORT CHESTER WESTCHESTER COUNTY, NEW YORK	<b>dolph rotfeld engineering, p.c.</b> 200 White Plains Road, Tarrytown, NY 10591 <small>(914) 251-2200</small>	sheet 2 of 2
	Rev: 8/4/15 Orig: DR design by: DR drawn by: PF chkd by: DR Copyright © 2015			



PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.

FINANCIAL STATEMENTS

DECEMBER 31, 2014 AND 2013



PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.  
DECEMBER 31, 2014 AND 2013

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Statements of revenue and support, expenses and changes in net assets - modified cash basis	3
Statements of functional expenses - modified cash basis	4
Statements of cash flows - modified cash basis	5
Notes to financial statements	6-9



# CAPUTO & BONCARDO CPAs PC

CERTIFIED PUBLIC ACCOUNTANTS

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538 Westchester Avenue • Rye Brook, New York 10573  
Telephone: (914) 937-0880 • Fax: (914) 935-0582 • E-mail: cbcpas.org

Rocco Caputo, CPA  
Nicholas J. Boncardo, CPA

Antonio Braccia, CPA  
Vincent D. Caputo

## INDEPENDENT AUDITORS' REPORT

Board of Directors  
Port Chester-Rye-Rye Brook  
Volunteer Ambulance Corps, Inc.  
Port Chester, NY 10573

We have audited the accompanying financial statements of the Port Chester-Rye-Rye Brook Volunteer Ambulance Corps, Inc. (a nonprofit corporation) which comprise the statements of financial position as of December 31, 2014 and 2013, and the related statements of revenue and support, expenses and changes in net assets-cash basis, functional expenses - cash basis, and cash flows - cash basis for the years then ended, and the related notes to the financial statements.

### Management's Responsibility for the Financial Statement

Management is responsible for the preparation and fair presentation of these financial statements in accordance with United States generally accepted accounting principles; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

As described in Note 2, these financial statements were prepared on the modified cash basis, which is a comprehensive basis of accounting other than generally accepted accounting principles.

### Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with United States generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Port Chester-Rye-Rye Brook Volunteer Ambulance Corps, Inc. as of December 31, 2014 and 2013, and the results of its revenue and support, expenses and changes in net assets, functional expenses, and cash flows for the years then ended, on the basis of accounting described in Note 2.

### Basis of Accounting

We draw attention to Note 2 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

*Caputo & Boncardo, CPAs P.C.*

CAPUTO & BONCARDO, CPAs P.C.  
Rye Brook, New York  
May 8, 2015

PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.  
STATEMENTS OF ASSETS, LIABILITIES AND NET ASSETS - MODIFIED CASH BASIS  
FOR THE YEARS ENDED DECEMBER 31, 2014 AND 2013

ASSETS

	<u>2014</u>	<u>2013</u>
Current assets:		
Cash and equivalents	\$2,175,257	\$2,020,195
Total current assets	<u>2,175,257</u>	<u>2,020,195</u>
Property and equipment, at cost:		
Land	60,600	60,600
Building and improvements	351,418	296,318
Ambulances	803,637	803,637
Automobiles	76,973	76,973
Furniture & fixtures	27,031	8,628
Equipment	<u>735,550</u>	<u>735,550</u>
	2,055,209	1,981,706
Less accumulated depreciation	<u>1,664,551</u>	<u>1,516,853</u>
Total property and equipment	<u>390,658</u>	<u>464,853</u>
Total assets	<u>\$2,565,915</u>	<u>\$2,485,048</u>

LIABILITIES AND NET ASSETS

Net assets		
Unrestricted	\$2,091,768	\$2,014,045
Temporarily restricted	474,147	471,003
Restricted	<u>-</u>	<u>-</u>
	<u>2,565,915</u>	<u>2,485,048</u>
Total liabilities and net assets	<u>\$2,565,915</u>	<u>\$2,485,048</u>

See independent auditors' report  
and notes to financial statements.

PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.  
STATEMENTS OF REVENUE AND SUPPORT, EXPENSES  
AND CHANGES IN NET ASSETS-MODIFIED CASH BASIS  
FOR THE YEARS ENDED DECEMBER 31, 2014 AND 2013

	2014				2013			
	Unrestricted	Temporarily restricted	Restricted	Totals	Unrestricted	Temporarily restricted	Restricted	Totals
<b>Revenue and support:</b>								
Ambulance service contract	\$ 679,800	\$ -	\$ -	\$ 679,800	\$ 679,800	\$ -	\$ -	\$ 679,800
Fees for services	1,673,616	-	-	1,673,616	1,802,809	-	-	1,802,809
Public contributions and grants	60,668	78,297	-	138,965	80,488	200,700	-	281,188
Standby fees	21,190	-	-	21,190	14,485	-	-	14,485
Sale of assets	-	-	-	-	40,000	-	-	40,000
Interest income	3,389	-	-	3,389	4,387	-	-	4,387
Revenue and support	2,438,663	78,297	-	2,516,960	2,621,969	200,700	-	2,822,669
Net assets released from restriction	75,153	(75,153)	-	-	500	(500)	-	-
Total revenue and support	2,513,816	3,144	-	2,516,960	2,622,469	200,200	-	2,822,669
<b>Expenses:</b>								
Program services	2,323,517	-	-	2,323,517	2,238,806	-	-	2,238,806
Management and general	94,760	-	-	94,760	93,614	-	-	93,614
Fundraising	17,816	-	-	17,816	14,323	-	-	14,323
Total expenses	2,436,093	-	-	2,436,093	2,346,743	-	-	2,346,743
Increase (decrease) in net assets	77,723	3,144	-	80,867	275,726	200,200	-	475,926
Net assets, beginning of year	2,014,045	471,003	-	2,485,048	1,738,319	270,803	-	2,009,122
Net assets, end of year	\$ 2,091,768	\$ 474,147	\$ -	\$ 2,565,915	\$ 2,014,045	\$ 471,003	\$ -	\$ 2,485,048

See independent auditors' report and notes to financial statements.

PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.  
STATEMENTS OF FUNCTIONAL EXPENSES-  
MODIFIED CASH BASIS  
FOR THE YEARS ENDED DECEMBER 31, 2014 AND 2013

	2014				2013			
	Program Service	Management and general	Fundraising	Total expenses	Program Service	Management and general	Fundraising	Total expenses
Life support and transport	Administration	Life support and transport			Administration			
Salaries	\$ 1,435,418	\$ 42,460	\$ -	\$ 1,477,878	\$ 1,310,817	\$ 40,924	\$ -	\$ 1,351,741
Payroll taxes	113,843	4,200	-	118,043	100,905	3,500	-	104,405
Employee benefits	160,218	-	-	160,218	146,320	2,000	-	148,320
Insurance	131,320	15,000	-	146,320	128,572	15,000	-	143,572
Medical billing	113,808	-	-	113,808	124,807	-	-	124,807
Ambulance repairs and fuel	71,501	-	-	71,501	65,871	-	-	65,871
Utilities	15,847	5,000	-	20,847	11,438	5,000	-	16,438
Building maintenance	20,095	-	-	20,095	17,558	-	-	17,558
Medical supplies	58,029	-	-	58,029	61,754	-	-	61,754
Telephone and communications	14,925	4,000	-	18,925	12,642	3,500	-	16,142
Office expense	4,090	12,000	-	16,090	4,915	10,000	-	14,915
Professional fees	2,650	12,100	-	14,750	-	13,690	-	13,690
Depreciation	147,698	-	-	147,698	218,670	-	-	218,670
Recruitment and retention	4,652	-	-	4,652	6,170	-	-	6,170
Uniforms	11,450	-	-	11,450	11,991	-	-	11,991
Meeting and conferences	1,280	-	-	1,280	814	-	-	814
Fundraising expense	-	-	17,816	17,816	-	-	14,323	14,323
Payroll processing	8,018	-	-	8,018	7,218	-	-	7,218
Miscellaneous	8,675	-	-	8,675	8,344	-	-	8,344
<b>Total expenses</b>	<b>\$ 2,323,517</b>	<b>\$ 94,760</b>	<b>\$ 17,816</b>	<b>\$ 2,436,093</b>	<b>\$ 2,238,806</b>	<b>\$ 93,614</b>	<b>\$ 14,323</b>	<b>\$ 2,346,743</b>

See independent auditors' report and notes to financial statements.

PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.  
STATEMENTS OF CASH FLOWS - MODIFIED CASH BASIS  
FOR THE YEARS ENDED DECEMBER 31, 2014 AND 2013

	<u>2014</u>	<u>2013</u>
CASH FLOWS FROM OPERATING ACTIVITIES:		
Increase (Decrease) in net assets	\$ 80,867	\$ 475,926
Adjustments to reconcile increases in net assets to net cash provided by operating Activities:		
Gain on sale of assets	-	( 40,000)
Depreciation and amortization expense	<u>147,698</u>	<u>218,670</u>
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES:	<u>228,565</u>	<u>654,596</u>
CASH FLOWS FROM INVESTING ACTIVITIES:		
Investments in property and equipment	( 73,503)	( 71,053)
Proceeds from sale of assets	<u>-</u>	<u>40,000</u>
NET CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES:	<u>( 73,503)</u>	<u>( 31,053)</u>
NET (DECREASE) INCREASE IN CASH AND CASH EQUIVALENTS:	155,062	623,543
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR:	<u>2,020,195</u>	<u>1,396,652</u>
CASH AND CASH EQUIVALENTS AT END OF YEAR:	<u>\$2,175,257</u>	<u>\$2,020,195</u>
SUPPLEMENTAL DISCLOSURES:		
Interest paid	<u>\$ -</u>	<u>\$ -</u>
Income taxes paid	<u>\$ -</u>	<u>\$ -</u>

See independent auditors' report and notes to financial statements.

PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2014 AND 2013

NOTE 1 - ORGANIZATION:

The Port Chester-Rye-Rye Brook Volunteer Ambulance Corps, Inc. (PCRFBVAC) was incorporated in 1968 as a nonprofit organization that provides emergency medical assistance and ambulance service in the Villages of Port Chester and Rye Brook and the City of Rye, New York. PCRFBVAC is a New York State Certified "Advanced Life Support Provider." Its operations are funded primarily by billings for advanced life support services, an annual contract with the three municipalities to provide emergency service, and public contributions.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

Basis of accounting

PCRFBVAC prepares its financial statements on the modified cash basis of accounting which is a comprehensive basis of accounting other than Generally Accepted Accounting Principles; consequently, revenues are recognized when received rather than when earned, and expenses are recognized when paid rather than when the obligation is incurred. Modifications to the cash basis of accounting include recording property and equipment and depreciation of those assets and accruing for payroll taxes.

Basis of presentation

The accompanying financial statements have been prepared in conformity with the disclosure requirements of the Financial Accounting Standards Board (FASB) as set forth in Statement of Financial Accounting Standards No. 117, Financial Statements of Not-For-Profit Organizations. Accordingly, the net assets of the Organization are reported in each of the following three classes: (a) unrestricted net assets, (b) temporarily restricted net assets, (c) permanently restricted net assets.

Unrestricted net assets

Unrestricted net assets are assets currently available for use by the Organization and are not subject to donor imposed stipulations.

Temporarily restricted net assets

The temporarily restricted net assets are those stipulated by donors for specific operating purposes or the acquisition of property and equipment; or those not currently available for use until commitments regarding their use have been fulfilled or lifetime beneficiary interests have ceased.

Permanently restricted net assets

Permanently restricted net assets are those contributed with donor stipulations that they be held in perpetuity with use of income for unrestricted or temporarily restricted purposes.

PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2014 AND 2013

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued):

Cash and equivalents

For financial statement purposes, the Organization considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents. Cash equivalents are carried at cost, which approximates market value.

Investments

Under FAS No. 124 investments are stated at market value except real estate which is stated at cost. Net appreciation (depreciation) in the fair value of investments, which consist of the realized gains or losses and the unrealized appreciation (depreciation) on those investments, is shown in the statement of activities.

Revenue recognition

PCRRBVAC has annual contracts with the Villages of Port Chester and Rye Brook and the City of Rye to provide emergency ambulance service.

PCRRBVAC bills patients and insurance companies for all emergency ambulance calls. Service fee revenue is recognized when received.

Public contributions are solicited by a direct mail campaign and are recorded as unrestricted, temporarily restricted, or permanently restricted support, depending on the existence and/or nature of any donor restrictions, in accordance with FAS No. 116.

Property and equipment

Property and equipment are stated at cost. Depreciation is provided over the estimated useful lives of the assets on a straight-line basis as follows:

Vehicles	5 years
Equipment	5-10 years
Building and improvements	10-25 years

The Organization's policy is to capitalize all asset additions that equal or exceed \$5,000.00.

Donated services

No amounts are reflected in the financial statements for donated services because no objective basis has been established to measure the value for such services.

Fair value of financial instruments

The Board of Directors believes that the Organization's carrying value of its financial instruments is a reasonable estimate of their fair value.

Use of estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.



PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2014 AND 2013

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued):

Advertising expenses

Advertising expenses are expensed when incurred.

Impairment of long-lived assets

The Organization reviews long-lived assets for impairment whenever events or changes in circumstances indicate that the carrying amount of such assets may not be recoverable. Recoverability of these assets is determined by comparing the forecasted undiscounted net cash flows of the operation to which the assets relate to the carrying amount. If the operation is determined to be unable to recover the carrying amount of its assets, then assets are written down first, followed by other long-lived assets of the operation to fair value. Fair value is determined based on discounted cash flows or appraised values, depending on the nature of the assets. As of December 31, 2014, there were no impairment losses recognized for long-lived assets.

NOTE 3 - EQUIPMENT LEASE:

The Organization leases certain office equipment. Under the terms of the leases, the future minimum annual rental payments required at December 31, 2014 are as follows:

<u>Year Ending December 31</u>	<u>Amount</u>
2015	\$ 2,076
2016	2,076
2017	2,076
2018	-
2019	-
	<u>\$ 6,228</u>

Rental expense for the leases for the years ended December 31, 2014 and 2013 (included in various expense accounts) was \$2,076 and \$2,076, respectively.

NOTE 4 - EMPLOYEE BENEFIT PLAN:

The Organization has a 403(b) salary deferral plan, whereby eligible employees may voluntarily contribute a percentage of their compensation. The Organization has the option of making an annual discretionary match of each employee's contribution to the plan up to a predetermined limit. The Organization made a matching contribution of \$4,837 and \$2,860 for the years ended December 31, 2014 and 2013, respectively.

NOTE 5 - RECLASSIFICATION:

In order to facilitate the comparison of the financial statements, certain amounts reported in the prior year comparative totals have been reclassified to conform with the current year presentation.

PORT CHESTER-RYE-RYE BROOK  
VOLUNTEER AMBULANCE CORPS, INC.  
NOTES TO FINANCIAL STATEMENTS  
DECEMBER 31, 2014 AND 2013

NOTE 6 - TAX STATUS:

The Organization has a determination from the Internal Revenue Service as an organization exempt from taxes under Section 501(c)(3) of the Internal Revenue Code.

Management has determined that there are no uncertain tax positions that would require recognition in the financial statements. If the Organization were to incur an income tax liability in the future, interest or any income tax liability would be reported as income taxes. The Organization's conclusions regarding uncertain tax positions may be subject to review and adjustment at a later date based on ongoing analysis of tax laws, regulations and interpretations thereof as well as other factors. Generally, federal, state, and local authorities may examine the Company's tax returns for three years from the filing date and the current and prior three years remain subject to examination as of December 31, 2014.

NOTE 7- CONCENTRATION OF CREDIT RISK:

The Organization maintains its cash balances at several financial institutions, which, throughout the year, may exceed federally insured limits. The Organization has not experienced any losses in such accounts. The Organization believes it is not exposed to any significant credit risk on cash and cash equivalents.

NOTE 8- SUBSEQUENT EVENTS:

In accordance with ASC 855 10 (SFAS No.165, "Subsequent Events"), the Company has assessed subsequent events in these annual financial statements through May 8, 2015, the date these financial statements were available to be issued to determine if they must be reported. There were no material subsequent events that require recognition or additional disclosure in these financial statements.



# Belia Gomez Tagle

28 Oak Street  
Harrison, NY 10528  
H: (914) 630-1829  
C: (914) 826-5293  
[belia@optonline.net](mailto:belia@optonline.net)

## **EDUCATION:**

---

<b>UDLA</b> Mexico D.F. MBA Degree on Business Administration	2003-2006
<b>Instituto Superior Anglo Americano</b> Mexico D.F. BA in Languages	1994-1999
<b>Birbek College, London University</b> Londres, Inglaterra BA Financial Economics (only one year)	1993-1994
<b>UNAM</b> Mexico D.F. BA Philosophy	1982-1983

## **Publications:**

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- MBA Thesis: "Strategic Analys: Caso y Fracaso de Ibero-Online"
- BA Thesis: "Economic and Social Variables that affect Teens to learn English as a Second Language"

## **EXPERIENCE:**

<b>Alianza Latina</b> Hispanic Heritage Festival (Kensico Dam) Even Coordinator	2010 to 2015
<b>Pronto Funding LLC</b> Loan Processor Loan Officer Administrative coordinator	2006 to 2008
<ul style="list-style-type: none"><li>• Prepare application forms 1003 for new mortgage loans. File new loans.</li><li>• Registered new loans with lenders and entered into Excel and Point Systems for follow up.</li><li>• Lock in new loans in pipeline.</li><li>• Processing loans until ready for closing. Close the file.</li><li>• Event Coordinator (EXPO Latino, Hispanic Day 2007)</li><li>• Home modifications</li></ul>	
<b>Universidad Ibero Americana</b> E- Tutor, Professor and Public Relations Representative	2002-2006
<ul style="list-style-type: none"><li>• Co-author of a online course</li></ul>	

- E-Tutor Strategic Management Certificate
- Courses: Financial Accounting, Managerial Accounting, Negotiation, Leadership, Strategic Management, Introduction to Economics, Strategic Marketing, Understanding Business
- Coordinator of events and presentations
  - Customer Service
  - Monitory of all the programs
  - Represent the school On-Line at CENEVAL  
Committee for preparing exams / Committee for online certifications

**Instituto Felix de Jesus Rougier** **2001-2002**  
Coordinator of the Languages Department where I was responsible for

- Hiring Teachers
- Training all new English teachers from Pre-School to High School
- Prepare schedules
- Revise lesson plans
- Teaching English, Spanish and French when needed
- Organizing all year meetings and events
- Co-ordinate all language department's activities

**ULSA** **2001-2003**  
Part-Time Professor (Economics, Business, Financial Accounting and Managerial Accounting)  
Mexico D.F. and Pachuca Hidalgo

**INHUMYC** **1998-1999**  
English Teacher

**Life Line Books – Canada** **1987-1990**  
Director

- Take care of the business (distribution of children books)
- Distribution
- Administration and book-keeping
- Sales

**Comermex** **1982-1987**  
Customer Service

- File complains and solve each problems in conjunction with different departments

## **SKILLS:**

---

Computer: Word, Excel, Power Point, Access, Outlook, Point

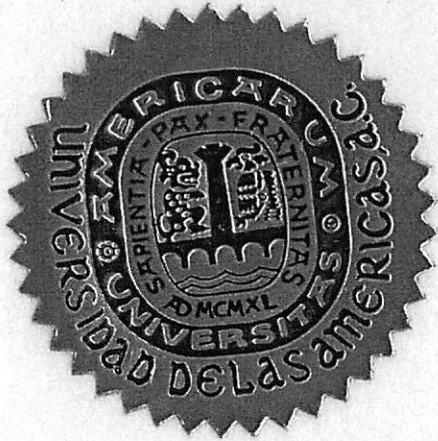
**LANGUAGES:** English, Spanish, French, German

## **REFERENCE:**

Available upon requested



# Universidad de las Américas, A. C.



has conferred upon

**Belia Ricarda Arreola Ochoa**

the degree of

**Master of Business Administration**

with all the rights and privileges appertaining to that degree  
in testimony whereof the Trustees of the University upon recommendation of the  
Faculty have granted this diploma bearing the seal of the University,  
awarded in Mexico City, the sixteenth day of June, in the year two thousand seven.

President



**Universidad de las Américas, A.C.**

otorga a

**Belia Ricarda Arreola Ochoa**

el grado de

**Maestra en  
Administración**



firma de la  
alumna

**Con Reconocimiento de Validez Oficial  
de Estudios de la Secretaría de Educa-  
ción Pública según acuerdo No. 994204,  
de fecha 9 de julio de 1999,  
en atención a que terminó los estudios  
correspondientes y aprobó el examen  
receptional que sustentó el día 11  
de septiembre del 2006.**

**México, D. F., a 28 de septiembre del 2006.**

**Dr. Alejandro Gertz Wanero  
Rector**



El presente grado fue expedido en favor de  
**Belia Ricarda Arreola Ochoa**  
Quien cursó los estudios en la Maestría en  
**Administración**

Y aprobó el examen recepcional correspondiente  
el día **11** de **septiembre** del **2006**

Quedó registrado en el libro **1** foja **063**

México, D.F., a **28** de **septiembre** del **2006**

La Directora de Servicios Escolares

*[Signature]*  
Lic. T. Elena Santillán César



**Certificación de Antecedentes Académicos**  
A continuación se certifican los estudios de

Nombre: **Belia Ricarda Arreola Ochoa**

Grado: **Maestra en Administración**

CURP: **AE0B640403MDFRCL02**

**Estudios Profesionales**

Licenciatura: **Licenciado en Idiomas**

Nº de Cédula: **3601214**

**Estudios de Posgrado**

Institución: **Universidad de las Américas, A.C.**

Maestría: **Maestro en Administración**

Periodo: **2000 ~ 2006**

Entidad Federativa: **Distrito Federal**

Examen de Grado: **11 de septiembre del 2006**

México, D.F., a **13 de octubre del 2006**

*[Signature]*  
Lic. T. Elena Santillán César  
Directora de Servicios Escolares



**REVISADO Y CONFRONTADO**  
**SECRETARÍA DE EDUCACIÓN PÚBLICA**  
**DIRECCIÓN GENERAL DE PROFESIONES**  
Registrado a fojas **541**  
del libro **1506**  
de Registro de Títulos Profesionales y  
Grados Académicos,  
bajo el número **18**  
cédula No. **05069737**  
México, D.F. a **30 de Mayo** de **2006**  
**EL REGISTRADOR**



**S.E.P.**  
**DIRECCIÓN GENERAL DE PROFESIONES**  
**DEPARTAMENTO DE REGISTRO**  
**Y EXPEDICIÓN DE CEDULAS**





# Instituto Superior Angloamericano

Plantel San José Insurgentes



SVZ INSTITUTO SUPERIOR ANGLIAMERICANO

Firma del Alumno

Otorga a

*Belia Ricarda Arreola Schoa*

el *Título* de

**Licenciado en Idiomas**

*Con reconocimiento de validez oficial de estudios de la Secretaría de Educación Pública, según acuerdo No. 0000934284 de fecha 23 de Noviembre de 1993., en atención a que terminó los estudios correspondientes*

*el día 25 de Mayo de 2001*

*México, D.F., a 14 de Diciembre de 2001*

*Ramón Hernández Flores*  
Rector

EL PRESENTE TÍTULO, FUE EXPEDIDO EN FAVOR DE

Belia Ricarda Arreola Ochoa

QUIEN CURSÓ LOS ESTUDIOS  
DE LA

LICENCIATURA EN IDIOMAS

Y APROBÓ CONFORME Tesis  
EL DÍA 28 DE Noviembre DE 2001

QUEDÓ REGISTRADO EN EL LIBRO N° 002 FOJA 002



MÉXICO, D.F., 14 DE Diciembre DE 2001

DIRECTOR ACADÉMICO

Alga E. Nader Kuri  
Lic. Alga E. Nader Kuri

SE AUTENTICA CON FUNDAMENTO EN EL ARTÍCULO 18  
DE LA LEY PARA LA COORDINACIÓN DE LA EDUCACIÓN  
SUPERIOR Y SE REGISTRA EN LA FOJA No. 43 DEL  
LIBRO No. 1

MÉXICO, D.F., 9 DE Enero DE 2002

JEFE DEL DEPARTAMENTO DE CERTIFICACIÓN ESCOLAR  
DIRECCIÓN GENERAL DE EDUCACIÓN SUPERIOR,  
SECRETARÍA DE EDUCACIÓN PÚBLICA



SUBSECRETARÍA DE EDUCACIÓN BÁSICA Y  
E INVESTIGACIÓN CIENTÍFICA  
DIRECCIÓN GENERAL DE EDUCACIÓN SUPERIOR  
DIRECCIÓN DE REGULACIÓN  
DE INSTITUCIONES PARTICULARES

E. Gilberto Zamacho Galindo

# DISCUSSION



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Office of the Village Manager

**BOT Meeting Date:** 8/17/2015

**Item Type:** Discussion Item

**Sponsor's Name:** Christopher D. Steers, Village Manager

Description	Yes	No	Description	Yes	No
Fiscal Impact	<input type="checkbox"/>	x	Public Hearing Required	<input type="checkbox"/>	x
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
	<b>Yes</b>	<b>No</b>	Quality of Life & Village Image		
Agreement	<input type="checkbox"/>	x	<b>Manager Priorities</b>		
Strategic Plan Related	<input type="checkbox"/>	x	Other		

**Parking Prohibition at Certain Times in Brooksville Area**

**Summary**

**Background:**

The Port Chester Traffic Commission has proposed a change to the street cleaning regulations in the Brooksville area. The Department of Public Works supports these changes as a solution to ongoing street litter and snow removal challenges that they face. Police and Fire have raised no objections. The change would institute parking Prohibitions one day a week each on Locust Ave, Madison Ave, Orchard Ave, Riverdale Ave, Edison Pl, Read St between the hours of 8:30AM and 11:30 AM.

**Proposed Action**

Adopt add-on Resolution

**Attachments**

**Traffic Commission Resolution**  
**Staff Presentation of Proposal**  
**Resolution**

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 Recommendations

8-17-15

# Brooksville Street Cleaning and Snow Removal Regulations

- At the June 23, 2015 meeting of the Traffic Commission, street conditions in the Brooksville area were discussed. The following was concluded and resolved:
  - Street conditions in the area are poor compared to other neighborhoods.
  - Village staff cannot manage litter and conditions in snowy weather.
  - Street cleaning and snow removal in that area have been hindered by unlimited parking regulations.
  - Parking on regulations should be changed so that the DPW has access to clean those streets.
- The following areas would receive the following new regulations.

# Brooksville Area of Port Chester

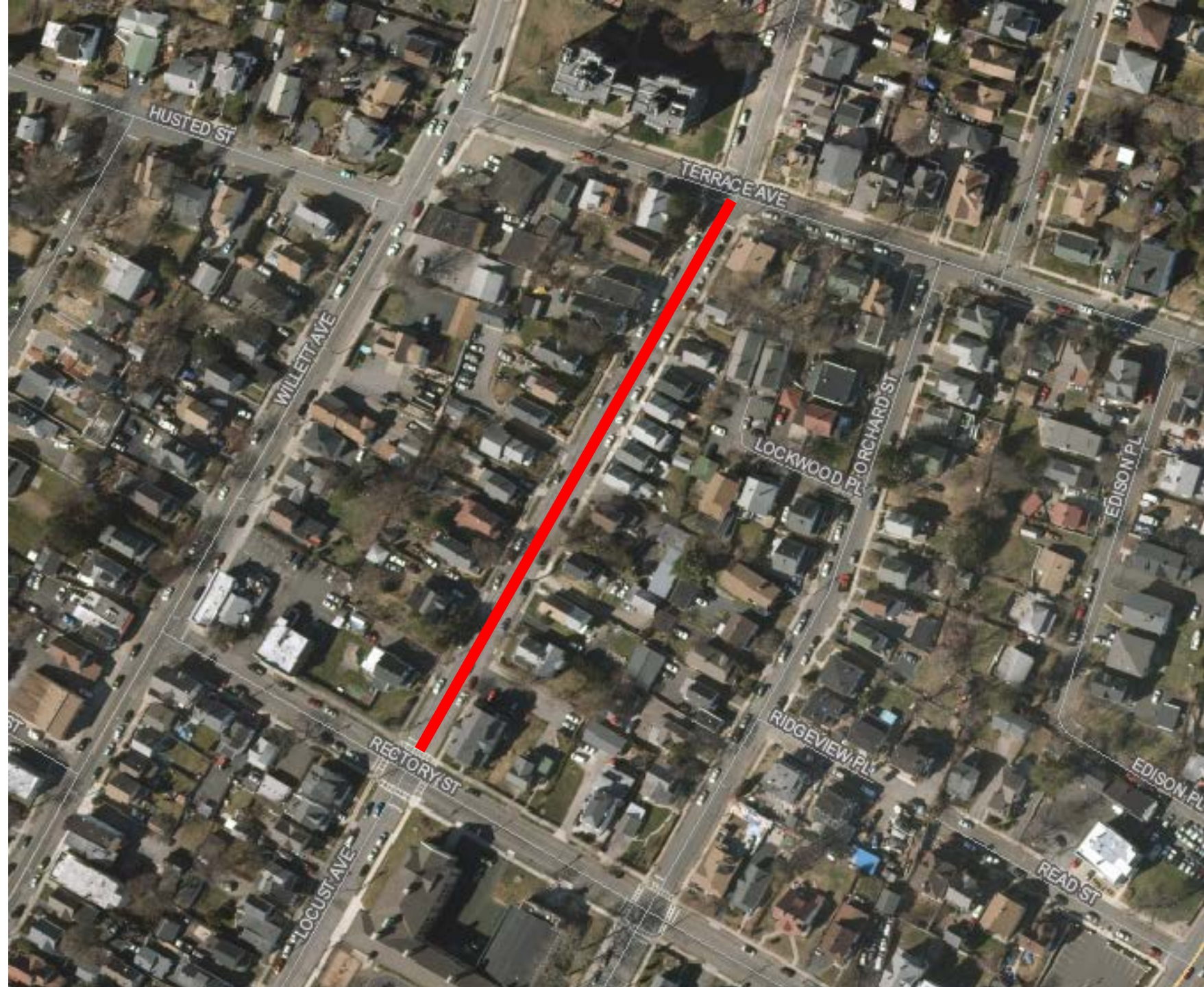




**Locust Avenue:**  
Rectory to  
Terrace

East Side

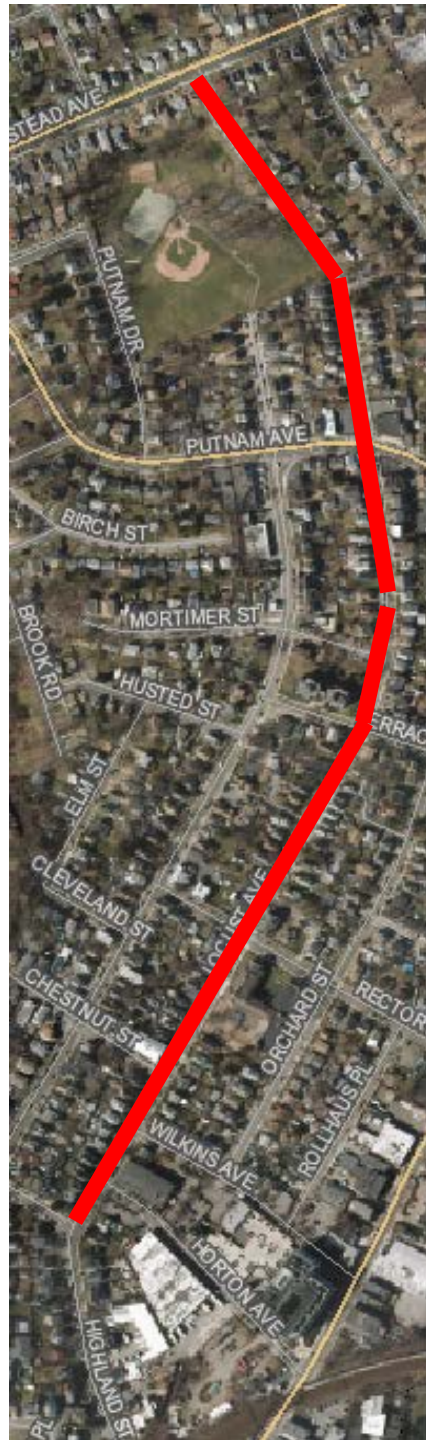
No parking  
Monday 8:30 -  
11:30 a.m.



**Locust Avenue:**  
Highland to Halstead

West Side

No parking  
Tuesday 8:30 -  
11:30 a.m.



# Madison Avenue: Entire Length

East Side

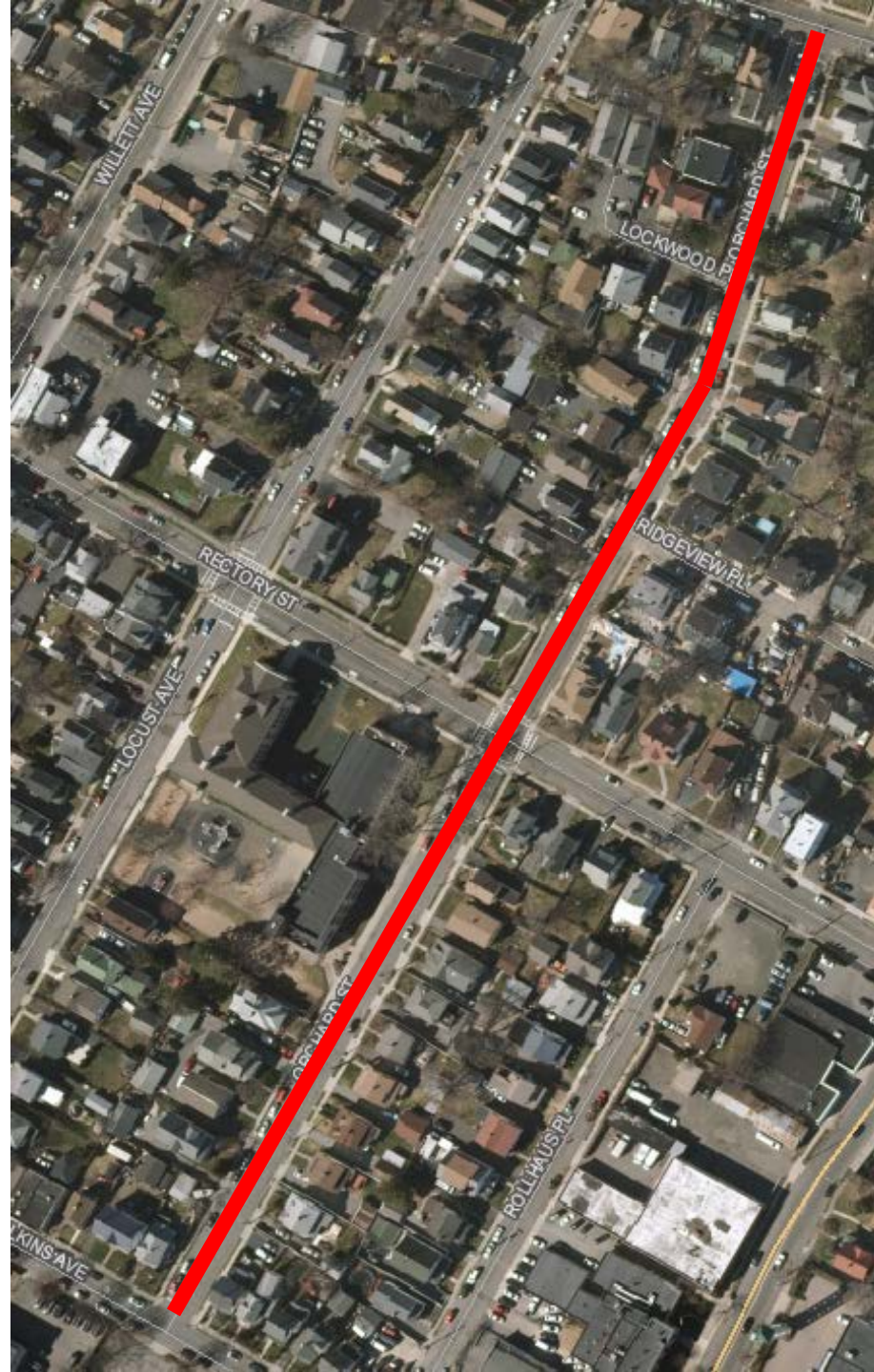
No Parking  
Tuesday 8:30 -  
11:30 a.m.



Orchard Street:  
Entire Length

West Side

No Parking  
Tuesday 8:30 -  
11:30 a.m.



# Riverdale Avenue: Hillside Avenue to Connecticut Line

West Side

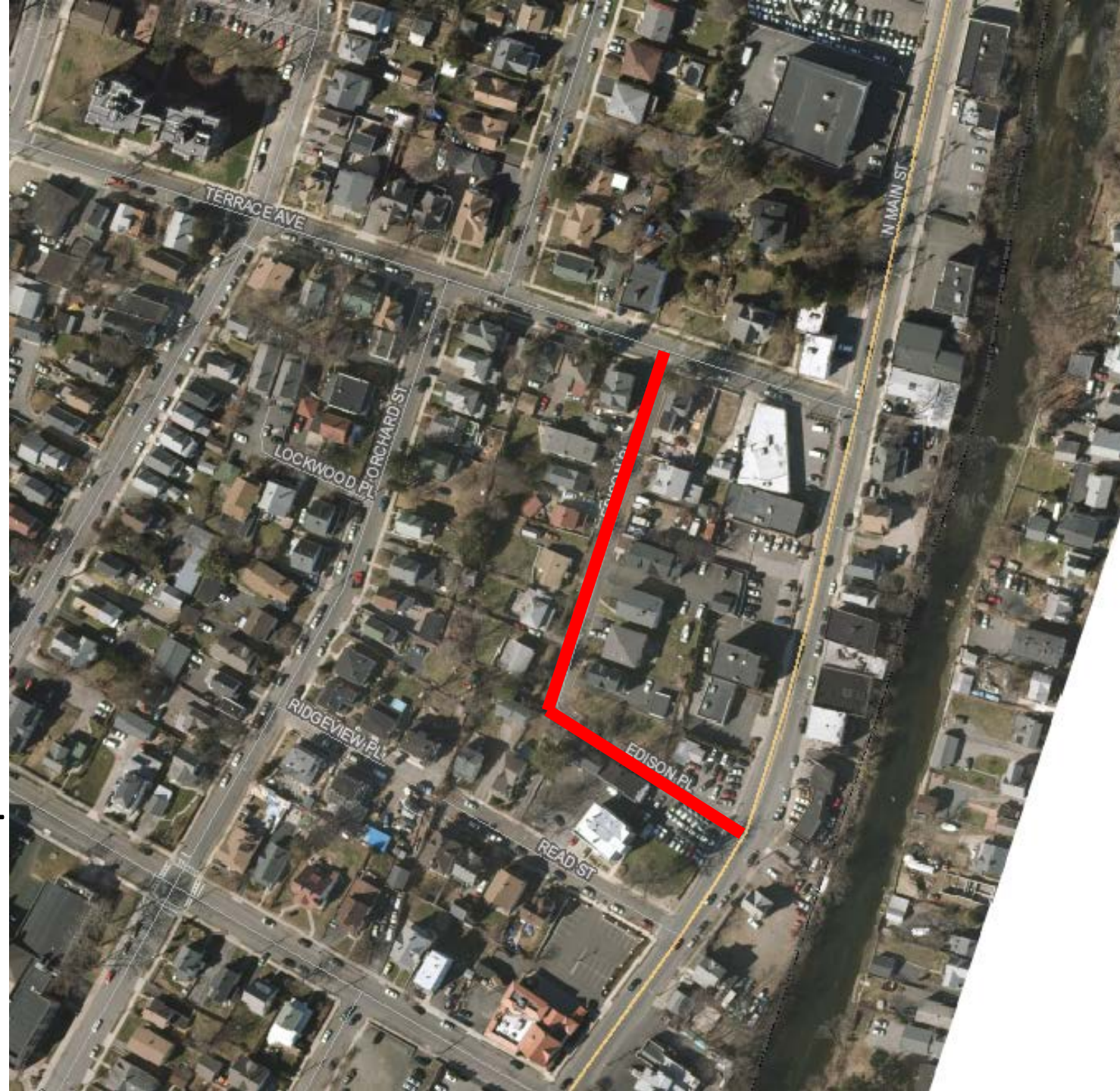
No Parking  
Tuesday 8:30 -  
11:30 a.m.



Edison Place:  
Entire Length

West Side

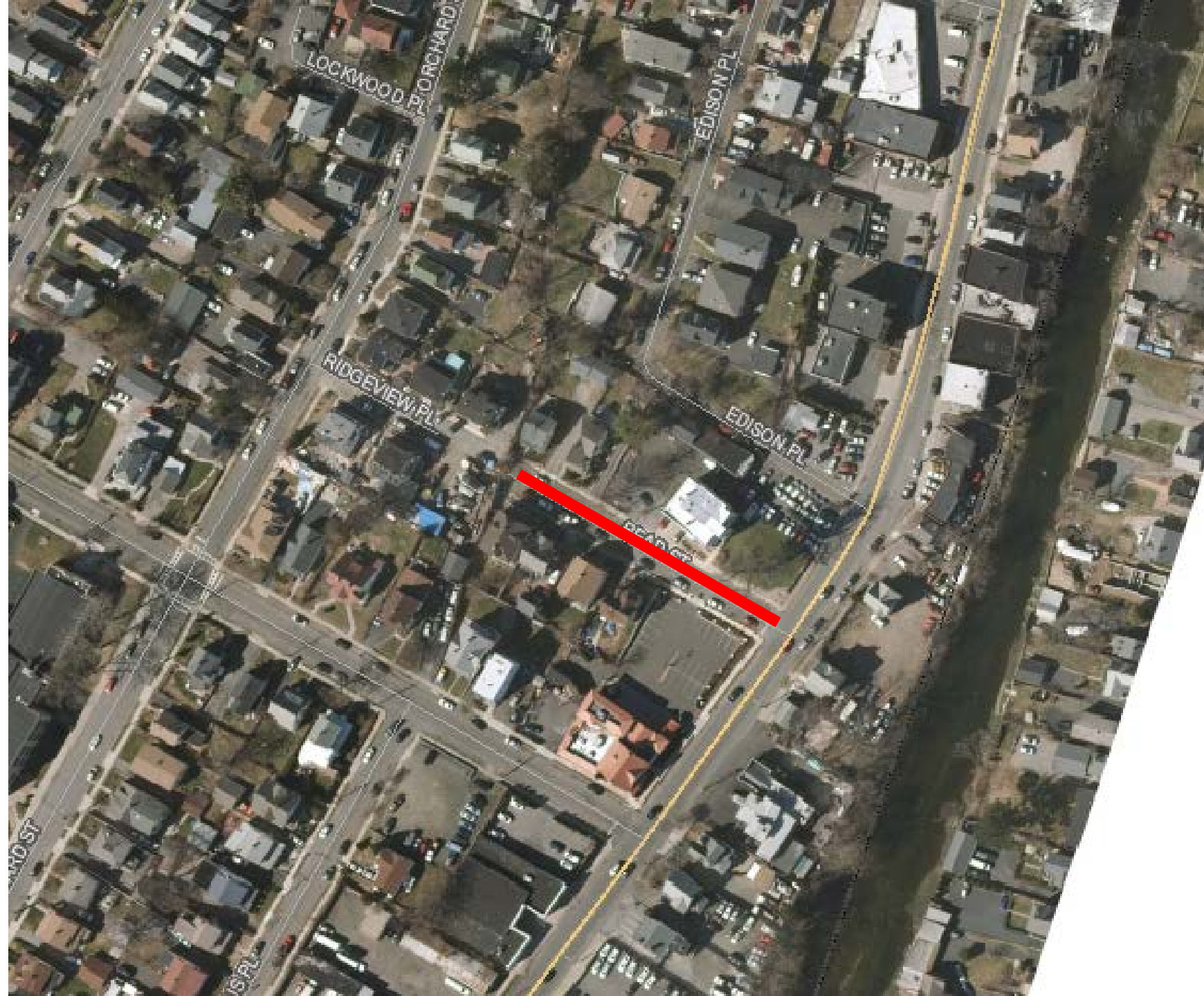
No Parking  
Tuesday 8:30 -  
11:30 a.m.



**Read Street:**  
Entire Length

South Side

No Parking  
Tuesday 8:30 -  
11:30 a.m.

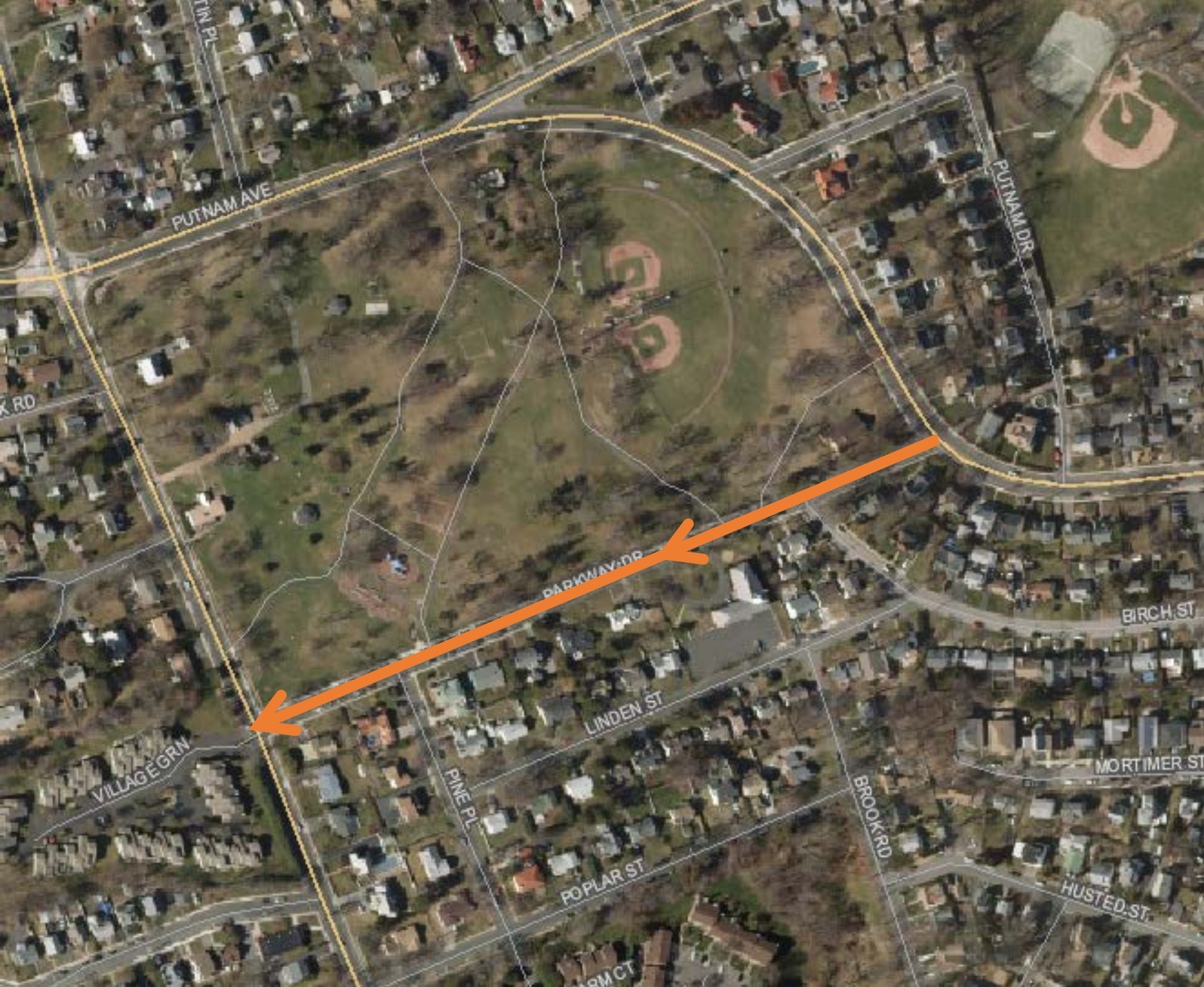


# Designating Parkway Drive a One-Way

- At the June 23, 2015 meeting of the Traffic Commission, complaints regarding Parkway Drive were discussed. The following was concluded and resolved:
  - Special events and use of the park create congested parking and traffic situations on Parkway Drive in the summer.
  - Traffic often gets so congested that vehicles are forced to back up creating a hazard for pedestrians and emergency vehicles.
  - The high concentration of children in the area compounds the potential danger.
  - The use of the park for Fire Works displays creates a dangerous situation.
  - Cars turning from Parkway Drive onto Putnam Avenue have low visibility and are entering a dangerous curve in the traffic pattern.
  - The Commission recommended changing Parkway Drive to a one-way street from Putnam Avenue, Westbound to King Street for at least a day trial period before deciding on a permanent change.



