

MEETING HELD MARCH 7, 2016

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, March 7, 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 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 Zamft; Legal Intern, David Kenny; Fire Chief, Edward Quinn

On motion of TRUSTEE ADAMS, seconded by TRUSTEE KENNER, 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 ADAMS, seconded by TRUSTEE MARINO, the Board voted to combine the executive sessions to discuss:

- 1. Interim report from Special Counsel regarding correspondence between the Village Manager and the Mayor*
- 2. Consultation with Special Counsel on the matter of G&S Zoning Petition.*

ROLL CALL

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

NOES: None.

ABSENT: Trustee Brakewood

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board went into Executive Session to discuss:

- 1. Interim report from Special Counsel regarding correspondence between the Village Manager and the Mayor*
- 2. Consultation with Special Counsel on the matter of G&S Zoning Petition.*

ROLL CALL

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

NOES: None.

ABSENT: Trustee Brakewood

Trustee Brakewood arrived at 6:10 p.m.

At 7:40 the Board came out of executive session. Mayor Pilla called the public meeting to order.

PUBLIC COMMENTS

Ms. Goldie Solomon commented on the Village election on March 15th and early voting. We need to have our taxes come down. Our schools are overloaded. Carver Center should receive a community service award. She wished all a happy St. Patrick's Day.

Ms. Evelyn Petrone commented about the activities of the 5-member Ethics Board. We are trying to amend the Village Code to bring it up-to-date. We are going to have an Ethics Training seminar on Thursday, April 7th. It is important for the employees, board members and commission members to attend. John Mancini will again head this seminar. Mark Davies of New York City Ethics Board will also be in attendance. The public is also invited.

Mr. Bart Didden, in his capacity of Chairman of the Waterfront Commission, commented on the resolution for Retail B of the G&S project. The extra items that come off the coastal form do belong in the site plan review. These are major infrastructure issues. The Village does not have a modified pilot agreement for this property. How can you move forward without knowing the tax base? Once you agree to change the zoning it gives the developer rights that you can't take away.

Mr. Greg Hamilton commented on King Street being a straight-away. There should be a sign showing drivers their speed. There are sidewalks on Pine Place that need to be replaced. There should be a recycle bin in Lyon Park.

Ms. Diane Ray, as a member of the Dog Park Group, commented that she is in support of the dog Tether Law.

Mr. Richard Abel commented on the second Executive Session topic. Mayor Pilla replied it was to speak with counsel on the G&S SEQRA determination.

Jerry Terranova, Chairman of the Parks Commission, spoke on the Edgewood Park renovations, including demolishing the house and the new parking lot. The Parks Commission wants to put in bathrooms.

RESOLUTION #9

ADVANCING ENHANCEMENTS TO INCREASE RECREATIONAL PROGRAMMING AND PROMOTE GREATER OVERALL UTILIZATION OF EDGEWOOD PARK

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.

On motion made by TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the resolution was amended by the Board of Trustees of the Village of Port Chester, New York with the insertion of the date April 30th.

WHEREAS, at the instance of the Park Commission, the Village acquired property at 201 Grace Church Street adjacent to the park so as to provide on-site parking and thereby facilitate increased recreational programming and promote greater overall utilization of the park; and

WHEREAS, the Board has since requested that the Park Commission to make a determination as to the proposed location, layout and configuration of the parking lot, restroom facilities and other enhancements at the park; and

WHEREAS, recognizing existing fiscal constraints and limited resources with the desire to deliver tangible results, the Board seeks to phase the implementation of the desired enhancements deeming as a first priority the construction of the parking area. Now, therefore, be it

RESOLVED, the Board of Trustees expresses its intent that the parking area at Edgewood Park be constructed so that it may be available for use by April 30, 2016; and be it further

RESOLVED, invites the Park Commission to a joint meeting to advance the enhancements at the park on this timetable; and be it further

RESOLVED, that in the interim, the Village Manager work with the Village's consulting engineer to assist the Park Commission in their deliberations to develop cost estimates, plans and working bid documents.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None

DATE: March 7, 2016

PRESENTATIONS

Presentation from Lumen Light Solutions regarding LED Street Lighting

Lumen Light Solutions gave a presentation on how to save on your energy costs by changing street lights to LED.

GFOA Distinguished Budget Presentation Award

Ms. Beatrice Jones presented the Distinguished Budget Presentation Award to the Village of Port Chester. The Government Finance Officers' Association were present to show support to the Village for the fine work done. The purpose of the Distinguished Budget Presentation award is to encourage government to prepare budget documents of the highest quality for citizens and other interested parties.

