

MEETING HELD FEBRUARY 16, 2016

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, February 16, 2016 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 Joseph Kenner, Gene Ceccarelli, Luis Marino and Gregory Adams.

Also present were: Village Manager, Christopher Steers; Village Attorney Tony Cerreto; Village Treasurer, Leonie Douglas; Village Clerk, David Thomas; Chief of Police, Richard Conway; Administrative Aide to the Village Manager, Christopher Ameigh; Director of Planning, Eric Zamp; Legal Intern, David Kenny; Fire Chief, Edward Quinn

On motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the meeting was declared opened at 6:07 p.m.

ROLL CALL

AYES: Trustees Kenner, Ceccarelli, Marino Adams and Mayor Pilla

NOES: None

ABSENT: Trustee Brakewood

On motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, the Board voted to go into executive session to discuss:

- 1. Particular persons in the Building Department*
- 2. Particular persons in the Police Department*

On motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the Board went into Executive Session

ROLL CALL

AYES: Trustees Kenner, Ceccarelli, Marino, Adams and Mayor Pilla.

NOES: None.

ABSENT: Trustee Brakewood

At 6:50 the Board came out of executive session. Mayor Pilla called the public meeting to order.

PUBLIC COMMENTS

Mr. William Roth commented on his car being towed and impounded. He is being led around in a circle.

The Village Manager asked to go into executive session to discuss with the Police Chief relating to an ongoing investigation.

A motion was made by Trustee Marino, seconded by Trustee Kenner, that we add on an executive session to discuss an ongoing police investigation.

ROLL CALL

AYES: Trustees Kenner, Ceccarelli, Marino, Adams and Mayor Pilla

NOES: None

A motion was made by Trustee Kenner, seconded by Trustee Ceccarelli that we go into executive session.

ROLL CALL

AYES: Trustees Kenner, Ceccarelli, Marino, Adams and Mayor Pilla

NOES: None

At 7:03 p.m. the Board came out of executive session.

Ms. Goldie Solomon commented on the Father Rinaldi dinner dance in the spring. February has many events to celebrate.

Mr. Bart Didden commented on behalf of the Waterfront Commission. There are concerns about how the present position does not conform with the LWRT. The Planning office makes it easy for you to brush over our concerns. The site plan issues are important.

RESOLUTIONS

RESOLUTION #1

APPOINTMENT OF AARON ELIOT TO THE BEAUTIFICATION COMMISSION

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

RESOLVED, that Aaron Elliot, residing in Port Chester New York be and hereby is appointed as a member of the Port Chester BEAUTIFICATION COMMITTEE, effective immediately with said term to expire on July 1, 2018.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Kenner, Ceccarelli, Marino, Adams and Mayor Pilla

NOES: None

ABSENT: Trustee Brakewood

DATE: February 16, 2016

RESOLUTION #2

ACCEPTING THE PETITION OF THE CAPITOL THEATRE FOR AN AMENDMENT TO THE ZONING REGULATIONS WITHIN THE C5 TRAIN STATION MIXED USE DISTRICT WITH REGARD TO OFF-STREET PARKING REQUIREMENTS FOR REVIEW AND CONSIDERATION, DETERMINING THE CLASSIFICATION OF THE PROPOSED ACTION AS AN UNLISTED ACTION AND DECLARING THE VILLAGE OF PORT CHESTER BOARD OF TRUSTEES' INTENT TO ACT AS LEAD AGENCY FOR THE PROPOSED ACTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) AND REFERRING THE MATTER TO THE PLANNING COMMISSION FOR STUDY AND REPORT TO THE BOARD OF TRUSTEES

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, on January 4, 2016 the Capitol Theatre, LLC/Capitol Enterprises, Inc. (the "Applicant") duly filed a petition for a proposed zoning text amendment to the Village Code, Chapter 345, which seeks to modify Section 345-14(A)(3), with supporting documents requesting that the Board place the matter on the Board's agenda for review and consideration (herein referred to as the "Petition"); and

WHEREAS, the Petition seeks to change restrictions with respect to parking requirements for the C5 Train Station Mixed-Use District in order to enhance the viability and growth of businesses located in the downtown business district; and

WHEREAS, the Board finds that the determination to accept the Petition is entrusted to the Board's sole discretion; and

WHEREAS, the Village of Port Chester is committed to the economic revitalization of Port Chester that is sustainable both environmentally and socioeconomically; and

WHEREAS, the general availability of parking within the downtown area is a concern of the Village of Port Chester and the Board of Trustees acknowledges that it is a complex issue that has impacts upon the economic vitality of the downtown area; and