**Parkway Drive:**  
One-way from  
Putnam to King  
Westbound





VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Office of the Village Manager

**BOT Meeting Date:** 8/17/2015

**Item Type:** Discussion Item

**Sponsor's Name:** Christopher D. Steers, Village Manager

Description	Yes	No	Description	Yes	No
Fiscal Impact	<input type="checkbox"/>	x	Public Hearing Required	<input type="checkbox"/>	x
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
	<b>Yes</b>	<b>No</b>	Public Safety		
Agreement	<input type="checkbox"/>	x	<b>Manager Priorities</b>		
Strategic Plan Related	<input type="checkbox"/>	x	Risk Management		

**Establishing a One-Way Street on Parkway Drive**

**Summary**

**Background:**

The Port Chester Traffic Commission, having received correspondence regarding poor visibility and dangerous conditions at the intersection of Parkway Drive and Putnam Avenue, as well as the concerns of the Fire and Police Departments in regards to public safety during peak use of Lyons Park is requesting a trial period for an adjustment to the traffic pattern on Parkway Drive. The adjustment would designate the street as a one way street traveling westbound from Putnam Avenue to King Street.

**Proposed Action:**

Adopt the Add-on Resolution

**Attachments**

**Traffic Commission Resolution  
 Proposal Presentation  
 Resolution**

**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



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Office of the Village Manager

**BOT Meeting Date:** 8/17/2015

**Item Type:** Discussion Item

**Sponsor's Name:** Christopher D. Steers, Village Manager

Description	Yes	No	Description	Yes	No
Fiscal Impact	<input type="checkbox"/>	x	Public Hearing Required	<input type="checkbox"/>	x
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
	<b>Yes</b>	<b>No</b>	Quality of Life & Village Image		
Agreement	<input type="checkbox"/>	x	<b>Manager Priorities</b>		
Strategic Plan Related	<input type="checkbox"/>	x	Other		

**Discussing a Village Adopt-an-Island Program**

**Summary**

**Background:**

The Port Chester Beautification Commission voted on 8/12/15 in favor of the creation of a Village Adopt-an-Island program. The program as proposed would promote beautification efforts, community outreach and the public image of the village. The program involves the following:

In exchange for a small sign to be placed in a designated area, an organization would either fund or donate labor and materials towards the beautification of a site. The program would be run by the Beautification Commission with support from DPW and village administrative staff.

<b>Attachments</b>
<b>Staff Recommendation for Adopt-an-Island Program.</b> <b>Adopt-an-Island Approval by Beautification Commission.</b>

The following program proposal was designed by Village Staff and approved by the Traffic Commission on 8-12-15

### **Adopt an Island Program**

#### **Overview:**

The Village of Port Chester Adopt an Island Program will provide opportunities for companies, civic groups, institutions and individuals to adopt a traffic island or other publicly owned space and create attractive, welcoming “oases” throughout the Village. The program provides two options as noted below for those interested in participating.

For both options, the Village of Port Chester will allow groups to propose to the Beautification Commission in writing a measured and clearly defined space which they desire to beautify. This proposal does not currently apply to Village Parks.

Applications will be reviewed by the commission on a first-come-first-serve basis with prior term participants given rights to “re-adopt” the same space if the commission finds their prior performance to be in good standing. Agreements for both options will be for two years. The application period will be January 1-February 29. The term of agreement will begin May 1. The commission will be authorized to oversee the program under conditions outlined below.

#### **Option 1**

Option 1 provides Adopters the opportunity for hands-on beautification.

Under Option 1, Adopters will:

- File an application.
  - Identify with basic measurements and cross streets a traffic island or other village owned area that they wish to enhance.
  - The applicant must provide a simple landscape plan for review of the commission.
  - Applicant will sign indemnifications and assurances that they will provide for the safety of passersby, and workers/volunteers to specifications set by the Village Attorney.
- Purchase the plants and install. (subcontracting to a landscaping company is permissible, however the adopter will remain responsible for the conditions and safety in the area.)
- Install any plantings by the third week in May, maintain the bed until the first frost in October and clean up over winter.
- Utilize only natural materials; plastic, silk or other imitation plants, flowers or materials will be removed. Any landscaping (grade changes, stone, masonry, fill) or statuary and other non planting additions will require DPW review and approval.
- Provide for maintenance of the area. Maintenance includes mowing, trash removal, weeding, watering, spreading of mulch where applicable and revitalizing and replenishing of plantings throughout the season.
  - Grass must remain under trimmed to code.
  - Plants must remain below 24 inches in height and must not infringe on neighboring properties of right of ways unless otherwise authorized by DPW.

- The Adopter must respond to Beautification inquiries and complaints within 7 days of receipt.
- No materials or equipment, nor trimmings or plant waste will be permitted to be left at the location while Adopters or their agents are not present.
- Provide a name to be affixed to the “Adopt and Island” Sign. (No more than 30 characters)

In return the Village of Port Chester will:

- Design, provide and install an “Adopt and Island” sign recognizing the Adopter’s efforts (no other signs or signage will be allowed on an island or close cluster of islands). Location of the sign will be chosen by Village Staff in order to maintain safety.

### **Option 2**

Option 2 provides Adopters who are unable to commit to maintaining an island with the opportunity to contribute to the beautification of the Village’s neighborhoods. In this instance, the Village will provide services for the beautification and maintenance of the proposed area, while utilizing a fee contributed by the adopter to subsidize costs.

Under Option 2 Adopters will:

- File an application.
  - Identify with basic measurements and cross streets a traffic island or other village owned area that they wish to enhance.
  - Applicant will sign indemnifications and assurances that they will provide for the safety of passersby, and workers/volunteers to specifications set by the Village Attorney.
  - Pay a yearly fee of \$2 per Sq Ft. of the space. (payable upon application each year)
- Provide a name to be affixed to the “Adopt and Island” Sign. (No more than 30 characters)

In return the Village will:

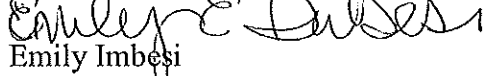
- Design and install visually enhanced landscaping in the designated area to closely match the value of the prescribed fee.
- Maintain the site by regular mowing, litter removal, watering and tree and shrub maintenance as needed.
- Design, provide and install an “Adopt and Island” sign recognizing the Adopter’s efforts (no other signs or signage will be allowed on an island or close cluster of islands). Location of the sign will be chosen by Village Staff in order to maintain safety.

August 14, 2015

To: Port Chester Board of Trustees  
From: Port Chester Beautification Commission  
RE: Adopt an Island Program Proposal

On August 12, 2015 the Beautification Commission met to discuss a proposal for an Adopt and Island Program which had been vetted by village staff. The proposal as presented was accepted unanimously by the commission. We are committed to helping to advertise and seek applicants for the program which will beautify the village and its neighborhoods. We are also committed to oversee the approval process and to closely monitor and work with Adopters to ensure success of the program.

Thank You,



Emily Imbesi

Chairperson of the Port Chester Beautification Commission

# CORRESPONDENCE



Received

AUG 5 2015

Harry Howard Hook & Ladder No. 1

Fire Police No. 1

Mellor Hose No. 1

Washington Engine & Hose No. 4

Brooksville Hose No. 5



Companies:

Reliance Chemical & Hose No. 1

Putnam Steamer & Hose No. 2

Fire Department  
Village Clerk  
VILLAGE OF PORT CHESTER  
Village of Port Chester

WESTCHESTER COUNTY, N. Y.



Headquarters: Westchester Avenue and Ponings Street

TO THE HONORABLE BOARD OF TRUSTEES OF THE VILLAGE PORT CHESTER, N. Y.:

The ~~Fire Patrol & Rescue Co #1~~ respectfully reports that at a meeting

held on Aug 4 2015 favorable action was taken on the following:

Elected active members Magrone, James

Elected honorary members \_\_\_\_\_

Members resigned \_\_\_\_\_

Members expelled \_\_\_\_\_

Members suspended \_\_\_\_\_

Members died \_\_\_\_\_

Badges returned (numbers) \_\_\_\_\_

Remarks \_\_\_\_\_

87 Perry Ave  
Pt Chester N.Y.  
10573

Secretary.  
James K. Mitchell Jr.  
Secretary  
Fire Patrol & Rescue

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

Dear Mayor Pagano and Board of Trustees:

I'm writing to request formal permission for use of the roadways through the Village of Port Chester. Police officers are required at 7 posts during the bike portions of the triathlon taking place on Sunday September 27, 2015. My records indicate the intersections for police posts are as follows:

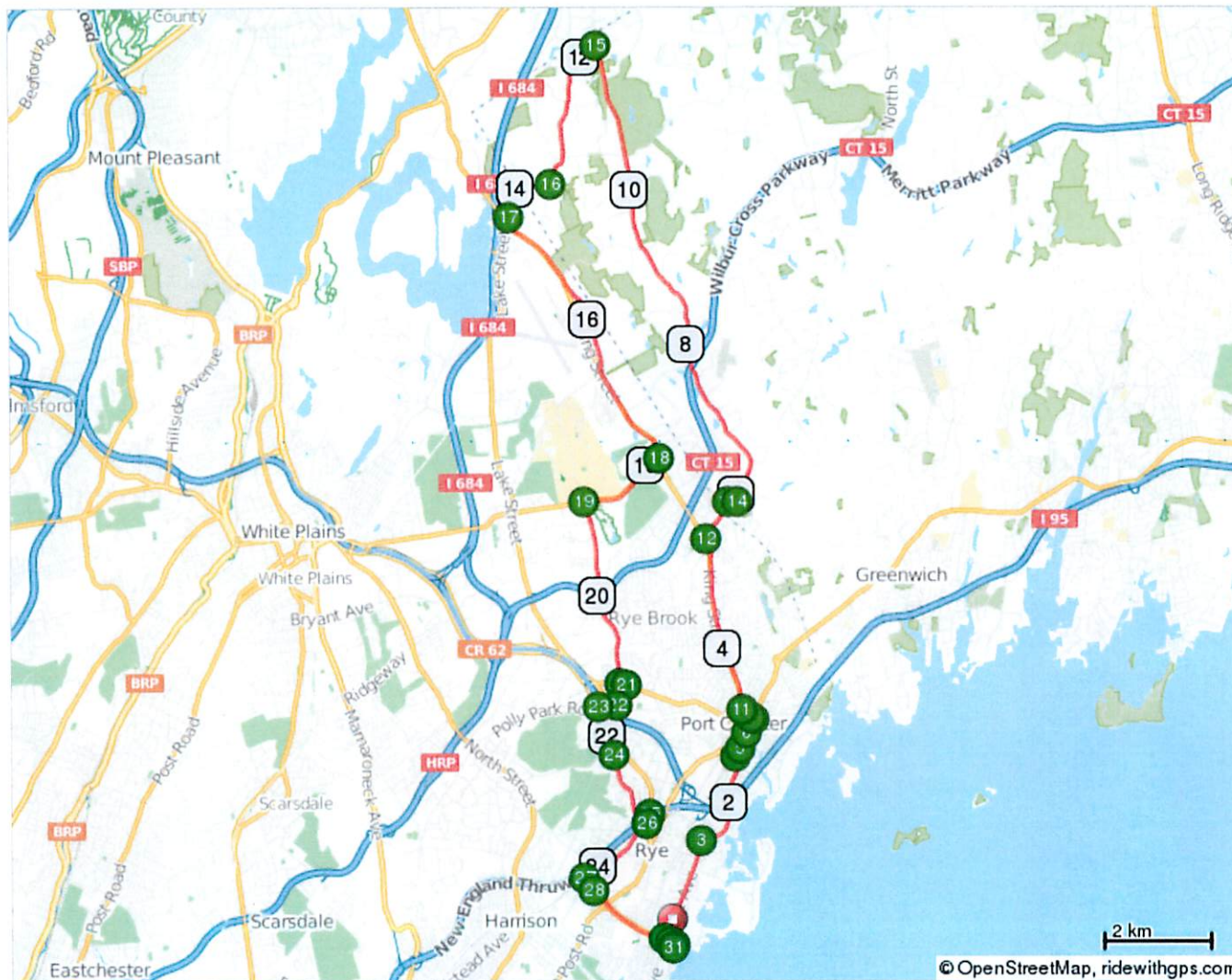
Grace Church /Midland/Don Bosco  
Don Bosco/Purdy  
Don Bosco/Westchester/Abendroth  
Abendroth/Willett  
Willett/Main  
King/Willett  
King/Putnam

I would be honored if you would grant us permission to use the roads for the race on Sunday September 27, 2015. I look forward to working with Sgt. Vaccaro and the rest of the staff. Insurance certificates for the Event will follow within the next week. The race is sold out once again and we are expecting over 1200 athletes on that Sunday.

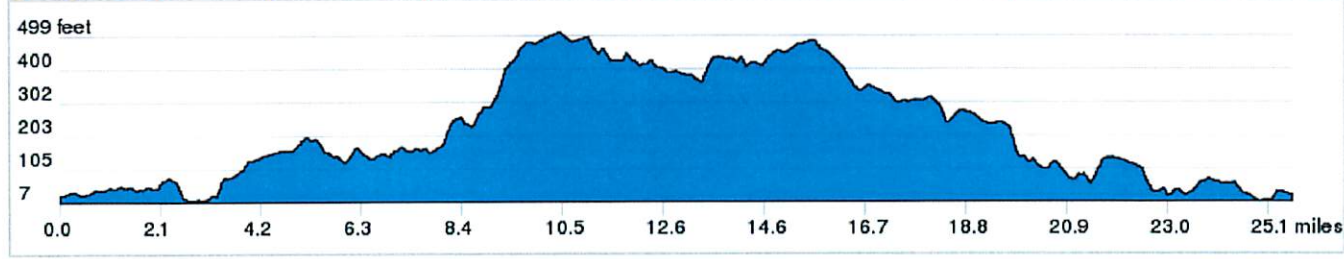
Sincerely,

Eric Opdyke  
Race Director  
Westchester Triathlon  
P: 203-981-6340  
E: [eric@rev3tri.com](mailto:eric@rev3tri.com)

# 2015 Westchester Bike

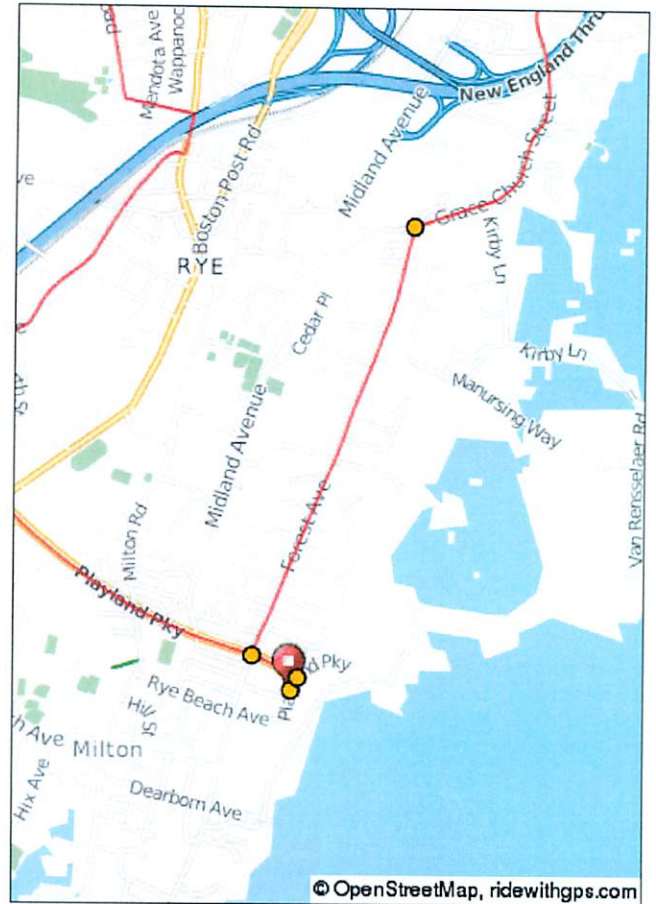


Distance: 25.6 mi  
 Elevation: + 1394 / - 1394 ft  
 Pavement: normal pavement  
 Good For: cycling



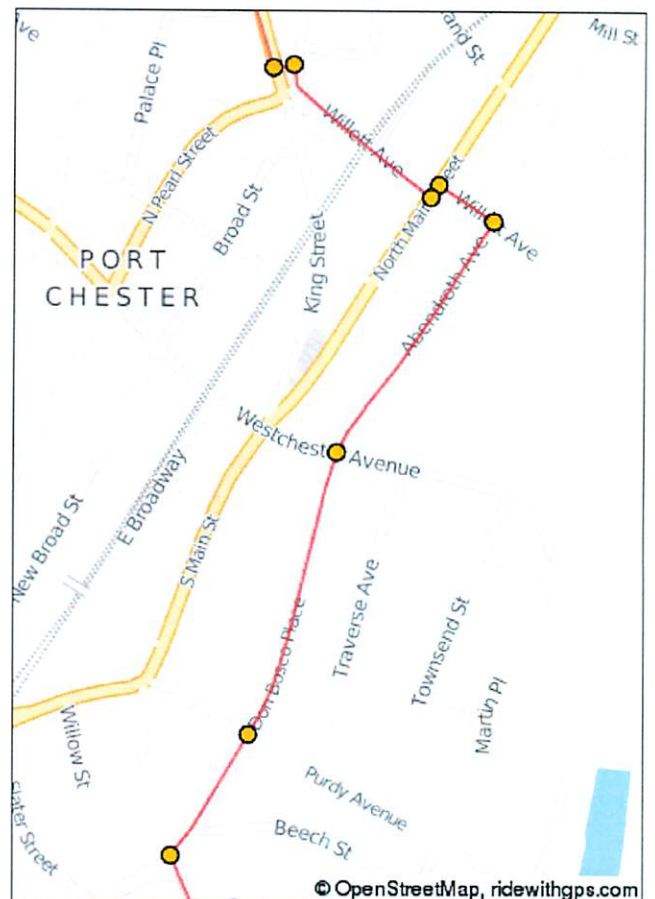
## 2013 Westchester Bike

0.0	🚩	Start of route
0.0	←	L to stay on Playland Pkwy
0.2	→	R onto Forest Ave
1.4	→	R onto Grace Church St



1.4 miles. +41/-18 feet

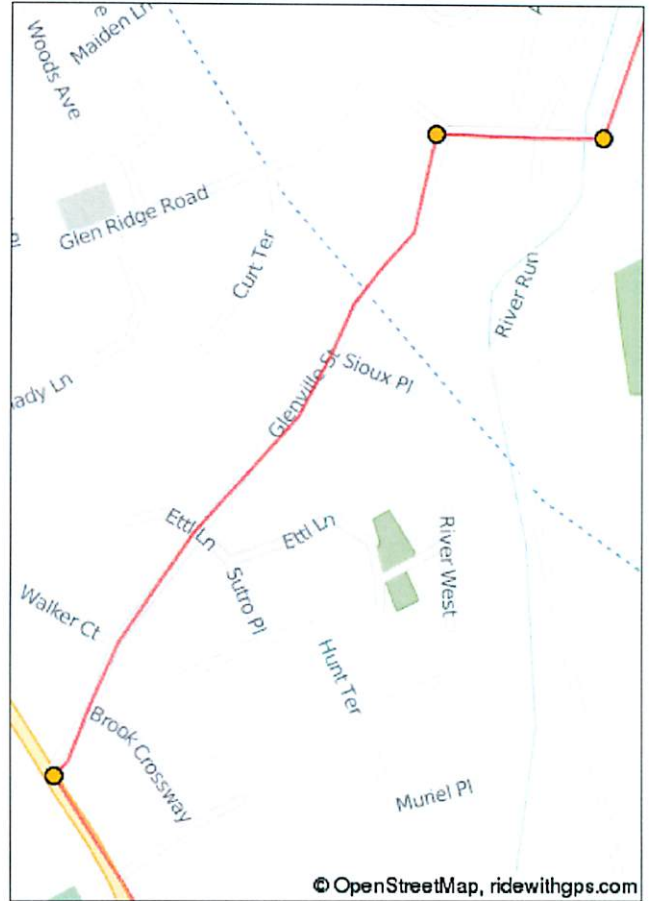
2.6	→	R onto Don Bosco Pl
2.7	↑	Continue onto Brickoven Rd
2.9	↑	Continue onto Abendroth Ave
3.1	←	L onto Willett Ave
3.1	←	L onto N Main St
3.1	→	R onto Willett Ave
3.3	←	L toward King St
3.3	→	R onto King St



1.9 miles. +21/-5 feet

5.3	→	R onto Glenville St
5.8	→	R to stay on Glenville St
5.9	←	L onto Riversville Rd

2.7 miles. +1/-66 feet

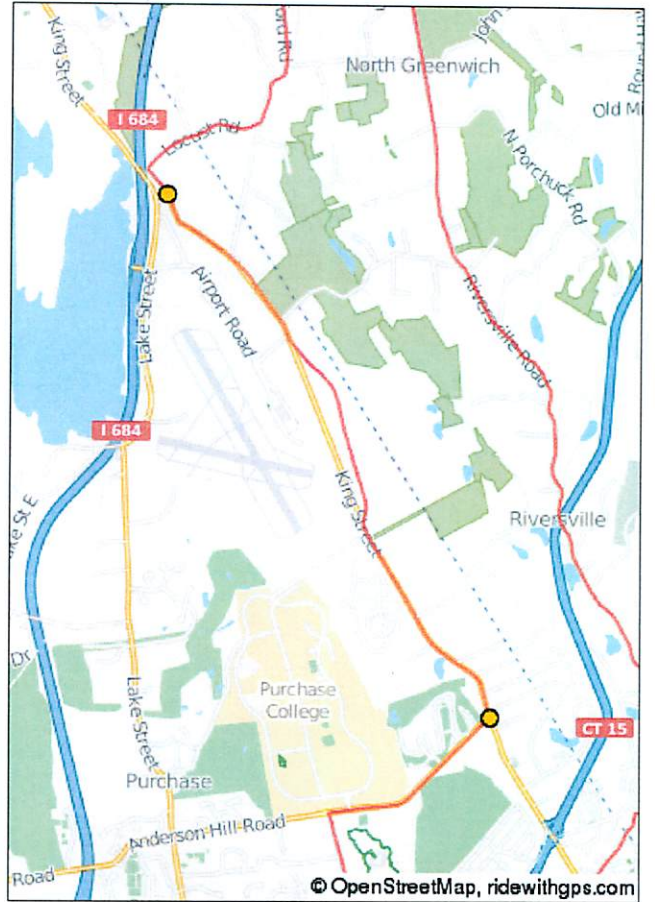


11.8	←	L onto Bedford Rd
13.6	→	Slight R onto Locust Rd

7.7 miles. +89/-96 feet

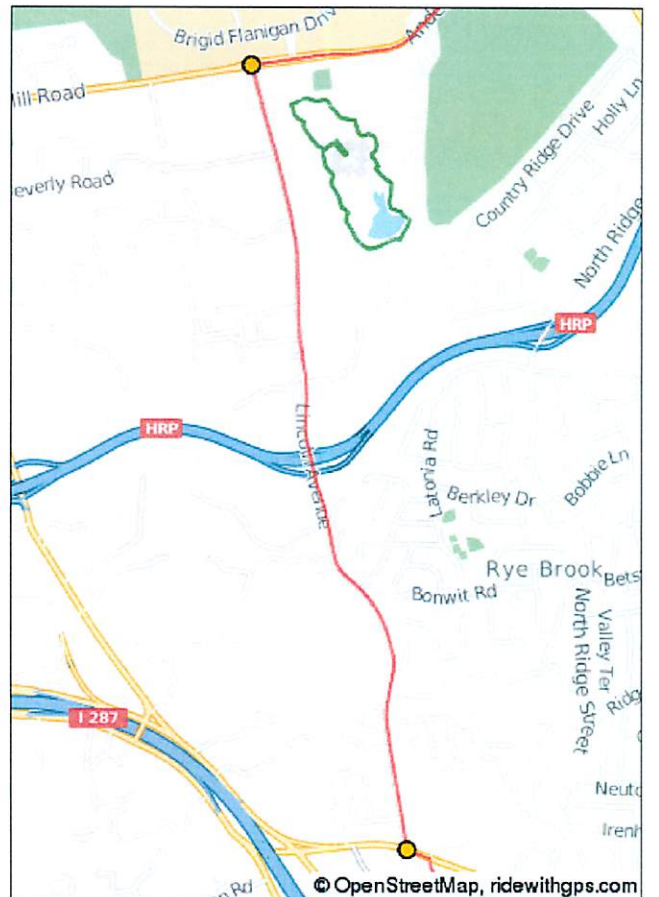


14.4	↑	Continue straight onto NY-120A S/King St
17.8	→	R onto Anderson Hill Rd



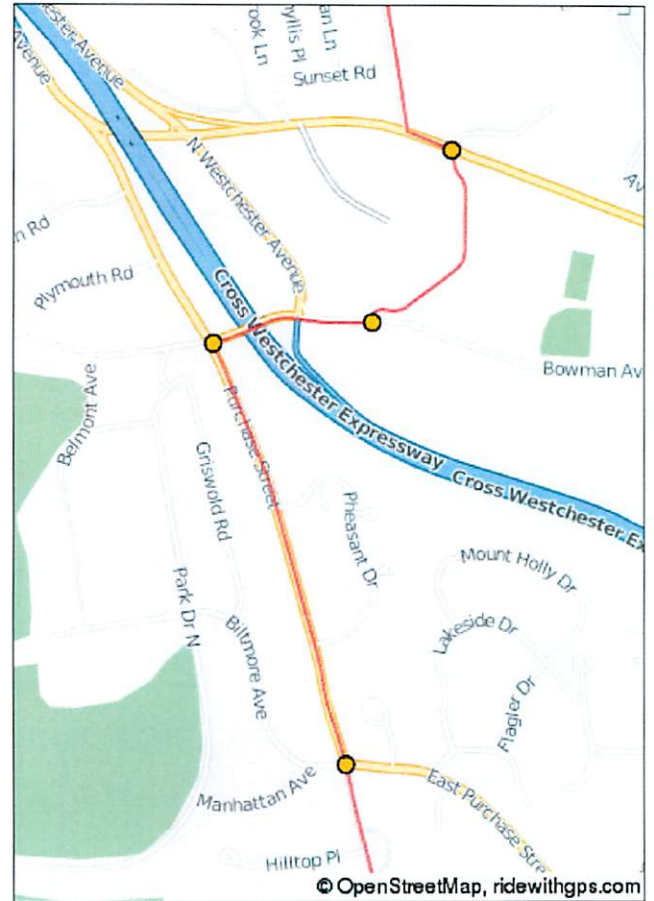
4.2 miles. +106/-216 feet

18.9	←	L onto Lincoln Ave
21.0	←	L onto Westchester Ave



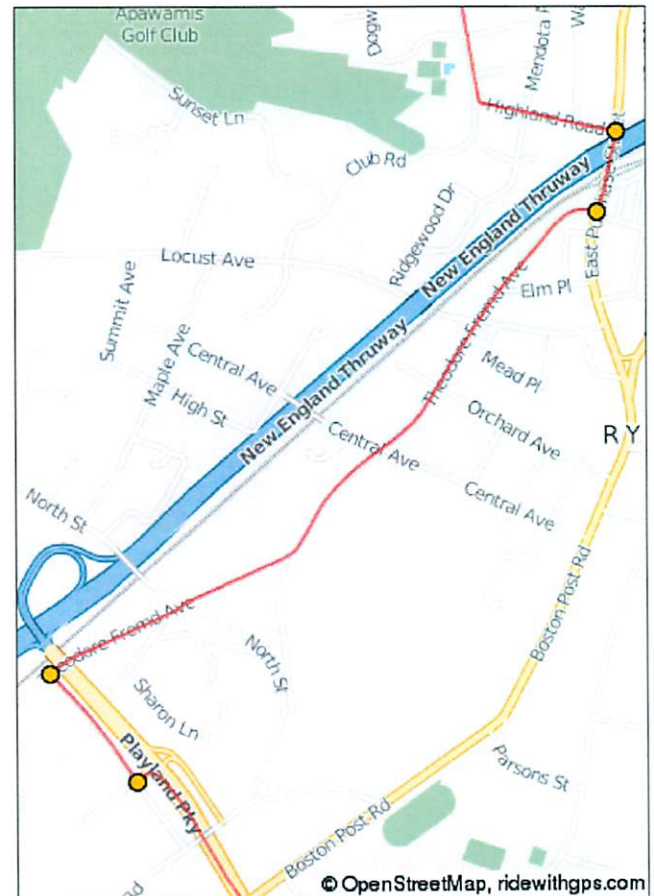
3.2 miles. +30/-228 feet

21.1	→	R
21.4	→	R onto Bowman Ave
21.6	←	L onto Purchase St
22.2	↑	Continue onto Highland Rd



1.2 miles. +85/-44 feet

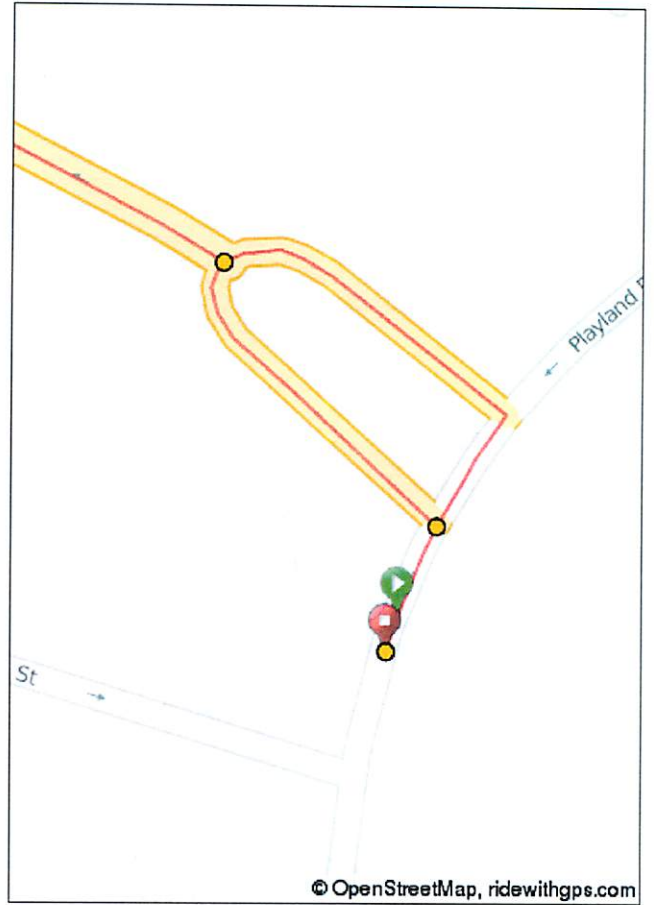
23.1	→	R onto Purchase St
23.2	→	R onto Theodore Fremd Ave
24.2	←	L onto Playland Access Dr
24.4	←	L to merge onto Playland Access Dr/Playland Pkwy



2.2 miles. +57/-29 feet

25.5	→	R to stay on Playland Pkwy
25.6	→	R to stay on Playland Pkwy
25.6	🚩	End of route

1.2 miles. +/-1 feet





# CERTIFICATE OF INSURANCE

DATE: 8/10/2015

CERTIFICATE NUMBER: 20150803348126

**AGENCY:**

ESIX 3 LLC  
d/b/a Entertainment & Sports Insurance eXperts (ESIX)  
d/b/a Entertainment and Sports Insurance Agency (California)  
2727 Paces Ferry Road, Building Two, Suite 1500  
Atlanta, GA 30339  
678-324-3300 (Telephone)  
678-324-3303 (Facsimile)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**NAMED INSURED:**

USA Triathlon of Colorado Eric Opdyke  
5825 Delmonico Drive  
Colorado Springs CO 80919-2401

**INSURERS AFFORDING COVERAGE:**

INSURER A: Everest National Insurance Company  
INSURER B: Everest National Insurance Company

**EVENT INFORMATION:**

Westchester Triathlon (9/24/2015 - 9/28/2015)

**POLICY/COVERAGE INFORMATION:**

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

INS	TYPE OF INSURANCE:	POLICY NUMBER(S):	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	<input checked="" type="checkbox"/> Occurrence <input checked="" type="checkbox"/> Participant Legal Liability	S18ML00212-141	12/1/2014 12:01 AM	12/1/2015 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$2,000,000 EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Each Occ.) \$1,000,000 MEDICAL EXPENSE (Any one person) EXCLUDED PERSONAL & ADV INJURY \$1,000,000 PRODUCTS-COMP/OP AGG \$2,000,000
B	UMBRELLA/EXCESS LIABILITY				
	<input checked="" type="checkbox"/> Occurrence	S18EX00179-141	12/1/2014 12:01 AM	12/1/2015 12:01 AM	AGGREGATE \$10,000,000 EACH OCCURRENCE \$10,000,000

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

Coverage applies to the USA Triathlon sanctioned or approved event specified on this certificate.

The certificate holder is an additional insured as per form ECG20600: Additional Insured - Automatic Status When Required in a Written Agreement.

The General Liability policy is primary as per Form CG0001.

The General Liability policy contains a Waiver of Subrogation provision as required by written agreement per Form ECG24522.

**CERTIFICATE HOLDER:**

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

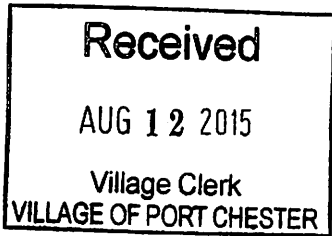
**NOTICE OF CANCELLATION:**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**AUTHORIZED REPRESENTATIVE:**

Jump on the **WAG** **EN**  
Productions

Jon Stellwagen -Director  
c 914-879-9981  
e jon@jumponthewagen.com



August 08, 2015  
ZOFIA ZAWADZKI  
203 GRACE CHURCH ST.  
Fort Chester, N.Y.

To Board of Trustees  
Village of Port Chester

I would like to ask the village to take down the 2 wooden sheds in back of 201 Grace Church St. (the late Saline Property) This is a residential area and these wood sheds are a habitat for animals. (Skunks, raccoons, cats, possums).

This would not take any more than a day to disassemble and take away some of the vines, because of Bats!

We would also like the Village to extend the 12 foot Fence at the childrens Area of Edgewood Park because of Balls going over and children climbing over the six foot old fence. This is only a 37 ft ext.

Thank You.

Sincerely Yours,  
Zofia Zawadzki

8/08/15



**Girtman Memorial  
Church of The Living God  
Bishop Robert E. Girtman, Pastor**

---

August 3, 2015

**RE: Health / Wellness Fair**

To Whom It May Concern:

This letter is written for the purpose of requesting your input for a Community-Wide Health/Wellness Fair.

The date is scheduled for Saturday, September 26, 2015 from 10 am – 3 pm at Girtman Memorial Church of the Living God – 5 New Broad Street, Port Chester, New York. However, we will need the assistance of the Village as we proceed to prepare for this event.

We believe that this event will provide a valuable service to our community. It will emphasize a basic health screening, promotion of good health habits, and will include a variety of health education information and resources.

We have requested all sponsors/participants to present all of their educational materials and forms in advance of the fair.

We are certainly open and gladly welcome your professional contributions leading up to this event. I would be most appreciative if you look favorably upon my request.

Sincerely,

Bishop Robert E. Girtman

**Senior Pastor**

Minister Tammie Thacker

**Chairperson**

**Distribution: Mayor D. Pilla, Christopher D. Steers – Village Manager,  
Trustee Gregory Adams, Trustee Daniel Brakewood, Trustee Gene Ceccarelli,  
Trustee Joseph Kenner, Trustee Luis Marino, Trustee Saverio Terenzi,  
Richard Conway – Chief of Police, Parking Enforcement**

---

5 New Broad Street  
Port Chester, New York 10573  
Phone: 914 - 937-7181 Office 914 - 937-7710 Fax: 914 - 937-7709

*Emailed Mayor*



VILLAGE OF PORT CHESTER

AUG 13 2015

RECEIVED *m*

173 Main Street, 3<sup>rd</sup> Floor  
Ossining, New York 10562

914 923-4837 tel  
914 801-2336 fax  
DowntoEarthMarkets.com

To: Mayor Pilla  
Board of Trustees  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

August 10, 2015

Re: Proposal for Port Chester's Down to Earth Farmers Market at The Promenade

Down to Earth Markets would like to start a farmers market in the spring of 2015 in Port Chester. We believe that the Promenade that runs along the Byram River, parallel to Abendroth Ave., is a fantastic potential location. (Please see following map.) It's an open, inviting space and would give plenty of room for both vendors to set up tents and for shoppers to explore the market.

Port Chester currently does not have a farmers market, and after researching the demographics and having conversations with some local merchants, we believe that the community would welcome the opportunity to shop for locally grown farm produce, farm products, and handmade specialty foods from local producers. This would also provide the residents of Port Chester who receive WIC coupons the opportunity to use them at the market. Down to Earth would work with the local Open Door Family Medical Center to support the use of these WIC coupons and also provide nutritional information and cooking demonstrations.

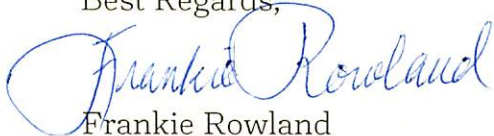
People value farmers markets as an appealing amenity for their community. The market would attract many people from the neighborhood and create a lively outdoor food venue every week. Often farmers market shoppers go on to shop at other nearby businesses, and we anticipate a market would bring more people to support existing business. We would also like to provide a place where residents can meet their neighbors and relax while shopping in an outdoor setting. The proposed location is adjacent to the busy Main Street as well as the Lowes Downtown Waterfront Complex. We believe that the market would attract residents as well as destination shoppers to frequent the waterfront area and contribute to the revitalization of this location.

We propose the farmers market be held from June to November, on Saturdays from 8:30am to 1pm. We would recruit a complimentary array of vendors to create an attractive market that would meet the tastes and needs of the community. For the 2015 season, we would recruit vendors to offer local fruits and vegetables, breads, pastries, meats, and specialty foods such as chutneys, old fashioned pickles, salsas, and jams. We would aim to have eight to ten different vendors.

Down to Earth Markets would be responsible for the market safety. We would also make certain that all of the vendors are insured. We would have a Market Manager on site during the full market day. The Manager's responsibilities would include overseeing operations, enforcing rules, talking with the public, and making sure the site is left clean at the conclusion of the day. Down to Earth Markets would promote the market via press releases, advertisements in local and regional media, our own website, numerous web site listings, and through social media channels such as Facebook, Twitter, and local food blogs. Down to Earth Markets would handle all market administration.

We hope the idea of a farmers market in this area sounds appealing to you. We welcome your feedback!

Best Regards,



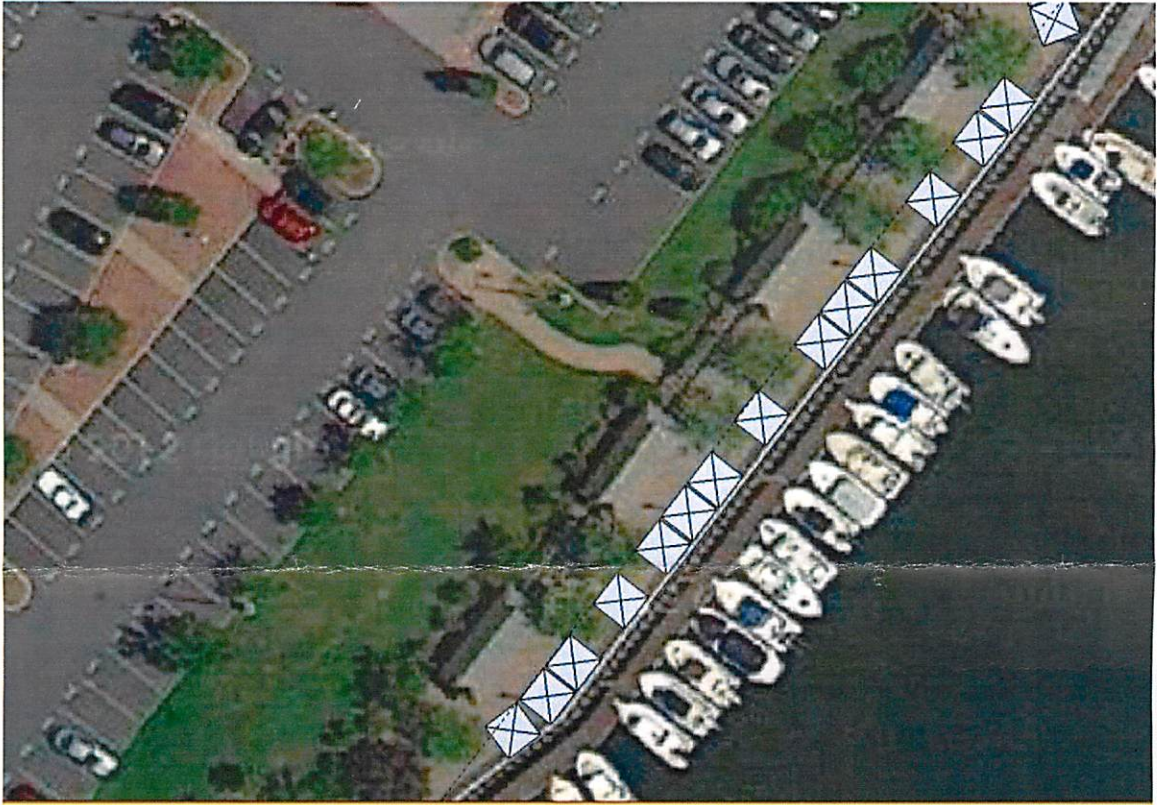
Frankie Rowland

Director, Community Relations Westchester and Rockland Counties

About the company:

*Down to Earth Farmers Markets is a certified B (Beneficial) Corporation that manages farmers markets in Westchester County, Rockland County, and in New York City. We believe that seasonal, local food is a vital part of our heritage that ensures the health of our communities and environment.*

Please check our website for more information: [www.downtoearthmarkets.com](http://www.downtoearthmarkets.com)



**Port Chester's  
DOWN TO EARTH  
FARMERS MARKET**



Port Chester Soccer Club  
222 Grace Church Street  
Port Chester, NY 10573  
August 13, 2015

Mayor Pilla & Village Trustees  
c/o Christopher Steers, Village Manager  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

Dear Mayor Pilla & Manager Steers:

As you may be aware, this Labor Day Weekend, the Port Chester Soccer Club will host its 11<sup>th</sup> Annual Independence Cup Youth Soccer Tournament at Columbus Park. The Independence Cup is an International Tournament hosted over four days. The Club extends invitation to international teams from Europe, Canada, Mexico, and Central & South America, as well as top select local teams and from states. The tournament is for players born in 2003 and 2005.

Last year, the 2004 Port Chester Select Team was able to bring home the Championship after facing off against Escuela de fútbol Deportivo Independiente Medellín from Medellín, Colombia with a 1-0 win. The selected players have been training very diligently to defend the champion title.

In light of the growing popularity of soccer and this tournament, it is anticipated that there will be an increase in the need for parking around Columbus Park. To ensure the safety of our residents, players, and visiting teams, the Port Chester Soccer Club respectfully requests that parallel parking on both sides of Ryan Avenue be permitted as of 3:30 pm, Friday, September 4<sup>th</sup> through 8pm, Monday, September 7<sup>th</sup>. It is also requested that Ryan Avenue temporarily serve as a one way street starting from Fox Lane Road and ending at Purdy Street. These requests are aimed at improving safety for residents, pedestrians, and visitors to the park and increase parking spaces closer to the field and alleviate the amount of cars that park on the adjacent streets.

The PCSC is requesting your immediate consideration of the above mentioned for the upcoming tournament, it is also requested that a traffic study be conducted of Ryan Avenue to possibly have these changes become permanent, with the inclusion of a speed bumps near the entrance of Columbus Park and the soccer field, to ensure that vehicles descending from Fox Lane Road slow down and keep our children safe before, during, and after practices and games year round.

---

If you have any questions, please contact the club president, Jose Perdomo, at 914-469-4808 or via e-mail at perdomo1374@yahoo.com.

Thank you for your continued support.

Sincerely,



Viviana Espinosa

On behalf of the Port Chester Soccer Club

cc: Board of Directors of PCSC





March 18, 2015

To: Mayor & Port Chester Village Board of Trustees

Firstly, I would like to thank you for your support of our upcoming Spring Fest event on May 2, 2015. We are thrilled to have the Village as our co-sponsor and hope to see you all there!

Secondly, Clay Art Center needs your help with another matter. People that are new to CAC have a hard time finding us! We would like the village's help with permission to put directional signage around the village to direct people to CAC so they can enjoy us as the community resource that we are. We realize that this might mean coordinating with the local highway crew or perhaps the county, but we would love to have your assistance in finding out what's involved.

The most important spot is right **in front of our building** – we would like to have a nice sign made and position it on Don Bosco Blvd at the corner of Beech Street, so people coming from Midland, Grace Church and Waterfront Place or Purdy can see us as they drive by. We are hoping this patch of grass next to the fire station is village property and that you will give us permission to post a sign there. We, of course, would seek your approval of our sign design. <https://www.google.com/maps/@40.996433,-73.664703,3a,75y,180h,90t/data=!3m4!1e1!3m2!1sjewbAHh54Ch-1mcygvNiFw!2e0!6m1!1e1>

Other locations for street signage that we think would be helpful, similar to the sign that is at the end of the 95 ramp on Midland Avenue, include:

1. Exit 11 off I-287 E (the left side in that patch of grass looks good)  
<https://www.google.com/maps/search/exit+11+port+CHESTER/@40.9916341,-73.6776927,3a,75y,156.24h,90t/data=!3m4!1e1!3m2!1sGYrwcYSwb62DDFXz5CWOyAI!2e0>
2. on Rt. 1/Main Street heading into PC from CT, a sign at Purdy Avenue indicating a left turn. (Which might also require a sign to take a right, at the corner of Don Bosco Blvd & Purdy unless our street sign is visible from the corner) <https://www.google.com/maps/@40.99803,-73.665279,3a,75y,180h,94.35t/data=!3m4!1e1!3m2!1sbdqK1WV0aKfyaiSICKDoUA!2e0!6m1!1e1>
3. Exit 21 off I95 N (maybe right next to the village of PC sign)  
<https://www.google.com/maps/search/exit+11+port+CHESTER/@40.9927553,-73.6764233,3a,75y,62.82h,90t/data=!3m4!1e1!3m2!1sOOQxyV0xvDbI1HTY0vvbcq!2e0>
4. At the bottom of the Post Road/Corner of Grace Church (corner where the fenced lot is next to valvoline).  
[https://www.google.com/maps/search/exit+11+port+CHESTER/@40.9977863,-73.6657053,3a,75y,81.99h,90t/data=!3m4!1e1!3m2!1s5saIY2L\\_Pu8x7S9reCaaFQ!2e0](https://www.google.com/maps/search/exit+11+port+CHESTER/@40.9977863,-73.6657053,3a,75y,81.99h,90t/data=!3m4!1e1!3m2!1s5saIY2L_Pu8x7S9reCaaFQ!2e0)

We realize that our request might be a challenging one, but hope that we can move towards making this directional signage a possibility so that more Port Chester residents and visitors can take advantage of all we have to offer.

Thank you in advance for your support!

Warmly,

A handwritten signature in black ink, appearing to read "Leigh Taylor Mickelson".

Leigh Taylor Mickelson  
Executive Director

**M. Ravikoff Assoc. Inc.**

33 New Broad Street  
Port Chester, NY 10573

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Phone 914-934-2424  
Fax 914-937-5186

August 14, 2015

Board of trustees  
c/o Village Clerk  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

Re: Medical in C1 district

Mr. Mayor and Board Members;

We appreciate your current review of the C1 Neighborhood Retail district and overall constant goal of making this Village a better place by refining the current haphazard uses in its geography.

We own 3 properties that are directly affected by this proposal;  
211 Irving Avenue  
235 Westchester Avenue  
5 Grove Street

It is our opinion that the C1 district should NOT include Medical uses as a Special Exemption in the current proposal.

We feel the proposal being considered is not in the best interest of the community.

It is clear to us that the board is considering the need and preferences of 2 individuals and hiding the desire to spot zone by encompassing an entire zone radius.

The proposal before you is not substantiated in any way.

-is there a report, study or survey or 3<sup>rd</sup> party evaluation showing what exists today does not work?

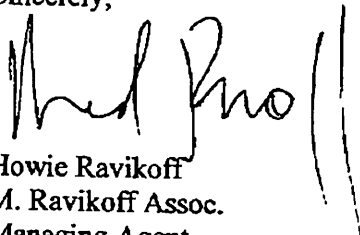
-is there a report, study or survey or 3<sup>rd</sup> party evaluation showing what is proposed would indeed be beneficial to the immediate community and the greater community?

- is there a report, study or survey or 3<sup>rd</sup> party evaluation showing what is proposed is not better suited in another geographical location?
- how could it possibly be that the almighty Board of Trustees asks of others, more than it asks of itself?
- which side of that reality is wrong? We are not sure. But it's a double standard and this proposal does not work.

The public has spoken out clearly that the proposal being considered YET AGAIN tonight is not right for the community. It's not the right time, or it's not the right format or it's the wrong way to solve the problem of a single existing occupant and single owner.

I strongly urge you to reject this proposal.

Sincerely,



Howie Ravikoff  
M. Ravikoff Assoc.  
Managing Agent  
211 Irving Avenue  
235 Westchester Avenue  
5 Grove Street  
Port Chester, NY 10573

# MINUTES

## **MEETING HELD MAY 4, 2015**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, May 4, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis G. Pilla presiding.

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

It should be noted that Trustee Brakewood arrived at 6:16 p.m.

It should be noted that Trustee Marino left the meeting at 8:18 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (Arrived at 6:29 p.m.); Judge, Matthew Troy III; Judge, Peter Sisca; Prosecutor, Max DiFabio; Prosecutor, Frank Cervinka; Chief of Police, Richard Conway and Christopher Ameigh Administrative Aide to the Village Manager.

On motion of TRUSTEE TERENZI, seconded by TRUSTEE MARINO the meeting was declared opened at 6:02 p.m.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** May 4, 2015.

### **MOTION FOR EXECUTIVE SESSION**

At 6:04 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board adjourned into an executive session regarding an appointment of particular person as Police Officer to Port Chester Police Department.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** May 4, 2015.

Also present were: Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto and Chief of Police, Richard Conway.

No action was taken in executive session.

At 6:19 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 4, 2015.

## **WORKSHOP**

The Board met with Judge, Matthew Troy III; Judge, Peter Sisca; Prosecutor, Max DiFabio and Prosecutor, Frank Cervinka to discuss the court calendar and the addition of new Judge.

## **CORRESPONDENCES**

*From Bryan Diaz regarding Port Chester Fest to be held on June 13, 2015.*

The Board duly noted the correspondence.

*From Fire Patrol & Rescue #1 on the resignation of Michael Sarlo.*

The Board duly noted the correspondence.

*From The American Legion regarding parking on Pearl Street.*

The Board referred the correspondence to staff without objection.

*From Rosa I. Taylor, Principal of Park Avenue School requesting Park Avenue be closed for part of the day on both Friday, June 12, 2015 and Monday, June 22, 2015.*

The Board referred the correspondence to staff without objection.

*From Bob Roth, Logistics Coordinator for BRAKING AIDS® Ride request permission to travel through your jurisdiction on Sunday, September 27, 2015.*

The Board referred the correspondence to staff without objection.

*From the Beautification Commission regarding the 2nd Annual Essay Contest.*

The Board duly noted the correspondence.

*From the Traffic Commission regarding the fire zone in front of Fire Headquarters.*

The Board referred the correspondence to staff without objection.

*From the Park Commission regarding the use of Lyon Park by the Council of Community Services.*

The Board referred the correspondence to staff without objection.

## **RESOLUTIONS**

Prior to taking action on the resolution below Mayor Pilla asked Mike DiVitorio, 1<sup>st</sup> Assistant Fire Chief, comment on the Good Samaritan law. It would cover any volunteer firefighter because they come under the UFDL. If they were out of town and came upon an accident or fire before local personnel come upon the scene, it would basically cover them with benefits if something should happen to them while utilizing their professional experience and training. This is strictly coverage for before the local authority arrives on scene. This is a state-wide law.

### **RESOLUTION #1**

#### **ELECTING TO PROVIDE COVERAGE UNDER THE VOLUNTEER FIREFIGHTERS BENEFITS LAW FOR VILLAGE VOLUNTEER FIREFIGHTERS INJURED OUTSIDE THE SERVICE AREA**

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

WHEREAS, State General Municipal Law, Section 209-i, was most recently amended to make available the coverage of the Volunteer Firefighter Benefits Law to volunteer firefighters who are injured at an accident scene outside the area regularly served before an officer in charge accepts their services; and

WHEREAS, a municipality may provide for such coverage by the adoption of a resolution of the governing body; and

WHEREAS, without such coverage volunteer firefighters acting in the capacity of a Good Samaritan would be acting at his or her own risk; and

WHEREAS, the Fire Chief has recommended that the Board of Trustees protect Village volunteer firefighters by taking advantage of the new changes to state law. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby intends by this resolution to elect coverage provided by General Municipal Law, Section 209-I 1-b to protect village

volunteer firefighters who may be injured when he or she volunteers at an out-of-district accident scene before an officer in charge accepts their services; and be it further

RESOLVED, that the Village Manager notify the Village's carrier for benefits under the Volunteer Firefighters Law of such election.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 4, 2015

## **AWARD PRESENTATION**

*Village of Port Chester Mayor's Annual Award for Excellence in Cheerleading Presented to Brianna Bunjaporte.*

Mayor Pilla presented an Award for Excellence in Cheerleading to Brianna Bunjaporte.

## **PUBLIC COMMENTS**

Mayor Pilla asked if there was anyone from the audience who would like to make any public comments on the Resolutions on the agenda

Comments were made by:

Board

Trustee Adams recognized Rev. Wimbley of St. Francis in the audience.

Mayor Pilla welcomed all the people from 999 High Street.

Public

Ms. Goldie Solomon thanked the fire department, police and DPW and EMT for all the work they do for us. She mentioned the death of Bea Conetta's brother. Our taxes have to come down, we should try for city status. Mayor Pilla responded that we will be hearing more about that in the future.



Mr. John Colangelo commented on lot line readjustments without having to go through a costly subdivision process. Just to get in the door it now costs \$5,000. Attorney Cerreto commented there was a draft local law that was presented to the Board. There were a few questions and the Board at that time was skeptical. We can make changes and bring it back to the Board.

The way it was drafted it gave the Building Inspector the authority to grant that assessment. Mayor Pilla suggested we take this off line and Attorney Cerreto can draft something to say where we are. This should also include the C1 medical changes.

Ms. Heather Paul commented on her comments last summer about the Copacabana restaurant having a bikini contest. If people want to see a bikini go to Rye Beach. Since last summer there was an incident at the restaurant where a policeman was shoved. This week the Copacabana was fined \$17,500. We all know the only way to close a club is to take away their liquor license. The police chief has kept documentation on what is going on and informed the State Liquor Authority. We have spent years taking away the title of "Sin City". Mayor Pilla noted that Chief Conway has had a conversation with the owner of the Copacabana and has been given assurance that the restaurant is not moving in that direction. Ms. Paul also commented on the Memory Walk at Lyon Park. This is a beautiful walkway in our park. People in Port Chester need to walk down the brick walkway and read the names of those who gave their lives.

Rev. Bruce Baker commented as part of Westchester United, the organization that has been working with the residents of 999 High Street. This past week these people received their 30-day notice. There are still people living at 999 High Street. There are 134 units of affordable housing that will be lost if that building is torn down and there is nothing to replace them. This Board has the power to do something about. On behalf of the residents, he asked that affordable housing be built for the current tenants.

Ms. Audrey Moore, representing the tenants at 999 High Street, commented when they met with Starwood for a preliminary conversation we were told Starwood were interested in our best interest and they would assist us with some kind of a movement process. One of our stipulations was to remain in Port Chester. There is a three year wait on Senior Housing. We went to Section 8 and to apartments and complexes. We joined with Westchester United and presented a proposal to Starwood. Starwood guaranteed they would review this proposal. After five weeks Starwood said they would not review the proposal. We then asked the Village Board to review this proposal. Unfortunately we never received a response. Now we are facing a 30-day notice. Starwood advised in a second meeting they would cover relocation costs and give us money to move. We walked away feeling some hope. Then their representative met with us and stated they may not be able to help us. Everyone in that building lives as a family and we all need to be taken care of. We expect to be taken care of collectively. Now Starwood is only going to take care of those who need it. We are asking the Village to keep your word.

Mr. Richard Hyman commented on the responsibility of the Board that the people of 999 High Street be taken care of. The zoning petition filed by Starwood is at your discretion. It is up to you if you want to consider it. Starwood's presentation shows 999 remaining. It does not interfere with any part of the building. The building is sound and houses close to 50 families. The review of the Starwood petition should be put on hold until the people housed at 999 are assured they are treated fairly. Mayor Pilla commented that 999

High Street comes under Mitchell-Lama. It has some financial constraints on the rents. Because it was redone in 2006 there is some ambiguity around the status and the rules of the HCR. Trustee Adams commented the Board never took an option on 999 High Street.

Mr. Jim Black of the dog park group asked where we stand in the plan of having the dog park open by springtime of this year. There was a revised plan being worked on and we have not heard anything on it. We would like to know the plans moving forward. Mayor Pilla noted the issues at hand and we expect the new plans for the dog park by Wednesday. We will then review the plans and have a meeting with the dog park group and the Park Commission on the revisions.

Mr. Richard Abel commented about the Port Chester Fest. It seems that Port Chester Day does lean toward one demographic in the Village and Port Chester Fest is another demographic. Could we put them together as opposed to having them at separate times? Mayor Pilla commented that we talked about that previously.

Ms. Andrea Granada asked if Mr. Terenzi's donation. She made a phone call to the police department because she needed some information. She got a nasty attitude because she made three calls because nobody returned her original call. Ms. Granada does not think it is appropriate for a public servant to get nasty and tell me that they did not get back to me because there was a death. We have come a long way and it would have been nice to just receive a voice mail saying there is a problem and we will get back to you in a few days. Nasty attitude is unacceptable when you are in a public service position. Trustee Marino commented the police department and the fire department are working so hard and it is hard for him to believe that.

Michelle of 999 High Street commented that we have disabled and veterans living in our building. Whatever you decide to do please do it from the heart. We want to live in Port Chester.

## **RESOLUTIONS - Continue**

### **RESOLUTION #2**

#### **CAPITAL PROJECT PLAN FOR FY 2015-2016**

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

RESOLVED, that the Board of Trustees hereby adopts the modify Tentative Capital Project Plan for FY 2015-16 as reflected in the attached schedule.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 4, 2015

**DISCUSSIONS**

Town of Rye Supervisor, Joe Carvin and Town of Rye Assessor, Denise Knauer, gave a slide presentation on trends in property values by property class.

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**Town of Rye**  
**Assessment Department Service Level**

*Is It "Adequate?"*  
*Is It "Real"?*

---

## Overview:

Recently the Village of Port Chester (VPC) claimed that the ~25% reduction of assessed values in the village from 2008 to 2014 is a result of inadequate staffing in the assessment department.

The Town's rebuttal to this inference is:

- Current assessment department staffing is consistent with the International Association of Assessing Officer (IAAO) guidelines
- VPC's annual assessment trends are consistent with the other villages within Rye Town, as well as with other municipalities within the county
- The village's assessments are consistent with market trends and sales data
- The significant decrease in the village's assessment is directly related to the loss in value of the disproportionate number of 2-3 families (39%) with in the village
- The 2014 assessment roll (**based on 2013 sales**) increased overall ~.7% from the 2013 assessment roll **due to market conditions**

## VPC CHALLENGES TOR ASSESSMENT SERVICE

VPC Village Manager – in a presentation in the context of Town Dissolution - questioned whether TOR's assessment service level is "real" – later characterizing it as at "best artificial or perhaps contrived"

VM Steers and other member of the VPC Board seem to believe that TOR's assessment services have led to a decline in VPC's assessed values and therefore its real estate tax revenue:

VPC Budget Year	2009-10	2015-16	% Change
TOR Assessment Year	2008	2014	
TOR Assessments:			
Homestead	\$ 2,141,735,833	\$ 1,485,274,253	-30.7%
Non-Homestead(commercial)	\$ 969,731,732	\$ 892,046,998	-8.0%
Total Value	\$ 3,111,467,565	\$ 2,377,321,251	-23.6%

VPC concluded that until an independent evaluation of TOR's assessment services is conducted, it is not certain whether TOR's assessment department is the cause of a 25.3% decline in the assessed values in VPC since 2008.

## IAAO GUIDELINES

Rather than citing IAAO (International Association of Assessing Officials) guidelines, VM Steers cited a devastating 2007 critique of TOR's assessment department from the previous administration - now 8 years out of date.

**Official IAAO Guidance is Clear:** Staffing Patterns and the Effect of Computerization  
*Although **one full-time employee for every 2,500 parcels** is typical, this proportion varies greatly among jurisdictions. In smaller jurisdictions, the workload averages 1,500 to 1,700 parcels per employee; in larger jurisdictions, about 3,000 to 3,500. Workloads vary depending on the quality of the staff, the complexity of the properties, and so on. A 1986 survey by IAAO has shown that the average number of parcels per employee without computer assistance decreases the mean number of parcels per employee.*

(From IAAO Handbook – Standard on Mass Appraisal of Real Property approved 2013)

## TOR ASSESSMENT SERVICES

TOR's assessment services are well within IAAO Guidelines:

- 11,091 parcels divided by 4.5 (# of TOR's assessment employees) = 2,465 parcels per employee (IAAO guideline is 2,500 parcels)
- In addition, TOR has worked very hard to supplement its staff with 3<sup>rd</sup> party vendors using cutting edge technology – such as Vision Appraisal, GAR Associates, Inc. (Real Estate Appraisers and Consultants), and IncomeWorks.

## ARE VPC ASSESSMENTS DOWN BECAUSE OF MARKET CONDITIONS OR INADEQUATE ASSESSMENT SERVICE FROM TOR?

Assessments from 2008-14 for...

All municipalities in Westchester County - 17.33%

All villages in TOR... - 19.16%

- VRB - 12.91%

- VOM (Rye Neck) - 17.62%

- VPC - 25.83%

TOR's assessed values for VPC are consistent with what the rest of the municipalities throughout Westchester County are experiencing, as well as within Rye Town.

### Comparative Taxable Assessment History 2008 to 2014

Year	Town of Rye								Westchester County	
	RYE NECK (VOM in TOR)		VILLAGE OF PORT CHESTER		VILLAGE OF RYE BROOK		TOTAL: TOWN OF RYE		Assessed Value (Full Value)	% Change from Previous Yr
	Taxable Assessed Value	% Change from Previous Yr	Taxable Assessed Value	% Change from Previous Yr	Taxable Assessed Value	% Change from Previous Yr	Taxable Assessed Value	% Change from Previous Yr		
2005	\$ 1,450,563,383		\$ 2,699,415,285		\$ 2,724,488,205		\$ 6,874,466,873		\$ 162,857,724,477	
2006	\$ 1,528,200,906	5.35%	\$ 2,922,022,854	8.25%	\$ 2,818,184,182	3.44%	\$ 7,268,407,942	5.73%	\$ 178,569,716,398	9.65%
2007	\$ 1,622,598,050	6.18%	\$ 3,151,817,573	7.86%	\$ 2,993,182,954	6.21%	\$ 7,767,598,577	6.87%	\$ 193,572,868,214	8.40%
2008	\$ 1,622,598,050	0.00%	\$ 3,151,817,573	0.00%	\$ 2,971,756,751	-0.72%	\$ 7,746,172,374	-0.28%	\$ 188,664,709,508	-2.54%
2009	\$ 1,561,070,952	-3.79%	\$ 3,050,566,092	-3.21%	\$ 2,815,069,391	-5.27%	\$ 7,426,706,435	-4.12%	\$ 183,872,292,338	-2.54%
2010	\$ 1,419,840,375	-9.05%	\$ 2,763,624,824	-9.41%	\$ 2,596,224,372	-7.77%	\$ 6,779,689,571	-8.71%	\$ 163,646,825,868	-11.00%
2011	\$ 1,332,436,518	-6.16%	\$ 2,563,353,476	-7.25%	\$ 2,478,933,610	-4.52%	\$ 6,374,723,604	-5.97%	\$ 154,998,951,612	-5.28%
2012	\$ 1,335,205,440	0.21%	\$ 2,339,126,520	-8.75%	\$ 2,414,669,105	-2.59%	\$ 6,089,001,065	-4.48%	\$ 153,740,960,056	-0.81%
2013	\$ 1,351,217,775	1.20%	\$ 2,318,931,177	-0.86%	\$ 2,413,702,050	-0.04%	\$ 6,083,851,002	-0.08%	\$ 149,540,079,541	-2.73%
2014	\$ 1,336,714,281	1.20%	\$ 2,337,553,023	0.80%	\$ 2,588,018,846	-0.04%	\$ 6,262,286,150	2.93%	\$ 155,963,411,807	4.30%
% Change from High to Low	-17.88%		-26.43%		-19.36%		-21.68%		-22.75%	
% Change 2005 -14	-7.85%		-13.41%		-5.01%		-8.91%		-4.23%	
% Change 2008 -14	-17.62%		-25.83%		-12.91%		-19.16%		-17.33%	

## OTHER FACTORS THAT EXPLAIN WHY VPC'S ASSESSED VALUES FELL MORE THAN ITS NEIGHBORS?

- VPC is at full value; therefore, VPC assessed values follow market trends more closely than “non-reval” communities throughout the county. Residential properties are **directly impacted** by change in residential sales prices.
- Commercial (non-homestead) properties were down only 8%.
  - Only 20% of those parcels are non-homestead.
- Residential (homestead) properties were down 30.7%.
  - This residential drop represented 89% of the overall decline.
  - There are 5,451 parcels in VPC, of which 80% are homestead.

## IMPACT OF 2- & 3-FAMILY RESIDENCES

- The VPC homestead class that accounted for ~ 89% of the decline in assessed values, was further exacerbated by the disproportionately high % of 2-3 family homes.
- 39% of the homestead class is 2- and 3-family properties that - from 2008 to 2012 - have experienced a greater loss in value than single families.

ASSESSMENT DATA									
	VPC			VRB			VOM		
	210 SFR	220 2Fam	230 3Fam	210 SFR	220 2Fam	230 3Fam	210 SFR	220 2Fam	230 3Fam
<b>2008 Avg</b>	\$ 545,404	\$ 553,871	\$ 627,630	\$ 836,455	\$ 604,142	\$ 635,350	\$ 790,700	\$ 707,465	\$ 773,935
<b>2014 Avg</b>	\$ 433,244	\$ 296,496	\$ 351,058	\$ 745,513	\$ 387,251	\$ 438,933	\$ 691,171	\$ 485,486	\$ 593,172
<b>Change</b>	\$ (112,160)	\$ (257,375)	\$ (276,572)	\$ (90,942)	\$ (216,891)	\$ (196,417)	\$ (99,529)	\$ (221,979)	\$ (180,763)
<b>% Change</b>	-20.56%	-46.47%	-44.07%	-10.87%	-35.90%	-30.91%	-13%	-31%	-23%
<b>Notes</b>	1389 2-3 Family Homes in 2014			224 2-3 Family Homes in 2014			360 2-3 Family Homes in 2014		
	~39% of VPC Market is 2-3 Families in 2014			~10% of VRB Market is 2-3 Families			~21% of VRN Market is 2-3 Families		

## HOW DO SALES IN VPC COMPARE TO THE WESTCHESTER COUNTY MEDIAN SALES PRICE?

	WESTCHESTER COUNTY							VILLAGE OF PORT CHESTER							2 to 3-Family % Relation to Co. Median (Above OR Below)	
	Total Sales 1 to 4-Family	Single Family # Sales	Single Family % of Total Sales	Single Family Median Sales Price	2 to 4-Family # Sales	2 to 4-Family % of Total Sales	2 to 4-Family Median Sales Price	Total Sales 1 to 4-Family	Single Family # Sales	Single Family % of Total Sales	Single Family Median Sales Price	Single Family % Relation to Co. Median (Below)	2 to 3-Family # Sales	2 to 3-Family % of Total Sales		2 to 3-Family Median Sales Price
2007	5605	5171	92.3%	\$685,000	434	7.7%	\$546,250	108	78	72.2%	\$525,000	-23.4%	30	27.8%	\$555,400	1.7%
2008	4091	3805	93.0%	\$650,000	286	7.0%	\$463,750	55	43	78.2%	\$500,000	-23.1%	12	21.8%	\$505,000	8.9%
2009	3735	3353	89.8%	\$580,000	382	10.2%	\$370,000	39	36	92.3%	\$465,000	-19.8%	3	7.7%	\$481,000	30.0%
2010	4383	4014	91.6%	\$630,000	369	8.4%	\$348,000	51	41	80.4%	\$490,000	-22.2%	10	19.6%	\$389,500	11.9%
2011	4210	3844	91.3%	\$600,000	366	8.7%	\$336,500	35	25	71.4%	\$435,000	-27.5%	10	28.6%	\$311,350	-7.5%
2012	4820	4478	92.9%	\$586,500	342	7.1%	\$330,000	74	58	78.4%	\$432,875	-26.2%	16	21.6%	\$287,500	-12.9%
2013	5863	5442	92.8%	\$610,000	421	7.2%	\$370,000	103	84	81.6%	\$403,750	-33.8%	19	18.4%	\$330,000	-10.8%
2014	5803	5394	93.0%	\$635,000	409	7.0%	\$405,000	104	76	73.1%	\$440,000	-30.7%	28	26.9%	\$365,000	-9.9%

Compared to the Westchester County median home values published annually by the Hudson Gateway Association of Realtors ("HGAR," f/k/a Westchester-Putnam MLS), overall VPC's single family sales prices were significantly below the county's median (on average **26% below**).

## HOW DO SALES IN VRB COMPARE TO THE WESTCHESTER COUNTY MEDIAN SALES PRICE?

	WESTCHESTER COUNTY							VILLAGE OF RYE BROOK							2 to 3-Family % Relation to Co. Median (Above OR Below)	
	Total Sales 1 to 4-Family	Single Family # Sales	Single Family % of Total Sales	Single Family Median Sales Price	2 to 4-Family # Sales	2 to 4-Family % of Total Sales	2 to 4-Family Median Sales Price	Total Sales 1 to 4-Family	Single Family # Sales	Single Family % of Total Sales	Single Family Median Sales Price	Single Family % Relation to Co. Median (Below)	2 to 3-Family # Sales	2 to 3-Family % of Total Sales		2 to 3-Family Median Sales Price
2007	5605	5171	92.3%	\$685,000	434	7.7%	\$546,250	99	97	98.0%	\$850,000	24.1%	2	2.0%	\$651,500	19.3%
2008	4091	3805	93.0%	\$650,000	286	7.0%	\$463,750	69	65	94.2%	\$775,000	19.2%	4	5.8%	\$535,000	15.4%
2009	3735	3353	89.8%	\$580,000	382	10.2%	\$370,000	61	57	93.4%	\$690,000	19.0%	4	6.6%	\$472,500	27.7%
2010	4383	4014	91.6%	\$630,000	369	8.4%	\$348,000	77	76	98.7%	\$745,000	18.3%	1	1.3%	\$360,000	3.4%
2011	4210	3844	91.3%	\$600,000	366	8.7%	\$336,500	64	63	98.4%	\$775,000	29.2%	1	1.6%	\$355,000	5.5%
2012	4820	4478	92.9%	\$586,500	342	7.1%	\$330,000	77	77	100.0%	\$714,000	21.7%	0	0.0%	-	N/A
2013	5863	5442	92.8%	\$610,000	421	7.2%	\$370,000	121	120	99.2%	\$730,000	19.7%	1	0.8%	\$400,000	8.1%
2014	5803	5394	93.0%	\$635,000	409	7.0%	\$405,000	115	106	92.2%	\$805,000	26.8%	8	7.0%	\$445,000	9.9%

Compared to HGAR's Westchester County median home values, overall VRB's single family sales prices were significantly above the county's median (on average **22% above**).



## HOW DO SALES IN VRN COMPARE TO THE WESTCHESTER COUNTY MEDIAN SALES PRICE?

	WESTCHESTER COUNTY							VILLAGE OF MAMARONECK (RYE NECK)							2 to 3-Family % Relation to Co. Median (Above OR Below)	
	Total Sales 1 to 4-Family	Single Family # Sales	Single Family % of Total Sales	Single Family Median Sales Price	2 to 4-Family # Sales	2 to 4-Family % of Total Sales	2 to 4-Family Median Sales Price	Total Sales 1 to 4-Family	Single Family # Sales	Single Family % of Total Sales	Single Family Median Sales Price	Single Family % Relation to Co. Median (Below)	2 to 3-Family # Sales	2 to 3-Family % of Total Sales		2 to 3-Family Median Sales Price
2007	5605	5171	92.3%	\$685,000	434	7.7%	\$546,250	54	47	87.0%	\$660,000	-3.6%	7	13.0%	\$ 650,000	19.0%
2008	4091	3805	93.0%	\$ 650,000	286	7.0%	\$463,750	46	39	84.8%	\$ 699,000	7.5%	7	15.2%	\$ 650,000	40.2%
2009	3735	3353	89.8%	\$580,000	382	10.2%	\$370,000	26	25	96.2%	\$875,000	50.9%	1	3.8%	\$ 575,500	55.5%
2010	4383	4014	91.6%	\$630,000	369	8.4%	\$348,000	37	33	89.2%	\$ 725,000	15.1%	4	10.8%	\$ 507,250	45.8%
2011	4210	3844	91.3%	\$600,000	366	8.7%	\$336,500	49	42	85.7%	\$ 656,750	9.5%	7	14.3%	\$ 500,000	48.6%
2012	4820	4478	92.9%	\$ 586,500	342	7.1%	\$330,000	43	38	88.4%	\$ 617,500	5.3%	5	11.6%	\$ 570,000	72.7%
2013	5863	5442	92.8%	\$ 610,000	421	7.2%	\$370,000	56	50	89.3%	\$ 661,000	8.4%	6	10.7%	\$ 492,500	33.1%
2014	5803	5394	93.0%	\$ 635,000	409	7.0%	\$405,000	84	74	88.1%	\$ 787,500	24.0%	10	11.9%	\$ 517,500	27.8%

Compared to HGAR's Westchester County median home values, overall VRN's single family sales prices were also above the county's median (on average 15% above).

## CONCLUSION

- The TOR assessment department is following sound assessment practices regarding staffing levels vis-à-vis the supplemental layers of technology being utilized.
- The TOR assessment department is working diligently to monitor sales data used to value residential properties.
- The TOR assessment department is also working diligently to value non-homestead properties utilizing the income approach to value (income & expenses) for the majority of the parcels.
- Any questions?

## RESOLUTIONS - Continue

### RESOLUTION #3

### SEWER RENT LIENS FOR FY 2015-2016

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE

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

RESOLVED, that the Board of Trustees hereby authorizing the Village Treasurer to include delinquent sewer rent and charges in the amount of \$267,360.64 to be in the tax warrant for the period beginning June 2015, to May 31, 2016.

APPROVED AS TO FORM:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** May 4, 2015

**RESOLUTION #4**

**CONDITIONAL OFFER OF EMPLOYMENT FOR POLICE OFFICER**

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

RESOLVED, that the Board of Trustees extends a conditional offer of employment to Jason Behar as police officer of Port Chester, New York, with appointment to be effective May 15, 2015.

APPROVED AS TO FORM:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** May 4, 2015

### **RESOLUTION #5**

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

WHEREAS, the Village of Port Chester Recreation Department conducts an outdoor entertainment program; and

WHEREAS, the Village selects groups to perform over the course of the year; and

WHEREAS, an agreement is required to support payment for such groups. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into the following agreements to provide entertainment for FY 2015 – 2016 as indicated;

- Angie Rubino & Band, compensation to be \$1,100.00 for Lyon Park Concert
- Bookends, compensation to be \$900.00 for Lyon Park Concert
- Tim Curry Motown Band, compensation to be \$800.00 for Lyon Park Concert
- Rich Bobinski Orchestra, compensation to be \$720.00 for Lyon Park Concert
- The Harvest Band, compensation to be \$700.00 for Lyon Park Concert
- Markx Laiko Bolivian, compensation to be \$850.00 for Downtown Concert
- Billy and the Showmen, compensation to be \$1,000.00 for Downtown Concert
- Juarez-Show Mariachi, compensation to be \$675.00 for Port Chester Day
- Suit Ty Thursty, compensation to be \$450.00 for Port Chester Day
- A to Z Band, compensation to be \$500.00 for Port Chester Day
- Island Soul, compensation to be \$800.00 for Port Chester Day
- Curtis Winchester Band, compensation to be \$750.00 for Port Chester Day.
- Kathy Thompson Band, compensation to be \$800.00 for Port Chester Day.
- Mark Rudzinski –Sound System, compensation to be \$1,100.00 for Port Chester Day.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** May 4, 2015

**RESOLUTION #6**

**CO-SPONSORSHIP TO SUPPORT 7<sup>th</sup> ANNUAL “PORT CHESTER FEST”**

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

WHEREAS, by correspondence dated April 17, 2015 from Bryan Diaz, Council of Community Services, request has been made on the Board of Trustees to co-sponsor the 7<sup>th</sup> Annual “Port Chester Fest,” and

WHEREAS, the Council has requested the use of Lyon Park, support from the Police Department, Department of Public Works and Recreation Department as well as the Showmobile and generator; and

WHEREAS, by memo dated April 24, 2015, the Park Commission has provided the Board with a favorable determination subject to certain conditions. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby co-sponsors the 7<sup>th</sup> Annual “Port Chester Fest” subject to the conditions stated by the Park Commission.

APPROVED AS TO FORM:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** May 4, 2015

**RESOLUTION #7**

**ASSIGNING TRUSTEE SEATS**

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

WHEREAS, Rule 14 of the Board of Trustees Rules of Procedure specifies “the seating arrangement [of the Board of Trustees] may be changed at any time by majority vote (4) of the Board.” Now, therefore, be it

RESOLVED, that the Mayor and Trustees shall sit in the following seats from left to right when one faces the dais: Resolution assigning Trustees to the following seats from left to right when facing the dais: Trustee Terenzi, Trustee Kenner, Trustee Brakewood, Mayor Pilla, Trustee Adams, Trustee Marino and Trustee Ceccarelli, effective May 5, 2015.

#### **ROLL CALL**

**AYES:** Trustees Adams, Brakewood, Kenner, Ceccarelli and Mayor Pilla.

**NOES:** Trustee Terenzi.

**ABSENT:** Trustee Marino.

**DATE:** May 4, 2015

#### **PUBLIC COMMENTS AND BOARD COMMENTS**

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

Comments were made by:

No comments were made by the public.

Board

Trustee Adams commented that the Board is open to assist residents of 999 High Street. The line should be redrawn showing the divide on South Regent Street at the Post Road. It is dangerous. He commented about the grilling in the parks. Port Chester is due \$1.7M.

Trustee Brakewood expressed condolences to Bea Conetta and family on the loss of her brother. He commented on the crossing markers at Park Avenue School. In Lyon Park, the T-Ball field has been moved over by the Girl Scout House. There are three old T-Ball fields that have never been restored.

Trustee Terenzi commented about complaints about the condition of the ball fields. If the DOJ doesn't appeal, we should see the \$1.7M.

Trustee Kenner commented on the 999 High Street issue. We need clarity on what was offered to the residents.

Trustee Ceccarelli commented about the new restaurants in Port Chester and the parking. The parking situation is volatile. He thanked the fire department and other emergency personnel for the great job at the two fires recently.

Mayor Pilla commented that we adopted a sound budget because of the fine works of the staff,

## **MOTION FOR EXECUTIVE SESSION**

At 9:59 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE BRAKEWOOD, the Board adjourned into an executive session regarding an appointment of particular person in court.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** May 4, 2015

Also present were: Village Manager, Christopher Steers and Village Attorney, Anthony Cerreto.

No action was taken in executive session.

At 10:20 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD, the Board of Trustees closed the executive session.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** May 4, 2015

At 10:21 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD, the meeting was closed.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** May 4, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk

## **MEETING HELD MAY 18, 2015**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, May 18, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

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

Also present were: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jesica Youngblood; Edward Quinn; Village Justice Peter Sisca; Village Fire Chief - Chief Engineer and Beth Ferguson, Financial Adviser – Capital Market.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the meeting was declared opened at 6:05 p.m.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

### **MOTION FOR EXECUTIVE SESSION**

At 6:36 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Board adjourned into an executive session to discuss a particular person in the Marshals and particular claim.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

Also present were: Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager and Village Justice Peter Sisca.

It should be noted that TRUSTEE ADAMS recused himself from the Executive Session.



No action was taken in executive session.

At 7:10 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Adams.

**DATE:** May 18, 2015

**AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION**

**RE:**

*Public Hearing to consider the advisability of a local law repealing Section 1 of Local Law No. 11 of 2010 in order to facilitate the restoration of the parking or standing prohibition on Westchester Avenue in the vicinity of Fire Headquarters on Westchester Avenue.*

The following Public Notices were duly published in the Journal News and the Westmore News on May 1, 2015, certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News

**PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees hereby sets a public hearing on May 18, 2015 at or about 7:00 p.m. at the Port Chester Police Headquarters/Justice Court, 2<sup>nd</sup> Floor Courtroom. 350 North Main Street, Port Chester, to consider the advisability of a local law repealing Section 1 of Local Law No. 11 of 2010 in order to facilitate the restoration of the parking or standing prohibition on Westchester Avenue in the vicinity of Fire Headquarters on Westchester Avenue.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: May 1, 2015

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

On motion of TRUSTEE MARINO, seconded by TRUSTEE TERENCE, the public hearing was declared open.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

***Public Comments***

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

Comments were made by:

Fire Chief Quinn commented we have come across this problem at headquarters because of the amount of traffic. With the size of the fire apparatus, part of the front bumper must go over the opposite curb to make that turn. Also, when tractor trailers make deliveries to nearby stores the apparatus cannot exit the fire station.

Ms. Goldie Solomon commented we need our fire departments. There is not enough parking at the firehouses for the men to park and get on the truck quickly. We need off the street parking for our firemen.

Attorney Cerreto addressed the correspondence from Mr. Ravikoff. Mr. Ravikoff does not object to the parking prohibition but believes that cars should be able to stand. Mayor Pilla noted that Westchester Avenue does have some parking on the side streets. Attorney Cerreto asked Chief Quinn's opinion on Mr. Ravikoff's letter. Chief Quinn said this is the situation now and people leave the vehicle. We have had a number of incidents and we are trying to be proactive. Police Chief Conway commented what we are concerned about is that people leave the car. They will move for a policeman but they are not going to move for a fire truck exiting or returning to the firehouse. There has to be an outright ban on everything. Trustee Terenzi commented there is a loading zone on Grove and Westchester.

On motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD the public hearing was closed.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

### **Adoption of Local Law No. 03 of 2015**

A LOCAL LAW REPEALING A PORTION OF LOCAL LAW NO. 11 of 2010 IN ORDER TO FACILITATE THE RESTORATION OF THE PARKING OR STANDING PROHIBITION ON WESTCHESTER AVENUE FROM GROVE STREET TO SMITH STREET

SECTION 1: The Fire Chief has brought to the attention of the Board of Trustees that there exists a significant public safety issue presented by vehicles parked or standing on Westchester Avenue in the immediate vicinity of Fire Headquarters hampering the ability of fire apparatus from freely ingress/egress the fire station. The purpose and intent of this local law is to repeal a portion of a prior local law on the matter and subsequently adopt new legislation to fully remedy the issue.

SECTION 2: Section 1 of Local Law No. 11 of 2010 amending Section 319-74 (Schedule XIII) "No Parking or Standing at any Time" to delete the location of the south side of Westchester Avenue from Grove Street to Smith Street is hereby repealed.

SECTION 3: This local law shall be effective immediately upon filing with the Secretary of State and at such date appropriate signage is put in place at the direction of the Village Manager.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the following Local Law Number 03 of 2015 was adopted by the Board of Trustees of the Village of Port Chester, New York:

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

PROVIDING NEW PARKING REGULATIONS ON WESTCHESTER AVENUE  
IN THE IMMEDIATE VICINITY OF FIRE HEADQUARTERS

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

WHEREAS, it has been brought to the attention of the Board of Trustees that there exists a significant public safety issue presented by motor vehicles parked or standing on Westchester Avenue in the immediate vicinity of Fire Headquarters hampering the ability of fire apparatus from freely entering and exiting the fire station; and

WHEREAS, the Board of Trustees has received the favorable recommendation of the Traffic Commission to impose new parking restrictions on Westchester Avenue; and

WHEREAS, after discussion, the Board has determined to advance this subject for action. Now, therefore, be it

RESOLVED, the Code of the Village of Port Chester, Vehicles and Traffic, Section 319-74, Schedule XIII, No Parking or Standing at Any Time, pursuant to the provisions of Section 319-20 is amended as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
...		
ADD Westchester Avenue	South	From Grove Street to Smith Street
	North	From Poningo Street west 120 feet;

and be it

RESOLVED, the above regulations to take effect at such date as appropriate signage is put in place at the direction of the Village Manager.

Approved as to Form:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

***Public Hearing to consider adopting a local law amending Chapter 270 of the Code of the Village of Port Chester with regard to sidewalk cafes.***

The following Public Notices were duly published in the Journal News and the Westmore News on May 1, 2015, certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News

**PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, May 18, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider adopting a local law amending Chapter 270 the Code of the Village of Port Chester with regard to sidewalk cafes.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: May 1, 2015

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, the public hearing was declared open.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

***Public Comments***

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

Comments were made by:

Ms. Goldie Solomon commented there is a problem. When they put out tables and chairs will there be room for people to walk by? Mayor Pilla replied that if restaurants do not comply with the regulations of the permit they are given a violation notice.

Mr. Dolph Rotfeld commented that the three foot minimum should not encroach on the tree grates.

Mr. Richard Abel commented on the time limit for leaving the chairs out overnight. Attorney Cerreto stated the law requires that owners remove the tables and chairs from the sidewalk when the restaurant is closed.

Mr. Ceruzzi asked on the cost of the permit fee. There is a \$100 application fee.

Trustee Brakewood commented that sidewalk cafes are popular. It makes downtown Port Chester more inviting and people are more likely to move from restaurant to restaurant.

On motion of TRUSTEE MARINI, seconded by TRUSTEE CECCARELLI, the public hearing was closed.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

## **Adoption of Local Law No. 03 of 2015**

### A LOCAL LAW AMENDING CHAPTER 270 OF THE CODE OF THE VILLAGE OF PORT CHESTER WITH REGARD TO SIDEWALK CAFES

SECTION 1: The purpose and intent of this local law is to provide greater incentives for the establishment of such sidewalk cafes so as to further promote commerce throughout the Village.

SECTION 2: The Code of the Village of Port Chester, Chapter 270, "Sidewalk Cafes", is hereby amended as follows:

Section 270-1. Location; purpose

The sidewalk café regulations as established in this chapter are intended to allow sidewalk cafes on public property accessory to [restaurants in locations in the C1 Neighborhood Retail District, C2 Central Business District and MUR Marina Redevelopment Project Urban Renewal District] a food service establishment where they

are determined to be appropriate and to protect the public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- A. To provide adequate space for pedestrians on the sidewalk adjacent to sidewalk cafes to ensure access to adjacent commercial and retail uses.
- B. To promote sidewalk cafes as a useful and properly planned amenity that will attract business to the Village.
- C. To encourage the most desirable use of land and buildings, particularly in the retail shopping districts and thereby increase the Village's tax base.

Section 270-2. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

FOOD SERVICE ESTABLISHMENT – A location where food is prepared and intended for individual portion service and that either the Westchester County Department of Health or New York Department of Agriculture and Markets regulates.

...

Section 270-3 Permit required; duration; renewal

A permit is required to operate a sidewalk café. The Office of the Village Clerk is authorized to issue an annual permit for the seasonal operation of a sidewalk café, provided that the application is complete and has been reviewed and approved by the Building Department as meeting all of the requirements of this chapter. A permit to operate a sidewalk café shall be valid from April 1[May 1] up to and including [October 31] December 1 of any calendar year. Permits shall be prominently displayed and posted in the inside of the front window of the [restaurant] food service establishment , or otherwise prominently displayed in the entry of the premises, for which a permit is issued. The Police Department shall be provided a current listing of all licensees.

Section 270-4. Application for permit; compliance with standards.

A permit may only be issued upon the application of the owner, or tenant with the owner's consent, of a [restaurant (except fast food restaurants) as defined in Section 345-2 of the Code,] food service establishment which is located directly in front of the proposed sidewalk café and along the abutting facades on either side with the consent of the property owner and tenant of same [in the C1, C2 and MUR Zoning Districts], provided that the applicant complies with each of the following general standards:

[A.The sidewalk abutting the property must be at least nine feet in width as measured from the building line to the curblin.]

[B] A. There shall be a minimum clear distance of five feet, exclusive of the area occupied by the sidewalk café, free of all obstructions, such as trees, parking meters, utility poles, streetlights and Village benches or planters, in order to allow for adequate and safe pedestrian movement. This distance may be reduced to three feet in width for a distance not to exceed 25 feet in length.

[C]B. No permanent or temporary structures may be affixed to the sidewalk area occupied by the sidewalk café, and the area may only be occupied by planters, benches or tables [no greater than 30 inches in width] of suitable dimension with chairs [adjacent to the exterior of the restaurant] for the convenience of the patrons of the café. The café shall be open except that it may be covered with a canvas cover or structural canopy of the [restaurant's] food service establishment's façade. Umbrellas are permitted provided that they are retractable, secured and do not obstruct pedestrians. Such benches, tables and chairs, and umbrellas must be removed and/or brought inside when the café is not in operation. No other appurtenances are permitted.

[D]C. The applicant must provide for a suitable temporary, removable barrier, such as bollards with connecting rope or chain or railing, to physically separate patrons from pedestrian traffic, that must be brought inside when the café is not in operation, unless waived in the discretion of the Village Manager or his/her designee. The sidewalk café shall be otherwise unenclosed.

[E]D. A clear and unobstructed means of egress must be provided and maintained from the [restaurant] food service establishment.

[F] E. A [detailed scaled drawing], plan with measurements, showing the location of proposed planters, benches, tables and chairs on the sidewalk, together with a photograph of the area to be occupied by the sidewalk café and frontage of the [restaurant] food service establishment and along the abutting façade, if applicable, shall be submitted with the application.

[G] E. Prior to the issuance of the permit, there shall be an agreement executed by the owner and tenant to defend and save harmless the Village, its officers and employees against any loss, liability or damages sustained by any person or to any property arising out of the operation of the café, together with a certificate of insurance issued to both the owner and tenant as insured and naming the Village, its officers and employees as an additional insured, in the minimum amount of \$1,000,000 each occurrence and \$2,000,000 dollars aggregate general liability insurance coverage as approved by the Village Attorney.

Section 270-5. Hours; food; alcoholic beverages; lighting; maintenance.

....

F. No signs or advertising of any kind are permitted at or about the sidewalk café, except for a single sign, such as a menu board, sandwich sign or similar display in size and location approved by the Building Inspector. No additional Village permit is required.

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



On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the following Local Law Number 3 of 2015 was adopted by the Board of Trustees of the Village of Port Chester, New York:

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

*Public Hearing to consider the advisability of a public hearing to amend the Code of the Village of Port Chester, Chapter 319, Vehicles and Traffic, and Chapter 175, Fees, with regard to parking space obstruction permits.*

The following Public Notices were duly published in the Journal News and the Westmore News on May 8, 2015 certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News

**PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, May 18, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the advisability of a public hearing to amend the Code of the Village of Port Chester, Chapter 319, Vehicles and Traffic, and Chapter 175, Fees, with regard to parking space obstruction permits.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: May 8, 2015

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the public hearing was declared open.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

***Public Comments***

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

Comments were made by:

Ms. Goldie Solomon commented this requires a public hearing.

Trustee Ceccarelli asked if this was for a single or a double parking space. Attorney Cerreto replied this was for a single space.

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE BRAKEWOOD, the public hearing was closed.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

**Adoption of Local Law No. 04 of 2015**

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER  
CHAPTER 319 "VEHICLES AND TRAFFIC" WITH REGARD TO PARKING SPACE  
OBSTRUCTION PERMITS

SECTION 1: The Code of the Village of Port Chester, Chapter 319, Vehicles and Traffic, Section 319-34 is hereby amended as follows:

B. In the event that any work is done next to a parking meter space so that the parking meter space is [inoperative] obstructed for the parking of motor vehicles at the space reserved for parking, then in that event the person who is doing the work shall purchase from the Village Clerk Department a [cover] permit for the obstruction of said space for each day the [meter is covered] space is obstructed while the work progresses, at a cost as

set forth in Chapter 175, Fees, [and said covers shall be removed immediately after the completion of the work.]

SECTION 2: The Code of the Village of Port Chester, Chapter 175, “Fees”, is hereby amended as follows:

License or Activity	Code Reference	Annual Fee
Parking [meter cover] <u>space</u> <u>obstruction permit</u> <u>(18 feet)</u>	319-34B	Single [\$6.50] <b>\$20</b> [Double \$13]

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the following Local Law Number 4 of 2015 was adopted by the Board of Trustees of the Village of Port Chester, New York:

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

**PUBLIC COMMENTS**

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

Comments were made by:

Ms. Goldie Solomon thanked our firemen, policemen, EMTs and DPW. Tomorrow is a voting day for the budget and school board members. Memorial Day is next Monday. People are still bringing dogs to Lyon Park.