WHEREAS, the Petition is tied to the general availability of parking within the downtown area and that economic vitality; and

WHEREAS, the Board has been advised that Village staff cannot properly evaluate the Petition without a greater understanding of existing parking conditions within the downtown area, the Applicant's current parking usage, and the potential impact of the Petition beyond the project site on the availability of parking within the downtown area; and

WHEREAS, the Board's action to accept the petition for review and consideration requires a public process of review and comment with regard to potential impacts and mitigation under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board further finds that the determination as to whether to adopt the zoning amendments proposed is also entrusted to the Board's sole discretion. Now, therefore, be it

RESOLVED, that the Village of Port Chester Board of Trustees accepts the Petition as presented for review and consideration; and be it further

RESOLVED, the Board finds that the Petition is an Unlisted Action pursuant to NYCRR 617 of the SEQRA regulations; and be it further

RESOLVED, that the Board of Trustees hereby gives notice of its intent to be Lead Agency for the purpose of reviewing the Petition and any necessary related land use approvals; and that this Notice of Intent, the Petition and exhibits thereto, including the Environmental Assessment Form, be circulated to the following Involved Agencies and Interested Agencies:

Potential Involved and Interested Agencies:

New York State Department of Environmental Conservation, Region 3
ATTN: Daniel Whitehead, Regional Permit Administrator
21 South Putt Corners Road
New Paltz, NY 12561-1620

Westchester County Planning Board
ATTN: Jeremiah Lynch, Chairman
148 Martine Avenue
White Plains, NY 10601

Westchester County Department of Public Works
ATTN: Jay Pisco, Commissioner
148 Martine Avenue
White Plains, NY 10601

Port Chester Planning Commission
ATTN: Gregg Gregory, Chairman
Port Chester Village Hall
222 Grace Church Street
Port Chester, NY 10573

Port Chester Zoning Board of Appeals
ATTN: William Villanova, Chairman
Port Chester Village Hall
222 Grace Church Street
Port Chester, NY 10573

Environmental Notice Bulletin (ENB)

; and be it further

RESOLVED, that the matter be referred to the Planning Commission for their study and report.

Approved as to Form:

Village Attorney
Anthony Cerreto

ROLL CALL

AYES: Trustees Kenner, Ceccarelli, Marino, Adams and Mayor Pilla

NOES: None

ABSENT: Trustee Brakewood

DATE: February 16, 2016

Mr. Tirone commented on the Capitol Theater parking and the zoning code. There are thousands of parking spaces available in the Village. He asked the Board to accept the petition and set a Public Hearing.

Planning Director Zampt commented that they are comfortable moving forward. We now have incomplete information. We need to understand the situation before being able to work on any solutions. We can get the SEQRA process going.

Village Manager Steers commented we need to have an analysis either alone or in coordination with the applicant. The Resolution is fine the way it is written.

Mayor Pilla commented he would not like this to take six months. We cannot direct people where to park.

RESOLUTION #3

**FINDINGS OF THE VILLAGE OF PORT CHESTER BOARD OF TRUSTEES
WITH REGARDS TO THE CONSISTENCY OF THE G&S RETAIL D PETITION
WITH THE VILLAGE'S ADOPTED 1992 LOCAL WATERFRONT REVITALIZATION
PLAN**

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the resolution was brought before the Board of Trustees of the Village of Port Chester, New York.

On motion of TRUSTEE MARINO, seconded by TRUSTEE KENNER, this resolution was tabled until the meeting of March 7th.

ROLL CALL

AYES: Trustees Kenner, Ceccarelli, Marino, Adams and Mayor Pilla

NOES: None

ABSENT: None

RESOLUTION #4

PROMOTION TO POLICE SERGEANT WITH THE VILLAGE OF PORT CHESTER

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

RESOLVED, that MICHAEL SPIZZIRRI, CHRISTOPHER E. CECCARELLI and REINALDO SANTAMARIA be and hereby are promoted to Sergeants of the Village of Port Chester Police Department.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Kenner, Marino, Adams and Mayor Pilla

NOES: None

RECUSED: Trustee Ceccarelli

ABSENT: Trustee Brakewood

DATE: February 16, 2016

and

PROMOTION TO POLICE LIEUTENANTS WITH THE VILLAGE OF PORT CHESTER

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

RESOLVED, that THOMAS FLEMING and STEVEN A. BARBARA be and hereby are promoted to Lieutenant of the Village of Port Chester Police Department.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Kenner, Ceccarelli, Marino, Adams and Mayor Pilla

NOES: None

ABSENT: Trustee Brakewood

DATE: February 16, 2016

RESOLUTION #5
COURT – ACCEPTANCE OF JCAP GRANT

This Resolution was withdrawn by the Village Treasurer.