Mr. Ceruzzi commented on the Board’s stand on the group home. He read in the paper that the Village is going to hire an Engineer at \$120,000 plus fringes. Is Mr. Rotfeld’s bill more than \$120,000 per year? Mr. Rotfeld was paid \$400,000 last year. These bills were paid by clients needing to do work. Trustee Terenzi commented that Mr. Miley needs more help with plans. We have put it in the budget. Mr. Rotfeld is still going to be doing sewers and other work. House assessments have gone up .79%. We will have a

better idea after June 1<sup>st</sup>. Mr. Ceruzzi commented we have a lot of public housing. Come and vote tomorrow for the school budget.

Ms. Diane Wright read the following statement: “My name is Diane Wright. I am a resident of Port Chester and a member of the Port Chester Dog Park group. I would like to voice my frustration and disappointment in the lack of progress mainly due to less than open communication with the Board of Trustees, the Village Staff and the Parks Commission. Specifically, for any meetings that have taken place or plan to be held with the interests of the dog park on the agenda, we are entitled to be informed so that we may be present. It’s important to plead our case in person when decisions are made, and votes are taken. We were promised total involvement by all involved parties of the Village, but this promise has not been kept.

Our efforts have been stalled in a multitude of ways and it’s time to stand up and communicate our concerns in a public setting.

The dog park group raised over \$50,000 and is continuing our fund raising efforts. The community, who supported us based on specifics that have been changed by your decisions and indecision, is depending on this dog park and is certainly deserving of its completion and opening. Our group has done everything in its power to achieve our goal of getting this park operational and having the design approved for a targeted date of spring, 2015. All we ask is that the Mayor, the Board of Trustees, the Village Staff and the Parks Commission serve the community by making the dog park a reality.”

Ms. Denise Quin read the following statement: “Good Evening, I am here as the event chairperson for the upcoming Taste of Port Chester, an annual event held on the 1st Sunday of June, this year being our 5th one, sponsored by Tamarack Tower Foundation along with their annual Turkey Trot, our upcoming \$10,000. Raffle and our ongoing membership drive. All of the proceeds go towards grants to each of the 7 schools in the amount of \$4,000, scholarships to graduating seniors going on to college (again this year we are the biggest contributor of scholarship in upwards of \$60k +) along with other projects such as the renovation of the High School Library (this was \$50k), sound booth at the Middle School, the gardens at JFK, the tree legacy around the high school, just to name a few.

We ask each participating restaurant (as of today we have 33) to prepare a dish or two given out that day to those young and old who purchased a wristband. We have buses, donated again by County Coach, going up and down So Regent Street, Bowman, and Willett Ave and or you can walk the tour which also includes North Main, Irving and Westchester Avenue. In fact seeing all these people walking No Main Street reminds me of my youth Thursday nights when the stores stayed open until 9pm.

Each person pays \$25 for adults and \$15 for children between the ages of 5 thru 12. Wristbands must be purchased and worn to be able to go into the participating restaurants and sample the items they have out.

Registration is held at the Marina, starting at 11:30 am and the event runs from 12 to 3-3:30. Buses start at the Marina, drop off at the Marina and can also be picked up at any Taste of Port Chester Bus stop they just have to look for the signs around town.

We started advertising back in March/April on face book and twitter, we also have ads in the Westmore News, are on several radios stations, banners are flying in and around town, sign is up at Messina Park, the local school channel, the websites, posters in the restaurants, flyers going home with the elementary schools and most import WORD OF MOUTH.

Besides the buses being donated, again in conjunction with our corporate sponsor, Restaurant Depot, we are giving all the participating restaurants the paper goods for this event.

Rain or Shine this event is always a fun and enjoyable day by all who attend. We look forward to another eventful day and hope to see the board members participating again this year.

Remember, those who benefit the most from this event are the children of Port Chester and yes they are our future.”

Ms. Dina Goren read the following statement: “Dear Mayor Pilla and Board of Trustees:

As mentioned in the letter from the Parks Commission to the Mayor and Board of Trustees dated May 14, 2015, action regarding the dog park project was taken at the May 13, 2015 Parks Commission meeting.

This letter is to inform you that the Port Chester Dog Park Group (PCDPG) was not notified that any vote on the topic of the dog park would take place at this meeting and was not included in the topic discussions prior to the vote. The PCDPG respectfully requests the BOT take this information under consideration when reviewing the Parks Commission recommendations for this project.

The PCDPG does not understand why any official village board or commission would take action on a project without the community organization sponsoring the project being at least notified of the action, and invited to attend and be part of the discussion.

To improve transparency the PCDPG would like to suggest additional processes be put in place to avoid this type of issue in the future. One suggestion is to require that agendas be posted publicly within a certain timeframe of the meeting and that any community member or group being impacted by the action be invited to attend the meeting. For actions to be taken without public knowledge that the discussion is even taking place doesn't lend itself to dialogue or trust on the part of the community.”

Mr. Black commented that there is no place in the Village to let his dog run around. He got involved in the dog park group. As a result, the Village approved it and we got an architect to design it. We made a budget based on those plans. We privately raised all

the funds so taxpayer funds would not be involved. No work has been done on this project. My bigger concern is what happens with all the more complex projects in the Village?

Ms. Beatrice Conetta commented she is going to fight for the amnesty. She would like to sit down with Mr. Miley and give him some suggestions. Don't do away with amnesty but you should get rid of some of the fines and fees. If you don't finish your project within 18 months you have to pay another fee. Open permits on older homes are costing the taxpayers. We want people who bought their house legally not to be responsible for open permits from before they purchased the house. Mayor Pilla commented he is having meetings with the staff on amnesty.

Mr. Bart Didden made the following statement: In 2003/04 I stood here and accused the Village of being compliant with G&S in a scheme to commit an illegal extraction from my partners and me.

Today I am here because now the Village is being set up to lose millions of tax dollars and the Sun's bright light must be summoned to expose the truth.

Not just upon the deal, but also the players.

In 2003/04 I was told before a meeting like this, by a Trustee that G&S is our partner and we can't negotiate a change to the agreement.

My claims were dismissed as turning out the light by that Trustee, while another Trustee wanted to know the truth. He was silenced by the majority.

I hope that by the end of this presentation you will see that you don't have a partner, but are associated with a habitual abuser.

I did not crawl away that night, I fought and finally in Judge La Cava's Courtroom I was vindicated by The State of New York Supreme Court. As well as two or three more appeals demanded by G&S to bury it's most outspoken critic.

Now 11 years or more from that first night, I am back here again. Ironically G&S is still pushing their last appeal and we are still in the Courts as well.

I understand that the Village, through the Mayor's office is considering whether to modify the very deal that made G&S very rich while we have a failing promenade and bulkhead that they refuse to take any responsibility for.

Directly at issue is that you [BOT] don't have the facts and you [BOT] don't know the comparable of the project they are proposing for Liberty Square, but you should because our taxpayers need you [BOT] to know, as well for our school children.

Let's look at the casualties, first the bulkhead. Prior to 1999 the existing conditions was evaluated by G&S and their experts recommended a full steel replacement was as they

said “warranted”. This can be found in appendix “Q” found in Volume 2 of their submittals.

The result however was plastic sheets less than adequate and the Port Chester Tax Payer has spent more than \$250,000 just to try and keep it from completely falling into the river and washing away.

Also in 1999 we gave away the sales tax revenue on all of the building materials worth millions in savings to G&S and this can be found in Exhibit “C” to the LADA agreement.

We were also told that the project will create more than 1000 new jobs, I don’t think that came to happen, we need those jobs for our residents and young kids to get started in adulthood. I started in a grocery store and think I did pretty good.

Another give away was the “Right of First Refusal” on many more properties listed in Exhibit “Q” in the downtown. This right lasts for 7 years from when the last approved building is built. If they never build the marina restaurant does this provision ever go away? This can be found at Article 17, section 1, number 3.

Another example of the inherent failures is in the second amendment to the LADA which contains a “List of Public Amenities” to be supplied by G&S which has not been completed.

Now come forward to today, well over 10 years later and you are negotiating w/ G&S a change to the approved plans for retail “D”.

Because in 1999 the Village agreed to a PILOT for the taxes, if this board goes forward with that PILOT we will lose millions as compared to other current projects.

\$3,369,654.60 difference in school taxes over 10 years between The Mariner and proposed retail “D” with 76 like sized apartments as The Mariner

G&S donations of \$22,500.00 to the Westchester County Democratic “Chairman’s Circle” to avoid direct reporting to the Village Clerks Office for campaign fund raising and expenditures. This \$22,500.00 was listed on State disclosure form as PC Elections and it was clear that this was to achieve the goal of G&S to create a democratic majority. I called on the democrats for transparency for the taxpayers so that they can see how the most affluent property owners who don’t live here buy access to the political system, The Majority of the BOT and the Mayor’s office. The asked for transparency did not happen)

So when is enough, enough?

When will G&S not enjoy this special status and be treated like every other taxpayer in Port Chester?

Get a new bulkhead. Continue to give them the tax savings on the building materials, this will pay a lot toward a new bulkhead.

Get rid of the PILOT, The Mariner, The Castle and the 50 units being built on North Pearl now didn't need it. Our schools need the money more for our children than G&S deserves it.

Take back the options for additional properties, can anyone really consider them our "partners" after looking at the bulkhead and promenade?

You (the BOT) may think you're powerless and have nothing to negotiate with, well you would be wrong.

Section 406 of the Eminent Domain Procedure Law – titled Abandonment

After 10 years, if there has been no substantial improvement to the condemned parcel it can be sold to the highest bidder. I would bet that the owners of the Mariner or the Castle would jump at the chance to build another building here, with no sweetheart deals. A windfall for the tax payer over G&S, and we will be done with the "pay as you go political access" that is represented by the \$22,500.00 donations by the G&S principles.

Ms. Donna Mead read the following statement: "Mr. Mayor and Board of Trustees,

"I am utterly frustrated and completely disappointed at where we are with the establishment of a dog park in Port Chester!

"The PCDPG has worked extremely hard on this project. This should have been built and open already! How did a project that was a no-brainer that seemed to be going along so smoothly, get so badly derailed?!

"From a layout that reflected the work and input of many - it has become the science-project-gone-wrong of Village staff. If built the way the drawing looks now, instead of being an amenity and an enhancement to our Village, it will be an eyesore and, in fact, with the lengthy prison-like tunnel, a definite safety hazard. We had a great layout when this all started and it is just hard to look at the current drawing and not think they are not even the same place! The PCDPG's concerns about the layout were not considered in this design and this is not what we were promised.

"We have tried to give you examples of dog parks as they exist in many other cities and towns; dog parks within public parks – and none of them look like this. I've been to dog parks in neighboring communities and there is no resemblance whatsoever! Also, not a day goes by without someone asking me, "So what's going on with the dog park?" The community is as disgusted as we are and this is ridiculous.

"As we collectively shake our heads, we ask you, yet again, to please fix this mess. I can only speak for myself, but I would like nothing better than to NOT turn the money over to the Village, but that is just not an option and would accomplish nothing. We honestly relied on all the discussions, approvals and resolutions from 2013 and it is a huge injustice to all of the tax paying dog owners of this village to be where we are right now.



“I urge this Board to take no action on the actions taken at the Parks Commission meeting of May 13 and to please reconsider their original unanimous vote from 2013.

“Thank you.  
Donna Mead  
3 Birch Street.”

Ms. Linda Turturino read the following statement: “Good Evening Mayor and Board of Trustees,

“I am hard pressed to understand what is happening with the development of plans for the Port Chester Dog Park.

“Our group has worked and continues to work very hard on this project for the community. We have put in countless hours, raising money to make this a reality for our 4 legged friends and their owners.

“I do not understand why we are being met with resistance at this stage of the game and more important why we are not being considered in the design phase of this project. Being handed a sketch and being told “here this is it“is not bringing us in working on a design. Most important we have sought out good advice from professionals and are open to compromise and getting this done and done right. Instead we are going backwards in the process without seeing a light at the end of the tunnel.

“A reminder... the Village set a timeline of early spring 2015 and that is here and gone. We recently had a campaign for Mayor and were told “This is going to happen.” My question is ...When?

“Whether you know it or not, people are looking at how this project is being handled and at this time it is not a favorable impression.

“The Port Chester Dog Park Group is a group of residents with good intentions and community spirit and all we want is to see this project through.

“We have no hidden agenda and we have been transparent and are willing to work with listen to those who need to do work on this project to get it done, please give us the chance to do that.

“Lastly, Actions speak louder than words...let’s now see some action!

Thank you for your time.”

Mayor Pilla commented he has been working with staff and that the inside of the dog park should be configured by the dog park group. He said we have the conception of a successful project. The Trustees and the Park Commission should work on the fencing and protecting the playground. Trustee Terenzi said the most important thing right now is the walkway. Trustee Brakewood commented that the real issue is liability. We have not seen anything from our attorney or insurers.

Trustee Kenner asked what is the issue. Mayor Pilla said that he met with staff and the Park Commission to try and get the dog park moved closer to the playground. They did not want to agree. Dina commented that they did not feel they were involved at all. Chris Ameigh commented that Mr. Steers will be available at the next meeting to answer any questions. We have had discussions. The issue is the pathway.

Ms. Rytelewski commented on the dog park. We should fence in the playground so the kids can't run out.

Mr. Richard Abel commented on the Dog Park group having \$50,000. If they don't like what you plan then they don't donate the money.

Ms. Dina Goren commented we don't want to see a smaller dog park. If we focus on the dog park and not what is outside of it, we can compromise.

Trustee Ceccarelli commented that this is not being built exclusively with the dog park group funds. The Village also has dedicated funds. Trustee Terenzi said the \$30,000 was for the additional fencing along the walkway. We should hear what Mr. Steers has to say and the liability.

Ms. Beatrice Conetta commented that she agrees with Mr. Black. It's been over a year.

## **REPORTS**

### ***Annual Stormwater Report for 2014-15***

The Annual Stormwater Report was presented by Village Engineer Dolph Rotfeld. The annual report was given to all Trustees.

The report is for the District for the year 2014 which was completed by Rotfeld and the DPW. It outlines the six important parts: public education outreach; public involvement and participation; list of discharge and elimination (which is the administrative order of the EPA), stormwater pollution runoff plan done by the Castle - the stormwater runoff prevention plan). We're now on 120 North Pearl Street. We have the post construction stormwater runoff control at the Mariner; and stormwater management and municipal operations. We are going to be doing the training of the DPW group.

Dolph asked Mayor Pilla to sign the report and have the Village Clerk mail it to the state DEC.

The lining program will start in about two weeks.

### **Add-on Resolution # 1**

Following the Reports section of the meeting, Mayor Pilla asked for a motion to add-on a resolution to set a Public Hearing to amend the Village Charter with regard to the number of Village Marshals.

There being no objection TRUSTEE CECCARELLI, made a motion to add-on a resolution to set a Public Hearing to amend the Village Charter with regard to the number of Village Marshals, seconded by TRUSTEE MARINO, the motion received a unanimous vote of those present.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

### **RESOLUTION (ADD-ON #1)**

**SETTING A PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF A PUBLIC HEARING TO AMEND THE VILLAGE CHARTER WITH REGARD TO THE NUMBER OF VILLAGE MARSHALS.**

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

New York:

RESOLVED, that the Board of Trustees of the Village of Port Chester sets a public hearing on Monday, June 15, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the advisability of a public hearing to amend the Village Charter with regard to the number of village marshals.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

**Add-on Resolution # 2**

Mayor Pilla asked for a motion to add-on a resolution to set a Public Hearing to appoint JOSE CASTANEDA of Port Chester, New York to the position of Acting Police Justice, effective June 1, 2015.

There being no objection TRUSTEE MARINO, made a motion to add-on a resolution to appoint JOSE CASTANEDA of Port Chester, New York to the position of Acting Police Justice, effective June 1, 2015, seconded by TRUSTEE ADAMS, the motion received a unanimous vote of those present.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

**RESOLUTION (ADD-ON #2)**

**APPOINTMENT OF ACTING POLICE JUSTICE**

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

Whereas, the Board of Trustees is responsible for the Village Justice Court pursuant to the Village Charter; and,

Whereas, the Port Chester Village Justice Court is one of the busiest Town/Village Justice Courts in all of New York State; and,

Whereas, in order to effectuate justice in the most effective and efficient manner, the Board of Trustees previously obtained special New York State Home Rule Legislation approval amending the Village Charter to appoint an additional Acting Police Justice; and,

Whereas, the Board of Trustees conducted budget workshops with the Village Police Justices, prosecutors and court staff, and as a result, increased court staffing and provided for an additional Acting Police Justice in the 2015-2016 fiscal year budget which was unanimously approved. Now THEREFORE, it is hereby

RESOLVED, that the Village Board of Trustees appoints JOSE CASTANEDA of Port Chester, New York to the position of Acting Police Justice, effective June 1, 2015.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

## **RESOLUTIONS**

### **RESOLUTION #1**

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

##### ***(Environmental Compliance Resolution – Various Improvements)***

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 May 18, 2015 at 9:27 P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

**PRESENT:** Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pilla.

**ABSENT:** None

**ALSO PRESENT:** Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jesica Youngblood; Edward Quinn, Village Fire Chief - Chief Engineer and Beth Ferguson, Financial Adviser – Capital Market.

\* \* \* \* \*

Trustee BRAKEWOOD submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee MARINO. The Board of Trustees was polled. The motion was adopted by a vote of seven (7) affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees) with none (0) negative votes and none (0) votes absent.

**ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS  
AND DETERMINATIONS**

WHEREAS, Dolph Rotfeld, the Village Engineer (the “Engineer”), has, at the request of 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, reviewed plans and cost estimates for various Village improvements as described in five (5) serial bond resolutions to be adopted by the Board of Trustees subsequent to the adoption of this resolution (each object or purpose or component of such various Village improvements, separately, or in any combination thereof, or in the aggregate, the “Project”) and said plans and costs estimates have been filed in the office of the Village Clerk and are on file for public inspection, as may be applicable; and

WHEREAS, the Village has determined that upon the examination of an environmental assessment form (“EAF”) prepared by the Engineer, that all components the Project are “Type II” or “unlisted” actions, as those terms are defined in 6 NYCRR §617.2, and therefore the Village caused the EAF to be prepared and filed with the Village Clerk, as may be applicable; and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project in its entirety is \$6,571,000 and that the costs of the Project, in whole or in part, as authorized by the Board of Trustees of the Village, are to be financed by the issuance of serial bonds of the Village pursuant to the Local Finance Law and, if deemed advisable, by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project, as aforesaid, are to be paid in part from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“SEQRA”) regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF PORT CHESTER, NEW YORK, as follows:

Section 1. The Village, by and through its Board of Trustees, declares and designates itself to be the “lead agency” as that term is defined in 6 NYCRR §617.2(u), with respect to the continuing environmental review of the Project.

Section 2. It is hereby determined that the Project as aforesaid, is a “Type II”, as that term is defined in 6 NYCRR §617.2(aj).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review is necessary or required.

Section 4. No hearing as set forth in 6 NYCRR §617.9(a)(4) is required in making the determinations contained herein with respect to the costs of the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7(c) upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project: does not require segmentation for adequate environmental compliance analysis, includes no unanticipated or unidentified adverse

effects which should be anticipated with respect thereto, and is precluded from further review under the Environmental Conservation Law.

Section 6. It is hereby determined that for purposes of the SEQRA regulations the bond resolutions referred hereinabove to be adopted by the Board of Trustees under the Local Finance Law to finance the Project shall not be or be deemed to be an “action”, as that term is defined in 6 NYCRR §617.2(b), until its effectiveness following the estoppel period prescribed in §82.00 of the Local Finance Law.

Section 7. Taking into account the criteria set forth in 6 NYCRR §617, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 8. The Village shall include a true copy of this resolution in the file maintained, readily accessible to the public, in the office of the Village Clerk, containing the EAF.

Section 9. This resolution shall take effect immediately upon its adoption by the Board of Trustees of the Village.

## **RESOLUTION 1A**

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

*(A - \$333,000 – Various Purposes, 5 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 May 18, 2015 at 9:33 P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pilla.

ABSENT: None

ALSO PRESENT: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jesica Youngblood; Edward Quinn, Village Fire Chief - Chief Engineer and Beth Ferguson, Financial Adviser – Capital Market.

\* \* \* \* \*

Trustee CECCARELLI submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee MARINO. The Board of Trustees was polled. The motion was adopted by a vote of seven (7) affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees) with none (0) negative votes and none (0) votes absent.

**BOND RESOLUTION, DATED MAY 18, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$333,000 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 THE COSTS OF (I) THE ACQUISITION, OF MOTOR VEHICLES, (II) THE ACQUISITION OF PARKING PAY STATIONS, AND (III) THE ACQUISITION AND INSTALLATION OF COMPUTER SOFTWARE INCIDENTAL TO A NEW COMPUTER ASSISTED INTEGRATED FINANCIAL MANAGEMENT AND ACCOUNTING SYSTEM.**

**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, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition of motor vehicles (\$131,000), (ii) the acquisition of parking pay stations (\$100,000), and (iii) the acquisition and installation of computer software incidental to a new computer assisted integrated financial management and accounting system (\$102,000) in and for the Village, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$333,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Port Chester, 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 \$333,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes

pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of motor vehicles, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$131,000 for which \$131,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) 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;

(b) The acquisition of parking pay stations, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$100,000 for which \$100,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 50 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) 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; and

(c) The acquisition and installation of computer software incidental to a new computer assisted integrated financial management and accounting system, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$102,000 for which \$102,000 principal amount of serial bonds, and/or bond anticipation

notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 81(b) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) 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 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$333,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from (i) the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the 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 the capital financing of such expenditure.

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 serial bonds as authorized herein, and/or 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, 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 on behalf of the Village all serial bonds issued pursuant to this bond resolution, 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.

Section 5. 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 and issued pursuant to this bond resolution as the same shall become due.

Section 6. 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. The validity of the 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 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 bond resolution, or such summary thereof, 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 if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, 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 will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized 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 effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds 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 any serial bonds authorized and issued under this bond resolution or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and 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 such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such 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, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This resolution shall be effective immediately upon its due adoption by the Board of Trustees of the Village.

#### **RESOLUTION 1B**

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

*(B - \$725,500 – Various Purposes, 10 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 May 18, 2015 at 9:35 P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pilla.

ABSENT: None

ALSO PRESENT: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jessica Youngblood; Edward Quinn, Village Fire Chief - Chief Engineer and Beth Ferguson, Financial Adviser – Capital Market.

\* \* \* \* \*

Trustee TERENZI submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee BRAKEWOOD. The Board of Trustees was polled. The motion was adopted by a vote of seven (7) affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees) with none (0) negative votes and none (0) votes absent.

**BOND RESOLUTION, DATED MAY 18, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$725,500 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 THE COSTS OF (I) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE PARKING AREAS, (II) THE ACQUISITION AND INSTALLATION OF POLICE AND FIRE ALARM SYSTEMS, SIGNAL SYSTEMS, AND ANY OTHER**

**SYSTEM OF COMMUNICATION OR TRANSMISSION AND (III)  
THE ACQUISITION OF FIRE-FIGHTING APPARATUS.**

**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, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition, construction and reconstruction of improvements to Village parking areas (\$250,000); (ii) the acquisition and installation of police and fire alarm systems, signal systems, and any other system of communication or transmission (\$38,000); and (iii) the acquisition of fire-fighting apparatus (\$437,500), including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$725,500, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Port Chester, 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 \$725,500, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes

pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition, construction and reconstruction of improvements to Village parking areas, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$250,000 for which \$250,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) 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;

(b) The acquisition and installation of police and fire alarm systems and signal systems, and any other system of communication or transmission, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$38,000 for which \$38,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 25 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) 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; and

(c) The acquisition of fire-fighting apparatus, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$437,500 for which

\$437,500 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) 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 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$725,500; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the 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 the capital financing of such expenditure.

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 serial bonds as authorized herein, and/or 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, 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 on behalf of the Village all serial bonds issued pursuant to this bond resolution, 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.

Section 5. 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 and issued pursuant to this bond resolution as the same shall become due.

Section 6. 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. The validity of the 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 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 bond resolution, or such summary thereof, 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 if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, 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 will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized 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 effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds 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 any serial bonds authorized and issued under this bond resolution or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and 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 such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such 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, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and 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.

## **RESOLUTION 1C**

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

*(C - \$2,655,500 – Various Purposes, 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 May 18, 2015 at 9:44 P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pilla.

ABSENT: None

ALSO PRESENT: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jessica Youngblood; Edward Quinn, Village Fire Chief - Chief Engineer and Beth Ferguson, Financial Adviser – Capital Market.

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Trustee ADAMS submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee MARINO. The Board of Trustees was polled. The motion was adopted by a vote of seven (7) affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees) with none (0) negative votes and none (0) votes absent.

**BOND RESOLUTION, DATED MAY 18, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$2,655,500 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 THE COSTS OF (I) THE ORIGINAL IMPROVEMENT OR EMBELLISHMENT OF VILLAGE DOG PARKS, (II) THE**

**ACQUISITION, CONSTRUCTION AND RECONSTRUCTION TO VILLAGE STREETS, INCLUDING IMPROVEMENTS TO SIDEWALKS, LANDSCAPES AND DRAINAGE, AND (III) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE.**

**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, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the original improvement or embellishment of village dog parks (\$30,000); (ii) the acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes, and drainage (\$2,537,500); and (iii) the acquisition of machinery and apparatus for construction and maintenance (\$88,000), including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$2,655,500, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Port Chester, 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 \$2,655,500, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized for such specific objects or purposes, and the period of

probable usefulness of such specific objects or purposes or class of objects or purposes pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The original improvement or embellishment of Village dog parks, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefore and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$30,000 for which \$30,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds 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;

(b) The acquisition, construction and reconstruction to Village streets, including improvements to sidewalks, landscapes and drainage, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$2,537,500 for which \$2,537,500 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds 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; and

(c) The acquisition of machinery and apparatus for construction and maintenance, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$88,000 for which \$88,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds 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 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$2,655,500; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the 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 the capital financing of such expenditure.

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 serial bonds as authorized herein, and/or 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, 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 on behalf of the Village all serial bonds issued pursuant to this bond resolution, 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.

Section 5. 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 and issued pursuant to this bond resolution as the same shall become due.

Section 6. 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. The validity of the 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 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 bond resolution, or such summary thereof, 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 if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, 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 will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized 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 effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds 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 any serial bonds authorized and issued under this bond resolution or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and 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 such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the

“Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such 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, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and 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.

**RESOLUTION 1D**



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

*(D - \$100,000 – Fire Building Improvements, 25 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 May 18, 2015 at 9:44 P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pilla.

ABSENT: None

ALSO PRESENT: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jessica Youngblood; Edward Quinn, Village Fire Chief - Chief Engineer and Beth Ferguson, Financial Adviser – Capital Market.

\* \* \* \* \*

Trustee MARINO submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee CECCARELLI. The Board of Trustees was polled. The motion was adopted by a vote of seven (7) affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees) with none (0) negative votes and none (0) votes absent.

**BOND RESOLUTION, DATED MAY 18, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$100,000 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 THE COSTS OF THE CONSTRUCTION OF AN ADDITION OR ADDITIONS TO OR THE RECONSTRUCTION OF A CLASS “A” BUILDING.**

**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, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the construction of an addition or additions to or the reconstruction of a class “A” fire building, in and for the Village, and including the acquisition of any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$100,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Port Chester, 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 \$100,000, pursuant to the Local Finance Law, in order to finance the costs of the construction of an addition or additions to or the reconstruction of a class “A” building, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the “Project”).

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$100,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project

from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of twenty five (25) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the 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 the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is of a class of object or purpose as described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty five (25) years. The serial bonds authorized herein shall have a maximum maturity of twenty five (25) 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 serial bonds as 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, 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 on behalf of the Village all serial bonds issued pursuant to this bond resolution, 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.

Section 5. 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 and issued pursuant to this bond resolution as the same shall become due.

Section 6. 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. The validity of the 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 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 bond resolution, or such summary thereof, 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 if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, 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 will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized 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 effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds 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 any serial bonds authorized and issued

under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and 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 such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such 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, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and 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.

## **RESOLUTION 1E**

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

*(E - \$2,757,000 – Sewer Improvement, 30 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 May 18, 2015 at 9:47 P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:

PRESENT: Trustees Adams, Brakewood, Terenzi, Marino, Kenner, Ceccarelli and Mayor Pilla.

ABSENT: None

ALSO PRESENT: Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jesica Youngblood; Edward Quinn, Village Fire Chief - Chief Engineer and Beth Ferguson, Financial Adviser – Capital Market.

\* \* \* \* \*

Trustee MARINO submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee TERENCE. The Board of Trustees was polled. The motion was adopted by a vote of seven (7) affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees) with none (0) negative votes and none (0) votes absent.

**BOND RESOLUTION, DATED MAY 18, 2015, AUTHORIZING THE ISSUANCE OF UP TO \$2,757,000 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 THE COSTS OF THE ACQUISITION, CONSTRUCTION OR RECONSTRUCTION OF OR ADDITION TO A SEWER SYSTEM.**

**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, hereby determines that it is in the public interest of the Village to authorize the financing of



the costs of the acquisition, construction or reconstruction of or addition to a sewer system, in and for the Village, and including the acquisition of any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$2,757,000, all in accordance with the Local Finance Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Port Chester, 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 \$2,757,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction or reconstruction of or addition to a sewer system, including the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the “Project”).

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project will not exceed \$2,757,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of the serial bonds authorized herein shall not be in excess of thirty (30) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the 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 the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is of a class of object or purpose as described in subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is thirty (30) years. The serial bonds authorized herein shall have a maximum maturity of thirty (30) 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 serial bonds as 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, 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 on behalf of the Village all serial bonds issued pursuant to this bond resolution, 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.

Section 5. 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 and issued pursuant to this bond resolution as the same shall become due.

Section 6. 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. The validity of the 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 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 bond resolution, or such summary thereof, 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 if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, 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 will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized 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 effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds 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 any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and 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 such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of such 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, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney and 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.

## **RESOLUTION #2**

### **OFFICIAL NEWSPAPER OF THE VILLAGE OF PORT CHESTER**

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

RESOLVED, that the Board hereby designates the Westmore News as the Official Newspaper of the Village of Port Chester for the ensuing official year; and be it further

RESOLVED, that the Board's April 7, 2015 resolution with regard to this subject be and is hereby rescinded.

Approved as to Form:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

### **RESOLUTION #3**

#### **AGREEMENT WITH WESTCHESTER COUNTY PRISONER TRANSPORTATION**

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

WHEREAS, pursuant to Sections 500-c and 500-d of the New York Corrections Law, prisoners are required to be transported from municipalities to the Westchester County Jail in Valhalla, New York; and

WHEREAS, the Village of Port Chester has had a long-standing agreement to cooperate in providing such prisoner transportation with reimbursement based on mileage; and

WHEREAS, the current agreement has expired and a renewal agreement has been proposed by the County to continue to receive such services; Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement in the form annexed with the County of Westchester with regard to reimbursement for prisoner transportation between the Village and the County Department of Correction for the period beginning January 1, 2015 and ending on December 31, 2016.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

**RESOLUTION #4**

**RETAINING COURT SPANISH TRANSLATING AND INTERPRETING SERVICES**

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

WHEREAS, New York’s local Justice Courts have an obligation to provide language services to Limited English Proficient Individuals (“LEP”); and

WHEREAS, the Village has retained Olga Hurtado for a number of years to provide Spanish translating and interpreting services; and

WHEREAS, Ms. Hurtado has submitted a proposal dated May 3, 2015 that would maintain her current rates for a renewal agreement for the period June 1, 2015 through May 31, 2017. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with Olga Hurtado, 170 Elm Street, New Rochelle, New York 10805, to provide court Spanish translating and interpreting services on a per diem basis for the period June 1, 2015 through May 31, 2017, compensation to be \$225 per diem for day-time court sessions and \$150 per diem for evening court sessions.

Approved as to Form:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

**RESOLUTION #5**

**AUTHORIZING RENEWAL AGREEMENT FOR COURT REPORTER**



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

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

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

WHEREAS, the justices of the Justice Court recommends such renewal. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement with Gail Letizia, P.O. Box 588, Bronxville, New York, as Court Reporter for the Justice Court for a term of two years, commencing on June 1, 2015 and ending on May 31, 2017, compensation to be as provided in the fee proposal dated May 2, 2015, as follows, day-time court session \$225 per day, with any session running past 5:00 p.m. an additional \$50 per hour, and evening court session at \$150.00 per evening until 10:00 p.m. with any session past 10:00 p.m. an additional \$150.00.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

**RESOLUTION #6**

**AUTHORIZING RENEWAL AGREEMENT WITH PERMA WITH REGARD TO VILLAGE'S WORKERS COMPENSATION PROGRAM FOR 2015-2017**

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

WHEREAS, the Village is a member of the Public Employer Risk Management Association, Inc. (PERMA), a workers' compensation program for local governments and other public employers and entities in New York; and

WHEREAS, through the Village's broker, the Spain Agency, PERMA has provided a fee proposal for 2015-2017 to continue providing "first-dollar" coverage; and

,WHEREAS, as part of its proposal, PERMA will continue to reimburse the Village up to \$15,000 per year for contracted loss control service which has enabled the Village to maintain compliance with federal and state-mandated safety programs; and

WHEREAS, as part of the Fiscal Year 2015-2016 budget process, the Village Manager received a quote from PERMA dated April 13, 2015 and recommended a renewal of the agreement with PERMA on such terms; and

WHEREAS, PERMA has since provided an endorsement consistent with this quotation. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to execute an agreement with the Public Employer Risk Management Association to continue to provide "first dollar" workers compensation coverage for 2015-2017, with a total two-year contract cost of \$2,642.969 as provided for in the annexed quotation dated April 13, 2015.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

## **RESOLUTION #7**

RETAINER FOR RENEWAL OF THIRD-PARTY ADMINISTRATION SERVICES  
FOR FORMER VILLAGE'S SELF-INSURED WORKERS COMPENSATION  
PROGRAM

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

WHEREAS, the Village of Port Chester formerly had a self-insured workers compensation program; and

WHEREAS, such program required the Village to retain a firm to provide third-party administration services ("TPA"); and

WHEREAS, PMA Management Corp. was the last TPA before the Village retained PERMA as its workers' compensation carrier under a conventional insurance program; and

WHEREAS, PMA has been managing the remainder of the "run-off" or claims that were open as of the date of such change; and

WHEREAS, the Village Manager recommends that PMA's agreement be renewed for the 2015-2016 Fiscal Year at the same rate of compensation. NOW, THEREFORE, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement with PMA Management Corp., 330 Fellowship Road, Suite 200, Mount Laurel, New Jersey 08054, to continue as Third Party Administrator for the remainder of the "run-off" claims with regard to the Village's former self-insured workers compensation program for the 2015-2016 Fiscal Year, compensation to be \$12,000 and as further provided in the agreement annexed hereto.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

## **REPORT FROM DIRECTOR PLANNING & DEVELOPMENT**

### **RESOLUTION SET PUBLIC HEARING TO AMEND CHAPTER A402, LAND SUBDIVISION REGULATIONS, TO PROVIDE FOR A PROCESS FOR LOT LINE ADJUSTMENTS**

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

WHEREAS, it is the recommendation of The Planning and Economic Development Department to amend Chapter A402, Land Subdivision Regulations portion of the village code to create an administrative approval process for minor lot line adjustments; and

WHEREAS, minor lot line adjustments are defined as actions that do not create any additional build-able lots, create any dimensional non-conformities under the zoning code, or change the existing zoning district designation of a lot; and

WHEREAS, the proposed local law will ensure property owners will not be unduly burdened with complying with the full subdivision process where they seek only to make a minor lot line adjustment as defined herein; and

WHEREAS, the proposed local law incorporates comment made by the Board of Trustees so as to assure that it does not facilitate increased density in the Village; and

WHEREAS, on December 17, 2012 the Board of Trustees adopted the Village's first Comprehensive plan, and subsequently on March 18, 2013 adopted related zoning text and map amendments in furtherance of the Comprehensive Plan; and

WHEREAS, during the comprehensive plan process it was anticipated that additional amendments would be required to ensure consistency between the adopted plan and the official village code; and

WHEREAS, proposed code amendment would be classified as a Type II Action pursuant to §617.5(19) (27) of the NYS SEQRA regulation requiring no further environmental review; and now therefore be it

RESOLVED, that the Board of Trustees sets a public hearing to be held on June 15<sup>th</sup> 2015 at 7:00pm at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter A402, Land Subdivision Regulations; and be it further

RESOLVED, that the Board of Trustees refers the draft local law to both the Village Planning Commission and the Westchester County Planning Board in accordance with §345-34 of the Village Code.

Approved as to Form:

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

**ROLL CALL**

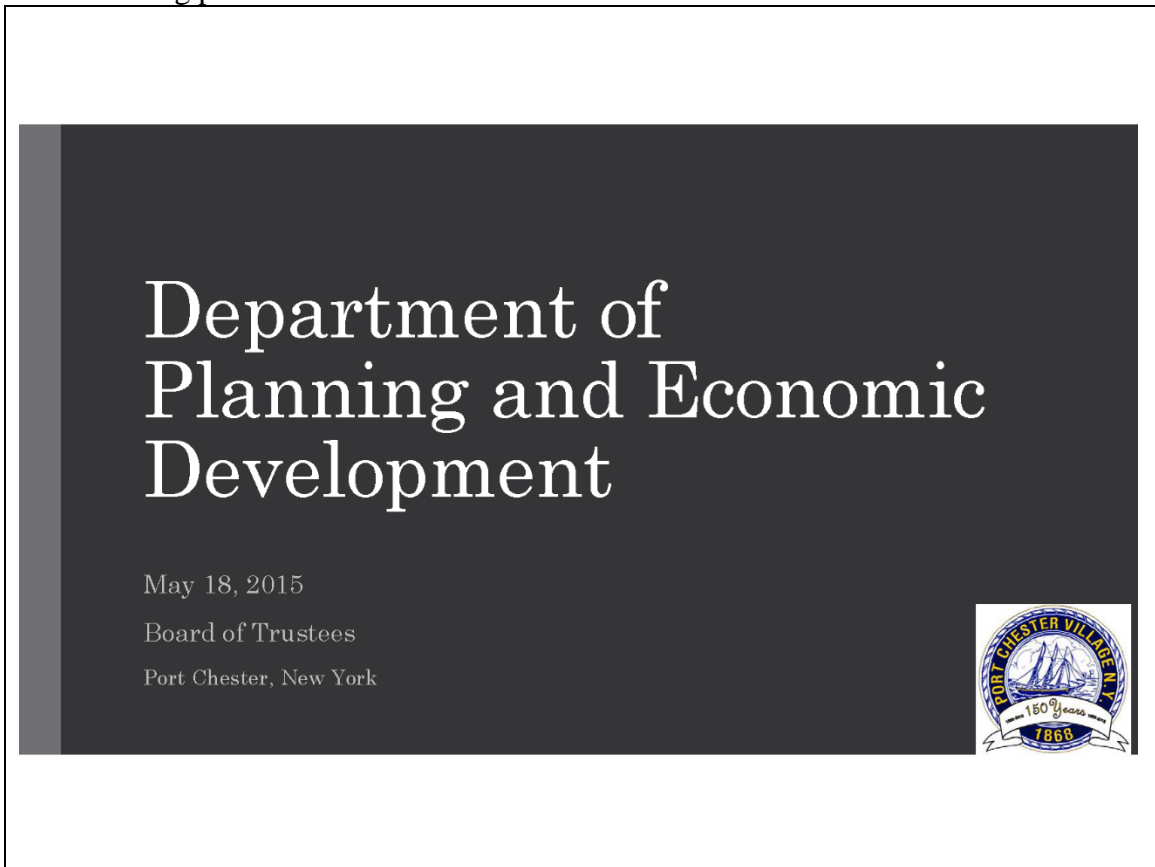
**AYES:** Trustees Terenzi, Kenner, Brakewood, Ceccarelli, Marino and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustee Adams.

**DATE:** May 18, 2015

Planning Director Chris Gomez commented the minor lot line adjustment law is to make sure that it is simply a relocation of a division line of two adjoining lots. It is basically an administrative process. It will not change the zoning designation of a lot. He submitted the following presentation:



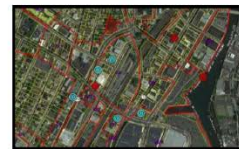
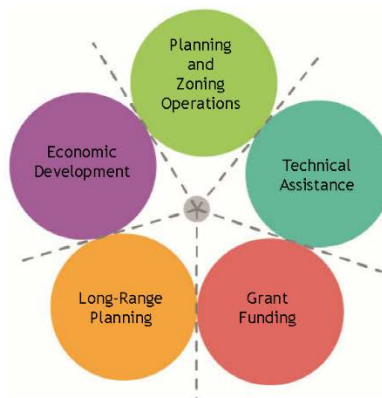
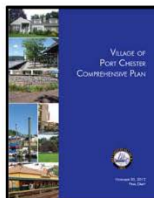


# Agenda

- Core Functions
- Comprehensive Plan Implementation
- Current Planning Initiatives
- Local Market Trends and Economic Development
- Lot Line Adjustment Local Law
- Permitting Medical Uses in the C1 Neighborhood Retail District
- FEMA Flood Insurance Rate Map (FIRM) Update
- Hazard Mitigation Plan
- Bulkhead
- Consolidated Funding Application/Grants Update



## DPED Core Functions:

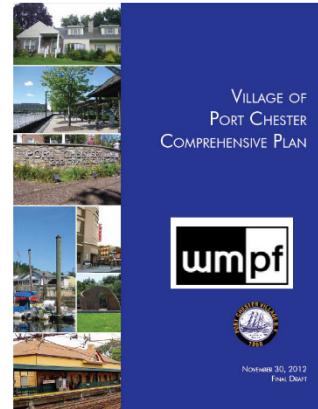




# Comprehensive Plan

## Primary Goals

- The Plan identifies goals, policies, and guidelines for the immediate and long-range protection, enhancement, growth, and development
- Maintenance and enhancement of residential neighborhoods
- Revitalization of commercial areas and the waterfront
- Strengthening of industrial areas
- Improvement of transportation and infrastructure facilities
- Opportunities for new development.



# Port Chester's Sesquicentennial (150<sup>th</sup> Anniversary...)

• 2018

### Goals and objectives

- Streetscape Improvements
- Area Branding
- Placemaking
- Historic Preservation
- Greenspace
- Economic development
- Infrastructure

### Volunteer committee from:

- Planning
- Beautification
- Waterfront
- Citizens
- Etc.





## Current Planning Initiatives

- Starwood
- Planning Workshop
- Neighborhood Revitalization Study
- C1 Medical
- Lot Line Adjustment Law
- Minor Change of Use Law
- CFA Process



## Current Planning Initiatives

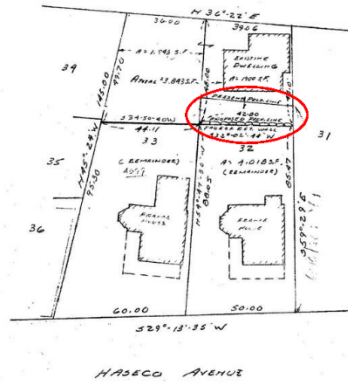


- CDBG/CHIIP Funding
- Hazard Mitigation Plan
- Bulkhead RFP
- LWRP, Showboat
- Retail D
- Mariner
- Betsy Brown Subdivision
- C4 Retail





## Lot Line Adjustment Law:



Elizabeth Esposito commented on the C1 Medical and Dental District. C1 is called neighborhood retail. It is very much like a mixed use area. There are a lot of retail offices on the first floor with residential above, and the parcels tend to be smaller. Medical standards are divided into using an X-Ray and not using an X-Ray. This does not have the same concern as in the past. Then we have other conditions like distance from a hospital, square footage and distance to an M1 Zone.

Medical offices employ 15% of the residents of Port Chester. Opening up a C1 will spur more industries. Neighboring communities have medical offices in areas of their communities with special exceptions. Our zone allows for home medical offices.

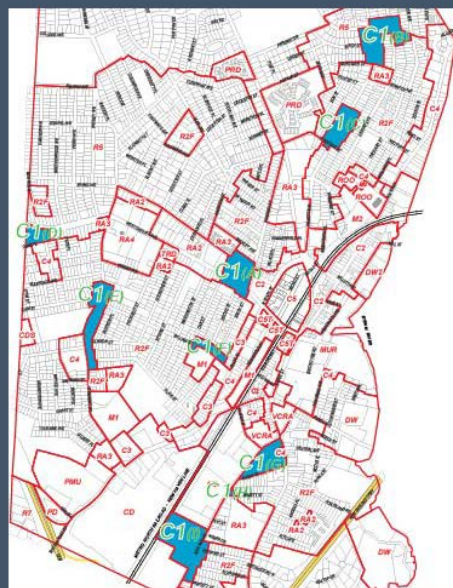
# Permitting Medical & Dental Uses in the C1 Zoning District

May 18, 2015

## C1 Districts

### Permitted Uses:

- Office, office building (all floors)
- Table service restaurant
- Retail store or personal service shop
- Whole business, storage building or warehouse
- Bank, excluding drive-in



## The Existing C1

- "Neighborhood Retail"
- Similar to a mixed use area
- Lots of first floor retail, restaurants, and offices often with residential above
- Smaller Parcels



Willett and Rectory



Putnam

## The Existing C1

- "Neighborhood Retail"
- Similar to a mixed use area
- Lots of first floor retail, restaurants, and offices often with residential above
- Smaller Parcels



Bowman Ave



S Regent

## Medical Use Districts & Standards

345-61

U. Medical and dental offices including x-ray and therapy room.

[Added 2-1-1995 by L.L. No. 1-1995; amended 11-3-2003 by L.L. No. 9-2003]

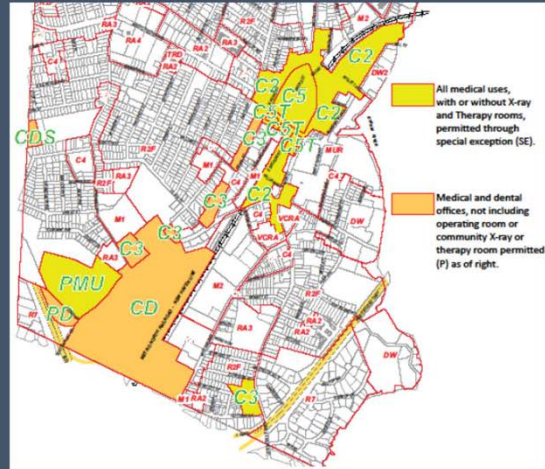
(1) The use shall not be permitted on a lot having an area of less than 12,500 square feet.

(2) The site must be located within 500 feet of an M-1 Zone.

(3) The site must be located no more than .6 mile from a hospital.

(4) Adequate emergency access shall be assured through access to a major thoroughfare.

(5) A site plan is to be provided for approval by the Planning Commission, showing compliance with the above conditions and the site plan regulations.



## Motivations for Change

- County-wide the medicine is a \$10 billion industry and employs 15% of residents.
- Market forces show interest in the C1 districts for medical and dental uses.
- Opening up the C1 to these uses will spur economic development, fill vacancies, and provide necessary neighborhood services.
- Other municipalities in the region have specific definitions and allow certain medical and dental uses in most, if not all of their commercial areas.
- Current standards refer to past conditions and necessitate a nearby working hospital.
- The Code currently allows for Home Professional Offices for "an owner-resident physician, surgeon, dentist or other person licensed by the State of New York to practice a healing art..." in all residential districts.



## Maintaining Neighborhood Character

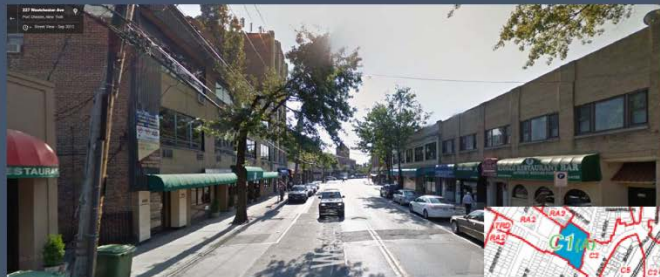
- Create specific definition for these this use
- Create general and specific standards which only pertain to use



S. William and Oak

## Options for Change

- Option 1: Change Zoning Map
  - Create "C1M" for the C1 on Westchester Ave.
  - with updated Special Exception criteria
- Option 2: Allow Medical and Dental uses in the every C1.
  - With new definition and parking requirements
  - updated Special Exception criteria



Westchester Ave.

## Option 1: "C1M"

- Targeted
- Expedient
- Unlisted Action for SEQRA
- Limited
- Prevents similar growth in similar districts



Irving Ave.

## Medical Use Districts & Standards

345-61

U. Medical and dental offices including x-ray and therapy room.

[Added 2-1-1995 by L.L. No. 1-1995; amended 11-3-2003 by L.L. No. 9-2003]

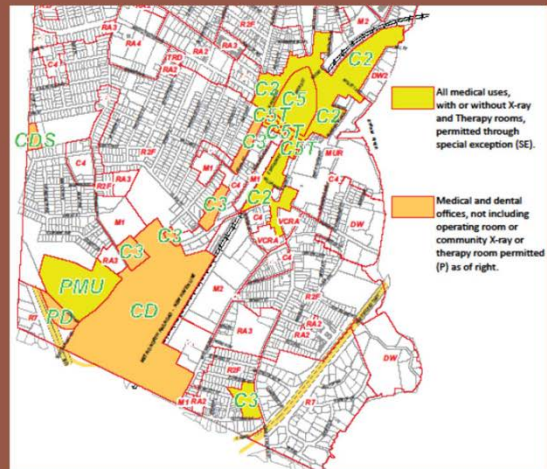
(1) The use shall not be permitted on a lot having an area of less than 12,500 square feet.

(2) The site must be located within 500 feet of an M-1 Zone.

(3) The site must be located no more than .6 mile from a hospital.

(4) Adequate emergency access shall be assured through access to a major thoroughfare.

(5) A site plan is to be provided for approval by the Planning Commission, showing compliance with the above conditions and the site plan regulations.



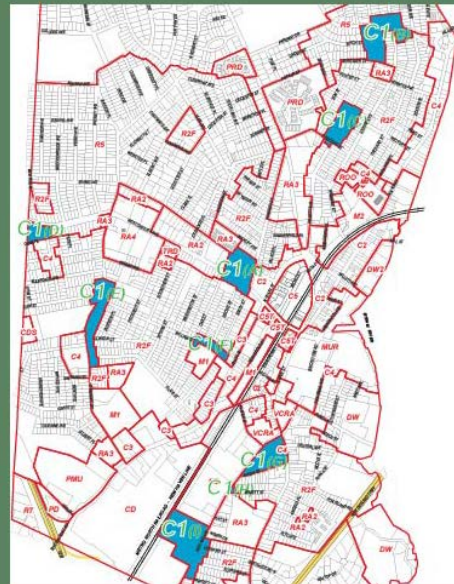
## Proposed Updates to Special Exemption Conditions

1. Medical and dental offices shall not be hazardous to the surrounding neighborhood by reason of excessive traffic, assembly of persons or vehicles on the site, or congregations of children or pedestrians.
2. The site shall be suitably screened from adjoining residential uses and residential districts with planted evergreen buffers of appropriate height, type, spacing, and arrangement. Screens should be continually maintained. Native and non-invasive plants are encouraged.
3. Newly constructed medical or dental offices occupying the first floor must have 60% of the street adjacent façade transparent. The bottom of windows shall begin no higher than two (2) feet above grade level, and the top of all windows and doors shall be no lower than eight (8) feet above grade level. Taller windows are encouraged.
4. Adequate emergency access shall be assured through access to a major thoroughfare.
5. Medical and dental offices and their associated parking lots shall be in compliance with the Americans with Disabilities Act.
6. A site plan is to be provided for approval by the Planning Commission, showing compliance with the above conditions and the site plan regulations.



## Option 2: All C1s

- Comprehensive
- Creates opportunity across the Village
- More comparable with peer communities
- Type 1 Action would require Full SEQRA review
- More lengthy process





## Proposed New Definition

### MEDICAL AND DENTAL OFFICE

An establishment where medical care is provided to persons solely on an out-patient basis by one or more members of the medical professions, including chiropractors, dentists, doctors, osteopaths, podiatrists, therapists or other New York State licensed medical service providers. Medical establishments may, subject to any applicable state or federal regulatory requirements, also include but are not limited to, medical testing labs or offices, offices for X-ray, sonograms, MRI, CAT scans and other medical imaging services, offices for the administration of nuclear medicine, radiation therapy, infusion, dialysis and similar medical treatments, and offices for out-patient surgical and nonsurgical procedures. Medical establishments shall not mean hospitals, nursing homes, residential health care facilities or any other in-patient facility, or home professional offices.



## Proposed New Parking Requirements

1 space per every 400 feet of gross floor area



## Proposed Updates to Special Exemption Conditions

1. Medical and dental offices shall not be hazardous to the surrounding neighborhood by reason of excessive traffic, assembly of persons or vehicles on the site, or congregations of children or pedestrians.
2. The site shall be suitably screened from adjoining residential uses and residential districts with planted evergreen buffers of appropriate height, type, spacing, and arrangement. Screens should be continually maintained. Native and non-invasive plants are encouraged.
3. Newly constructed medical or dental offices occupying the first floor must have 60% of the street adjacent façade transparent. The bottom of windows shall begin no higher than two (2) feet above grade level, and the top of all windows and doors shall be no lower than eight (8) feet above grade level. Taller windows are encouraged.
4. Adequate emergency access shall be assured through access to a major thoroughfare.
5. Medical and dental offices and their associated parking lots shall be in compliance with the Americans with Disabilities Act.
6. A site plan is to be provided for approval by the Planning Commission, showing compliance with the above conditions and the site plan regulations.



### **RESOLUTION SET PUBLIC HEARING TO AMEND CHAPTER 345, ZONING, WITH REGARD TO MEDICAL AND DENTAL OFFICES**

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

WHEREAS, the Planning and Development Department has observed an increase in interest in opening medical and dental offices in the C1 district; and

WHEREAS, it has been determined that permitting medical and dental offices in this zone by special exception permit would enhance economic opportunities in the Village and neighborhood services, without negatively impacting the community; and

WHEREAS, on December 17, 2012 the Board of Trustees adopted the Village's first Comprehensive plan, and subsequently on March 18, 2013 adopted related zoning text and map amendments in furtherance of the Comprehensive Plan; and

WHEREAS, during the comprehensive plan process it was anticipated that additional zoning amendments would be required to ensure consistency between the adopted plan and the official zoning code; and

WHEREAS, the proposed zoning amendments would be classified as a Type I Action under SEQRA and will require determination of significance of potential impacts prior to adoption; and now therefore be it

WHEREAS, the Director of the Planning and Development Department has made a presentation to the Board with regard to potential zoning amendments with regard to the consideration of medical and dental offices; and

WHEREAS, having heard such presentation, the Board desires to advance the matter and directs the Village Attorney to prepare the requisite local law consistent with its stated intentions. Now, therefore, be it

RESOLVED, that the Board hereby sets a public hearing to be held on June 15<sup>th</sup> 2015 at 7:00 p.m. or as soon thereafter at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 Zoning; and be it further

RESOLVED, that the Board of Trustees refers the proposed draft local law to both the Village Planning Commission and the Westchester County Planning Board in accordance with §345-34 of the Village Code.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

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

**NOES:** None.

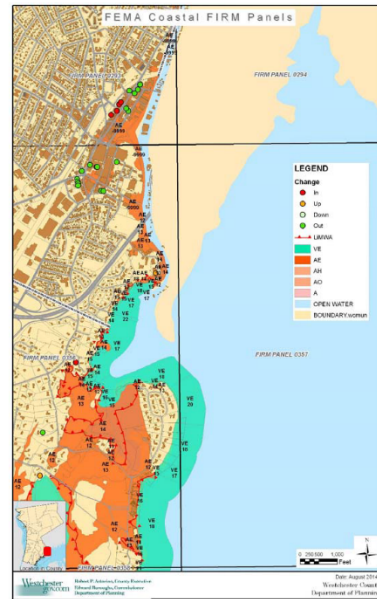
**ABSENT:** None.

**DATE:** May 18, 2015

Elizabeth Esposito commented on the New FEMA Flood Maps. There are preliminary changes to the flood insurance rate map. There is an opportunity for residents to appeal these changes until July 1<sup>st</sup>. There are only five properties that are affected. We will send out a mailing to those property owners.

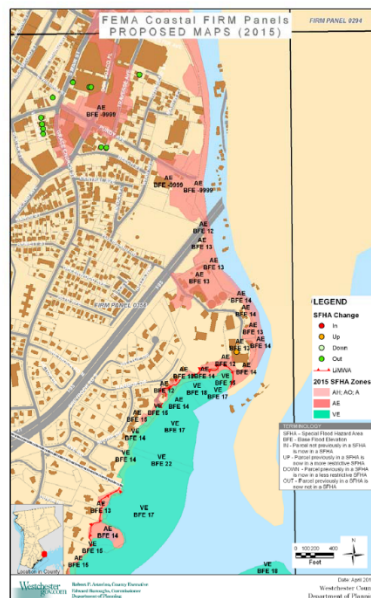
## New FEMA Flood Maps

- FEMA has released preliminary changes to Flood Insurance Rate Map (FIRM)
- Opportunity for citizens and municipalities to appeal the changes is open until **July 1**
- Only 5 properties in the Village have been reclassified to a greater risk.
  - Possible impact to insurance premiums



## Insurance Rates

For properties reclassified to be at higher risk, a grandfathering provision may protect property owners from dramatic increases in insurance premiums. However, to take advantage of the grandfathering provisions, property owners must act (purchase a policy) **before** the maps are adopted by the Village.



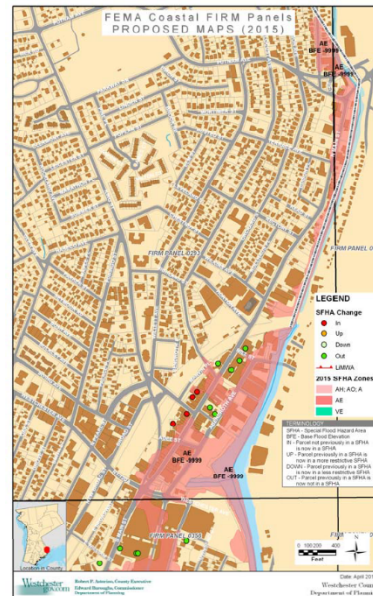
## Appeal or Comment

### Appeal

- Include data that shows the proposed flood hazard information (e.g. new or modified Special Flood Hazard Area zones or boundaries, Base Flood Elevations, base flood depths, and/or floodway boundaries) is scientifically or technically incorrect;
- Include the needed revisions to the FIRM and/or FIS report (e.g. boundaries of revised floodplains);
- Must be received during the statutory 90 day appeal period. *Until July 1, 2015*

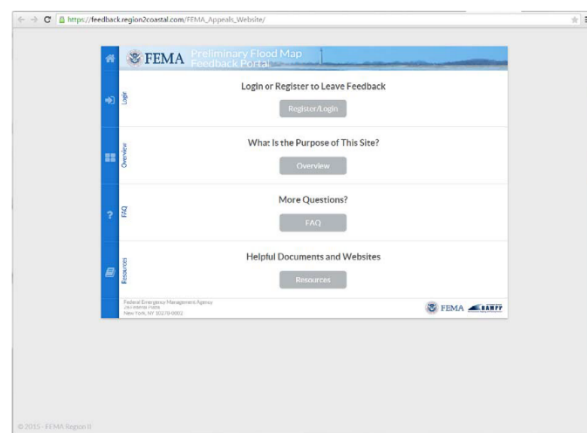
### Comment

- The term **comment** is used for any submittal that does not meet the requirements outlined for appeals above. This includes feedback about road names, jurisdictional boundaries, or other base map features or concerns about proposed flood hazard information that don't meet the requirements for an appeal. Comments can be accepted after July 1.



## How to Appeal

- Property Owners now classified at an increased risk will be notified by the Village through the mail
- Online Portal to file an appeal created by FEMA, all appeals will be reviewed by the Village
- Link to Portal available on the Village Website



Link to the FEMA Portal:

[https://feedback.region2coastal.com/FEMA\\_Appeals\\_Website/](https://feedback.region2coastal.com/FEMA_Appeals_Website/)

Link to the Port Chester FIRMs:

[http://www.portchesterny.com/Pages/PortChesterNY\\_FMUI/](http://www.portchesterny.com/Pages/PortChesterNY_FMUI/)

For More Information:

<http://www.region2coastal.com/faqs/preliminary-firm-faq/>

Jesica Youngblood commented on the Westchester County Hazard Mitigation Plan. This is a multi-jurisdictional effort that will be a tool for communities in case of hazards. This is part of the 2000 Disaster Mitigation Act. Jesica showed the following presentation:



## Westchester County Hazard Mitigation Plan

### Project Overview

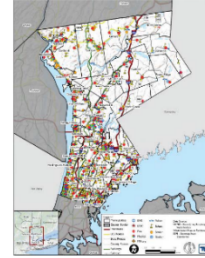
- Westchester County Office of Emergency Management
- Identify and assess vulnerabilities, natural and man-made hazards
- Strategies to help minimize losses
- Compliance required for future FEMA funding (Disaster Mitigation Act, 2000)

### Port Chester Involvement

- Meetings
- Draft Plan review
  - Appendix, Section 9.39
- Survey: [https://www.surveymonkey.com/r/WCHMP\\_PublicReview](https://www.surveymonkey.com/r/WCHMP_PublicReview)

### Next Steps

- Consistency review
- Local adoption, Sept/Oct 2015



## 2013 CFA Award Bulkhead Replacement *Design & Construction Plans + Permitting*

- 2013 CFA Award: Department of State, Local Waterfront Revitalization Program: \$225,420
- RFP Process
- Next Steps





## 2015 CFA Process

### 2015 Funding Overview

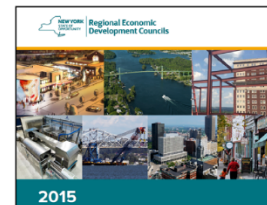
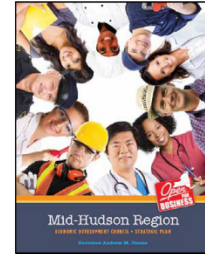
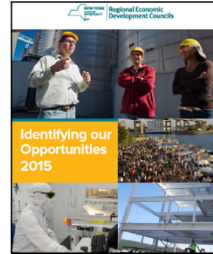
- Available funding pots, amounts
- Timeline
- CFA/REDC Workshop

### 2015 Village Priority Areas

- Bulkhead Financing/Waterfront Improvements
- Main Street/Downtown Revitalization/Improvements
- Transportation/Parking Facilities

### Additional Project Opportunity Areas

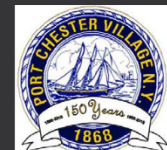
- Green Infrastructure
- Energy Improvements
- Branding, Marketing, Tourism
- Parks, recreation, historic preservation programming



# Department of Planning and Economic Development

May 18, 2015

Port Chester, New York





Jesica noted that we have applied for grants for this project. There are quite a few programs that provide for downtown improvements. This will also tie into the 150<sup>th</sup> anniversary. This will all come under economic development.

## **DISCUSSIONS**

2016 Election: Mayor Pilla suggested this Board have direct discussions with the DOJ and Courts if we would like to have the County run the 2016 Election or move the Election to November. If he and Attorney Cerreto speak to the DOJ we might be more successful for the County to take over the election, to consider moving the election to November, and to consider staggering the terms. If we decide to move forward we will involve the Clerk.

Requesting NYS legislation for excessive off- the-tax-rolls properties. Mayor Pilla commented that Attorney Cerreto advised that we had a June 16th hearing on the Padivan Law. He would like to know the Board's appetite on this is to ask Senator Latimer to investigate legislation to limit land that might be tax exempt. Secondly, we should ask what overconcentration means in Padivan. We could do an Add-on for me to write a letter to Senator Latimer.

### **Add-on Resolution #3**

Mayor Pilla asked for a motion to consider an add-on resolution to authorize the mayor to write a letter to Senator George Latimer to investigate legislation to limit the percent of tax-exempt properties and to clarify the meaning of over concentration of community residences in the Padivan Law.

On motion of Trustee BRAKEWOOD, seconded by Trustee CECCARELLI, the motion received a unanimous vote of those present.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

## **RESOLUTION (ADD-ON #3)**

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE

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

RESOLVED, that the Board hereby authorizes the Mayor to write a letter on its behalf to State Senator George Latimer to investigate potential legislation to limit the percent of tax-exempt properties in a municipality and to clarify the meaning of over-concentration of community residences in the Padivan Law.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

**Add-on Resolution #4**

Mayor Pilla asked for a motion to consider an add-on resolution to direct the Village Attorney to write a letter to the Village's State Representatives regarding further action on "Zombie" legislation.

On motion of Trustee BRAKEWOOD, seconded by Trustee MARINO, the motion received a unanimous vote of those present.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

**RESOLUTION (ADD-ON #4)**

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

RESOLVED, that the Board hereby to direct the Village Attorney to write a letter to the Village's State Representatives regarding further action on "Zombie" legislation.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

### **CORRESPONDENCES**

*From the Beautification Commission proposing additional garbage bins thought the Village.*

The Board referred the correspondence to staff without objection.

*From Howie Ravikoff regarding the Fire Zone on Westchester Avenue*

The Board duly noted the correspondence.

*From Howie Ravikoff regarding removal of public parking on New Broad Street*

The Board duly noted the correspondence.

*From Harry Howard Hook & Ladder Co. No. 1 on the election of Mario T. DiLonardo to membership*

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, The Board of Trustees accepted the election of Mario T. DiLonardo as a member to Harry Howard Hook & Ladder Co. No. 1 with the Port Chester Fire Department.

### **ROLL CALL**

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

**NOES:** None.  
**ABSENT:** None.

**DATE:** May 18, 2015

***From Harry Howard Hook & Ladder Co. No. 1 on the reinstatement of Marcos DeMelo***

On motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, The Board of Trustees accepted the reinstatement of Marcos DeMelo as a member to Harry Howard Hook & Ladder Co. No. 1 with the Port Chester Fire Department.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

***From Carolee Brakewood to put up a banner to advertise Relay for Life of Port Chester – Rye Brook***

The Board referred the correspondence to staff without objection.

***From the Park Commission regarding the dimensions of the Dog Park***

The Board referred the correspondence to staff without objection.

***From Thomas Edison School requesting as in previous years the closure of Rectory Street.***

The Board referred the correspondence to staff without objection.

**PUBLIC COMMENTS AND BOARD COMMENTS**

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

No comments were made by the public.

## ***Board***

Trustee Terenzi commented on the County chit money. Rye Brook was going to do affordable housing on Bowman Avenue. The developer could not do it. The county planner sent a letter to Rye Brook saying they were very upset because they are not allowing the area to be affordable housing.

Trustee Brakewood commented he is hoping the burned house on Betsy Brown is taken down soon because it really smells bad. Attorney Cerreto noted the insurance company viewed the property last week. He will report back to Trustee Brakewood. Trustee Brakewood commented he and Trustee Marino met with the staff and reviewed the specs for alterations to the Village Police Station.

Trustee Adams commented on the Post Road/Pearl intersection. There is ½ lane going into oncoming traffic going up the hill. Con Edison was doing work there and had 1-1/2 lanes blocked off.

Mayor Pilla thanked Chief Conway and Chief Quinn for the Memorial Breakfast. Some progress has been made on the Dog Park. We will talk about the “tunnel” area at the next meeting. We met with G&S on bulkhead discussions. We are looking at a joint payment solution both at cost and how it will be paid. Staff advised that Starwood has paid for the consultant reviews.

At 11:19 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD, the meeting was closed.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** May 18, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk

## **MEETING HELD JUNE 1, 2015**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, June 1, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

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

It should be noted that Trustee Marino was absent.

It should be noted that Trustee Brakewood arrived at 6:47p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 7:05 p.m.); Chief of Police, Richard Conway(arrived at 7:05 p.m.); Ed Brancati, Human Resources; Michael De Vittorio, 1st Assistant Fire Chief and Enrico Castarella, 2nd Assistant Fire Chief.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE TERENZI the meeting was declared opened at 6:33 p.m.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

### **MOTION FOR EXECUTIVE SESSION**

At 6:34 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS, the Board adjourned into an executive session regarding a particular person in Port Chester Fire Department.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

Also present were: Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Ed Brancati, Human Resources; Michael De Vittorio, 1st Assistant Fire Chief and Enrico Castarella, 2nd Assistant Fire Chief.

On motion of TRUSTEE TERENCE, seconded by TRUSTEE CECCARELLI, the Board of Trustees directed the Village Manager to issue a Letter of Admonition to Chief Engineer of Port Chester Fire Department, Edward Quinn regarding a fellow fireman complaint against Chief Engineer, Edward Quinn.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

At 7:05 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

## **PRESENTATION**

*NDC regarding the findings of their investigation of the proposed Irving/Poningo project.*

The Board commissioned a working committee to work with the police and the Village Manager to talk about the physical and functional requirements for the police station and court specifically.

Dan Marks of the National Development Corporation gave an update on the Municipal Center project. Just to recap, the NDC has been working on an outline for a proposal for the municipal center which included the police, court, the municipal offices and some commercial space. We have done a geotech study on this property and we have completed the Phase I environmental study and are prepared to do the Phase II survey and the architectural study if you would like to move forward. The geotech report said the site is suitable, which means there were no subsurface conditions which would make the project more expensive. We completed the environmental study and there are no known environmental hazards recorded in any of the data. This means that the original cost estimates were within the range. We are not going to go forward on any other work until we are authorized by the Village.

Mr. Marks commented he is available to answer any questions as they appear.

Trustee Ceccarelli commented he is more interested in Mr. Marks' impression of the present courthouse. Is it feasible and what would be the expense? Mr. Marks commented that there are some logistic issues that relate to the existing building that are not impossible to overcome. There are options to explore.

Trustee Terenzi asked Mr. Marks to come back with a number that it would cost to make the improvements to the North Main Street property.

Trustee Brakewood spoke of some of the assumptions regarding the municipal center and the square footage requirements and the parking requirements. He showed the building at 350 North Main Street and the parking at that location. Today we are at 25,000 sq. ft. versus about 34,000 sq. ft. in the new plan. If we were to go ahead with the renovations at 350 North Main there is plenty of available space in the area that we could use on a temporary basis.

Mayor Pilla commented what we are looking at is a cost proposal from NDC to evaluate building the police and court facility, basically renovating the building. The subcommittee is asking them for a cost proposal to consider this location and swing spaces that might be available at the DPW and Grace Church Street, and also using abutting properties to 350 North Main.

## **PUBLIC COMMENTS**

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

Comments were made by:

Ms. Goldie Solomon commented on the antique firehouses. We will need a public hearing because there is no guarantee that you aren't going to raise our taxes. The citizens and taxpayers have to say what they want.

Mr. Reavis commented on the NAACP meeting where Chief Conway made a presentation about the adjustments in the department. Crime is still evident, especially narcotics. King Street has become a raceway. The same thing is occurring on Willett Avenue. People need to be aware of the mileage limits. Another concern is the large amount of housing development. Will the taxes from this housing cover the cost of repairing roads and the schools?

Ms. Heather Paul commented on the dog park. It came to her attention that the public notices in the *Westmore News* that \$35,000 has been allocated by the Board for embellishment of the dog park. When the dog park group first came to us the first most serious condition was that it should not cost the taxpayers in Port Chester one red cent. The assured us that they were self-sufficient. Why is it costing us \$35,000 for the dog park?



Mr. Gregg Hamilton read the following statement: "My name is Gregg Hamilton. I have been a resident of the Village for 7 1/2 years. I am not a member of the PCDP Group, but my wife is, so I am married to the Dog Group, if you follow my thinking.

"I have only three points to make, and will try to do so quickly:

"1) There is no place to let a dog run and play off leash legally within this Village. Walking a dog is a very healthy retirement activity and I submit that having a dog park behind the new Starwood property would have strong appeal to empty nester homeowners, that is, the childless residents like myself and my wife who I believe the Village seeks to attract.

"2) I have taken my dog to several parks in Westchester and find that dog owners in this county are quite respectful and considerate of others. I propose as a model Ward Acres in New Rochelle and Rye Playground Beach. I have not witnessed or heard of any incidents involving dogs and children that would suggest that a 100 foot buffer zone is necessary between a playground and a dog park. I think that dog owners should be required to keep their dog on leash until they enter the dog park gate and believe that this will assure that no harm will come to Village residents, whether adults or children in and around the playground. I recommend this rule for inclusion in the dog park guidelines that the Village Manager is charged with developing per the Resolution on which you will be voting tonight.

"3) At the previous Board of Trustees meeting, Trustee Terenzi said that he had not experienced any groundswell of sentiment for or against this proposed dog park. Rest assured that the Dog Park Group has had to fend off many questions and concerns from contributors and supporters regarding the progress, or lack thereof, regarding the delayed arrival and much-debated design of this facility. I submit that the Dog Park Group has, to a large degree, served and suffered as a buffer between the Board of Trustees and local dog owners. Further, I want to remind the Board of Trustees that there is much to be gained from community activism, and much to be lost if community activism yields only debate, frustration and unexplained delays.

"Thank you for your consideration of this Resolution. I certainly hope that it passes tonight, for which I recklessly thank you in advance, and I hope that this body can then turn its attention to more substantive and critical Village issues."

Ms. Salena commented she looked at dog parks in various areas. There seems to be more dogs in Abendroth Park than there are children. If there are soccer games, many children are present, but usually only 5 or six kids are there.

Ms. Bailey-Reavis commented on the municipal center presentation. You need to inquire of the citizens what they want in a municipal center. The Village Hall on Grace Church Street is only accessible if you drive or live in the area and can walk. A municipal center on North Main Street is basically the same thing. We need a municipal center in the center of the Village where people will have access to the services the government supposedly offers. People in this community do a lot of walking to do the things they need to do. Try to be a little more aware of what the citizens require and need in this community. Liberty Square is a perfect spot. You also need to call a moratorium on

further building because we are crammed in, especially with the Castle, Pearl Street and Starwood..

Mr. Ceruzzi commented he came to hear Mr. Walker's presentation. Why is the street sweeper out before the sun is up? Mr. Morbito said he was going to take care of it. The dog park people have a lot of zeal. The municipal project is going to take quite a while. Maybe the Steilman building would become available. There should be a referendum on the municipal proposal.

Ms. Mcnerney commented that the way people have come out regarding the dog park seems trivial compared to other things. She has observed what a different breed dog owners are. Walking dogs is a social experience. Having a dog park would be a positive thing. Having it near a playground would be a positive thing.

Mr. Richard Abel commented on safety and liability at a dog park. The Village of Port Chester is not going to have to pay an additional premium because of the dog park. This should pass this soon and get on the road to fruition. Are you going to add to the agenda to vote on the amendment to the Board of Ethics? Mayor Pilla replied we have no action to be taken tonight. Regarding the Village Attorney to commence action to collect unpaid sewer rent, how do you put a lien on property that doesn't pay taxes?

Mr. Sean Mcnerney commented on the dog park. You have interaction with people you otherwise wouldn't have gotten to know. I can only urge you to pass the resolution. Regarding the municipal center, the existing police station and court is not yet in a state where it is falling to the ground.

Rafael Gregory commented that he urges the Board to vote in favor of the dog park. Dogs, like children, bring people together.

Ms. Beatrice Conetta commented on the disrespect we get from the surrounding communities. Many years ago Port Chester was call "sin city". We are being used as a textbook case of city corruption. We were sued unjustly by the DOJ. We were very good to the Town of Rye, giving them space in our Village Rooms and parking that was previously used by the Senior Center. Port Chester is very good to its neighboring communities. Rye Brook uses our fire department, library, post office, they belong to everything in Port Chester and they participate with us. The Board has to start working for the residents of Port Chester.

## **RESOLUTIONS**

### **RESOLUTION #1**

#### **ACCEPTING A DONATION FOR, AND AUTHORIZING A DOG PARK IN THE UPPER PORTION OF ABENDROTH PARK**

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

WHEREAS, the Village of Port Chester maintains and programs a system of public parks for passive and active recreational enjoyment by village residents and the public at large; and,

WHEREAS, the Village Parks Commission is chartered to advise and assist the Board of Trustees regarding the village park system; and,

WHEREAS, an enthusiastic group of Port Chester residents has come forward in 2012 requesting that a dog park be created in one of the Village parks, and this group of residents has become organized as the "Port Chester Dog Park Group"; and,

WHEREAS, after considerable public discussion, and deliberation with the Port Chester Dog Park Group, Village Parks Commission and Village staff, the Village Board of Trustees by resolution dated May 6, 2013 granted conceptual approval for the creation of a dog park in the upper portion of Abendroth Park; and,

WHEREAS, after said conceptual approval, the Port Chester Dog Park Group went forth to fundraise \$50,000 towards creating a dog park in the upper portion of Abendroth Park; and,

WHEREAS, as part of their \$50,000 fundraising effort, the Port Chester Dog Park Group won \$25,000 in a national "PetSafe" contest based on Port Chester community participation, of which the Board of Trustees agreed to the rules and to participate in, as part of their aforementioned conceptual approval granted May 5, 2014; and,

WHEREAS, by resolution dated January 20, 2015, the Board of Trustees established that a dog park be located in the upper portion of Abendroth Park, subject to final design specifications, and with that, declared the project to be an unlisted action and declared a negative declaration the under the New York State Environmental Quality Review Act (SEQRA), thereby requiring no further environmental review; and,

WHEREAS, the Port Chester Parks Commission has worked with the Port Chester Dog Park Group and Village staff, and after considerable deliberations, they twice affirmed that a dog park be constructed in the upper portion of Abendroth Park with exterior perimeter setbacks that are 60 feet from the existing park playground and abutting residential properties, as presented in the accompanying architectural plan; and,

WHEREAS, the Board of Trustees has appropriated \$30,000 in the 2015/2016 Village Budget to create a dog park; and

WHEREAS, the Port Chester Dog Park Group now desires to gift \$50,000 to the Village of Port Chester for the purpose of constructing a dog park in the upper portion of Abendroth Park, as already conceptually agreed by the Board of Trustees; and,

WHEREAS, after considerable additional deliberations with all of the aforementioned groups and other external agencies, and after weighing all of the issues

involving dog parks in general, and specific park usage at Abendroth Park, the Village Board of Trustees hereby desires to move forward and create a dog park, to the specification of their prior January resolution but for using a specific trial entrance way in the upper portion of Abendroth Park.; and

WHEREAS, the Board of Trustees desires for the Port Chester Dog Park to be operational within the next 60 days. Now THEREFORE, it is hereby

RESOLVED, that the Board of Trustees hereby finalizes and accepts the attached dog park plan for Abendroth Park; and be it further

RESOLVED that the Board of Trustees hereby accepts the \$25,000 gift from the Port Chester Dog Park Group, and an additional \$25,000 gift from the Port Chester Dog Park Group and PetSafe, subject to the terms of the PetSafe contest rules, for constructing a dog park in the upper portion of Abendroth Park; and be it further

RESOLVED, that the Village Board of Trustees directs the Village Manager to work with the Port Chester Dog Park Group to detail, finalize and construct the interior dog park components that shall include a double-gated entrance area (in the approximate area depicted on the attached plan), as well as a large dog area, small dog area, and “dogs in training” area; and be it further

RESOLVED, that upon the Port Chester Dog Park Group and Petsafe’s approval of the finalized dog park design, the Board of Trustees hereby directs the Village Manager to go out to bid and construct a fenced dog park along the upper portion of Abendroth Park to the specifications of the attached plan, with exterior perimeter setbacks that are 60 feet from the existing playground and residential properties; and be it further

RESOLVED, that the Board of Trustees directs the Village Manager and Village Attorney to create whatever amendments and additional laws and policies at Abendroth Park that they deem necessary to codify a dog park there, ensure the public safety, and to present such policies to the Parks Commission. Such rules shall include: that dogs are to be under their owner’s control at all times, that owners are solely responsible and assume all liability for their dogs; that properly licensed and leashed dogs shall be allowed to enter the park using only the upper portion of Abendroth Park by the specific existing (non-parking lot) entranceway designated in the attached plan for egress into the dog park; and be it further

RESOLVED, that the Board of Trustees directs the Village Manager to procure and erect appropriate signage to set forth such appropriate policies and rules, and to direct the egress of leashed dogs into the Abendroth Park dog park using the existing (non-parking lot) entrance to the upper portion of Abendroth Park, and to satisfy the signage requirement of the aforementioned PetSafe dog park contest requirements; and be it further

RESOLVED, that the Village Board of Trustees directs the Village Manager to relocate the existing picnic table that is along the non-parking lot entrance pathway to the upper portion of Abendroth Park, and for him to also take appropriate measures to create

an appropriate separation between this upper park entrance pathway from the existing playground; and be it further

RESOLVED, that the Village Manager direct the Village Police Department and Village staff to enforce new and existing dog park rules and park regulations that are or will be set in place at Abendroth Park; and be it further

RESOLVED, that the Board of Trustees directs the Village Manager to create a dog park incident management, monitoring and reporting protocol to ensure the public safety and to adequately assess the effectiveness of the physical, procedural, and regulatory components hereby designated for the creation of a dog park at Abendroth Park, and that the Village Manager report back to the Board of Trustees no later than six-months after the opening of the Abendroth Park dog park with any incidents, usage metrics, findings and improvement recommendations.

Approved as to Form:

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

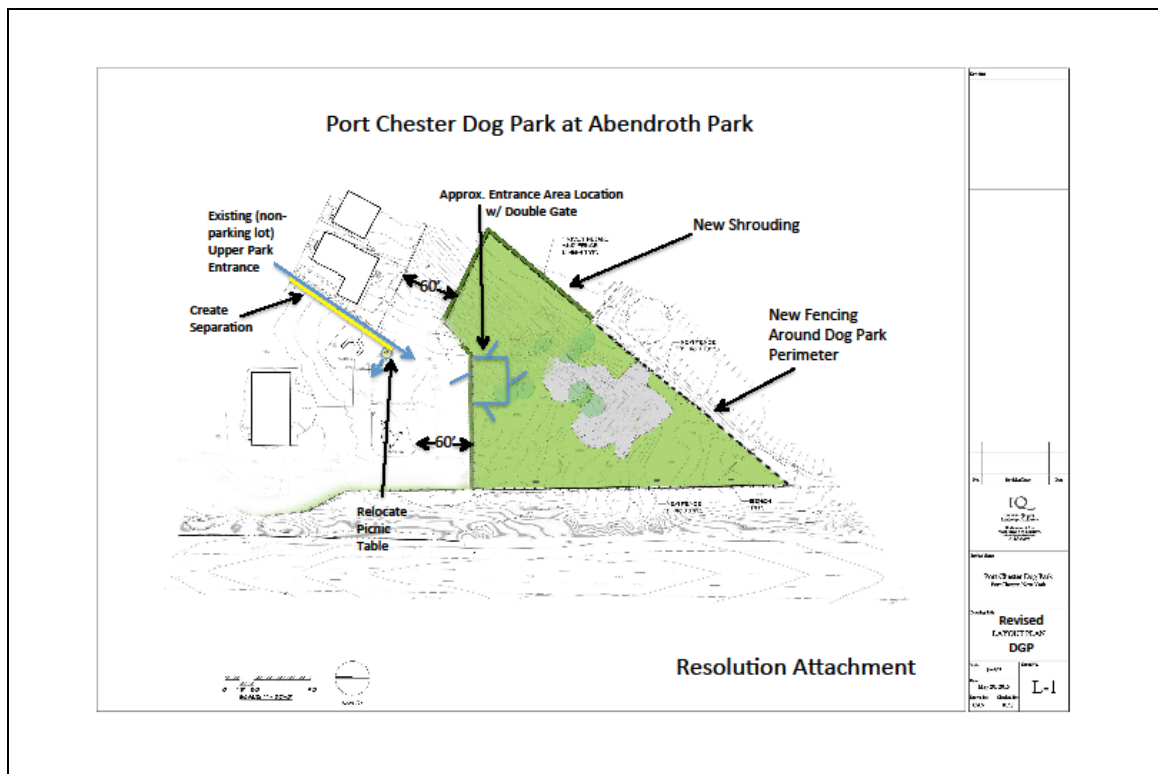
## ROLL CALL

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015



**RESOLUTION #2**

**AUTHORIZING THE VILLAGE ATTORNEY TO COMMENCE ACTIONS TO COLLECT DELINQUENT SEWER RENT**

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

WHEREAS, pursuant to Article 14-F of the New York General Municipal Law, the Village of Port Chester has adopted a system of user fees with regard to the sanitary sewers, or sewer rents; and

WHEREAS, prior to such action, the expense of maintenance, repair, construction and reconstruction of the Village’s sanitary sewers was solely assumed by property taxpayers; and

WHEREAS, under Section 452, sub.4 of the General Municipal Law, the amount of delinquent sewer rents may be levied against the subject real property to be collected and enforced in the same manner as village taxes or through an action commenced in the courts; and

WHEREAS, delinquent sewer rent for those properties that cannot be collected and enforced through levy, such as tax exempt properties, must be collected and enforced through court action; and

WHEREAS, the Village Attorney requires the authority from the Board of Trustees to commence such actions. Now, therefore, be it

RESOLVED, that the Village Attorney is hereby authorized to commence actions to collect delinquent sewer rent, including penalties and interest, for those accounts that are outstanding for six months or greater.

Approved as to Form:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

\*\*\*\*\*

On motion of TRUSTEE KENNER, seconded by TRUSTEE ADAMS, to combine resolution 3 to 10 of the agenda for the purpose of casting one vote for all of the combine resolutions was adopted by the Board of Trustees of the Village of Port Chester, New York.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

**RESOLUTION #3**

**REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, that ASPASIA TOFANO, residing at 171 Grace Church St., Port Chester, New York, be and she hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2017.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

**RESOLUTION #4**

**REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, ANGELO RUBINO, residing at 6 Maplewood Lane, Port Chester, New York, be and he hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2016.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

**RESOLUTION #5**

**REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, that FRANK ERRIGO, residing at 85 Birch Street, Port Chester, New York, be and he hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2015.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

**RESOLUTION #6**

**REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, that JANICE KUNICKI, residing at 99 Birch Street, Port Chester, New York, be and she hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2015.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015



**RESOLUTION #7**

**REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, that ENDA MCGOVERN, residing at 44 Elizabeth St., Port Chester, New York, be and she hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2016.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

**RESOLUTION #8**

**REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, that MICHAEL DECARLO, residing at 225 No. Regent Street, Port Chester, New York, be and he hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2016.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

**RESOLUTION #9**

**REAPPOINTMENT OF MEMBER OF THE**

## RECREATION COMMISSION

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

RESOLVED, that LYNN ERRIGO SHIELDS, residing at 85 Birch Street, Port Chester, New York, be and she hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2016.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

### **RESOLUTION #10**

#### REAPPOINTMENT OF MEMBER OF THE RECREATION COMMISSION

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

RESOLVED, that KIM MORABITO, residing at 14 W. Glen Avenue, Port Chester, New York, be and she hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2015.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

### **DISCUSSIONS**

Regarding the proposed Board of Ethics Committee amendment to our Board of Ethics Attorney Cerreto commented on Trustee Adams' question several months ago about gifts. The Chairman of the Ethics Committee could not make tonight's meeting so the Board can do it tonight with the Village Attorney or hold off to meet with the Ethics Committee. Right now the code puts employees at risk because we have a zero policy. Trustee

Terenzi commented that most dinners are working dinners and employees are giving extra time to discuss Village business. He would like to clarify the concept. If an employee is out with the trustees discussing business and the trustee wants to pick up the tab it is not stretching the Ethics Code at all. Attorney Cerreto commented right now this puts our Code in jeopardy because we do not have a dollar amount. You cannot take a gift. Trustee Ceccarelli commented there are not a lot of teeth in these Ethics laws. He does not see any sanctions about what happens if you violate any of the provisions. Attorney Cerreto commented for elected officials it is a court of public opinion. A number of municipalities have updated their ethics codes to be in line with the State Model Code of Ethics. If someone is a municipal employee there could be potential disciplinary action. What we have now is not satisfactory. We have an outright prohibition with no guidance. We could have a public hearing at the next Board meeting. Attorney Cerreto will make the changes to the Code. Mayor Pilla commented he would like to see work done on the Ethics Code one section at a time. He especially would like to see Nepotism addressed.

## **CORRESPONDENCES**

### ***From Putnam Engine & Hose Co., No. 2 on the election of Andres Mejia to membership***

On motion of TRUSTEE KENNER, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the election of Andres Mejia as a member to Putnam Engine & Hose Co., No. 2 with the Port Chester Fire Department.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

### ***From Corpus Christi Church requesting permission to place a banner to advertise their Carnival which takes place August 10th through August 15th.***

The Board referred the correspondence to staff without objection.

### ***From Maria del Carmen Amado, Westchester Hispano General Manager-Editor requesting the rental of Lyon Park.***

The Board referred the correspondence to staff without objection.

## **PUBLIC COMMENTS AND BOARD COMMENTS**

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

No comments were made by the public.

### ***Board***

Trustee Brakewood congratulated the dog park group in moving forward to opening up the dog park. He commented on the bulkhead project moving forward.

Trustee Ceccarelli commented on the DOJ. Janusz did a great job on the elections and he should be included in these discussions. Additionally, he recognized Carol Nielsen on her birthday.

Trustee Adams congratulated the dog park group for the work they did. A resident informed him that there was little handicapped parking available along Main Street. Village Manager Steers commented that it is limited and that it is not ADA compliant. We need to do some curb cutting. Trustee Adams commented that he hopes the Park Commission will soon have grills in the parks.

Mayor Pilla commented he is pleased about how things worked out with the dog park and the municipal center, i.e. reviewing what the best price would be at whatever location so we can make the best choice long term for the Village. Sunday, June 7<sup>th</sup> is the Taste of Port Chester to benefit Tamarack Towers. Port Chester Clean-Up Day is June 6<sup>th</sup>.

At 9:30 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the meeting was closed.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Marino.

**DATE:** June 1, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk

## **MEETING HELD JUNE 2, 2015**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, June 2, 2015, in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Mayor Dennis G. Pilla presiding.

Present in addition to Mayor Pilla, were Trustees Daniel Brakewood, Gene Ceccarelli and Gregory Adams

It should be noted that Trustees Terenzi, Marino and Kenner were absent.

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 7:19 p.m.); Christopher Ameigh Administrative Aide to the Village Manager (arrived at 7:40 p.m.); Village Planner Jessica Youngblood and Village Engineer, Dolph Rotfeld.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD the meeting was declared opened at 7:05 p.m.

### **ROLL CALL**

**AYES:** Trustees Brakewood, Ceccarelli, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi, Kenner and Marino.

**DATE:** June 2, 2015

### **PROPOSED MOTION FOR EXECUTIVE SESSION**

#### **MOTION FOR EXECUTIVE SESSION**

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI the Board adjourned into an executive session to interview Boswell Engineering and McLaren Engineering Group with regard to submitted proposals for RFP for the repair of the collapsed bulkhead section along Byram River.

### **ROLL CALL**

**AYES:** Trustees Brakewood, Ceccarelli, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi, Kenner and Marino.

**DATE:** June 2, 2015

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 7:19 p.m.); Christopher Ameigh Administrative Aide to the Village Manager (arrived at 7:40 p.m.); Village Planner Jesica Youngblood and Village Engineer, Dolph Rotfeld.

*No action was taken in executive session.*

At 10:35 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD, the Board of Trustees closed the executive session.

**ROLL CALL**

**AYES:** Trustees Brakewood, Ceccarelli, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi, Kenner and Marino.

**DATE:** June 2, 2015

At 10:36 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the meeting was closed.

**ROLL CALL**

**AYES:** Trustees Brakewood, Ceccarelli, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi, Kenner and Marino.

**DATE:** June 2, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk

## **MEETING HELD JUNE 15, 2015**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, June 15<sup>th</sup>, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

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

It should be noted that Trustee Brakewood arrived at 6:51 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (Arrived at 6:11 p.m.); Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager (Arrived at 6:15 p.m.); Village Planner Jessica Youngblood and special counsel Attorney, Mark A. Chertok.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI the meeting was declared opened at 6:08 p.m.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** June 15, 2015

### **MOTION FOR EXECUTIVE SESSION**

At 6:08 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the Board adjourned into an executive session to:

- 1) Consult with special counsel regarding United Hospital site redevelopment.

Also present were: Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Christopher Ameigh Administrative Aide to the Village Manager; Director of Planning and Development Christopher Gomez and Village Planner Jessica Youngblood and special counsel Attorney, Mark A. Chertok

- 2) Consult with special counsel to the Town of Rye regarding settlement of a tax certiorari proceeding.

Also present were: Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto and Attorney, Aldo Vitagliano.

- 3) Regarding status of collective bargaining agreement negotiations with Village unions.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez and Village Planner Jesica Youngblood.

- 4) Discussion regarding the Chief of Police performance evaluation.

Also present were: Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto and Chief of Police, Richard Conway.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** June 15, 2015

No action was taken in executive sessions.

At 7:40 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

### **AWARD PRESENTATION**

Mayor Pilla presented to Liam Herbert a proclamation for the 2015 Metro Award for outstanding male acting performance as Mark in the Port Chester High School production of Rent. That is a most prestigious distinction.

### **PUBLIC COMMENTS**



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

Comments were made by:

Ms. Emily Imbesi, Chairperson of the Beautification Commission, thanked all the participants in their annual essay contest. We picked our four winners. After consideration the winners were Judith Castele, Mary McFadden, Isabela Oberdoster, and Alan Horras based on their visions. We also want to thank everyone who participated in our Clean-Up Days for Bush Avenue on May 30<sup>th</sup> and the big Clean-Up Day on June 6<sup>th</sup>. We are also starting an Adopt-A-Street program. Mayor Pilla commented we will have the winners present at the July 6<sup>th</sup> Board meeting.

Blanco Lopez, on behalf of Human Services of Westchester, invited the Board to an event this Saturday at the Salvation Army Community Center on a housing summit. Our theme is on safe and healthy homes. We want to do this every year with different themes.

Ms. Goldie Solomon commented on Flag Day. The media did nothing to show that the flag was a very important part of the USA. The July 4<sup>th</sup> celebration will be held at Ryan Stadium.