RESOLUTION #6

AUTHORIZING AGREEMENT WITH SOUTH EAST CONSORTIUM FOR SPECIAL SERVICES, INC. TO
PROVIDE A COLLECTIVE PROGRAM FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES AND
SPECIAL NEEDS

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

WHEREAS, the South-East Consortium for Special Services, Inc. provides a special
recreation program for citizens with developmental disabilities and special needs through a
long-standing agreement with several municipalities in Westchester County; and

WHEREAS, the Village of Port Chester has been a party to this agreement which is up for
renewal for calendar year 2016; and

WHEREAS, the program has successfully provided opportunities to our disadvantaged
citizens. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to sign an Inter Agency Agreement
with the South East Consortium for Special Services, Inc., with the City of Rye, the Towns of
Eastchester, Mamaroneck, Pelham, the Village of Scarsdale, the Town-Village of Harrison, the
Villages of Port Chester, Rye Brook and Mamaroneck, to provide a collective program for
special recreation services for citizens with developmental disabilities and special needs for the
calendar year of 2016; and be it further

RESOLVED, that the contribution in the amount of \$21,829.00 has been appropriated in
General Fund line item #001-7310-0455.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Kenner, Adams, Marino, Ceccarelli and Mayor Pilla

NOES: None

ABSENT: Trustee Brakewood

DATE: February 16, 2016

RESOLUTION #7

AUTHORIZING APPLICATION FOR RENEWAL OF FOOD SERVICE PERMIT
APPLICATION FOR THE SENIOR NUTRITION PROGRAM

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 provides food services as part of the Senior Nutrition Program; and

WHEREAS, such services require a food service permit from the Westchester County Department of Health; and

WHEREAS, the Village is required to make application for a renewal of the permit which is issued on an annual basis. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to make application with the Westchester Department of Health for a renewal of the food service permit with regard to the Senior Nutrition Program.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Kenner, Adams, Marino, Ceccarelli and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood

DATE: February 16, 2016

RESOLUTION #8

SENIOR CENTER - ACCEPTING \$500.00 DONATION

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

WHEREAS, the Village of Port Chester Nutrition Program for the Elderly requires agreements and contracts: and

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

RESOLVED, that the Board of Trustees hereby authorizes the Village Manager to enter into the following agreement and contract with regard to the Village of Port Chester Senior Citizens Programs:

Accept donation of \$500.00 to the Port Chester Senior Center from Schwab Charitable Donations on behalf of Alice & Joseph Antonelli JT Account. This is given in memory of Jenny Richards.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Kenner, Ceccarelli, Marino, Adams and Mayor Pilla

NOES:

ABSENT: Trustee Brakewood

DATE: February 16, 2016

RESOLUTION #9

AUTHORIZING AGREEMENT WITH JUDITH A. CASIO TO PROVIDE ZUMBA INSTRUCTION FOR SENIOR CITIZENS PROGRAM

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

WHEREAS, the Village of Port Chester has an active Senior Citizen program; and

WHEREAS, the Village requires qualified persons to provide instruction; and

WHEREAS, the Director of the Senior/Community Center has selected persons to serve the Village for 2015-2016; and

WHEREAS, the Village requires a qualified Zumba instructor to complete the program; and

WHEREAS, the expense for same is provided for in the 2015-2016 Village Budget. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement with Judith A. Casio to provide Zumba instruction for the Senior Citizen program, compensation to be \$50/class for each Thursday class. :

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Kenner, Adams, Marino, Ceccarelli and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood

DATE: February 16, 2016

RESOLUTION #10

SENIOR CENTER – AUTHORIZING THE RENEWAL APPLICATION FOR NUTRITION PROGRAM FOR THE ELDERLY, DEPARTMENT OF HEALTH PERMIT #01-6620-B

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

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

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

Resolution to authorize the renewal application for the Nutrition Program for the Elderly, Department of Health permit. Permit #01-6620-B expiration date: March 3I, 2017.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Kenner, Adams, Marino, Ceccarelli and Mayor Pilla
NOES: None
ABSENT: Trustees Brakewood

DATE: February 16, 2016

RESOLUTION #11

AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF WESTCHESTER WITH REGARD TO PARTICIPATION IN THE STOP DWI PROGRAM FOR 2015-2016

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

WHEREAS, the Westchester County STOP DWI Program (“Program”) is an overtime, added patrol effort with participating municipal police departments to enforce the New York State Vehicle and Traffic Laws against intoxicated and impaired driving; and

WHEREAS, upon submission of documentation, the County reimburses the participating department for overtime expense not to exceed a prescribed amount; and

WHEREAS, the County has forwarded a proposed Intermunicipal Agreement (IMA) to the Village of Port Chester that would enable the Port Chester Police Department to continue its participation in the Program for the period October 1, 2015 through September 30, 2016, with reimbursement not to exceed \$12,000; and

WHEREAS, the Chief of Police supports the Police Department’s continued participation in the program. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an IMA with the County of Westchester to continue the Port Chester Police Department’s participation in the Stop DWI Program for 2015-2016.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Kenner, Adams, Marino, Ceccarelli and Mayor Pilla
NOES: None
ABSENT: Trustee Brakewood

DATE: February 16, 2016

REPORT OF THE VILLAGE MANAGER

Demolition of 201 Grace Church Street is moving forward. It should be completed by the end of March. The Environmental Impact Report should be done by the end of this month. There will be fire and police training between now and demolition. Steps will be taken to inform surrounding neighbors. We should have someone from the Parks Commission come to the next meeting to discuss the parking lot and bathroom.

We have worked out the details with the Clay Arts Center for the program at the Senior Center on April 16th.

Replacement of the traffic signal at Glen and North Regent is under way.

Specs for the lights in Columbus Park are being drafted. We are trying to figure the low-cost alternative.

We ordered parking meter signs to replace those missing around the Village. We ordered the directional signs that will be put up by our DPW crew.

The redesign of the bulkhead is under way. We are expecting construction to begin next year.

The Pay by Phone system upgrade is being worked on this month.

DISCUSSIONS

Short term municipal parking improvements status update.

Signs should be available the end of February and the Pay by Phone app in March when the system upgrade is complete.

Developing a long-term municipal parking plan

We have to look at our ordinances and our rates and parking in general to better optimize downtown parking. Planning Director Zampert is working with the idea to sponsor a parking management study. We should work on solutions for short term and then for long term. Trustee Ceccarelli commented that we have plenty of parking, it's just not convenient.

Starwood Project Update

Mayor Pilla gave an update of his meeting with Starwood representatives. It would provide hundreds of jobs and millions of dollars in indirect benefits.

Trustee Ceccarelli gave an update on his visiting other Police Courthouses. He looked to validate the needs of the Port Chester department. Trustee Marino asked for a discussion at the next meeting.

CORRESPONDENCE

From Mellor Engine & Hose Co No. 3, Inc. on the election of Brian Rodriguez to active membership

This will be an add-on.

ADD-ON RESOLUTION

On motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the resolution to elect Brian Rodriguez to the rolls of Mellor Engine & Hose Co. No. 3, Inc. was adopted by the Board of Trustees of the Village of Port Chester, NY.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: Trustees Kenner, Adams, Marino, Ceccarelli and Mayor Pilla

NOES: None

ABSENT: Trustee Brakewood

DATE: February 16, 2016

Request from Clay Arts Center - \$5000.00 contribution

This is already in the Budget. Mayor Pilla will meet with them next week to see how we can rationalize this for next year.

Request for Procession – Corpus Christi

This will be forwarded to Staff for approval.

Funding Clean Water Infrastructure Grant Program

Staff is working on this Grant.

Port Chester Board of Education PAS approval letter – Color-a-thon

This will be referred to Staff.

PUBLIC COMMENTS AND BOARD COMMENTS AT THE END OF THE MEETING

PUBLIC COMMENTS

Mr. Bart Didden commented on the Long Range Parking Study. By raising the hourly rate it does not take into consideration the minimum wage earner. There are not enough parking spaces allocated for the people who work in the downtown area.

Mr. Richard Abel commented that the people who live in the downtown area are subject to the rates for parking. No single developer should get special treatment.

BOARD COMMENTS

Trustee Ceccarelli commented the parking needs to be looked at. People should not have to move their car every four hours. Regarding the traffic light at King and Putnam with a right hand arrow, we should have the DOT look at this. If we get a grant for the sewer repair, will this reduce the costs to the taxpayers for sewer rent? Village Manager Steers commented if we get the grant it will affect the following budget.

Trustee Marino commented on moving forward with the Police Station.

Trustee Adams commented there is a Town Hall meeting on February 27th at Mt. Zion from 10:00 A.M. to 1:00 P.M. We would like someone from the Village to give a presentation on cumulative voting and early voting.

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the meeting was adjourned at 9:21 P.M.

ROLL CALL: Trustees Ceccarelli, Marino, Adams and Mayor Pilla

NOES:

ABSENT: Trustees Kenner and Brakewood

DATE: February 16, 2016

Respectfully submitted,

Dave Thomas
Village Clerk