Daniel, on behalf of the Mariner, commented on safety concerns. The garbage pickup on Abendroth is very loud. The street sweeping is done every day at 4:00 A.M. This doesn't need to be done every day. The 4-way stop on Abendroth has been taken away and it is now difficult to cross Abendroth and Willett.

Mr. John Russo of Greyrock North commented on the grass berm that runs between Greyrock North and Greyrock South. For many years the Village cut the grass. During the last two the grass has grown high and beer bottles and other items are left there. Who is responsible for the grass? Village Attorney Cerreto commented that the Village Code needs to be clarified that the grassy area and sidewalk are the responsibility of the homeowner. Mayor Pilla commented that there will be a public hearing the second meeting in July.

Mr. Steven Schenarts commented he disagrees with the municipal center. You should buy Steilman's next to the police station. You could have three stories with parking underneath. Also, there is only one handicapped parking spot on North Main Street. Chris Ameigh responded that this was brought up several years ago and it was deemed unfeasible because of the narrowness of the streets. Village Manager Steers said we could refer this to the Traffic Commission. You do not need to have handicapped designated spots on the street, only in parking lots.

Ms. Bea Conetta commented on the Phil Reisman article in the Journal News, who made a joke of our bulkhead. The bulkhead fell in 2011 and is still not fixed. Now the Board wants to charge in the only free parking space in downtown Port Chester. The reassessment we just got is from the Town of Rye, but you knew about it. We have to stop the increase in taxes.

Mr. Richard Abel commented on the proposed law in regard to sidewalks. Separately, he commented on whether to convert the police building. Is it right to hire the same company to research the project that would save money when they are already in the bigger one. Trustee Terenzi commented they are a non-profit organization. Any profit they make goes back into the organization to do more of these projects. Mayor Pilla commented the advantage of using NDC for this particular assignment is that a lot of the work they did is reusable.

## **RESOLUTIONS**

Attorney, Mark A. Chertok, special council for the Environmental Review Act, commented that Starwood put in to rezone United Hospital. Mr. Chertok explained what this is and what this isn't. He commented that with the application for the rezoning for the United Hospital Site, the Board adopted a resolution several months ago in which it adopted the contents of its consultants which described the inefficiencies in that document which needed to be crafted in order to present it for public review. There are some items that need clarification and some items that need more explanation.

### **RESOLUTION #1**

#### **ADOPTION OF COMMENT ON THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT WITH REGARD TO THE PROPOSED ACTION OF PC406 BPR, LLC and PC 999 HIGH STREET CORP.**

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

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

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

**WHEREAS**, the Village Board is the designated Lead Agency under the State Environmental Quality Review (SEQR) Act of the State of New York; and

**WHEREAS**, the Village Board determined that the Proposed Action is a Type I Action pursuant to the SEQR and the regulations at 6 NYCRR Part 617 and issued a Positive Declaration that the Proposed Action may have a significant impact on the environmental, and required the Applicant to prepare an Environmental Impact Statement (EIS); and

**WHEREAS**, the Applicant had submitted a proposed Scoping Outline for the Draft EIS (DEIS), which was circulated for public review and comment and was the subject of a public scoping session; and

**WHEREAS**, the Village Board adopted a Final Draft EIS Scoping Outline on August 18, 2014; and

**WHEREAS**, the Applicant submitted a preliminary DEIS (pDEIS) on December 31, 2014 to the Village Clerk; and

**WHEREAS**, the Village Board, after considering the completeness review of the pDEIS by its independent consultants, determined by Resolution adopted on February 17, 2015, that such pDEIS was not adequate with respect to its scope and content for the purpose of commencing public review; and

**WHEREAS**, the Applicant submitted a revised (pDEIS) on April 21, 2015 to the Village Clerk;

**WHEREAS**, the Village Board's independent consultants retained, inter alia, to review the revised pDEIS provided the Village Board with a Completeness Review Memorandum, dated June 10, 2015, and annexed hereto as Exhibit A; and

**WHEREAS**, the Village Board has carefully considered the Completeness Review Memorandum; and

**WHEREAS**, members of the Village Board have comments on the revised pDEIS in addition to those set forth in the Completeness Review Memorandum, which have been be articulated at the Village Board public meeting of June 15, 2015.

**NOW THEREFORE BE IT RESOLVED THAT,**

- 1.** The Village Board hereby adopts the June 10, 2015, Completeness Review Memorandum annexed hereto as Exhibit A.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

**AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION**

**RE:**

*Public hearing to consider the advisability of adopting a local law amending the Village charter with regard to the number of village marshals.*

The following Public Notices were duly published in the Journal News and the Westmore News on May 22, 2015, certified by Angelina Brescia, Office Manager of the Westmore News

**PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, June 15, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the advisability of a public hearing to amend the Village Charter with regard to the number of village marshals.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: May 22, 2015

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the public hearing was declared open.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

## **PUBLIC COMMENTS**

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

Comments were made by:

Mr. Richard Abel asked if the marshals are paid by the Village. They are called to service by the court and are paid by whoever is serving. There is no financial impact on the Village. They are covered by the Village insurance. Mayor Pilla commented we are setting what we operationally need and we are putting them under the jurisdiction of the Police Department.

Mr. Bernard Edelstein, an attorney, commented on the marshals. He uses them frequently and they are not trained in how to serve. If a tenant gets legal aid they can get an attorney saying they weren't served properly.

### **Board Comments:**

Trustee Ceccarelli commented if the marshals come under the Police Department, do they become an arm of the police. That could become a problem. Attorney Cerreto commented that would require further discussion.

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the public hearing was closed.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

## **Adoption of Local Law No. 5 of 2015**

On motion of TRUSTEE MARINO seconded by TRUSTEE CECCARELLI the motion to amend the Village Charter with regard to the number of village marshals received a unanimous vote of those present.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

*Public hearing to consider the advisability of adopting a local law amending appendix to the code of the Village of Port Chester, A402 land subdivision regulations to provide for a process for lot line adjustments.*

The following Public Notices were duly published in the Journal News and the Westmore News on May 22, 2015, certified by Angelina Brescia, Office Manager of the Westmore News

## **PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, June 15, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter A402, "Land Subdivision Regulations" to provide for lot line adjustments.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: May 22, 2015

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE TEREZI, the public hearing was declared open.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

## **PUBLIC COMMENTS**

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

Comments were made by:

Mr. John Colangelo commented that he hopes the Board will adopt this resolution tonight because it is something that other communities have.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the public hearing was closed.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

## **Adoption of Local Law No. 6 of 2015**

On motion of TRUSTEE MARINO seconded by TRUSTEE CECCARELLI the motion to amend the Village Charter with regard to adopt a local law amending appendix to the code of the Village of Port Chester, A402 land subdivision regulations to provide for a process for lot line adjustments.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

## **RESOLUTIONS (Continue)**

### **RESOLUTION #2**

**AUTHORIZING RENEWAL AGREEMENT WITH  
PORT CHESTER SOCCER CLUB INC.**

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

WHEREAS, the Village of Port Chester has a long-standing relationship with the Port Chester Soccer Club, Inc. to operate a soccer program on its behalf; and

WHEREAS, this relationship is a model of successful public-private partnership serving the recreational needs of the Village of Port Chester; and

WHEREAS, the parties desire to continue their relationship. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a renewal agreement with the Port Chester Soccer Club, Inc., 118 Touraine Avenue, Port Chester, New York 10573, to operate the Village's soccer program for 2015-2017, compensation to be in the amount of \$31,000/annually.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

*Public hearing to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 "Zoning" that would: update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses, create a new CIM Neighborhood Retail – Medical Zoning District with changes to the Schedule of Use Regulations, and amend the Official Zoning Map to provide for the zoning designation of certain properties currently in the C1 Neighborhood Retail District to be changed to the new CIM District.*

The following Public Notices were duly published in the Journal News and the Westmore News on May 29, 2015, certified by Angelina Brescia, Office Manager of the Westmore News



## PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, June 15, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 “Zoning” that would: update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses, create a new C1M Neighborhood Retail – Medical Zoning District with changes to the Schedule of Use Regulations, and amend the Official Zoning Map to provide for the zoning designation of certain properties currently in the C1 Neighborhood Retail District to be changed to the new C1M District, as follows:

<u>Address</u>	<u>Section/ Block/Lot</u>
200 Westchester Avenue	142.22-1-1
204-210 Westchester Avenue	142.2201-2
216 Westchester Avenue	142.22-1-5
220 Westchester Avenue	142.22-1-6
232 Westchester Avenue	142.22-1-7
238 Westchester Avenue	142.22-1-8
235 Westchester Avenue	142.22-1-22
Irving Avenue	142.22-1-23
227 Westchester Avenue	142.22-1-24
223-225 Westchester Avenue	142.22-1-25
219 Westchester Avenue	142.22-1-26
211-217 Westchester Avenue	142.22-1-27
Westchester Avenue	142.22-1-28
200 Irving Avenue	142.22-1-29
204 Irving Avenue	142.22-1-30
206 Irving Avenue	142.22-1-31
214 Irving Avenue	142.22-1.32
220 Irving Avenue	142.22-1-33
227 Irving Avenue	142.22-1-35
233 Irving Avenue	142.22-1-36
211 Irving Avenue	142.22-1-37
199 Irving Avenue	142.22-1-38
26 Poningo Street	142.22-1-39

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk’s office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: May 29, 2015

/s/ JANUSZ R. RICHARDS

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the public hearing was declared open.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

Planning Director Chris Gomez made a presentation regarding the C1 district.

## **PUBLIC COMMENTS**

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

Comments were made by:

Mr. X Nordovis known as “Exon” who operates the store on the corner of Irving and Poningo commented on any changes that would affect his store

Mr. Edelstein is representing the owner of 220 Westchester Avenue. When the owner bought it the building inspector had a letter indicating that the use of a medical office was acceptable. The dentist, renting the second floor, had a CO from the Village. On Section 4 about the screening, this building goes from lot line to lot line. There is no place for screening.

Mr. Daniel Williams commented on the parking for dental and medical. Mayor Pilla commented there are no provisions for medical vehicles.

Mr. Howard Ravikoff commented that he does not generally object to medical in this zone. We do have problems with the way it is being proposed. We were made aware of this hearing mainly by luck. If this is for dental and medical it should be a requirement that there is ADA parking on site for this special exception. 600 feet to a parking facility is too far to walk for a medical service.

Mr. Gomez commented that the notice was sent to each person on the tax role within 500 feet of the address of the property.

Dr. Mark Arnel commented on the change because it affects his property on 26 Poningo Street. He plans to put a chiropractic office in that space. He supports the change. It will

be beneficial to him and to the community as well. He has an office in White Plains and there are parking issues.

Mr. Numme commented in looking at the map, are we building a mini medical center in the on Westchester, Poinigo and Irving Ave. He is reading all medical. Trustee Brakewood commented all we are doing is allowing medical facilities to open in this district. About 20 buildings are affected. Mayor Pilla commented there are two public lots within 600 feet of the area.

On motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the public hearing was adjourn to July 20, 2015.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

## **RESOLUTIONS**

### **RESOLUTION #3 (POSTPONED TO 7/6/2015)**

#### **ACCEPTING THE OFFER OF DEDICATION AND PROPOSED DEED WITH REGARD TO NELLA WAY AS A VILLAGE STREET**

On motion of TRUSTEE Brakewood, seconded by TRUSTEE TERENCE, the following resolution was postpone to the July 6, 2015 meeting by the Board of Trustees of the Village of Port Chester, New York:

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

WHEREAS, by correspondence dated February 24, 2015, Graceland Terrace Housing Development Corp. (“Developer”) has offered for dedication, infrastructure

improvements property, and the roadway thereon known as Nella Way as a village street which is part of the now-completed Fox Commons Affordable Housing Project (“Project”); and

WHEREAS, as set forth in a letter from the Deputy Commissioner of the Westchester County Department of Planning, dated February 13, 2015, the County provided funding to the Village for a new public road to be built (Nella Way) to provide public access to the new soccer fields created on the lower level of Edgewood Park; and

WHEREAS, the agreements between the County and the Village and the Developer and the Village for the Project establish that the Developer would transfer ownership of the infrastructure improvements property, which includes the roadway, to the Village; and

WHEREAS, subsequent to the above correspondence, certain title issues arose which needed to be cleared; and

WHEREAS, the Board desires to bring this matter to a conclusion. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby accepts the dedication of the above-described property known as Nella Way for a public road and declares same to be a village street, subject to each of the following conditions:

1. Satisfactory conclusion of the public hearing to be held on July 6, 2015 at 7:00 p.m. or as soon thereafter, at the Police Headquarters, Justice Court Courtroom, 350 North Main Street, Port Chester, with regard to the dedication of the subject property in accordance with Section 6-612 and 6-614 of the State Village Law; and
2. Delivery to and review and approval of the Village Attorney of original and executed copies of all documents necessary to complete the transfer of the subject property to the Village; and
3. That copy of the deed and evidence of recording be filed with the Office of the Village Clerk following recording in the Westchester County Clerk’s office

#### **RESOLUTION #4**

#### **CONTINUING SUPPORT TO PORT CHESTER-RYE BROOK-TOWN OF RYE INDEPENDENCE DAY OBSERVANCE FOR THE YEAR 2015**

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

WHEREAS, the Independence Day Committee has advised that it will be sponsoring the Independence Day Observance on Saturday, July 4, 2015 at the Port Chester High School, Ryan Stadium at 7:30 p.m.; and

WHEREAS, the Committee has asked the Village of Port Chester to consider providing \$5,500 in assistance to this event, the 68<sup>th</sup> year of this event. Now, therefore,

WHEREAS, that the Board desires to continue its support of the Committee's long-standing civic and patriotic efforts with an appropriation for the full amount requested. Now, therefore, be it

RESOLVED, that the Village Treasurer is hereby authorized to make payment to the Independence Day Committee in the amount of \$5,500 for assistance to the Independence Day Committee.

Approved as to Form:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

**RESOLUTION #5**

**AUTHORIZING A SUMMER INTERN PROGRAM**

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

WHEREAS, a major priority of the Board of Trustees is to improve government efficiencies and the Village infrastructure, and to promote economic development and the advancement of our youth; and,

WHEREAS, significant additional progress towards furthering the Board of Trustee's priorities can be achieved by utilizing additional resources to gather data and assist on special projects; and,

WHEREAS, establishing a summer intern program will benefit both students as they seek to gain experience and credential themselves, as well as the Village as it pursues its project priorities. Now, therefore, be it

RESOLVED, that the Board of Trustees authorizes the Village Manager to establish a part-time Summer Intern Program for the current fiscal year; Now, therefore, be it further

RESOLVED, that the Board of Trustees authorizes the Village Treasurer to transfer the \$10,172.94 for said program from General Fund contingency as follows:

**General Fund**

Transfer From:		
Contingency A/c	1.1990.400	\$10,172.94
Transfer To:		
Village Manager Personnel P/T	1.1230.111	\$10,172.94

Approved as to Form:

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

**ROLL CALL**

**AYES:** Trustees Terenzi, Brakewood, Adams and Mayor Pilla.  
**NOES:** Trustees Kenner, Ceccarelli and Marino.  
**ABSENT:** None.

**DATE:** June 15, 2015

**RESOLUTION #6**

SETTING PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF ADOPTING A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 283, STREETS AND SIDEWALKS, CLARIFYING AND CODIFYING THE OBLIGATION OS OF PROPERTY OWNERS AND OTHER RESPONSIBLE PARTIES WITH REGARD TO THE ADJOINING OR CONTIGUOUS PUBLIC SIDEWALK

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

RESOLVED, that the Board of Trustees hereby sets a public hearing on July 20, 2015 at 7:00 p.m., or as soon thereafter, at the Police Headquarters/Justice Court Courtroom, 350 North Main Street, Port Chester, to consider the advisability of adopting

a local law to amend the Code of the Village of Port Chester, Chapter 283, Streets and Sidewalks, clarifying and codifying the obligations of property owners and other responsible parties with regard to the adjoining or contiguous public sidewalk.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

**RESOLUTION #7 (Withdrawn By Mayor Pilla)**

**AUTHORIZING NATIONAL DEVELOPMENT CORPORATION TO STUDY  
EXPANDING THE CURRENT POLICE / COURT FACILITY**

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 Corporation 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; 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 additional Police / Court facility requirements might be satisfied in a more cost-effective manner by expanding the existing Police / Court facility at its current location; and

WHEREAS, NDC has submitted a cost proposal that would facilitate such additional investigation. Now, therefore, be it

RESOLVED, that the Board of Trustees directs National Development Corporation to further investigate the expansion of the current Police / Court facility at its current location and to report to the Board of Trustees within the next 45 days, as provided for in a proposal dated June 12, 2015; and be it further

RESOLVED, that the Village Manager is hereby authorized the requisite agreement with regard to such additional work.

**RESOLUTION #8**

**REAPPOINTMENT FOR EMERGENCY MEDICAL SERVICES COMMITTEE**

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

WHEREAS, the inter-municipal agreement between the Village of Rye Brook, City of Rye and Village of Port Chester for emergency medical services provides for an Emergency Medical Services Committee; and

WHEREAS, Michael Borrelli, 63 Doral Greens Drive West, Rye Brook, New York, 10573 was reappointed to the Committee as the Community Representative from the Village of Rye Brook for a term which expires in June, 2018; and

WHEREAS, the Port Chester-Rye-Rye Brook Volunteer Ambulance Corps, Inc. has advised that Mr. Borrelli is an active member of the Committee and wishes to continue his service; and

WHEREAS, the Village of Rye Brook has approved the reappointment of Mr. Borrelli. Now, therefore be it

RESOLVED, that the Board of Trustees hereby approves the nomination of Michael Borrelli to be re-appointed to the Emergency Medical Services Committee as the Community Representative for the Village of Rye Brook for a three-year term to expire June 30, 2018.

Approved as to Form:

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

**ROLL CALL**



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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

**RESOLUTION #9**

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE  
A DIGI TEL DT-104 DICTATION SYSTEM FROM APPTec CORPORATION**

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase Digi Tel DT-104 Dictation System, installation and training for \$2,464.23 from Apptec Corporation, 19 Oxford Drive, Port Jefferson, NY 11776. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2015-16 General Fund Budget as follows:

**GENERAL FUND**

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$(2,464.23)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$2,464.23
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Appropriations:

001-3120-0200	Police Equipment	\$2,464.23
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**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

**RESOLUTION #10**

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE**

AND REPLACE BALLISTIC VESTS AND SHIELD FOR  
POLICE EMERGENCY SERVICE UNIT

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase and replace 8 ballistic vests and 1 (one) ballistic shield for \$9,012.72 from Applied Tactical Technologies, Inc., 171 Eads Street, Unit-D, West Babylon, NY 11704, NYS vendor bid PC64786, PC64787. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2015-16 General Fund Budget as follows:

**GENERAL FUND**

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$ (9,012.72)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$9,012.72
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Appropriations:

001-3120-0220	Police Service Equipment	\$9,012.72
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**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

**RESOLUTION #11 (Withdrawn By Village Manager)**

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

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, 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, an economic development policy may be adopted as a supplement to an existing comprehensive plan to guide the local legislature and its land use boards and staffs in adopting effective strategies for successful economic development; and

WHEREAS, for economic development to be feasible, an economic development plan must be adopted that accounts for market changes and existing financial resources in order to guide the legislative body and planning board concerning their decisions regarding land use regulation and project review and approval; and

WHEREAS, state policy has recently changed to 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, those policies emphasize policies, programs, and projects that create compact, mixed use developments in areas served by existing infrastructure, including transit and that enhance developed urban communities as the economic engines of the Mid-Hudson Region, create affordable places to live, work, and recreate, enhance tourism, and conserve energy, natural resources, building materials, while reducing 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 these policy objectives based on current market and financial conditions; and

WHEREAS, there is an on-going need to reexamine whether the Village's comprehensive plan contains goals, objectives, strategies, and implementation techniques that are consistent with local needs and values, current market and finance conditions, and regional strategies; and

WHEREAS, there is a need to establish a process whereby our community can examine these new circumstances, policies and practices as well as local conditions and needs; and

WHEREAS, this process and its favorable results will create an opportunity for the cities and villages participating in the Mayors' Redevelopment Roundtable to lead the State in demonstrating how economic development components of local comprehensive plans can be drafted and adopted to 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 it shall be the legislative policy of the Village of Port Chester to create and adopt an economic development policy supplement to its comprehensive plan to accomplish the foregoing objectives, and be it further

RESOLVED, that the Board of Trustees directs the Village Manager to work with the Mayor on its behalf to create a step-by-step process of involving all key stakeholders, civic and neighborhood leaders, consultants, and economic development partners, and the members of the planning commission to participate in creating an economic development policy as a supplement to the comprehensive plan, and be it further

RESOLVED, that in view of the urgency of stimulating economic development, this effort is intended to be integrated into the recent and existing planning efforts of the Village, informed by current data and reports regarding private sector market needs and financing and available public funding resources, and be completed as soon as possible.

## **RESOLUTION #12**

### **PARTIAL CLOSURE OF PARK AVENUE TO FACILITATE PORT CHESTER CARNIVAL DAY**

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

RESOLVED, the Board of Trustees hereby authorizes the closure of Park Avenue, between College Avenue and Columbus Avenue, for Port Chester Day Camp Carnival Day on Monday, August 3, 2015 from 9:00 a.m. to 3:00 p.m.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

## **REPORT OF THE VILLAGE MANAGER**

### **INITIATIVES/PRIORITIES:**

❖ **Strategic Planning: Strategic Actions** (Opportunity Areas #1 Downtown TOD, #2 Downtown: Municipal Center, #3 Waterfront Redevelopment/Revitalization, #4 Fox Island, #5 United Hospital Site Redevelopment). We continue to move forward with various strategic planning initiatives (see Planning and development activities report). The Strategic plan is in need of an update. My suggestion is to hold a one day plan update strategy session in the not too distant future.

- 1) Opportunity Areas #1:** C1 Neighborhood Retail Zoning Analysis: medical, dental office use Preliminary analysis regarding a potential zoning text change to permit medical in the C1 Neighborhood Retail District either as-of-right or by special exception permit subject to existing special exception criteria as defined in §345-61U.

This action is considered a Type I Action under SEQRA regulations and requires a determination of significance from the Board of Trustees prior to final approval. Presentation to Board of Trustees completed December 2014, January 2015, and March 2015. Presentation to BOT completed March 2015. Planning Commission supports concept. Local Law adoption is proposed at this meeting.

- 2) Opportunity Area #2:** As you are aware NDC has been engaged by the BOT to study the feasibility of developing a municipal center.

### **Current status from NDC:**

- Summary of ESA Phase I Report**

The ESA Phase I Report reflects a number of findings about the site common to older, dense, urban sites. The subject property has had multiple uses that can be traced through historical records. Among previous uses, the property at one time held an experimental laboratory. Although the operations of the laboratory are not known, we have to assume that some chemicals were used on site.

Close to the subject property there are many existing and historical sites such as gas stations and dry cleaning operations that may have used potential contaminants. There are no identified spills, leaks or accidents which place environmental contaminants on site, but the possibility of migrating fluids or vapors cannot be reasonably eliminated.

For these reasons, STV recommends continuing with an ESA Phase II report which will further clarify whether the site contains environmental contaminants and the extent to which they must be addressed as part of a future building project.

- **Summary of Preliminary Geotechnical Report**

STV performed the work, with field work assistance from Aquifer Drilling and Testing, Inc. (ADT). Site access was limited by existing buildings as well as a property owner who declined to provide access and permission to drill. Seven borings were undertaken and the results incorporated into the report. In general, the borings found soil suitable for building at a depth of ten feet, where spread footing foundations and ground floor slabs could be used. Alternately, building columns could be supported by drilled piers bearing within the bedrock, found between 16 and 24 feet below the surface. As the water table lies roughly 7 feet below the surface, construction methods will have to take this into account as the foundation is created at a greater depth.

The report is titled “Preliminary” chiefly because of limited access to the site. Further work during subsequent design phases may include review of existing building plans and records for available subsurface information and existing foundation types and details. In addition, the existing structures should be inspected to check for or confirm the presence of basements, visible indications of foundation types, etc. The design team should also evaluate the potential need for supplemental soil borings, rock coring, and/or laboratory testing.

- **Comments and Next Steps**

There is nothing in the ESA Phase I nor the Preliminary Geotechnical Report that would substantially alter the approach to construction or the project budget for the new municipal center. Further work must be conducted and NDC strongly suggests that the ESA Phase II commence immediately.

With regard to the ESA Phase II work plan, the boring sites undertaken by ADT for the geotechnical report can be utilized for the environmental testing. We also recommend that the Village allow subsequent subsoil investigation to include borings under sidewalks adjacent to existing buildings on the project site. This may be a reasonable proxy for conducting investigations under the buildings themselves. As a follow up step, STV will submit a boring plan for the Village’s approval.

### **Municipal Center Subcommittee**

As you are aware the BOT established a municipal center subcommittee to reevaluate current direction. The subcommittee has met on two occasions and discussions surrounded looking at the feasibility of 350 N. Main Street as an alternate site. NDC was asked to develop a proposal to do same and submit it to the BOT for consideration.

- 3) Opportunity Area #3:** Bulkhead; Interviews with all applicants and the selected finalists were held. A final interview with an additional scope and

additional questions posed to the applicants is scheduled for July 6th.

- 4) **Opportunity Area #5:** Redevelopment of the former United Hospital Site (Starwood). The Mixed-use redevelopment proposal for the former United Hospital site located within the Village's PMU Planned Mixed Use District to permit: 500 "Millennial" housing units, 240 age-restricted housing units, an approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.

The Preliminary DEIS as previously submitted with updated comments is on this agenda to determine completeness.

#### **ACTIONS:**

- **MS4 Permit Management:** On June 2<sup>nd</sup> The Village successfully completed an MS4 Audit with the NYDEC. MS4 relates to: Municipal separate storm sewer system (MS4) permit required by Federal Government under the Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) program to prevent harmful pollutants from being washed or discharged into a waterbody.
- **IAmResponding:** All 5 fire houses have set up the IAmResponding fire fighter response management software. The set up includes the purchase of several monitoring systems for each fire house as well as the installation of new internet service lines in each house. The program will allow the fire chiefs to know in real time who is responding to a fire call. It also keeps records of these activities to better track volunteer activities. The program is currently available in a limited capacity to the Chiefs through existing hard-line internet while we complete installation of new wireless internet services.
- **Village Court:** The Village Court is being wired to accept credit card payments at the traffic ticket window. This provides a greater range of payment options for residents and makes it easier to accept revenue for our staff. The state is providing the equipment free of charge. We have scoped out locations and wiring for the machine. The equipment has been ordered by the court. This should be live early this summer.
- **MTA:** Staff continues to discuss a possible settlement to the property maintenance violations issued to the MTA. The context is in the realm of better routine maintenance and possible beautification utilizing existing and potential funds in a collaborative manner between the Village and the MTA.
- **Grant Writing RFP:** The RFP will be reissued by the end of this month with

the removal of the requirement for the firm to work on a contingency basis.

## **DEPARTMENT UPDATES:**

### ➤ **Justice Court**

- Assist the Judge on the Bench during court sessions on Mondays, Thursdays and Fridays
- Processed Criminal Disposition Reports (CDRs) after court
- Completed court paperwork after court sessions
- Update excel spreadsheets with Bail disbursements from court
- Electronically transmitted 196 Criminal Dispositions Reports (CDRs) to New York State Division of Criminal Justice Services since April 14, 2015
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 04/30/15 - \$101,850.78
- Prepared April 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Troy - \$101,269.75 viewed and electronically submitted by Judge Troy
- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 04/30/15- \$138,833.44
- Prepared February and April 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$137,963.88 to be reviewed and electronically submitted by Judge Sisca
- Reconciled Tow Account. Ending Bank Balance as of 04/30/15 - \$1,555.00
- Prepared vouchers and Payroll to be sent to the Finance Department
- Unclaimed Bail (6 years and older) of \$17,065 turned over to the Port Chester General Fund on April 20.
- Transferred thousands of files into the new cabinets in the Prosecutor's office and in the new Traffic Area. The Garage will be done on Saturday, May 16

### ➤ **Police Department:**

#### ▪ **Training:**

During the first two weeks of April, 55 members of the Department successfully completed the semiannual firearms qualification course. This 7 hour training block is held at the Harrison Police Department Outdoor Range. Members are trained and evaluated on firearms safety, proficiency, and tactical movement and cover. Each officer is required to qualify on three 43 round courses of fire.

#### ▪ **Equipment:**

- On Monday April 6, the Department received formal notification from the



New York State Office of Parks Recreation and Historic Preservation that we had been selected to receive a new patrol boat under the agencies marine enforcement loaner program. The vessel, a fully equipped 24 foot Boston Whaler Justice is powered by twin 200 horsepower outboard engines and is capable of speeds over 45 knots and operation in seas up to 5 feet. It is equipped with radar, GPS chart plotter, and marine VHF radio. The Justice, valued at over \$120,000 is a state of the art search and rescue and enforcement platform.

We expect delivery in mid-June

- In April, the Department received 2 used unmarked patrol vehicles from the MTA Police through their loaner program. The cars, 2007 and 2008 Ford Crown Victorias had been used by the MTAPD as administrative vehicles. They came fully equipped with emergency lights and sirens. These new additions to the motor pool will be utilized in the Patrol Division for plainclothes operations.

▪ **Interesting Cases:**

- On Monday April 6, 2015 at approximately 3:50 pm, members of the Port Chester Police Department Narcotics Squad, working in conjunction with the Westchester County Police Narcotics Unit, arrested a Bronx man and a New Rochelle man for drug possession. Detectives were investigating reports of drug activity in the area of Traverse Ave. Shortly after arriving, the officers observed a man enter a mini-van and engage in what appeared to be a drug transaction with the driver of the vehicle. Further investigation uncovered 40 small bags of heroin and approximately \$5000.00 in US currency.
- Victor Carrion, age 44, of the Bronx, (the van's driver) was arrested and charged with both Criminal Sale of a Controlled Substance in the third degree and Criminal Possession of a controlled substance in the 3rd degree. Both are class B felonies Eugene Rodrigues, age 56, of New Rochelle, (the vans passenger) was arrested and charged with Criminal Possession of a Controlled Substance in the 7th degree, a class A misdemeanor

▪ **Public Affairs:**

The objective of the public affairs initiative is to promote positive communication between the Department and the public. In April, the Department participated in the below noted public service projects:

1. Housing Summit- Human Development Services
2. Anti-Bullying Seminar-Corpus Christi School
3. Youth Debate Workshop-Carver Center
4. Life Skills-Port Chester Middle School

▪ **Detective Bureau:**

During the month of April 2015, the Detective Bureau closed our 15 cases with 13 closed by arrest. Detectives were assigned 21 new cases. The Bureau conducted a total of 26 arrests broken down as follows:

- 3-felony drug charges
- 4-misdemeanor drug charges
- 12-violation level drug charges
- 2-non-drug related misdemeanor charges
- 19-warrant arrests

**Seizures:**

- \$7,595.00-US currency
- 40-decks of heroin
- 9-zip lock bags of marijuana
- 1-medium bag of marijuana

**Evidence:**

25 cases were reviewed resulting in property being returned to the owner or authorized disposition.

▪ **Statistics:**

<b>FBI Part 1 Crimes</b>	<b>January</b>	<b>1/14</b>	<b>February</b>	<b>2/14</b>	<b>March</b>	<b>3/14</b>	<b>April</b>	<b>4/14</b>
Assault	4	2	4	3	4	6	5	7
Burglary	4	1	1	4	4	2	2	1
Larceny	28	34	31	26	31	37	40	43
Murder	0	0	0	0	0	0	0	0
Motor Veh. Theft	0	1	0	1	0	0	1	1
Rape	0	1	0	0	0	0	1	0
Robbery	1	4	2	0	1	2	1	1
<b>Arrests/Tickets</b>	<b>January</b>		<b>February</b>		<b>March</b>		<b>April</b>	
Parking Tickets	5312		3661		4240		4393	
Traffic Tickets	559		433		555		643	
Arrests	161		130		157		140	

<b>Common Calls for Service</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>
Aided, Medical	192	150	154	144
Accidents	108	108	116	102
Alarms	106	96	80	86
Directed Patrols	166	116	101	109
Domestic	12	30	22	24
School Crossings	45	32	17	19
Total Calls for Service	1637	1401	1556	

➤ **Senior Center / Nutrition:** 26,462 Meals served to date: (JUNE, 2014-May, 2015 )  
 38 Home Bound Seniors received their meals at home, per day  
 Monday-Friday 60 seniors attend the Saturday Program.

▪ **Senior Center Calendar:**

May 5<sup>th</sup>—Cinco de Mayo celebration—music 1p.m.  
 May 9<sup>th</sup>—Mother’s Day Brunch—music with James Kulich 11  
 a.m. May 13<sup>th</sup>—City Island Lunch on your own Cost \$10  
 May 20<sup>th</sup>—Lobster Festival at Platzl Brauhaus with Rye Brook—Lobster festival, live  
 music and dancing. Bus leaves Possillipo center at 10 a.m. Cost: \$42.  
 June 1<sup>st</sup>—Music with Lou Del Bianco—1 p.m.  
 June 2<sup>nd</sup>—Hot Dog BBQ at Abendroth Park 10  
 a.m. June 6<sup>th</sup>—Day trip to Sands Casino,  
 Bethlehem, Pa.  
 June 13<sup>th</sup>—Father’s Day Brunch 10 a.m. George Lattimer & Steve Otis,  
 coffee hour June 17<sup>th</sup>—Westchester Broadway Dinner Theater—Westside  
 Story  
 June 30<sup>th</sup>—Trip to Cross County Shopping center in Yonkers—Lunch at Olive  
 Garden or Longhorn Steak House  
 Every Monday—Zumba 1 p.m. Every other Tuesday Tai Chi—10:30 a.m. Art Class  
 every Friday morning at 10-12, Bingo Wed and Thurs afternoons Mah Jong played  
 every Friday afternoon at 1 p.m.

▪ **Community Center Calendar:**

May 13<sup>th</sup>—Beautification Committee, Park Commission, Recreation  
 Commission, May 14<sup>th</sup>—Angel—Football meeting

May 17<sup>th</sup>— Annual Memorial mass and Breakfast for Police and Firefighters.

7 a.m. June 2<sup>nd</sup>—Police Training 9-4 7-9p.m. Dave Thomas PCHS

Projects.

June 3— Nick Mecca—Voter training 9-3

June 4<sup>th</sup>— Police Training 9-12 p.m. 5-9 p.m. Village Safe Driving

Class June 5<sup>th</sup>—5-9 p.m. Village Safe Driving Class

June 6<sup>th</sup>— Seniors day trip to Bethlehem, Pa. Sands Casino

7:30 am June 10<sup>th</sup>—Beautification, Park & Recreation

Commission meeting June 12<sup>th</sup>—5:00 – 10:30 Pentecostal El

Olivar Church (Luis Marino)

June 20<sup>th</sup>— Village Safe Driving Class

- All 2015 contracts have been submitted to County, waiting approval.
- PORT CHESTER RECREATION SPECIAL CITIZEN’S DAY CAMP STARTS AT THE SENIOR CENTER JUNE 29-July 29th

➤ **Treasurer’s Office:**

- During the month of May, Bond resolutions totaling \$3,326,500 were approved by our Village Board to Finance our FY 2015-16 Capital Plan.
- The New Payroll/Time Clock System was presented to Department Heads and Employees’ Unions. The Finance and Human Resource Departments are currently working with the various departments within the Village to creating a procedure manual for our new payroll and time clock system.
- The Village’s preliminary audit and Port Chester IDA audit are scheduled for the week of July 20, 2015. The Village audit is scheduled of August 24, 2015 to September 4, 2015.

**DISCUSSIONS**

**CORRESPONDENCES**

*From Harry Howard Hook & Ladder Co. No. 1, on the resignation of Matthew Pagni.*

The Board duly noted the correspondence.

*From Mellor Engine & Hose Co. No. 3, Inc. on the election of Nakeem Marks to active membership.*

On motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, The Board of Trustees accepted the election of Mr. Nakeem Marks as a member to Mellor Engine & Hose Co. No. 3, Inc. with the Port Chester Fire Department.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

*From Howard Ravikoff regarding Public Notice 2015-06-05*

The Board duly noted the correspondence.

*From the Park Commission regarding grilling in Village parks.*

The Board duly noted the correspondence.

*From Christopher Gomez resigning as Director of Planning and Development effective June 27, 2015.*

The Board duly noted the correspondence.

## **PUBLIC COMMENTS AND BOARD COMMENTS**

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

Comments were made by:

Public

Mr. Richard Abel commented that Chris Gomez is a great person. Separately, having summer interns is a great idea. We have teenagers who are serving as camp counsellors and they should be paid a good salary.

Board

Trustee Terenzi congratulated Chris Gomez on his new position.

Trustee Kenner wished Chris Gomez well in his new position.

Trustee Brakewood commented on Putnam Avenue near Carvel. It is completely ripped apart. He complimented on Chris Gomez doing a great job.

Trustee Ceccarelli commented on following up with the DOJ. He would like to be involved in the conference call. He wished all the best to Chris Gomez.

Trustee Marino commented on the conversations with G&S. Trustee Terenzi commented they are in discussion on the municipal lot becoming a paid lot. Trustee Marino wished Chris Gomez good luck.

Trustee Adams commented on the good job Chris had done for the Village.

Mayor Pilla commented on the great things Chris Gomez has done.

### **MOTION FOR EXECUTIVE SESSION**

At 11:39 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board adjourned into an executive session regarding the Chief of Police performance evaluation.

Also present were: Village Manager, Christopher Steers.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee.

**DATE:** June 15, 2015

No action was taken in executive sessions.

At 11:48 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

At 11:49 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the meeting was closed.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** June 15, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk

## MEETING HELD JUNE 30, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, June 30, 2015, in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla, were Trustees Saverio Terenzi, Daniel Brakewood, Gene Ceccarelli and Luis Marino.

It should be noted that Trustees Joseph Kenner and Gregory Adams were absent.

It should be noted that Trustee Gene Ceccarelli left the meeting at 6:08 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway (Left the meeting at 7:45 p.m.) and Christopher Ameigh Administrative Aide to the Village Manager.

On motion of TRUSTEE MARINO, seconded by TRUSTEE TERENZI the meeting was declared opened at 6:05 p.m.

### ROLL CALL

**AYES:** Trustees Terenzi, Brakewood, Ceccarelli, Marino and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Kenner and Adams.

**DATE:** June 30, 2015

### WORKSHOP

***Workshop with NDC and STV to confirm the space requirements for the Police / Court facility.***

**Village of Port Chester Police and Courts Building - Program Analysis Program  
of Architectural and Operational Requirements**

Prepared by STV

### SUMMARY OF CHANGES

Below is a summary of changes between the Port Chester 2014 and 2015 Programs.

**Port Chester Program - Police and Courts Revisions 2015**

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**2014**

**2015**



Courts	10,172	11,782
Police	23,663	28,398
Police Out-Building	4,077	Included above
Municipal & Shared Resources	29,627	3,464
<b>Total Building Gross</b>	<b>67,539</b>	<b>43,644</b>

Changes from 2014 to 2015 program include:

- Courts: increase in public spaces previously shared with Municipal Program
- Police: incorporation of out-building program elements into Police Program (the out building was previously a separate element).
- Municipal and Shared Resources: delete municipal program, prorate shared resources to serve only Police and Courts (shared resources include: central mail and copy, building maintenance, building storage network and data).

Not included in the 2015 program

- Archival storage – this may be located in a future basement or off-site location (or added to the program if desired)
- Impound vehicles storage

## **PROGRAMMING BASIS OF DESIGN**

### **Basis of design for the 2014 program:**

The development of the Program of Requirements is the result of observations of current operations, interviews with key personnel, application of planning and programming standards to establish project requirements.

Summary of Key Programming Meetings:

- January 24, 2014 – Programming initiation, preliminary interviews with municipal department leaders
- January 31, 2014 - Preliminary meeting with courts and police
- February 3, 2014 – Development of preliminary draft program for concept design study
- July 31, August 5 and August 6, 2014 - Program interviews with department heads or assigned representatives

### **Basis of design for the 2015 program:**

The 2015 program was adapted from the 2014 program deleting the municipal functions, retail and lease program components.

### **Next programming steps:**

The 2014 program was presented in draft form on August 13, 2014. Follow-up

meetings and reviews with the user groups are required to validate the program reflects their current needs and captures the information they provided in the initial programming meetings.

**DEFINITIONS**

*Net Square Feet or NSF* - the actual working area of an office, workstation or functional area.

*Departmental Gross Square Feet (DGSF)* - the accumulated NSF of a departmental area multiplied by a grossing factor (usually between 1.30 and 1.40) to account for circulation between the offices, workstations and functional areas that make up a department and the interior walls within the department.

*Building Gross Square Feet (BGSF)* - the accumulated DGSF multiplied by a building grossing factor (to account for space given to thickness of exterior walls, elevators, stairwells, mechanical and equipment rooms, and service spaces. For this program we use 1.10 for the building, grossing factor. The actual factor cannot be determined until design phases.

**Attached: 2015 Revised Program - changes noted in yellow highlight.**

*Draft - REV 1 - June 2, 2015*  
**PORT CHESTER - POLICE AND COURTS**

Component/Program Code No.	Occu- pants	Number of Areas	Space Standard	Dept. Net NSF	Dept. Net Subtotal	Building Gross	Notes
<b>SUMMARY PROGRAM - PROJECT TOTALS</b>							
				<b>NET</b>		<b>Bldg. Gross</b>	
Court Facilities				7,318		11,782	
Police Department				18,292		28,398	
Shared Resources				2,510		3,464	
<b>Subtotal Net</b>				<b>28,120</b>			
<b>TOTAL BUILDING GROSS</b>						<b>43,644</b>	(PCPD exterior program excluded)

Draft - REV 1 - June 2, 2015  
**PORT CHESTER - POLICE AND COURTS**

Component/Program Code No.	Occu- pants	Number of Areas	Space Standard	NSF	Dept. Net Subtotal	Dept. NSF	Building Gross	Notes	
<b>DETAILED PROGRAM</b>									
<b>PORT CHESTER COURTS</b>							40%	15%	
C1.100	<b>Courts Lobby/Entry</b>								
C1.101	Lobby	1	600	600					
C1.102	Public Restrooms	2	200	400				Male / Female	
C1.103	Court Officers/Security Screening Area	1	160	160				Two Officers - screening area	
C1.104	Attorney/Client Conference Rooms	2	120	240					
<b>Subtotal</b>					<b>1,400</b>	<b>1,960</b>	<b>2,254</b>		
C1.200	<b>Court Clerks Office</b>								
C1.201	Public Information Counter	5	40	200				Work Station/Windows serving public corridor	
C1.202	Office: Court Clerk	1	150	150					
C1.203	Workstations: Clerks	10	64	640				Work Stations	
C1.204	Workstation: Pretrial Coordinator	1	64	64				Work Stations	
C1.205	Town of Rye Court Clerk	1	150	150					
C1.206	Town of Rye Clerk Work Station	1	64	64					
C1.207	Storage: File Area	1	200	200					
C1.208	Copy Alcove	1	40	40					
C1.209	Coat Closet	1	40	40					
C1.210	Data Server Room	1	80	80					
C1.211	Pantry Alcove	1	40	40					
C1.212	Storage: Supplies	1	80	80					
C1.213	Storage: Archival		0	0				Basement or Remote Storage Space	
C1.214	Staff Restroom (Male/Female)	2	60	120				Single Occupancy.; Separate from Public Areas	
<b>Subtotal</b>					<b>1,868</b>	<b>2,615</b>	<b>3,007</b>		
C1.300	<b>Court Facilities</b>								
<b>COURT ROOM FUNCTIONS</b>									
C1.301	Court Room - Multi-use	130	1	16	2080				
C1.302	Vestibule - Sound Proof		1	80	80				
C1.303	Judge's Bench		1	40	40				
C1.304	Witness Box		1	20	20				
C1.305	Clerk		1	20	20				
C1.306	Jury Box	12	1	10	120				
C1.307	Court Reporter		1	40	40				
C1.308	Court Officer		1	40	40				
C1.309	Attorney's Tables		2	20	40				
C1.310	Detainee Area		1	10	10				
C1.311	Interpreter Area		1	40	40				
C1.312	AV Controls Room		1	100	100			Includes editing work station	
<b>Subtotal</b>					<b>2,630</b>	<b>3,682</b>	<b>4,234</b>		
<b>COURT SUPPORT FUNCTIONS</b>									
C1.313	Judges Chambers - Port Chester	2	300	600				Near Court Room - with toilet and closet	
C1.314	Judges Chambers - Rye	1	300	300				Near Court Room - with toilet and closet	
C1.315	Jury Deliberation Room	8	30	240				Near Court Room	
C1.316	Jury Room Restroom		1	60	60			Off of Jury Room	
C1.317	Jury Room Sound Lock		1	40	40			Between Court and Jury Room - if required	
C1.318	Jury Impaneling Area			0				Use Court Room	
C1.319	Storage: Board of Trustees		1	100	100			Storage for materials used for meetings	
C1.320	Detainee Holding	1-2	2	40	80				
<b>Subtotal</b>					<b>1,420</b>	<b>1,988</b>	<b>2,286</b>		
<b>Subtotal - Net Square Feet - Port Chester Courts Functions</b>					<b>7,318</b>				
<b>Subtotal - Departmental Gross Square Feet</b>						<b>10,245</b>			
<b>TOTAL COURTS GROSS</b>							<b>11,782</b>		

Draft - REV 1 - June 2, 2015  
**PORT CHESTER - POLICE AND COURTS**

Component/Program Code No.	Occu- pants	Number of Areas	Space Standard	NSF	Dept. Net Subtotal	Dept. NSF	Building Gross	Notes
<b>PORT CHESTER POLICE DEPARTMENT</b>					35%	15%		
<b>P.1.100</b>	<b>Lobby/Reception/Waiting</b>							
P1.101		1	80	80				Separate from Municipal/Courts
P1.102		10-12	1	150	150			Dedicated Lobby
P1.103		1	30	30				Area in Lobby
P1.104		2	100	200				
P1.105		2	80	160				Also for walk-in complaints.
<b>Subtotal</b>					<b>620</b>	<b>837</b>	<b>963</b>	
<b>P1.200</b>	<b>Community/Multipurpose/EOC</b>							
P1.201		50	1	20	1000			
P1.202			1	80	80			
P1.203			1	60	60			
P1.204			1	20	20			
P1.205			1	80	80			
P1.206			1	150	150			
<b>Subtotal</b>					<b>1,390</b>	<b>1,877</b>	<b>2,158</b>	
<b>P1.300</b>	<b>Communications/Dispatch</b>							
P1.301		1	100	100				1 station
P1.302		3	100	300				3 workstations stations
P1.303		1	64	64				open work station
P1.304		1	60	60				
P1.305		1	80	80				Includes Supply and Equip. Storage
P1.306		1	120	120				
P1.307		1	80	80				Equipment Room
<b>Subtotal</b>					<b>804</b>	<b>1,085</b>	<b>1,248</b>	
<b>P1.400</b>	<b>Records</b>							
P1.401		1	40	40				
P1.402		1	40	40				
P1.403		2	80	160				Work Stations - oversize w/ scanning
P1.405		1	250	250				
P1.406		1	40	40				
P1.407		1	200	200				Archive Long-term remote
<b>Subtotal</b>					<b>730</b>	<b>986</b>	<b>1,133</b>	
<b>P1.500</b>	<b>Administration</b>							
P1.501		4	1	60	60			
P1.502		1	100	100				Is also Records Clerk.
P1.503		1	20	20				
P1.505		1	200	200				
P1.506		1	80	80				
P1.507		1	20	20				
P1.508		1	150	150				
P1.509		1	20	20				
P1.510		8	1	20	160			Shared departmental asset
P1.511		1	0	0				Works off-site
P1.512		1	20	20				
<b>Subtotal</b>					<b>830</b>	<b>1,121</b>	<b>1,289</b>	
<b>P1.600</b>	<b>Staff Services</b>							
P1.601		1	120	120				
P1.602		1	64	64				
<b>Subtotal</b>					<b>184</b>	<b>248</b>	<b>286</b>	

Draft - REV 1 - June 2, 2015  
**PORT CHESTER - POLICE AND COURTS**

Component/Program Code No.	Occu- pants	Number of Areas	Space Standard	NSF	Dept. Net Subtotal	Dept. NSF	Building Gross	Notes
<b>P1.700 Patrol Division</b>								
P1.701 Office: Duty Lieutenant		1	120	120				
P1.702 Storage: Supplies (Duty LT)		1	20	20				
P1.703 Storage: Files (Duty LT)		1	40	40				
P1.704 Report Preparation		6	25	150				Counter with computer and printers
P1.705 Storage: Patrol Supplies		1	100	100				Managed by Patrol Ops Capt. & Lt.
P1.706 Roll-Call	15	1	15	225				Standing
P1.707 Office: Sergeant	2	1	100	100				desk officer
<b>Subtotal</b>					<b>755</b>	<b>1,019</b>	<b>1,172</b>	
<b>P1.800 Traffic Division</b>								
P1.801 Office: Traffic Enforcement Sergeant		1	100	100				
P1.802 File Storage Room		1	100	100				
<b>Subtotal</b>					<b>200</b>	<b>270</b>	<b>311</b>	
<b>P1.900 Detective Division</b>								
P1.901 Waiting	4	1	1	60				
P1.902 Work Station: Detective Secretary		1	64	64				
P1.903 Office: Detective Lieutenant		1	120	120				
P1.904 Office: Detective Sergeant		1	120	120				
P1.905 Workstations: Detectives	2	10	80	800				Work Stations with guest chair
P1.906 Office: Prosecutor		1	150	150				
P1.907 Interview Room	2	3	80	240				
P1.908 Monitoring Room	1	1	80	80				W/ two-way mirror
P1.909 Copy Alcove		1	40	40				
P1.910 Storage: Supply/Coat Closet		1	40	40				
P1.911 Storage: Equipment Room		1	100	100				
P1.912 Storage: File Area		1	150	150				15 - 20 file cabs
P1.913 Secure Evidence Staging Room		1	80	80				
<b>Subtotal</b>					<b>2,044</b>	<b>2,759</b>	<b>3,173</b>	
<b>P2.100 Juvenile Division</b>								
P2.101 Waiting area	4	1	60	60				
P2.102 Restroom (Juveniles Only)		1	60	60				
P2.103 Soft Interview/Holding Room		1	80	80				
P2.104 Monitoring Room		1	80	80				
P2.105 Office: Youth Detectives	2	1	150	150				
P2.106 Storage: File Area		1	150	150				
P2.107 Youth Activity Officer	3	1	100	100				
P2.108 Storage: Supplies		1	80	80				
<b>Subtotal</b>					<b>760</b>	<b>1,026</b>	<b>1,180</b>	
<b>P2.200 Staff Support Spaces</b>								
P2.201 Male Lockers - Sworn Officers	65	1	15	975				Total 56 sworn officers - Personal Duty Lockers w/power
P2.202 Male Toilets/Showers		1	300	300				verify fixture count
P2.203 Male Lockers - Supervisors	10	1	15	150				Personal Duty Lockers w/power
P2.204 Male Toilets/Showers - Supervisors		1	150	150				verify fixture count
P2.205 Female Lockers - Sworn Officer:	5	1	15	75				Personal Duty Lockers w/power
P2.206 Female Toilets/Showers		1	150	150				verify fixture count
P2.207 Female Lockers - Supervisors	5	1	15	75				Personal Duty Lockers w/power
P2.208 Female Toilets/Showers - Supervisors		1	150	150				
P2.209 Physical Training	8	1	600	600				
P2.210 Break Room	12	1	360	360				With pantry
P2.211 General Supply/Equipment Room		1	180	180				
<b>Subtotal</b>					<b>3,165</b>	<b>4,273</b>	<b>4,914</b>	

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 PORT CHESTER - POLICE AND COURTS

Component/Program Code No.	Occu- pants	Number of Areas	Space Standard	NSF	Dept. Net Subtotal	Dept. NSF	Building Gross	Notes
<b>P2.300 Armory</b>								
P2.301 Armory		1	120	120				Weapons locking rack
P2.302 Ammunition Storage		1	100	100				
P2.303 Gun Cleaning Room		1	100	100				
<b>Subtotal</b>					<b>320</b>	<b>432</b>	<b>497</b>	
<b>P2.400 Police Benevolent Association</b>								
P2.401 Meeting Room		1	250	250				
P2.402 Pantry Alcove		1	80	80				
P2.403 Storage Room		1	100	100				
<b>Subtotal</b>					<b>430</b>	<b>581</b>	<b>668</b>	
<b>P2.500 Evidence and Property</b>								
P2.501 Patrol Access - Bag and Tag Area		1	80	80				
P2.502 Evidence Processing Room		1	150	150				
P2.503 Evidence Storage		1	400	400				
P2.504 Drugs/Valuables Vault		1		Incl				60 NSF included in Evidence Storage
P2.505 Weapons Vault		1		Incl				100 NSF included in Evidence Storage
P2.506 Major Crimes - Evidence Storage		1		Incl				100 NSF included in Evidence Storage
P2.507 Evidence Lockers		1	80	80				12 Lockers - locate in prisoner processing area
P2.508 Bio hazardous Room/Evidence Drying		1	120	120				
P2.509 Found Property Storage		1	200	200				
<b>Subtotal</b>					<b>1,030</b>	<b>1,391</b>	<b>1,599</b>	
<b>P2.600 Prisoner Booking/Processing</b>								
P2.601 Interior Sallyport/Transfer	6	1	100	100				
P2.602 Processing/Booking Area		1	150	150				
P2.603 Prisoner Property Room		1	20	20				
P2.604 Prisoner Arraignment - Staging		1	100	100				
P2.605 Interview Room	4	1	100	100				
P2.606 Temp. Group Holding - Male	15	1	20	300				
P2.607 Temp. Holding - Female	1	1	40	40				
P2.608 Staff Restroom		1	60	60				
P2.609 Storage Room		1	80	80				
P2.610 Custodial/Janitor		1	30	30				
<b>Subtotal</b>					<b>980</b>	<b>1,323</b>	<b>1,521</b>	
<b>P2.700 Detention Area</b>								
P2.701 Male Cells	1	10	70	700				
P2.702 Female Cells	1	3	70	210				
P2.703 HC Accessible Cell F/M	1	1	100	100				
P2.704 Workstation: logging		1	20	20				standing log station
<b>Subtotal</b>					<b>1,030</b>	<b>1,391</b>	<b>1,599</b>	
<b>PE3.200 Out Building Storage</b>								
PE3.201 Road Supply Storage	1	60	60					
PE3.202 Vehicle Evidence Storage	1	2250	2250					NOT impound
PE3.203 Motorcycle Storage (3)	1	200	200					
PE3.204 Bicycle Storage	1	80	80					5 hanging bicycles + repair area
PE3.205 Found Property Storage	1	250	250					
PE3.206 Kennel	1	100	100					
PE3.207 Storage	1	80	80					
<b>Subtotal</b>					<b>3,020</b>	<b>4,077</b>	<b>4,689</b>	
<b>Subtotal - Net Square Feet - Port Chester Police</b>					<b>18,292</b>			
<b>Subtotal - Departmental Police</b>						<b>24,694</b>		
<b>TOTAL POLICE DEPARTMENT GROSS</b>							<b>28,398</b>	

Draft - REV 1 - June 2, 2015  
**PORT CHESTER - POLICE AND COURTS**

Component/Program Code No.	Occu- pants	Number of Areas	Space Standard	NSF	Dept. Net Subtotal	Dept. NSF	Building Gross	Notes
<b>Shared Resources</b>							20%	15%
Central Mail Copy Room		1	200	200				
Receiving & Storage: Central								
File and Materials		1	400	400				
Shared Storage and Archives		1	800	800				Long term records
Break Room/Training		1	200	200				w/ pantry
Office: Maintenance		1	150	150				
Storage: Maintenance		1	200	200				Supplies/Tools/Equipment
Network & Data - Servers		1	400	400				
Telephone Entry/Interface Room		1	160	160				
<b>Subtotal - Net Square Feet - Port Chester Police</b>					<b>2,510</b>	<b>3,012</b>	<b>3,464</b>	
<b>Subtotal - Departmental Police</b>						<b>3,012</b>		
<b>TOTAL SHARED RESOURCES GROSS</b>							<b>3,464</b>	

**POLICE DEPARTMENT EXTERIOR PROGRAM**

PE3.101	Secure Exterior Loading area		1	750 NSF				
PE3.300	Vehicle Count							
PE3.301	Patrol Cars	30						7 - 8 on patrol at all times (23 spaces)
	Emergency Response Vehicl	1						(full size pick-up)
	Animal Control	0						
	Harbor Unit Vehicles (at Marina)							
	Patrol Bicycles	3-4						
	Motorcycles	3						
	Prison Transport Van	1						
	Staff Parking	20+						day shift: 20 officers + 13 civilian empl.
	Official Visitor Parking							expect visiting officers (court ordered) and security personnel during court functions

**Motion to Add-On an Executive Session**

Mayor Pilla asked for a motion to add-on an executive session regarding our contractual obligation and the selection of NDC and STV.

There being no objection TRUSTEE BRAKEWOOD, made a motion to add-on an executive session, seconded by TRUSTEE MARINO, the motion received a unanimous vote of those present.

### **ROLL CALL**

**AYES:** Trustees Terenzi, Brakewood, Marino and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Kenner, Ceccarelli and Adams.

**DATE:** June 30, 2015

At 8:03 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Board adjourned into an executive session regarding our contractual obligation and the selection of NDC and STV.

### **ROLL CALL**

**AYES:** Trustees Terenzi, Brakewood, Marino and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Kenner, Ceccarelli and Adams.

**DATE:** June 30, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto and Christopher Ameigh Administrative Aide to the Village Manager.

No action was taken in executive session.

At 8:15 p.m., a motion to come out of executive session was made by TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

### **ROLL CALL**

**AYES:** Trustees Terenzi, Brakewood, Marino and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Kenner, Ceccarelli and Adams.

**DATE:** June 30, 2015

### **DISCUSSIONS**

***Consider sponsoring Peruvian festival on August 2nd at Lyon Park.***



The Board of Trustees discussed the possibility of co-sponsoring the event. Additionally, the Mayor will invite Miss Amano to come to the next Board meeting in order for her to provide additional information regarding the event.

## **RESOLUTIONS**

### **RESOLUTION #1**

#### **CS GOOD FRIEND & CO. and HILLSIDE PROPERTIES, INC. TAX CERTIORARI SETTLEMENT**

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

WHEREAS, C.S. Goodfriend & Co. and Hillside Properties, Inc. filed certiorari proceedings for review of tax assessments fixed by the Town of Rye upon property located at: 13 Riverdale Avenue, Section 136.56, Block 1, Lot 49 and 23 Riverdale Avenue, Section 136.56, Block 1, Lot 48 on the Tax Assessment Map of the Town of Rye for the tax assessment years 2009 through 2014; and

WHEREAS, these proceedings are on the trial calendar in the Westchester Supreme Court with a scheduling order; and

WHEREAS, the Town's special counsel has made a presentation to the Board with regard to a potential settlement; and

WHEREAS, a follow-up meeting took place among staff for the Town, Village and Port Chester School District on the need for greater cooperation among the affected taxing jurisdictions in tax certiorari cases; and

WHEREAS, the Board believes that an independent appraisal should be obtained in this matter. Now, therefore, be it

RESOLVED, that the Mayor on behalf of the Board of Trustees be authorized to forward correspondence to the Rye Town Supervisor suggesting that the Town retain an independent appraisal to assist in the resolution of the tax certiorari proceedings brought by C.S. Goodfriend & Co. and Hillside Properties with regard to properties located at 13 and 23 Riverdale Avenue.

Approved as to Form:

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

### **ROLL CALL**

**AYES:** Trustees Terenzi, Brakewood, Marino and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Kenner, Ceccarelli and Adams.

**DATE:** June 30, 2015

At 8:52 p.m., on motion of TRUSTEE TERENZI, seconded by TRUSTEE MARINO, the meeting was closed.

**ROLL CALL**

**AYES:** Trustees Terenzi, Brakewood, Marino and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Kenner, Ceccarelli and Adams.

**DATE:** June 30, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk

## **MEETING HELD JULY 6th, 2015**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, July 6<sup>th</sup>, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

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

It should be noted that Trustee Kenner arrived at 6:30 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 6:26 p.n.); Chief of Police, Richard Conway; Village Engineer, Dolph Rotfeld (arrived at 6:52 p.n.); Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jessica Youngblood (arrived at 6:47 p.n.) and Ed Brancati, Human Resources.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS the meeting was declared opened at 6:03 p.m.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** July 6, 2015

### **MOTION FOR EXECUTIVE SESSION**

At 6:04 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, the Board adjourned into an executive session for the purpose of interview of Dr. Peter Feinman regarding the possible appointment as the Historian for the Village of Port Chester.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** July 6, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager and Ed Brancati, Human Resources.

No action was taken in executive session.

At 6:24 p.m., a motion to come out of executive session was made by TRUSTEE TERENCE, seconded by TRUSTEE BRAKEWOOD, the Board of Trustees closed the executive session.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** July 6, 2015

## **AWARD PRESENTATION**

The winners of the Village of Port Chester Beautification Commission essay contest were presented by Mayor Pilla.

**1st Place** - Judith Castillo

**2nd Place** - Maryn McFadden

**3rd Place** - Isabella Oberdorster

**4th Place** - Alan Juarez

**5<sup>TH</sup> Place** - Caelyn Matturro

## **PUBLIC COMMENTS**

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

Comments were made by:

Mr. Del Bianco commented on the Beautification Commission's letter to allow signs on two traffic islands to recognize the landscapers for their work. John Zicca started this project years ago. Mayor Pilla said we should open up this adopt-an-island to allow for landscapers to contribute.

Ms. Goldie Solomon thanked all who attended the Independence Day celebration. She thanked Neri's for the firework, and others who worked on this event.

Ms. Beatrice Conetta commented on the completion of the plans for the dog park and for working on the bulkhead and alternatives for the municipal center. She had a discussion with Peter Miley regarding Amnesty. Ms. Conetta spoke on the voting. It should be one vote, one person. We are being overtaxed, our assessments were raised by the Town of Rye. Village Manager Steers commented it is important that we have these dialogues. The permit fees have always been there. The amnesty program has saved the people who participated in the process about \$1.2MM in fees (about 800 people).

Mr. Brian Morlino commented on the Marina. There are people throwing lit cigarettes over the dock, people running on the docks, beer bottles tossed and cleaning fish on the dock. The fence

is never locked. The boat had been broken into. Also, others use the marina parking and it is not possible to find a space.

Mr. Richard Abel commented on the Marina and security cameras. He spoke on a letter from Vincent Cassara regarding shoddy work at the Port Chester Yacht Club. He commented on the Pruvian Festival to be held on August 2<sup>nd</sup>. G&S has given permission for it to be in the parking lot.

Mr. Steve Schenartz commented on the municipal center. He provided pictures. If you purchase the property next door you could use that as the police department and take down the present police station and make it into a Village Hall.

## **PRESENTATION**

### ***Bulkhead***

- ***McLaren Engineering Group***
- ***Boswell Engineering***

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

### ***NDC regarding the findings of their investigation of the proposed Irving/Poningo project.***

Dan Marsh of NDC commented on the discussion of options relating to the programming and to the design of the new court and police facility. The partnership team decided that we go back over a program that overlays the JCJ study and the programming that STV did, which is essentially a new court and police facility. That facility could possibly be located next store and you would remain in residence at the present site until the completion; and then move over. That is an expensive option. We looked at other ways to do a less costly option. We suggested putting together a schematic design using more of an in-place analysis of what the police are doing here and allows for a budget that allows you to have a functional facility compliant with state and local laws. The options we proposed included two scenarios – the first is using the existing program and designing a block layout of a new facility adjacent to this facility. The second option is a substantial rehabilitation. It would be looking at the physical layout of this building and the land in back of this building. We proposed a \$25,000 fee for that. This would be for both proposals. We will provide those two plus the proposed Irving/Poningo project to be considered. What would be missing from this estimate would be the Village Offices that would be located at Irving and Poningo, and about 16,000 sq. ft. of what we call private space (ground floor retail and some office space). At Irving Avenue we looked at an estimate for acquiring the property. Here we have not looked at the price of acquiring adjacent property nor can we estimate the cost if you had to move out of this building. We will get you a good price estimate of what the costs will be. The only difference in this proposal is that in option 2 if you didn't make a decision to go with one of the three there was an additional cost overlay for analyzing two options at the same time.

## **RESOLUTION**

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, 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 competed 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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**ROLL CALL**

**AYES:** Trustees Brakewood, Marino, Adams and Mayor Pilla

**NOES:** Trustees Terenzi, Kenner and Ceccarelli.

**ABSENT:** None.

**DATE:** July 6, 2015

## **RESOLUTIONS**

### **RESOLUTION #1**

#### **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 BRAKEWOOD, seconded by TRUSTEE ADAMS, 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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015.

**RESOLUTION #2**

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

On the motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, 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:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015.

**RESOLUTION #3**

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

On the motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, 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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015.

**RESOLUTION #4**

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

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

*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

**ROLL CALL**

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

**NOES:** Trustee Terenzi.

**ABSENT:** None.

**DATE:** July 6, 2015.

**RESOLUTION #5**

**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 CECCARELLI, seconded by TRUSTEE MARINO, 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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015.

**RESOLUTION #6**

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

On the motion of TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD, 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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015.

**RESOLUTION #7**

**SELECTING THE FINALIST 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 ADAMS, seconded by TRUSTEE BRAKEWOOD, 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 Boswell Engineering and directs the Village Manager to negotiate a contract with them, pursuant to the terms of the New York State DOS grants, for a 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:

\_\_\_\_\_

Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015

## **RESOLUTION #8**

### **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 10:47 P.M. (Prevailing Time), at which meeting a quorum was at all times present and acting. There were:



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

ABSENT: None

ALSO PRESENT: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 6:26 p.n.); Chief of Police, Richard Conway; Village Engineer, Dolph Rotfeld (arrived at 6:52 p.n.); Christopher Ameigh Administrative Aide to the Village Manager; Village Planner Jesica Youngblood (arrived at 6:47 p.n.) and Ed Brancati, Human Resources.

\* \* \* \* \*

Trustee CECCARELLI submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee MARINO. The Board of Trustees of the Village was polled. The motion was adopted by a vote of seven (7) affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with none (0) negative votes and none (0) votes absent.

## **RESOLUTION #9**

### **AWARDING BID FOR ROAD RESURFACING 2015**

On motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, 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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015.

**RESOLUTION #10**

RESOLUTION  
AGREEMENTS FOR SENIOR CITIZENS PROGRAMS

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

WHEREAS, the Village 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:

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

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015.

### **DISCUSSIONS**

Mayor Pilla commented that he and Village Attorney Cerreto had discussions with the DOJ regarding changing the Village Trustee elections to November, the impact of early voting and what happens after the consent decree expiration in 2016. Regarding moving the election to November, New York State allows the Village to change the date to November. DOJ would be interested to consider it. If we move it to Election Day there would be an impact to Early Voting. Regarding the County running our election, if we were to move the election to Election Day, the County is the only entity under New York State Law that shall run the election. So, we would get greater voter turnout and we would be more able to get the County to run the election and do the cumulative voting. The trend is for Villages to move from March to November.

### **CORRESPONDENCES**

*From the Park Commission regarding the closing of Ryan Avenue on August 8, 2015 for Unity Day.*

The Board referred the correspondence to staff without objection.

*From former Mayor Neil J. Pagano resigning as a member of the Port Chester Industrial Development Agency and Port Chester Local Development Corporation.*

The Board acknowledged the resignation.

***From the Beautification Commission regarding signage in Village traffic islands.***

The Board referred the correspondence to staff without objection.

***From the Traffic Commission regarding parking changes***

The Board referred the correspondence to staff without objection.

***From the Traffic Commission regarding the traffic problems on Parkway Drive.***

The Board referred the correspondence to staff without objection.

***From Vincent Cassara regarding Port Chester Yacht Club.***

The Board referred the correspondence to Village Manager without objection.

**PUBLIC COMMENTS AND BOARD COMMENTS**

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

No comments were made by the public.

***Board***

Trustee Terenzi commented on the resignation of former Mayor Pagano from the IDA. Mr. Terenzi is interesting in serving on the IDA.

Trustee Ceccarelli commented he would like to know the status on the zombie properties.

Trustee Marino commented he would like to know where we are in regard to the Marshalls and the police auxiliary. He asked where we stand on the sidewalk program.

Trustee Adams commented about the grilling in the park. Chris Ameigh commented that the Park Commission made the decision to expand their locations to Abendroth and to Columbus to replace the ones that were beyond useful. Chris Ameigh will give an update. Trustee Adams commented he would like people to be able to bring their own grills. He thanked the EMTs for their good work when needed for a family member. He congratulated Mayor Pilla on becoming a grandfather.

Mayor Pilla commented that tonight was very productive. He commented that Boswell was selected for the Bulkhead. He commented on parking signage on Main Street is almost non-existent.

**Motion to Add-On a Resolution**

Mayor Pilla asked for a motion to add on resolution authorizing letter to the New York Governor requesting his approval of a Port Chester hotel tax bill.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the motion received a unanimous vote of those present.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015

**RESOLUTION (ADD-ON)  
AUTHORIZING LETTER TO THE NEW YORK GOVERNOR REQUESTING HIS  
APPROVAL OF A PORT CHESTER HOTEL TAX BILL**

On the motion of TRUSTEE CECCARELLI, seconded by TRUSTEE BRAKEWOOD, 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 requested through our New York State Legislature representatives, State Assemblyman Steve Otis, and State Senator George Latimer, pursuant to New York State Home Rule authority, that Port Chester be granted special state home rule legislation for a local hotel tax; and,

WHEREAS, State Assemblyman Otis and State Senator Latimer have sponsored such Port Chester Home Rule legislation for a local Port Chester Hotel Tax,

WHEREAS, the New York State Assembly and Senate have approved a special Home Rule legislation bill for a Port Chester Hotel Tax, and that such legislation now awaits New York State Governor Andrew Cuomo's approval. Now THEREFORE, it is hereby

RESOLVED, that the Board of Trustees authorizes the Mayor to submit a letter to New York Governor Andrew Cuomo, on behalf of the Board of Trustees, in support of the Port Chester hotel tax bill, and requesting the Governor's approval.

Approved as to Form:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** July 6, 2015.

**MOTION FOR EXECUTIVE SESSION (continues)**

At 11:28 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, the Board adjourned into an executive session regarding a particular person in Planning and Development Department and a particular person in the Engineering Department.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015

Also present were: Village Manager, Christopher Steers and Ed Brancati, Human Resources.

No action was taken in executive session.

At 11:40 p.m., a motion to come out of executive session was made by TRUSTEE TERENCE, seconded by TRUSTEE BRAKEWOOD, the Board of Trustees closed the executive session.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015

At 11:41 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD, the meeting was closed.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** July 6, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk

## **MEETING HELD JULY 20TH, 2015**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, July 20th, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla, were Trustees Daniel Brakewood, Gene Ceccarelli, and Gregory Adams.

It should be noted that Trustees Saverio Terenzi and Joseph Kenner were absent.

It should be noted that Trustee Brakewood arrived at 6:04 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager; Assistant Director of Planning & Development Jessica Youngblood; Ed Brancati, Human Resources; Edward Quinn, Village Fire Chief - Chief Engineer; Attorney Mark A. Chertok and Senior Planner Peter Feroe.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the meeting was declared opened at 6:03 p.m.

### **ROLL CALL**

**AYES:** Trustees, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi, Brakewood and Kenner.

**DATE:** July 20, 2015

### **MOTION FOR EXECUTIVE SESSION**

At 6:04 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board adjourned into an executive session for the following purpose:

- 1) *Regarding an appointment of particular person(s) as Marshal.*
- 2) *Regarding an appointment of particular person(s) as Police Officer to Port Chester Police Department.*
- 3) *Consultation with special council regarding United Hospital Redevelopment preliminary Draft Environmental Impact Statement.*

### **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015



Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager; Assistant Director of Planning & Development Jessica Youngblood (only #3); Ed Brancati, Human Resources; Edward Quinn, Village Fire Chief - Chief Engineer; Attorney Mark A. Chertok (only #3) and Senior Planner Peter Feroe (only #3).

No action was taken in executive session.

At 7:12 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the Board of Trustees closed the executive session.

## **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

## **AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:**

*Public hearing to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 "Zoning" that would: update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses, create a new C1M Neighborhood Retail – Medical Zoning District with changes to the Schedule of Use Regulations, and amend the Official Zoning Map to provide for the zoning designation of certain properties currently in the C1 Neighborhood Retail District to be changed to the new C1M District.*

The following Public Notices were duly published in the Journal News and the Westmore News on June 19, certified by Angelina Brescia, Office Manager of the Westmore News

## **PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, July 20, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 "Zoning" that would: update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses, create a new C1M Neighborhood Retail – Medical Zoning District (C1M District) with changes to the Schedule of Use Regulations, and amend the Official Zoning Map to provide for the zoning designation of certain properties currently in the C1 Neighborhood Retail District to be changed to the new C1M District, as follows:

<u>Address</u>	<u>Section/Block/Lot</u>
200 Westchester Avenue	142.22-1-1
204-210 Westchester Avenue	142.22-1-2
216 Westchester Avenue	142.22-1-5
220 Westchester Avenue	142.22-1-6
232 Westchester Avenue	142.22-1-7
238 Westchester Avenue	142.22-1-8
235 Westchester Avenue	142.22-1-22
Irving Avenue	142.22-1-23
227 Westchester Avenue	142.22-1-24
223-225 Westchester Avenue	142.22-1-25
219 Westchester Avenue	142.22-1-26
211-217 Westchester Avenue	142.22-1-27
Westchester Avenue	142.22-1-28
200 Irving Avenue	142.22-1-29
204 Irving Avenue	142.22-1-30
206 Irving Avenue	142.22-1-31
214 Irving Avenue	142.22-1-32
220 Irving Avenue	142.22-1-33
227 Irving Avenue	142.22-1-35
233 Irving Avenue	142.22-1-36
211 Irving Avenue	142.22-1-37
199 Irving Avenue	142.22-1-38
26 Poningo Street	142.22-1-39

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: July 19, 2015

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the public hearing was declared reopen.

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

***Public Comments***

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

Comments were made by:

Ms. Goldie Solomon commented if you are going to give specials to medical offices I hope you are not taking away parking from people who live there. Before you consider a medical office you have to consider the residents. You better make sure it does not raise our taxes.

Anthony R. Tirone, Esq. commented that this notice failed to include the normal requirements that would be put in place for this use. It is not only poorly conceived and should be denied in total. There are no restrictions contained herein. Don't degrade your existing C1 retail. You are degrading the properties around the new dental/medical district.

Bernard A Edelstein, Esq. commented on behalf of the existing practice at 220 Westchester Avenue. There are two applicants before the Board. A doctor or dentist does not degrade the neighborhood. These are not clinics.

Mr. Ravikoff commented that he agrees with the comments of Attorney Tirone. We are looking at a whole zone. If you look at the proposal there are some businesses that do not belong. There has to be some logic with this regarding parking.

Gregg Gregory, Chairman Planning Commission, commented that the Planning Commission worked diligently at this proposal and we are very much behind it. This is the trend of health care in the 21<sup>st</sup> Century. There is no negative impact in the C1M district.

Mr. Chris Pierro commented on the need for medical uses. We have an overcrowding problem in the neighborhood. Let the doctors and dentists come in and people in the neighborhood may improve their homes.

Dr. Mark Arnel commented he owns a property in the proposed zone. He supports the change. This is a licensed profession. Medical practices enhance the neighborhood. He strongly supports this change.

Mr. Ravikoff commented that we have a lot of parcels in the neighborhood that are doing well. This is not ready to be passed tonight.

Anthony R. Tirone, Esq. commented that there are zero restrictions with this. The Board should look at the existing medical and dental uses. You have eight zones that allow this.

Dr. Arnel commented that this has been promulgated for myself and one other person and he would like to clarify that. If you can open a medical or dental office, clearly you have to be licensed.

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the public hearing was adjourned to the August 17, 2015 meeting.

## **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

*Public hearing to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 283, Streets and Sidewalks, clarifying and codifying the obligations of property owners and other responsible parties with regard to the adjoining or contiguous public sidewalk.*

The following Public Notices were duly published in the Journal News and the Westmore News on June 19, certified by Angelina Brescia, Office Manager of the Westmore News

## **PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on July 20, 2015 at 7:00 p.m., or as soon thereafter, at the Police Headquarters/Justice Court Courtroom, 350 North Main Street, Port Chester, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 283, Streets and Sidewalks, clarifying and codifying the obligations of property owners and other responsible parties with regard to the adjoining or contiguous public sidewalk.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: June 19, 2015

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the public hearing was declared reopen.

## **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

## *Public Comments*

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

Comments were made by:

Ms. Goldie Solomon commented on clarification of the grassy area between the sidewalk and curb.

Mr. Richard Abel commented on the height of the grass. 10 inches is the state code.

Mr. Chris Pierro commented on University Place. They have done a magnificent job in redoing the sidewalk.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the public hearing was closed.

## **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

## **Adoption of Local Law No. 7 of 2015**

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 283, STREETS AND SIDEWALKS, CLARIFYING AND CODIFYING THE OBLIGATIONS OF PROPERTY OWNERS AND OTHER RESPONSIBLE PARTIES WITH REGARD TO THE ADJOINING OR CONTIGUOUS PUBLIC SIDEWALK

SECTION 1: The purpose and intent of this local law is to clarify the responsibility of property owners and other responsible parties with regard to the adjoining or contiguous public sidewalks. Historically, it has been understood that sidewalks to not only include the physical sidewalk, but also the maintenance of the area between the sidewalk and the curb. The local law will confirm and codify such long-standing administrative interpretation so as to eliminate any potential issue of enforcement

SECTION 2: The Code of the Village of Port Chester, Chapter 283- "Streets and Sidewalks", Article V, Section 283-30, is hereby amended as follows:

Section 283-30. Duty of making repairs

A. It shall be the duty of the owner to keep the public sidewalk in front of or adjoining the premises, which shall be deemed to include that area between the established curblines and the private property property line, at all times in good repair and in a safe condition and free from all obstructions and encumbrances.

...

SECTION 2: The Code of the Village of Port Chester, Chapter 283, "Streets and Sidewalks", Article VI, Section 283-32, is hereby amended as follows:

Section 283-32 Cleaning and maintaining sidewalks.

- A. The owner, lessee or occupant of any premises shall keep the contiguous public sidewalks free from dirt, filth, weeds and other obstructions or encumbrances, maintain and cut grass in the area between the established curblines and the private property line to a height of no more than ten inches and shall cause such sidewalks to be cleared of snow and ice within 24 hours after such snowfall has ceased or ice has formed. If the owner, lessee or occupancy shall so fail to clear the said sidewalks after due notice is given, the Village Manager or his designee may direct village forces or an independent contractor to do so and the cost and the expense of same, if not paid within 30 days of receipt of the bill therefor, shall become a lien upon the property.

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

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE BRAKEWOOD, the Local Law No. 7 of 2015 was adopted by the Board of Trustees of the Village of Port Chester, New York.

## **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

## **PUBLIC COMMENTS**

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

Comments were made by:

Ms. Goldie Solomon thanked the Board of Trustees for the firemen, police, EMTs and DPW. We need your help on the D.A.R.E. program. Alcohol and drugs are a horror story and you should get back to the schools to reinstate this program. There are signs at Lyon Park and people are still bringing dogs, leashed and unleashed. When you sign off on something, make sure the taxpayers are not hurt.

Mr. Richard Hyman commented on the resolution declaring the Starwood DEIS complete. This needs to be accurate. There are several facts in the DEIS that are not accurate. He read from the UH Housing Corporation. Since it was built before 1974 Starwood cannot displace the residents of 999 High Street. We need affordable housing.

Mr. Bart Didden commented on the appointment of Trustee Terenzi to the IDA and LDC. That could be the worst appointment this Board has ever considered. G&S knocked out every minority business in the lower downtown area. We don't know if G&S is in default of their agreement, and Trustee Terenzi defends them. You need someone on the board who is going to

read the G&S agreement. The marina parking lot should be taken back because all the property around it requires that parking lot to be accessible.

Mr. Ken Allein, a Kohl's employee, commented on booting and towing. There are illegal booters. ABC Towing Company asked him to pay \$700 for a car towed from the Kohl's parking lot.

Ms. Kristen Wilson of the City of Rye, commented on the resolution for the DEIS. Her request is to hold the public hearing until September so that residents who are away can have time to review a very lengthy document.

Mr. Frank Ferrara, Chairman IDA, commented on the IDA vacancy by the resignation of Neil Pagano. At the time of the last vacancy we had a highly qualified woman who was not given an interview. We should call her because of I believe she would benefit the public. We need as many private citizens on the board as possible.

Ms. Beatrice Conetta commented she is happy to know the Board is discussing putting a light on King and Betsy Brown. The Amnesty program is hurting the people of Port Chester. You cannot do anything in your home without getting a permit from the building department. Our assessments have gone up again.

Mr. Ben Bennett made the following statement:

“Good evening. My name is Ben Bennett

“I'm here tonight on behalf of Build Up NYC. We are an alliance of more than 200,000 working men and women in the construction, building services and hospitality industries. Together we advocate for safe, good jobs and responsible development that strengthens our communities. We represent more than 200 men and women living in Port Chester.

“We understand that you are voting tonight on the completeness of Starwood Capital Group's DEIS for the United Hospital site. No matter how you vote on the DEIS, we're here tonight to ask you not to approve Starwood's proposal for the site.

“We understand that Starwood has proposed a community benefits package with funding for a series of upgrades to public spaces in the village. But we feel this is insufficient given the serious impacts this project could have on Port Chester.

“Because Starwood wants to tear down the apartments at 999 High Street, this development would cost Port Chester 133 affordable units. This comes at a time when our County faces ongoing problems because its lack of affordable housing. We are concerned about the effect this loss of affordable housing could have on our community. We have to keep Port Chester affordable for working families.

“We also worry about the impact on our schools. One way Starwood proposes rezoning the site is by creating a new zoning district that covers an area much larger than the site where Starwood's project would be. This could lead to residential development in addition to Starwood's project. More residential units often mean more children in our schools, which are already overcrowded. We're not anti-development, but we know that development must be done responsibly, and that includes making sure that there are no harmful effects on the education of

our children. How can Starwood be sure that its revised proposal will actually minimize the number of school children from this project?

“Responsible development also must create good jobs and business opportunities for those of us in the community. Good jobs should be safe jobs. Construction is a dangerous industry.

“This is very important to our members. Maintaining high safety standards like adequate safety training can literally be a matter of life and death.

“It is especially important that any developer at the hospital site maintain high safety standards because of the presence of hazardous substances like medical waste and asbestos at the existing buildings.

“Unfortunately, Starwood has not always made sure that vital safety measures are always in place at its projects. There have been health and safety issues on a number of Starwood developments in NYC. One example is the hotel-condo project that Starwood is building with Toll Brothers Inc. inside Brooklyn Bridge Park. This development has faced multiple accidents, worker injuries, lawsuits, New York City Department of Buildings violations and Stop Work Orders. And contractors at other Starwood projects in NYC have been cited for serious OSHA violations.

“As one of the largest private equity real estate investors in the country, Starwood can and should make sure that its properties are developed responsibly. In this instance, that means fully addressing serious community concerns about affordable housing and school overcrowding as well as committing to creating good, safe jobs paying area standard wages and benefits.

“Until Starwood takes these actions and proves that it wants to be a responsible neighbor in the Port Chester community, I urge you to vote against any rezoning of the United Hospital site.

Thank you for considering my concerns.”

Mr. Richard Abel commented on the resolution for Trustee Terenzi. It should include his street address to be consistent. Regarding the correspondence, do tenants of the Village have to take out permits to do renovations on buildings owned by the Village of Port Chester, i.e. the improvements at the Yacht Club. Village Manager Steers replied that yes, they do; but we have to review the process.

Mr. Tirone commented on the Capitol Theater and booting and towing. There are a number of private entrepreneurs who are extorting money from people patronizing the Village establishments. Regarding the filming permit ordinance and change request. The Capitol Theater has been approached regarding filming of production films and educational films. The current statutory scheme within the Village Code is limited in time and applicability. We would like the Board to consider changing the current contents of that code.

## **RESOLUTIONS**

### **RESOLUTION #1**

#### **ADOPTION OF COMMENT ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT WITH REGARD TO THE PROPOSED ACTION OF PC406 BPR, LLC and PC 999 HIGH STREET CORP.**



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

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

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

**WHEREAS**, the Village Board is the designated Lead Agency under the State Environmental Quality Review (SEQR) Act of the State of New York; and

**WHEREAS**, the Village Board determined that the Proposed Action is a Type I Action pursuant to the SEQR and the regulations at 6 NYCRR Part 617 and issued a Positive Declaration that the Proposed Action may have a significant impact on the environment, and required the Applicant to prepare an Environmental Impact Statement (EIS); and

**WHEREAS**, the Applicant had submitted a proposed Scoping Outline for the Draft EIS (DEIS), which was circulated for public review and comment and was the subject of a public scoping session; and

**WHEREAS**, the Village Board adopted a Final Draft EIS Scoping Outline on August 18, 2014; and

**WHEREAS**, the Applicant submitted a preliminary DEIS (pDEIS) on December 31, 2014 to the Village Clerk; and

**WHEREAS**, the Village Board, after considering the Completeness Memorandum, dated January 28 2015, prepared by the Village Board’s independent consultants retained, inter alia, to review the revised pDEIS, determined by Resolution adopted on February 17, 2015, that such pDEIS was not adequate with respect to its scope and content for the purpose of commencing public review; and

**WHEREAS**, the Applicant submitted a revised pDEIS on April 21, 2015 to the Village Clerk;

**WHEREAS**, the Village Board, after considering the Completeness Memorandum of the pDEIS by its independent consultants, dated June 10, 2015, determined by Resolution adopted on June 15, 2015, that such pDEIS was not adequate with respect to its scope and content for the purpose of commencing public review; and

**WHEREAS**, the Applicant submitted a revised pDEIS to the Village Board's independent consultants between June 23 and June 25, 2015; and

**WHEREAS**, the Village Board's independent consultants provided a draft completeness memorandum, dated June 28, 2015 to the Applicant; and

**WHEREAS**, the Applicant submitted a revised pDEIS to the Village and its consultants and to the Village Clerk on July 1, 2015; and

**WHEREAS**, the Village Board's independent consultants provided the Village Board with a Completeness Memorandum, dated July 8, 2015; and

**WHEREAS**, the Applicant submitted a revised pDEIS to the Village and its consultants and to the Village Clerk on July 14, 2015; and

**WHEREAS**, the Village Board's independent consultants provided the Village Board with a Completeness Memorandum, dated July 16, 2015, and annexed hereto as Exhibit A, which recommended that the DEIS be accepted as adequate with respect to its scope and content for the purpose of commencing public review; and

**WHEREAS**, the Village Board has carefully considered the revised pDEIS submitted on July 14, 2015 and the Completeness Memorandum dated July 16, 2015, additional input from its consultants regarding the description of the traffic in Chapter III.L relating to the proposed Overlay District, and the exchange of correspondence in May 2015 between the Applicant and the New York State Division of Housing and Community Renewal with regard to the status of the tenancies at 999 High Street.

**NOW THEREFORE BE IT RESOLVED THAT,**

1. The Village Board hereby adopts the July 16, 2015, Completeness Memorandum annexed hereto as Exhibit A.
2. The Village Board directs that the pDEIS be amended to add the language on Attachment A hereto and that the May 2015 correspondence referenced above be included as an Appendix to the DEIS.
3. The Village Board hereby finds that the DEIS submitted on July 14, 2015, with the inclusion of the language in Attachment A, is adequate with respect to its scope and content for the purpose of commencing public review, and is therefore accepted for aforesaid purpose.
4. The Village Board hereby determines that it will hold a combined public hearing on the DEIS and the Proposed Zoning Amendments (the proposed zoning text and map amendments to the Village Code, Chapter 345 relating to a proposed Southern Gateway Mixed Use Overlay District, and

on the alternative text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62) (the “Combined Public Hearing”), on August 27, 2015, which hearing will be held at The Village Courtroom, 350 North Main Street, Port Chester, NY, and which hearing shall be continued on September 8, 2015 at the same location.

5. The period for public comment on the DEIS and the proposed zoning amendment for the Proposed Action shall terminate on September 25, 2015, unless extended by the Village Board.
6. The Village Clerk is hereby directed to undertake or have undertaken, as appropriate, the following:
  - a. Prepare and file all notices required by 6 NYCRR 617.12, including a notice of completion of the DEIS;
  - b. Circulate the DEIS to all involved and interested agencies and individual for review and comment in accordance with 6 NYCRR 617.12;
  - c. Prepare and file a notice of the Combined Public Hearing in accordance with 6 NYCRR 617.12 and Sections 345-34 and 345-110 of the Village Zoning Code (including notice to the Westchester County Planning Board), which notice shall be published at least 14 days in advance of the public hearing in the Westmore News newspaper;
  - d. File and distribute the DEIS in accordance with 6 NYCRR 617.12(b), including distribution of two copies of the DEIS to the Port Chester-Rye Brook Library and one copy of the DEIS in the Village Clerk’s Office, 222 Grace Church Street, Port Chester, NY;
  - e. Add the DEIS to the Village website; and
  - f. Refer the Applicant’s Proposed Zoning Amendments to the Village of Port Chester Planning Commission for a report thereon, pursuant to Section 345-34.D of the Village of Port Chester Zoning Code.
  - g. Refer to Applicant’s Proposed Zoning Amendments to the Westchester County Planning Department for a report thereon, pursuant to Section 345-34.H of the Village of Port Chester Zoning Code.
  - h. Take any other steps required by SEQR and the Village Zoning Code to effectuate acceptance and circulation of the DEIS and notice for the Combined Public Hearing and for public review and comment on the DEIS and the proposed zoning amendments for the Proposed Action.

Approved as to form:

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Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

Attachment A to Board of Trustees Resolution of July 20, 2015

The text on pages II-12 and III.F-39 to 40 of the July 14, 2015 DEIS is hereby modified by the addition of the bolded language below:

All buildings on the Project Site are slated to be demolished. It is noted that 41 units of the 133-unit building known as 999 High Street are currently occupied. 999 High Street was built and always maintained as workforce housing for the former United Hospital. As such, the building is subject to Article 2 of the Private Housing Finance Law of the State of New York commonly referred to as the Mitchell-Lama law. Compliance with the Mitchell-Lama is regulated by the New York State Division of Housing and Community Renewal (the "DHCR").... After the 41 occupied units are vacated and prior to demolition of the 999 High Street building, the Applicant is required to and will file for a request from DHCR to dissolve the Mitchell Lama housing corporation, a process that begins with the filing of a "notice of intent" and typically takes up to a year to complete. The Applicant asserts that it was not required to obtain any preapproval from the DHCR or complete the dissolution of the Mitchell Lama housing corporation as a condition to serve the formal notices to quit. **The DHCR has opined that the Applicant cannot terminate the tenancies based on their lack of continued affiliation with the former United Hospital Housing Corp. (although the agency did not address the validity of the Applicant's service of notices to quit), but has acknowledged that the Applicant could seek eviction after dissolution of the housing corporation based on planned demolition of the building. The DHCR and the Applicant disagree about the timing to commence eviction proceedings; however, both the DHCR and the Applicant agree that, if there are tenants in the building at the time of dissolution of the housing corporation, those tenants would be subject to the Emergency Tenant Protection Act. Thus, regardless of this disagreement regarding the timing of termination of tenancies, the Applicant and DHCR concur that there is a procedure for the Applicant to seek to terminate the tenancies and demolish the building.**

The Colum headings in Tables LLL.L-5 and III.L-6 need to be updated. "Proj. Imp" should be changed to "Kohl's Development" in both tables.

**RESOLUTION #2**

REQUESTING THAT THE NEW YORK DEPARTMENT OF TRANSPORTATION STUDY THE POTENTIAL INSTALLATION OF A TRAFFIC SIGNAL AT BETSY BROWN ROAD AND KING STREET

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

WHEREAS, King Street above Putnam Avenue is a state highway (Route 120); and

WHEREAS, the intersection of King Street and Betsy Brown Road has been a source of concern; and

WHEREAS, the Village of Rye Brook has recently requested that the State Department of Transportation study the potential installation of a traffic signal at the intersection of Comly Avenue and King Street; and

WHEREAS, it would appear an opportune time for the State to study both the Betsy Brown Road and Comly Avenue intersections with King Street. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby requests that the New York Department of Transportation study the potential installation of a traffic signal at the intersection of Betsy Brown Road and King Street.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

## **RESOLUTION #3**

### **AUTHORIZING PAYMENT FOR TAXES OVERPAID FOLLOWING AN ADMINISTRATIVE CORRECTION OF ERRORS PROCESS UNDER STATE REAL PROPERTY TAX LAW**

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

WHEREAS, pursuant to the State Real Property Tax Law (RPTL), Robert Riehl, owner of property located at 134 Fairview Avenue, Section 135.76-, Block 3, Lot 8 on the Tax Map of the Town of Rye, made application for refund and credit for the 2012, 2103 and 2014 Tax Years; on the ground that the disability rating made by the Town was not correct; and

WHEREAS, in correspondence dated October 23, 2014 from Mary Beth Murphy, Executive Director of the Westchester County Tax Commission, the County found that a clerical error was made and that the application should be approved pursuant RPTL Section 550.2(b); and

WHEREAS, the Board accepts the County Commission's findings so as to properly rectify this matter. Now, therefore, be it

RESOLVED, that the Village Treasurer be and is hereby authorized to make payment to Robert Reihl, owner of 134 Fairview Avenue, Port Chester, Section 135.76, Block 3, Lot 8 on the Tax Map of the Town of Rye, in the amount of \$899.05, for taxes overpaid following an administrative correction of errors process through the Westchester County Tax Commission, payment to be made from FY 2014-15 General Fund budget line as follows

1.1.1001	Real Property Taxes	\$283.86
1.190.480	Refunds of Real Property Tax.	\$615.19

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

### **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

### **RESOLUTION #4**

#### **APPOINTMENT OF MEMBER TO IDA – LDC (TABLED)**

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

### **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

RESOLVED, that TRUSTEE SAVERIO TERENCE, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester Industrial Development Agency (PCIDA) to fill the seat previously held by former Mayor Neil Pagano; and

BE IT FURTHER RESOLVED, that TRUSTEE SAVERIO TERENCE, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester Local Development Corporation (LDC) to fill the seat previously held by former Mayor Neil Pagano.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

Mayor Pilla asked for a motion to combine resolution 5, 6 and 7 of the agenda for the purpose of casting one vote for all of the combine resolutions. There being no objections, on motion of Trustee MARINO, seconded by Trustee CECCARELLI, the motion was accepted by the Board of Trustees of the Village of Port Chester, New York.

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #5**

**REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, that FRANK ERRIGO, residing at 85 Birch Street, Port Chester, New York, be and he hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2018.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #6**

**REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, that JANICE KUNICKI, residing at 99 Birch Street, Port Chester, New York, be and she hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2018.

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #7**

**REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, that KIM MORABITO, residing at 14 W. Glen Avenue, Port Chester, New York, be and she hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2018.

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #8**

**SENIOR NUTRITION PROGRAM**

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

RESOLVED, that the Village Manager is authorized to sign the New York State Office for the Aging Certification Pursuant to Part I of Chapter 60 of the Laws of 2014. The funding provided to the above named organization pursuant to Part I of Chapter 60 for the period beginning January 1, 2015 will be or was used solely to provide salary increases and salary-related fringe benefit increases for direct care staff and direct support professionals.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney



## **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

## **RESOLUTION #9**

### **AWARDING BID FOR MORTIMER STREET DRAINAGE/SEWER IMPROVEMENTS**

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

WHEREAS, the Village of Port Chester has advertised for bids for the Mortimer Street Drainage/Sewer Improvements Project (Bid No. 2015-06); and

WHEREAS, the Village received seven 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 Legacy Supply LLC, Valhalla, New York in the amount of \$127,425.00 which meets all the specifications as set forth in the bid documents. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for the Mortimer Street Drainage/Sewer Improvements Project to Legacy Supply LLC, 14 Railroad Avenue, Valhalla, New York 10595; 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 make payment from the Sewer Improvement project 5.8120.400.2013.135 in the Capital Fund.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

## **RESOLUTION #10**

### **AWARDING BID FOR FENCING FOR DOG RUN IN ABENDROTH PARK**

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

WHEREAS, the Board has previously acknowledged a \$25,000 gift from the Port Chester Dog Park Group and an additional \$25,0000 gift from the Port Chester Dog Park Group and PetSafe subject to the terms of the PetSafe contest rules to defray the cost of the dog run; and

WHEREAS, Dog Park Capital Project 5.7110.400.2015.159 has been established for this project; and

WHEREAS, the Village of Port Chester has advertised for bids for fencing for the proposed dog run in Abendroth Park (Bid No. 2015-09); and

WHEREAS, with the release of an addendum to the bid package, the Village has commensurately extended the date for the opening of bids to July 27, 2015 and

WHEREAS, the Board desires that this matter be expedited so that construction can begin without delay. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to consider and make an award to the lowest responsible bidder with regard to the fencing for the dog run at Abendroth Park within the budgeted allocation for this project.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

### **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

### **DISCUSSIONS**

#### ***Booting and Towing Law follow up.***

Mayor Pilla has heard of a lot of problems. We need to put forth legislation to insure that towing and booting companies are licensed, insured and that properties show prior notice saying that violators will be booted and towed. The owner of the property must designate an agent, separate from the towing company, to be present when the towing happens. There are some pretty steep penalties for violators. Village Attorney Cerreto would like some guidance from the Board. He gave the Board replies he received from the towing companies. He would like to have a workshop before he puts it back into Local Law form. He can make some tweaks to the Law and

have it ready by the first or second August meeting. The industry needs to be regulated. If there is an overcharge, the owner of the booting or towing company has to make restitution back to the owner of the vehicle for the improper amount charged. Security guards are licensed by the state, but towing operators would be licensed locally. The Village controls the fee charged. We will use the same structure and fee used by the County.

Anthony Tirone questioned if there will be a public hearing on this. Attorney Cerreto said because of his concerns he will be glad to meet with him. Mayor Pilla said the public will be welcome at a workshop. Mr. Tirone commented posting a bond is important.

### ***Film permit ordinance change request.***

The Board has a sample film ordinance that was currently revised. There is a time restriction, but there are exceptions to that if approved by the Village Manager. Attorney Cerreto commented the objective is to make the flexibility that we need to make to encourage this in the Village. We can make an exception for the present to do off-hours timing and revise the code in the future. Attorney Cerreto commented that we also received a request to do filming at a local diner after hours. We had to reject that request because of the curfew requirement.

Anthony Tirone appreciated the exception change in the code. Since the filming is at the discretion of the Village Manager, would that also apply to a production plan? Village Manager Steers commented that either a production plan or an application would be appropriate. Mr. Steers replied a production plan would be preferred.

Attorney Cerreto commented we will bring back a Local Law.

### ***Village Marshals -Rules and Regulations***

The Board has had several discussions on Marshals and the Village can appoint up to four. The Village Attorney has drafted rules and regulations for Marshals. Their authority will fall under the jurisdiction of the Chief of Police. Marshals go out at the agents of the court, and when parties are serving suit against each other the marshals shall serve as an agent of the attorney. Marshals shall wear a uniform and display their badge only when discharging their duties. They will undergo training. They are not to carry fire arms in exercising their duty. Mayor Pilla asked the Board to add-on resolutions appointing three Marshals and a fourth add-on resolution that the Board does not appoint a fourth Marshal. The Police Chief should retrieve the badge and any other ID of the past Village Marshals.

### **Add-on Resolution**

Following the Discussion section of the meeting, Mayor Pilla asked for a motion to add-on four resolution to appoint Allen Carroll, Ernest Tigani and Scott Sprague as Village Marshals and not to appoint the forth.

There being no objection TRUSTEE MARINO, made a motion to add-on four resolutions, seconded by TRUSTEE ADAMS, the motion received a unanimous vote of those present.

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

Mayor Pilla asked for a motion to combine the four add-on resolutions for the purpose of casting one vote for all of the combine resolutions. There being no objections, on motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the motion was accepted by the Board of Trustees of the Village of Port Chester, New York.

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #11 (ADD-ON)**

**RE-APPOINTMENT OF VILLAGE MARSHAL #1**

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

RESOLVED, that Allen Carroll, residing in Port Chester New York be and hereby is re-appointed as Village Marshal, effective immediately with said term to expire 04/05/2016.

Approved as to Form:

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

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #12 (ADD-ON)**

**RE-APPOINTMENT OF VILLAGE MARSHAL #2**

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

RESOLVED, that Ernest Tigani, residing in Port Chester New York be and hereby is re-appointed as Village Marshal, effective immediately with said term to expire 04/05/2016.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #13 (ADD-ON)**

RE-APPOINTMENT OF VILLAGE MARSHAL #3

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

RESOLVED, that Scott Sprague, residing in Port Chester New York be and hereby is re-appointed as Village Marshal, effective immediately with said term to expire 04/05/2016.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #14 (ADD-ON)**

APPOINTMENT OF VILLAGE MARSHAL #4

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

RESOLVED, that the Board does not appoint a forth (4) Marshal; and be it

FURTHER RESOLVED, that the Chief of Police contacts previously appointed Marshals and retrieve their badge, IDs and any other Village Property.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

### **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

Following the appointment of the Marshals, Mayor Pilla asked for a motion to add-on three (3) additional resolution to appoint Nicholas P. Stella, Mark A. Morales and Kevin M. Monnelly as a police officer of the Village of Port Chester, New York

There being no objection TRUSTEE MARINO, made a motion to add-on the three (3) additional resolutions, seconded by TRUSTEE ADAMS, the motion received a unanimous vote of those present.

### **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

### **RESOLUTION #15 (ADD-ON)**

#### **CONDITIONAL OFFER OF EMPLOYMENT FOR POLICE OFFICER**

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

RESOLVED, that the Board of Trustees extends a conditional offer of employment to Nicholas P. Stella as a police officer of the Village of Port Chester, New York, with appointment to be effective upon approval of the Westchester County Department of Human Resources.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #16 (ADD-ON)**

**CONDITIONAL OFFER OF EMPLOYMENT FOR POLICE OFFICER**

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

RESOLVED, that the Board of Trustees extends a conditional offer of employment to Mark A. Morales as police officer of the Village of Port Chester, New York, with appointment to be effective August 3, 2015.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

**RESOLUTION #17 (ADD-ON)**

## CONDITIONAL OFFER OF EMPLOYMENT FOR POLICE OFFICER

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

RESOLVED, that the Board of Trustees extends a conditional offer of employment to Kevin M. Monnelly as police officer of the Village of Port Chester, New York, with appointment to be effective August 3, 2015.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

### ROLL CALL

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

### REPORT OF THE VILLAGE MANAGER

#### INITIATIVES/PRIORITIES:

❖ **Strategic Planning: Strategic Actions** (Opportunity Areas #1 Downtown TOD, #2 Downtown: Municipal Center, #3 Waterfront Redevelopment/Revitalization, #4 Fox Island, #5 United Hospital Site Redevelopment). We continue to move forward with various strategic planning initiatives (see Planning and development activities report).

**1) Opportunity Area #1:**

- **C1 Neighborhood Retail Zoning Analysis:** medical, dental office use Preliminary analysis regarding a potential zoning text change to permit medical in the C1 Neighborhood Retail District either as-of-right or by special exception permit subject to existing special exception criteria as defined in §345-61U.

Presentation to BOT completed March 2015. Planning Commission supports concept. Public hearing and option for adopting prepared local law July 20, 2015.

- **Retail D** (Background & Status): Applicant, G&S Port Chester LLC, has submitted a formal zoning petition pursuant to §345-34 to the Board of Trustees regarding former “Coney’s lot” (aka “Retail D”/“Unit 2B”), Section 142.031, Block 1 Lots



3,4,5,6,20,21,22,23 and 24 of the Town of Rye Official Tax Map and interstitial Liberty Street Right-of-Way, for amendments to the Urban Renewal Plan for the Modified Marina Redevelopment Project, regulations to the MUR Marina Redevelopment Project Renewal District, and Concept Development Plan of the Modified Marina Redevelopment to permit multi-family development.

Specifically, the applicant seeks a zoning amendment in order to construct a 5-story, 90,000 square foot mixed use building (“Waterfront Place”) consisting of four floors of 79 rental dwelling units (7 studios, 56 one- bedroom, and 16 two-bedroom) over 12,00 square feet of ground floor retail. The subject parcels were approved for three (3) stories and approximately 40,000 square feet of retail development as part of the overall project approval in 1999.

The petition proposes the following dimensional and bulk requirements for a newly mapped “MUR Mixed-Use District):

- Maximum Height: 5 stories or 70 feet
- Minimum Lot Area per Dwelling Unit: 250 Square Feet
- Minimum Lot Depth/Width: None
- Front/Side/Rear Setback: None
- Usable Open Space per Unit: None

Further, applicant is requesting an amendment to both the MMRP Urban Renewal Plan and MUR District regulations to add a multifamily dwelling parking regulation to the required parking table.

**Note** that the Board of Trustees retains discretionary approval authority over all requested amendments as well as site plan approval for the project by virtue of its location within the MUR Marina Urban Redevelopment District.

**Planning Commission Comments**, May 28 2015: (all comments paraphrased from PC meeting).

- Parking: will residential units need tags in the specified and already pre-determined parking spaces? What impact will this have in overall downtown parking scheme.
- Traffic: Site’s location should require an analysis for access/circulation/level of service, etc. Carried out through site plan approval by BOT.
- Density/Bulk Requirements: Applicant’s zoning seems to ‘pick’ the best of the amended C2 and new C5/C5T Districts’ dimensional regulations.
  - FAR: possibly too dense, as applicant seeks 3.2 as-of-right with possibility to 4.0. highest density reserved for C5 district as discussed during comprehensive plan/rezoning
  - LAPDU: C2 lot area per dwelling unit (LAPDU) is 750sqft bonusable to 575sqft and C5 District is 575 sqft as-of-right with bonus down to 250 sqft. Applicant requests 250 as-of-right, another ‘picked’
  - Yard Dimensions: setbacks

- Setback - building to lot lines doesn't always leave a desirable landscape. Planning Commission expressed concern with The Mariner's footprint.
  - Height - no real issue; seems to be in concert with surrounding districts.
    - Overall, density proposed in Retail D "picks" the best of other districts and may not be synonymous to proposal site's geography in relation to other adjacent zoning districts.
- Dolph Comment: FEMA flood zone regulations amended since 1999, possibly requiring new analysis to encompass rising water levels. Further, reconstruction of Bulkley Drain.
  - Overall, commission in support of a true, mixed use landscape at Retail D but reasons enumerated below requested passed onto BOT

2) **Opportunity Area #2:** As you are aware NDC has been engaged by the BOT to study the feasibility of developing a municipal center.

### **Municipal Center Subcommittee**

As you are aware the BOT established a municipal center subcommittee to reevaluate current direction. NDC was asked to develop a proposal to do same and submit it to the BOT for consideration looking at the feasibility of 350 N. Main Street as an alternate site. The BOT has authorized the additional analysis.

#### **Scope of Work:**

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.

Staff (Police department, Courts, Manager's office) met with STV and began the re-vetting of the preliminary programming analysis for a Police and Court Structure. Each program item (area square footages) was reviewed and the building was toured. It is anticipated that there will be similar follow up meetings with the Justice Court personnel and Town Court including our presiding Judges.

- 3) Opportunity Area #3:** Bulkhead: Boswell Engineering has been selected as the design consultant for the bulkhead replacement design. On Tuesday July 14<sup>th</sup> staff met with Boswell to negotiate final fees and contract terms. The negotiated fee to include the entire Vinyl area now including the cove is \$305,000.00 (negotiated down from \$390,000.00). Staff is working with Boswell to draft a final contract that will be reviewed by the Department of State. Thereafter the agreement will be brought back to the BOT for approval. Concurrently staff will submit a resolution authorizing a budget modification for the capital project line to include the grant funds an addition to the Village's portion of the match.

- 4) **Opportunity Area #5:** Redevelopment of the former United Hospital Site (Starwood). The Mixed-use redevelopment proposal for the former United Hospital site located within the Village's PMU Planned Mixed Use District to permit: 500 "Millennial" housing units, 240 age-restricted housing units, an approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.

The Preliminary DEIS as previously submitted with updated comments is on this agenda to determine completeness.

**SEQRA PROCESS:**

- Thus far, applicant has submitted 6 revised DEIS documents for review to village consultants and staff in order to determine completeness per the adopted scope the BOT adopted Aug 14, 2014.
- Consultants have provided extensive and response completeness memos to applicant throughout above process per SEQRA law (section 617.9-a-2-i). The Lead Agency (BOT) must determine whether to accept the resubmitted DEIS within 30 days of receipt (meaning 30 days from July 14).

*NEXT STEPS:*

- The next step is for village BOT to deem DEIS complete per adopted scope. Adopting the DEIS as complete begins the public review and does not binds the BOT to any course of action.
- Public review, per Chertok memo, engages the extensive public interest shown for the project. Public review, per his suggestion, will be via the public hearing set *after* completeness is determined and will publically discuss the DEIS and the stated environmental impacts *plus* the applicant's petitioned action. The petitioned action includes the Overlay District and the alternative amendments for the PMU, e.g. Public hearings combining a DEIS and petitioned zoning is standard under SEQRA, and is specifically provide by the NYSDEC regulations effectuating SEQRA (Section 617.9(a)(4)(ii)).
- Just as accepting the document as complete commences public review, similarly, holding the hearing on the proposed zoning amendments does not commit the BOT to approve the applicant's zoning. BOT retains full discretion to approve, disapprove or approve with modifications the proposed development (including zoning).
- Once we get to public comment stage, Mark has suggested that the Village consulting team and applicant begin discussions related to structure of PILOT and density program. This is where rubber meets the road.

**NEXT-NEXT STEPS: LARGE LAND USE DECISIONS:** Both Mark & AKRF has suggested/recommended that the Village discuss the PILOT and proposed density bonus program financial feasibility *after* DEIS accepted and public hearing and comment period are closed. This avoids implication that BOT is negotiating with applicant before public input

window runs out. As Mark has said, this concept seemed acceptable to part of Applicant's team. These two issues are not completeness issues as stated by both SPR Law & AKRF.

## **ACTIONS:**

- **Consolidated Funding Application Summary:** BOT provided support to further economic development opportunities described by the Regional Economic Development Council through 2015 CFA funding portal. As such the Village is currently applying for CFA funding totaling approximately \$5 million dollars.
  - The IDA is providing additional support for the CFA application towards comprehensive, multi-modal transportation plan as related to reducing impediments to downtown economic development opportunities in furtherance of adopted village Economic Development strategies.
  - The Empire State Development (ESD) agency is highly enthused by our application and efforts to market/brand Port Chester's 150<sup>th</sup> anniversary and our overall objectives. Specifically due to effort to integrate each of our applications including transportation & bulkhead design - through the Market NY program. ESD stated that the Village can make a stronger application through Market NY versus an application to the Homes & Community Renewal (HCR) program, i.e. Main St. Program.
  - Further, we were informed by Homes and Community Renewal (HCR) Main St Program Director, The Village did not fully close out the previously awarded grant. This currently renders us ineligible for 2015 CFA funding. Staff is working with the State for the proper close out and has been told that the state is providing support for a future application next year.
  
- **MTA:** Staff continues to discuss a possible settlement to the property maintenance violations issued to the MTA. The context is in the realm of better routine maintenance and possible beautification utilizing existing and potential funds in a collaborative manner between the Village and the MTA.
  
- **Grant Writing RFP:** The RFP was re issued with a response date of Friday July 17<sup>th</sup>, 2015. Responses to be analyzed and ranked this week.

## **DEPARTMENT UPDATES:**

- **Justice Court**
  - Assist the Judge on the Bench during court sessions on Mondays, Thursdays and Fridays
  - Processed Criminal Disposition Reports (CDRs) after court
  - Completed court paperwork after court sessions
  - Update excel spreadsheets with Bail disbursements from court
  - Electronically transmitted 462 Criminal Dispositions Reports (CDRs) to New York State Division of Criminal Justices Services since May 12, 2015

- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 05/31/15 - \$90,068.58. Ending Bank Balance as of 06/30/15 - \$51,049.53
- Prepared May 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Troy - \$91,667.55 to be reviewed and electronically submitted by Judge Troy
- Prepared June 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Troy - \$52,190.50 to be reviewed and electronically submitted by Judge Troy
- Reconciled Judge Castaneda Account. Ending Bank Balance as of 6/30/15 – 45,628.50
- Prepared June 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Castaneda - \$45,395.05 to be reviewed and electronically submitted by Judge Castaneda
- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 05/31/15- \$129,208.66. Ending Bank Balance as of 6/30/15 - \$106,053.56
- Prepared May 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$128,339.10 to be reviewed and electronically submitted by Judge Sisca
- Prepared June 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$248,581.75 to be reviewed and electronically submitted by Judge Sisca
- Reconciled Tow Account. Ending Bank Balance as of 05/31/15 - \$340.00. Ending Bank Balance as of 6/30/15 - \$150.00
- Prepared vouchers and Payroll to be sent to the Finance Department
- Staff Meeting held on June 17, 2015

➤ **Police Department:**

- **Training:**
  - On June 10th, Detective Walter Alcivar and Police Officers Mike Sprague and Arthur Dusenbury successfully completed a 3-day course of study in advanced tactical entry held at the New York City Police Departments Rodman's Neck training facility. This instructional block covers high risk entries utilizing minimal armament combined with advanced body armor and is designed for densely populated urban environments and is at the core of our Emergency Service Unit curriculum.
  - On July 12th, Lieutenant Mark Braccio and Police Officer Sal Baldo successfully completed certification as patrol rifle instructors. This 40 hour course of study held at the Westchester County Police academy prepared Lt. Braccio and POO Baldo to begin instructing selected members of the Department to be patrol rifle operators.
  - On June 5th, Police Officer Chris Bivona completed High Intensity Drug Trafficking Area, (HIDTA) training. This 40 hour course of study was held at the New York City Police Departments Rodman's Neck facility in the Bronx. Police Officer Bivona

received both classroom and hands on training in area such as; search warrants, surveillance, undercover operations and tactical street encounters.

▪ **Case Highlights:**

Just before midnight on Friday, June 5 Detective Tony Rivera, was off-duty and on his way to the station house for a late night tour. On Pearl Street between Irving and King he observed two individuals acting suspiciously. Knowing that the Village has been plagued for months by parking meter thefts, Detective Rivera continued to observe the subjects and subsequently observed them break into and steal coins from a parking meter. As the perpetrators tried to escape in their vehicle, Detective Rivera called for backup, then blocked them in and effected an arrest with the aid of responding officers. The suspects, both of whom had extensive criminal records were booked on numerous larceny related charges. This brought to a close a pattern of meter break-ins that took place over the past year depriving the Village of tens of thousands of dollars in parking revenue.

▪ **Public Affairs:**

The objective of our public affairs initiative is to keep abreast of the public safety concerns of our residents, and to keep them in turn informed on law enforcement issues. The Department has taken part in several public events during the month of June. Among them:

1. Port Chester Fest-Lyons Park
2. KTI Summer School Public Safety Day
3. One World United/Carver Center-Youth Leadership Project
4. Port Chester NAACP-Columbus SC Memorial Ceremony, Lyons Park

▪ **Detective Bureau:**

- For the month of June the Bureau closed out 15 cases, five of them by arrest. There have been 300 new cases assigned. Detectives have conducted 30 arrests, among them the following:
  1. 9-felony arrests
  2. 13-misdemeanor arrests
  3. 15-warrant arrests
  
- Evidence: 34 prior cases were reviewed in conjunction with the Westchester County District Attorney's Office resulting in property being returned to owners or evidence slated for disposal.

<b>FBI Part 1 Crimes</b>	<b>Jan.</b> 1/14	<b>Feb.</b> 2/14	<b>Mar.</b> 3/14	<b>Apr</b> 4/14	<b>May</b> 5/14	<b>June</b>
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<b>Assault</b>	4 2	4 3	4 6	5 7	5 8	7
<b>Burglary</b>	4 1	1 4	4 2	2 1	1 5	1
<b>Larceny</b>	28 34	31 26	31 37	40 43	41 39	41
<b>Murder</b>	0 0	0 0	0 0	0 0	0 0	0
<b>Motor Veh. Theft</b>	0 1	0 1	0 0	1 1	2 0	0
<b>Rape</b>	0 1	0 0	0 0	1 0	0 0	0
<b>Robbery</b>	1 4	2 0	1 2	1 1	1 5	3

<b>Arrests/Tickets</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>
<b>Parking Tickets</b>	5312	3661	4240	4393	4093	3575
<b>Traffic Tickets</b>	559	433	555	643	582	425
<b>Arrests</b>	161	130	157	140	172	133

<b>Common Calls for Service</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>
<b>Aided, Medical</b>	192	150	154	144	157	142
<b>Accidents</b>	108	108	116	102	115	122
<b>Alarms</b>	106	96	80	86	83	86
<b>Directed Patrols</b>	166	116	101	109	87	51
<b>Domestic</b>	12	30	22	24	21	10
<b>School Crossings</b>	45	32	17	19	25	55
<b>Total Calls for Service</b>	1637	1401	1556	1525	1611	1551

➤ **Senior Center / Nutrition:** 5,053 Meals served to date: (JUNE, 2015-May, 2016); 39 Home Bound Seniors received their meals at home, per day Monday-Friday; 60 seniors attend the Saturday Program.

▪ **Senior Center Calendar:**

June 1st—Music with Lou Del Bianco—1 p.m.

June 2nd—Hot Dog BBQ at Abendroth Park 10 a.m.



June 6th—Day trip to Sands Casino, Bethlehem, Pa.

June 13th—Father's Day Brunch 10 a.m. George Lattimer & Steve Otis, coffee hour

June 17th—Westchester Broadway Dinner Theater—Westside Story

June 30th—Trip to Cross County Shopping center in Yonkers—Lunch at Olive Garden or Longhorn Steak House

Every Monday—Zumba 1 p.m. Every other Tuesday Tai Chi—10:30 a.m. Art Class every Friday morning at 10-12, Bingo Wed and Thurs afternoons. Mah Jong played every Friday afternoon at 1 p.m.

May, June & July---100 Grocery Bags with fresh produce have been given out on the second Thursday of each month to PC seniors. Bags are prepared by the Food Bank of Westchester.

▪ **Community Center Calendar:**

PORT CHESTER RECREATION SPECIAL CITIZEN'S DAY CAMP STARTS AT THE SENIOR CENTER JUNE 29-July 29th

June 2—9-4 p.m. Police training

June 2—7-9 pm Dave Thomas PCHS project

June 3— 9-3 p.m. Nick Mecca—Voter Training

June 4—8:30-4 p.m. Police training

June 6—8-6 p.m. Day trip to Sands Casino, Pa.

June 10---7-9 p.m Beautification Comm, Park Comm, Recreation Commission, Park Committee.

➤ **Treasurer's Office:**

- The Finance Department is in the process of closing out its books in preparation for the Village's Preliminary audit which is scheduled for the week of July 20, 2015. The Village's annual audit is scheduled for August 24, 2015 through September 4, 2015.
- The Village Treasurer and Village Manager met with our Financial Advisor, of Capital Market to seek out a more profitable and meaningful way of investing Village funds. We also met with our major banks regarding compensating balances (an excess balance that is left in a bank to provide services such as bank transaction charges) and are utilizing all available means necessary to reducing said cost. The Village will invest approximately \$1,500,000 in Certificate of Deposits and or Tax/Revenue Anticipation Notes in the month of July.
- The Sewer Rent IMA between Rye Brook and the Village has been executed and the Finance Department is in the process of preparing vouchers for the return of Sewer Rent paid by Rye Brook residents for FY 2014-15.
- FY 2015-16 capital projects budgets are being created and established in our accounting system as adopted and modified by our Board of Trustees.

- We will be submitting the New Payroll/Time Clock System contracts to the Board for approval in August. The Finance and Human Resource Departments are currently working with the various departments within the Village to create procedure manuals for our new payroll and time clock system.
- **Building / Code Enforcement Department:** See Building Inspector/ Code Enforcement Director's report attached.
- **Public Works:** see DPW report attached.
- **Planning and Development:** See Planning and Development Director's reports attached.

## **CORRESPONDENCES**

***From Mellor Engine & Hose Co. No. 3, Inc. on the election of Alessandro Calvera to active membership.***

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the election of Mr. Alessandro Calvera as a member to Mellor Engine & Hose Co. No. 3, Inc. with the Port Chester Fire Department.

### **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

***From Salvatore Muto, Commodore Port Chester Yacht Club.***

The Board referred the correspondence to staff without objection.

***From Bob Roth Logistics Coordinator for Global Impact Productions request a permit and/or approval to utilize the town roads of Port Chester for a one day Charity Bike Ride.***

The Board referred the correspondence to staff without objection.

Mayor Pilla asked for a motion to consider an add-on a correspondence from Centro Cultural Bolivia Port Chester, New York.

On motion of TRUSTEE MARINI, seconded by TRUSTEE BRAKEWOOD, the motion received a unanimous vote of those present.

### **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

## **PUBLIC COMMENTS AND BOARD COMMENTS**

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

Comments were made by:

### ***Public***

Ms. Dina Goren commented on the clarification of the timing of the dog park. We will discuss time and cost with the vendors. She commented there are other things in the package besides fencing. Are you just comparing the fencing cost? Mr. Steers replied that the fencing is the number 1 factor. We also need to know the cost of the rest of it as well. The bids will be opened on July 27<sup>th</sup> at 11:00 a.m.

Mr. Richard Abel commented that July 4<sup>th</sup> fell on a Saturday this year and the Village Offices were closed on the 3<sup>rd</sup>. Since there was no trash pickup on the 1<sup>st</sup> did anyone get a summons for putting trash out? On the first offense you receive a warning if you put your trash out on the wrong day.

### ***Board***

Trustee Ceccarelli commented on the interviewing of a Village historian. Has anything gone forward with that? Mayor Pilla replied this will be discussed at the next meeting. Trustee Ceccarelli inquired if the police boat is going to be launched soon. Chief Conway replied it should be in early next week. Trustee Ceccarelli asked Chris Ameigh if he reviewed the material he sent regarding the New Rochelle parking. Administrative Aide Ameigh replied he would like time to review this with Village Manager Steers. He thinks the need for a comprehensive parking and traffic plan is critical. VM Steers replied this is something in the planning for IDA. Trustee Ceccarelli inquired if the repairs had been done at the Marina. Mr. Steers replied that chain link fencing is now in place.

Trustee Marino commented on the Washington Street zombie property. Village Attorney Cerreto replied that code enforcement is monitoring the property on a weekly basis. Village Manager Steers will follow up with Trustee Marino regarding this property. We should also do something about the sidewalks and ramps in front of the firehouses on Westchester Avenue and Willett Avenue.

Trustee Adams commented that the G&S parking lot needs to be brightened. It is dark even during the day. Chris Steers will have the building department talk to them about it. Regarding grilling in the park, Trustee Adams commented we should let the people of the Village know that the parks are now available to grill. For several months we had boards and commissions come in

to let us know what they do. It would be nice to have this continue. He thanked the Board for their condolences to his family.

Mayor Pilla commented a lot was achieved this evening: The Starwood, by accepting their environmental impact statement. The boating and towing. The harbor patrol and the training the marine unit is receiving.

At 11:32 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the meeting was closed.

### **ROLL CALL**

**AYES:** Trustees, Brakewood, Ceccarelli, Marino, Adams and Mayor Pilla.

**NOES:** None.

**ABSENT:** Trustees Terenzi and Kenner.

**DATE:** July 20, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk

## **MEETING HELD AUGUST 3, 2015**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, August 3, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

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

It should be noted that Trustee Brakewood was absent.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (Arrived at 7:09); Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager; Building Inspector and Director of Code Enforcement Peter Miley; Assistant Director of Planning & Development, Jesica Youngblood; Michael De Vittorio, 1st Assistant Fire Chief.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the meeting was declared opened at 7:05 p.m.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

### **PRESENTATION**

#### ***NDC Presentation.***

Mr. R. Price Jepsen, Vice President of STV, Inc. updated the Board on the rehab of the police station. One was a moderate rehab of 350 North Main with building out the back. The other was to consider acquiring the next door property. We met with the police chief to understand their requirements; and review the requirements of the court and justices. The next steps are to finalize the program. The renovation or addition to the current building would have impact on parking and updated codes. There would also need to be temporary or swing space.

#### ***Sustainable Westchester on regional energy efficiency opportunities.***

Glen commented this is a non-profit merger of two previous consortiums. They can aggregate our electrical usage that Con Ed provides. There are energy efficiency programs and solar programs. They will see if they can come up with a lower cost electricity provider for all of the commercial and residential property owners in the municipality who don't already have a service provider. This also includes the solarize program. The more residents who sign up the lower the rates will be.

***Resolution***

**SETTING A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM IN CONJUNCTION WITH SUSTAINABLE WESTCHESTER IN THE VILLAGE OF PORT CHESTER**

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

RESOLVED, that a public hearing be held on September 21, 2015 at 7:00 p.m. or as soon thereafter, at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester by adding a new chapter, Chapter 21, to establish a Community Choice Aggregation (Energy) Program in conjunction with Sustainable Westchester in the Village of Port Chester; and be it further

RESOLVED, that in addition to the required legal notice, that the Village staff is directed to mail notice of the hearing to households in the Village; and be it further

RESOLVED, that Village staff invite Con Edison to send a representative to the hearing.

Approved as to Form:

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustees Brakewood.

**DATE:** August 3, 2015

**PUBLIC COMMENTS**

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

Comments were made by:

John Giangrande commented on being honored by the Port Chester Old Timers. He thanked the mayor for being honored by the Village.

Bill Giangrande commented on the Old Timers dinner. Mayor Belmont was also honored.

Ms. Goldie Solomon commented on the property owned by G&S at the marina. She was not previously aware of the Peruvian festival.

Joseph Rende commented that you have to mail to every user the opt-out option of Con Ed. He commented the name Amnesty Program has created confusion with residents. The building department has been more than fair in meeting and handling the issues that come up.

Ms. Bea Conetta commented on how the Amnesty Program is hurting the people of Port Chester. It should be changed to be geared towards helping the people. Between the municipal center and the Board of Education proposal it is \$107M. The assessment has been raised. You have to go ahead with the police station. The Starwood program will be a \$42M loss over a 20-year period. They should pay their fair tax and something toward the schools. She commented Janusz Richards was one of the best Clerks we've ever had.

Jim Black commented on the discussion section of the agenda and is hoping the Dog Park people are going to speak.

Mr. Richard Abel commented on the appraisals of the police station property. The contractors are going to want offsets. As a developer comes in they are going to want concessions – pilots, discounts on building permits, you name it. That will offset the value of the purchase.

Salana Yerrena commented on the handicapped situation at the Port Chester train station. The Starwood project will bring more traffic into Port Chester. They should not get a tax break. It is smart to check service providers to get a lower rate.

Steve Schenartz invited Board members to come along and see how a booting and towing company operates.

## **RESOLUTIONS**

### **RESOLUTION #1**

#### **RULES AND REGULATIONS FOR THE MARSHALS**

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

WHEREAS, the Village Charter provides for marshals in service to the Port Chester Justice Court; and

WHEREAS, the marshals are appointed by the Board of Trustees and has most recently taken action in this regard; and

WHEREAS, the Board desires to promulgate rules and regulations for the management of the marshals, delegating to the Chief of Police the operational responsibility over them, and further to assure the uniform, non-discriminatory and proper discharge of their duties. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby promulgates rules and regulations for the marshals in the form annexed.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustees Brakewood.

**DATE:** August 3, 2015

**RESOLUTION #2**

**REVOCABLE LICENSE AGREEMENT TO PERMIT PERIMETER  
RIGHT-OF-WAY FENCING LOCATED AT 14 UNIVERSITY PLACE**

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

WHEREAS, UCF Regent Park, LLC, 745 Boylston Street, Suite 502, Boston, Massachusetts 02116 (the "Licensee") owns property at 14 University Place, Port Chester, also known as Section 136.61, Block 1, and Lot 27 on the Tax Map of the Town of Rye; and

WHEREAS, there exists a three (3) foot post and rail perimeter fence adjacent to the public sidewalk minimally encroaching onto the Village right-of-way along North Regent Street, Columbus Avenue, and University Place; and

WHEREAS, such fencing was constructed as part of the Licensee's substantial financial investment in making necessary site improvements; and

WHEREAS, the owner obtained conditional site plan approval on July 27, 2015 from the Planning Commission subject to, among other things, obtaining a revocable license agreement from the Board of Trustees to permit the encroachment into the Village's right-of-way; and

WHEREAS, the Board of Trustees finds that the fence provides aesthetic appeal and a uniform streetscape preserving the residential character of the area in accordance with the Village's Comprehensive Plan. Now therefore be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a revocable license agreement with UCF Regent Park, LLC, 745 Boylston Street, Suite 502, Boston, Massachusetts 02116, permitting the owner to maintain a perimeter fence minimally encroaching the Village right-of-way in the form annexed hereto.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney



**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustees Brakewood.

**DATE:** August 3, 2015

**UPDATE FROM THE BUILDING INSPECTOR**



**Building Department  
-and-  
Code Enforcement  
Fiscal Report  
Amnesty Program Update  
Illegal Dwelling Update**

1

**Prior Board Question**

What is the percentage comparison of permits and certificate of occupancies issued to commercial vs. residential properties?

In the June monthly report, it included a sample of building permits and certificate of occupancies issued during the calendar year January 2014 through December 2014.

Residential:	70%
Commercial:	24%
Mixed Occupancies:	6%

2

## Comparison of Residential vs. Commercial Permits and CO's

A comparison of all permits and certificate of occupancies issued from January 2011 through May 2015 combined resulted in similar percentages to the sample.

Residential:	67%
Commercial:	26%
Mixed Occupancies:	7%

3

## Building Department Fiscal Comparison

### Fiscal 6/2013 through 5/2014

Total Permits Issued:	1,599
Certificate of Occupancies:	335
Consultations:	1,833
Inspections:	1,297
Stop Work Orders:	70

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# Building Department Fiscal Comparison

## Fiscal 6/2014 through 5/2015

Total Permits Issued:	1,828 (14.5% increase)
Certificate of Occupancies:	405 (21% increase)
Consultations:	1,699 (-7% decrease)
Inspections:	1,793 (38.5% increase)
Stop Work Orders:	51 (28% decrease)
	<u>a 46% decrease since 2013</u>

Revenues remain strong.

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## Building Department

Amnesty Report Update 2015



## Building Department Annual Report

### Amnesty Progress Report 2015

Total Amnesty Applications Submitted:	<b>766</b>
Amnesty Reports Completed:	<b>753</b>
Percentage of Amnesty Reports Complete:	<b>98%</b>
Amnesty Consultations Completed:	<b>502</b>

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## Building Department Annual Report

### Amnesty Progress Report 2015

#### Permit Amnesty Program Started in October 2012

Total applications received: **766**, this represents **14%** of all tax parcels located in the Village of Port Chester.

#### Applications received by year

2012: 155  
2013: **405**-peaked  
2014: 167  
2015: **39**

The majority of the 39 are by real estate brokers on behalf of their clients.

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Building Department  
Annual Report

**Amnesty Progress Report 2015**

Conducted an analysis on the average value (construction costs) of all permits issued from 2011 through May 2015 less permits with a value of 1 million or more.

Average value(s) of a permit issued

- 2011: \$30,372
- 2012: \$29,879 “Amnesty started in October 2012”
- 2013: \$22,759
- 2014: \$23,782
- 2015: \$23,079

Since the start of amnesty, the average value (cost of construction, what a permit fee is based on) has dropped approximately \$7,000.



Building Department  
Annual Report

**Amnesty Progress Report 2015**

To quantify the investment that the Village has made, an updated analysis of the Amnesty Permit program was conducted of all the Village costs associated with obtaining a CO.

Without Amnesty:	\$2,019.56
With Amnesty:	\$571.21
Average savings:	\$1,448.36

The Village would have collected **\$1,495,575** in permit/co fees without amnesty.

With Amnesty, the Village will collect a total of **\$422,600.00**

The total combined amount applicants will save as an Amnesty participant is **\$1,072,975.00**



# Code Enforcement

## Overcrowding/ Illegal Dwelling Update

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## Overcrowding & Illegal Dwelling Update 2015

Total Unlawful Occupancies Discovered (2015): 193

Total Properties Affected: 90

### Unlawful Occupancy Breakdown is as Follows

1. Unlawful Basement Occupancies: 34
2. Unlawful Attic Occupancies: 23
3. Single Room Occupancy (SRO's): 80
4. Additional Dwelling Units: 56

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# Overcrowding & Illegal Dwelling 2015

## 2015 OC/IDW Distribution by Use

1 & 2 Family:	(46) Represents: <b>51%</b>
Multiple Dwelling (3 or more):	(38) Represents: <b>42%</b>
Mixed Use:	(6) Represents: <b>7%</b>

## 2015 Compliance Obtained

Full Compliance Achieved:	<b>18.9%</b>
Compliance in Process:	<b>12.2%</b>
No Compliance to Date:	<b>68.9%</b>
Overall compliance 2012-2014:	<b>51%</b>

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# Overcrowding & Illegal Dwelling Update 2015

**Total Unlawful Occupancies Discovered 2011-2015: 1602**

**Total # of Properties Contributing to illegal occupancies: 880**  
(16% of all the properties in PC contain at least 1 illegal occupancy)

## Unlawful Occupancy Breakdown

2012-2015

1. Unlawful Basement Occupancies: 349
2. Unlawful Attic Occupancies: 153
3. Single Room Occupancies (SRO's): 304
4. Additional Dwelling Units Added: 491
5. Total Overcrowded/Illegal DW 2012: 305

**84** Illegal occupancies were discovered during the Amnesty Program

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## Code Enforcement Fiscal Comparison

### Fiscal 6-2013 through 5-2014

Complaints:	1869
Inspections Performed:	3832
Notice of Violations Issued:	883
Court Appearance Tickets Issued:	93

### Fiscal 6-2014 through 5-2015

Complaints:	2092	<b>(11% increase)</b>
Inspections Performed:	4898	<b>(22% increase)</b>
Notice of Violations Issued:	781	<b>(10% decrease)</b>
Court Appearance Tickets Issued:	85	<b>(1% decrease)</b>

**only 4% of the complaints result in a court appearance ticket**

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## Fire Safety Fiscal Comparison

### Fiscal 6-2013 through 5-2014

Revenues:	<b><u>\$126,970</u></b>
Inspections Performed:	1841
Notice of Violations Issued:	636
Court Appearance Tickets Issued:	88

### Fiscal 6-2014 through 5-2015

Revenues:	<b><u>\$233,803</u></b>	<b>(80% increase)</b>
Inspections Performed:	1931	<b>(5% increase)</b>
Notice of Violations Issued:	497	<b>(25% result in an NOV a 10% decrease)</b>
Court Appearance Tickets Issued:	35	<b>(2% of the inspections resulted in an court appearance ticket, down 2%)</b>

**The majority of revenues are generated by applications to conduct the state mandated fire inspection.**

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## Fire Safety Application Comparison

### Fiscal 6-2013 through 5-2014

Reminder Letters are sent out (30 days in advance)	<b>617</b>
Notice of Violations are issued in (approx 60-90 days after expiration)	
Failure to respond resulting in an NOV:	<b>276</b>
<b>(44%)</b> result in the issuance of an NOV	

### Fiscal 6-2014 through 5-2015

Reminder Letters sent out:	<b>1092</b> (44% increase)
Notice of Violations Issued for failure to respond:	<b>351</b>
<b>(37%)</b> result in the issuance of an NOV	

**Most applicants respond to the reminder notice. Those that fail to respond, receive an NOV. The process for those that fail to respond to the initial reminder notice results in a 4-5 month lag. Response to the program has increased resulting in a 7% decrease in NOV's.**

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## Building Department Annual Report

### **Current Projects**

The Building Department is currently collaborating with the tax assessors office. The building department recently completed a comprehensive analysis of all permits issued since 2011 and compared prior uses (prior to 2011) to approved uses. All discrepancies were reported to the tax assessor as well as a copy of all permits that were issued during that time period. Included in the analysis is the value of the improvements.

The Building Department also recently completed an analysis of all open permits from 2011 and send reminder notices and renewal applications to all. All property files received a copy of the renewal notice.

The building department created a spread sheet complete with a comprehensive analysis of all the amnesty applicants and where they are in the process. Those applicants that are close to expiring or who have not had a consultation will be sent a reminder notice

Post scanning and analyzing files for accuracy continues daily.

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## **DISCUSSIONS**

Dog Park. Village Manager Steers gave an update. The fencing bid was awarded for the fencing to Central Industries. Total cost is approximately \$74,000. The contract has been sent to the vendor. It should take three weeks and be completed by Labor Day.

Dina Goren commented that the group is beyond thrilled and we are glad we have gotten through this difficult process. The goal was to establish a dog park and fund raise and work with the Village. We were sad that the cost was more than we hoped. The group didn't understand the bidding process.

Westchester County Department of Environmental Facilities IMA.

Village Manager Steers commented on the storm water excess infiltration inflow. We are exceeding the 150 gallons per day per capita based on the existing census. We are bound to comply with the IMA. We are meeting with the County again on August 13<sup>th</sup> to discuss specific issues.

## **CORRESPONDENCES**

***From Andrea Winchester re Block Party on Linden Street.***

The Board referred the correspondence to staff without objection.

***From Howie Ravikoff re Sewer Rent Law Review.***

The Board referred the correspondence to staff without objection.

***From Janusz R. Richards resigning as Village Clerk effective August 29, 2015.***

The Board duly noted the correspondence.

***From Bart Didden interesting in filling the open IDA seat.***

The Board duly noted the correspondence.

***From Columbus Day Celebration Committee re participation in the parade and use of the show mobile on October 11, 2015.***

The Board referred the correspondence to staff without objection.

***From Columbus Day Celebration Committee requesting financial assistance for this year's parade.***

The Board referred the correspondence to staff without objection.

***From Lisa Dileo regarding 'Block Party Request'***

The Board referred the correspondence to staff without objection.

***From Vladimir Molina regarding a request to sponsor our 4th Annual Bolivian Parade on August 30, 2015 in the Village of Port Chester.***

The Board referred the correspondence to staff without objection.

## **MINUTES**

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS, The Board of Trustees accepted the minutes of April 6, 2015 at 3:00 PM.

### **ROLL CALL**

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

**NOES:** None.

**RECUSE:** Mayor Pilla.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the minutes of April 6, 2015 at 7:00 PM.

### **ROLL CALL**

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

**NOES:** None.

**RECUSE:** Mayor Pilla.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

On motion of TRUSTEE TERENZI, seconded by TRUSTEE MARINO, The Board of Trustees accepted the minutes of April 7, 2015.

### **ROLL CALL**

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

**NOES:** None.

**RECUSE:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the minutes of April 13, 2015.

**ROLL CALL**

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

**NOES:** None.

**RECUSE:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

On motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, The Board of Trustees accepted the minutes of April 14, 2015.

**ROLL CALL**

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

**NOES:** None.

**RECUSE:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

On motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, The Board of Trustees accepted the minutes of April 16, 2015.

**ROLL CALL**

**AYES:** Trustees, Kenner, Adams and Mayor Pilla.

**NOES:** None.

**RECUSE:** Trustee Terenzi, Ceccarelli and Marino.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, The Board of Trustees accepted the minutes of April 20, 2015.

**ROLL CALL**

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

**NOES:** None.

**RECUSE:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

On motion of TRUSTEE Ceccarelli, seconded by TRUSTEE MARINO, The Board of Trustees accepted the minutes of April 21, 2015.

**ROLL CALL**

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

**NOES:** None.

**RECUSE:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the minutes of April 28, 2015.

**ROLL CALL**

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

**NOES:** None.

**RECUSE:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

On motion of TRUSTEE TERENZI, seconded by TRUSTEE MARINO, The Board of Trustees accepted the minutes of April 29, 2015.

**ROLL CALL**

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

**NOES:** None.

**RECUSE:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

**PUBLIC COMMENTS AND BOARD COMMENTS**

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

Comments were made by:

***Public***

Ms. Dina Goren commented that the dog park group is still selling fence dedications.

Ms. Linda Turturino commented this Friday is the last concert for the season at Lyon Park. Saturday, August 29<sup>th</sup> is Port Chester Day. We have two more concerts downtown, the 2<sup>nd</sup> and 3<sup>rd</sup> Wednesdays in August.

***Board***

Trustee Terenzi expressed his condolences to the family on the passing of Anthony Summa.

Trustee Ceccarelli commented on the New Rochelle LAZ parking. Chris Ameigh will follow up. The Peruvian festival was very nice. The marina problems mentioned at the last meeting were fixed immediately. He commented on the good work of Janusz Richards and thanked him for his service..

Trustee Adams commented this Saturday is Unity Day at Columbus Park. He thanked Village Clerk Richards for his service.

Mayor Pilla commented on the good service of Janusz Richards. He thanked the Village staff for their good work and long hours.

**MOTION FOR EXECUTIVE SESSION**

At 10:233 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the Board adjourned into an executive session to discuss particular personnel in the Village Clerks Office.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

Also present were: Village Manager, Christopher Steers and Village Attorney, Anthony Cerreto.

No action was taken in executive session.

At 10:33 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

At 10:34 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the meeting was closed.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood.

**DATE:** August 3, 2015.

Respectfully submitted,

Janusz R. Richards  
Village Clerk

**PUBLIC COMMENTS  
AND  
BOARD COMMENTS**



**PROPOSED MOTION  
FOR  
EXECUTIVE SESSION**