RESOLUTIONS

RESOLUTION

ISSUE NEGATIVE DECLARATION UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH REGARD TO THE PETITION OF G&S

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, G&S Port Chester LLC (the "Applicant") owns the property parcels known as 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, which consists of approximately 23,138 square feet (the "Property"); and

WHEREAS, on 1999, the Applicant received approval from the Board of Trustees (hereinafter referred to as the "Board") to develop the Property for retail use as part of the Modified Marina Redevelopment Project (MMRP) in 1999; and

WHEREAS, such approval allows use of the Property for 48,000 gross square feet of retail use (approximately 40,000 net square feet of such use); and

WHEREAS, on December 5, 2014, the Applicant submitted a Petition to the Board to amend the zoning map and text amendments to the Urban Renewal Plan for the MMRP, regulations to the MUR Marina Redevelopment Project Renewal District, and Concept Development Plan of the Modified Marina Redevelopment to permit multi-family residential development of the Property and to add a multifamily dwelling parking regulation for the required parking table; and

WHEREAS, on October 1, 2015, the Applicant submitted an Amended Petition to the Board for amendments to (i) the Urban Renewal Plan for the MMRP, (ii) the regulations of the MUR MMRP Urban Renewal District of the Village of Port Chester, and (iii) the Concept Development Plan of the MMRP to permit residential use of the Property, and to amend the MMRP Urban Renewal Plan and MUR District regulations to add a multifamily dwelling parking regulation to the required parking table (the "Proposed Rezoning"); and

WHEREAS, the Applicant specifically seeks amendments to the MUR Marina Redevelopment Project Urban Renewal District in order to develop the Property for a mixed residential and commercial use development, consisting of approximately 12,000 square feet of ground floor retail space and 60,000 square feet of residential space (79 residential dwelling units, primarily studios and one-bedroom units), which includes a density bonus provision for additional floor area (the Proposed Rezoning and proposed development are, collectively, the "Proposed Action"); and

WHEREAS, on October 5, 2015, the Board adopted a resolution accepting the Applicant's Amended Petition for consideration; and

WHEREAS, the Board has found that the Proposed Action is an Unlisted Action pursuant

to the State Environmental Quality Review Act (“SEQRA”) and the regulations at 6 NYCRR Part 617 and has noticed its intent to serve as Lead Agency for the purposes of a coordinated review;

and

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

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

WHEREAS, at a duly noticed meeting on December 15, 2015, the Board designated itself as lead agency pursuant to SEQRA at a duly noticed meeting; and

WHEREAS, the Board retained independent consultants to review the submissions made by the Applicant pursuant to SEQRA; and

WHEREAS, the Amended Petition submitted by the Applicant included a Long Form Environmental Assessment Form (“EAF”), together with supporting material, pursuant to SEQRA; and

WHEREAS; the Board held a public hearing on the Petition that commenced on November 2, 2015 and was closed on February 1, 2016; and

WHEREAS, in response to inquiries by the Board, its Staff and independent consultants, and the public, the Applicant submitted further information pursuant to SEQRA; and

WHEREAS, the Board Staff and its independent consultants recommended that the Board of Trustees issue a determination that the Proposed Action would not have a significant adverse environmental impact; and

WHEREAS, the Board has reviewed and carefully considered the EAF and additional submissions made by the Applicant, public comments, and the recommendations of its Staff and independent consultants. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby determines that the Proposed Action will not have a significant adverse impact on the environment for the reasons set forth in the accompanying Negative Declaration, which is incorporated hereto and made a part hereof; and be it further

RESOLVED, that the Village Clerk is directed to undertake all filings and service of this Resolution pursuant to the regulations governing SEQRA at 6 NYCRR 617.12.

Approved as to form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEES KENNER, BRAKEWOOD, CECCARELLI, MARINO, ADAMS
AND MAYOR PILLA

NOES: NONE

ABSENT:

DATE: March 7, 2016

RESOLUTION

**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 BRAKEWOOD, seconded by TRUSTEE ADAMS, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, on October 1, 2015, the Village Board of Trustees received an amended zoning petition from G&S Port Chester LLC (herein referred to as “Applicant”) to amend the respective zoning map and text 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 residential development (the “action” or “petition” or “proposal”); and

WHEREAS, the proposal includes the parcels designated as Section 142.31, Block 1, Lots 3, 4, 5, 6, 20, 21, 22, 23 and 24 of the Town of Rye Official Tax Map as well as the interstitial Liberty Street Right-of-Way; and

WHEREAS, the proposal specifically seeks creation of a new “MUR-MU Marina Urban Redevelopment Mixed Use District” to develop the subject site for a mixed residential and commercial use development, consisting of approximately 12,000 square feet of ground floor retail space and 60,000 square feet of residential space (79 residential dwelling units, primarily studios and one-bedroom units), which includes a density bonus provision for additional floor area; and

WHEREAS, pursuant to Chapter 332 of the Village Code and in congruence with the Village of Port Chester’s current (1992, as amended in 1999) Local Waterfront Revitalization Program (“LWRP”) regulations, the Village of Port Chester Waterfront Commission (“Waterfront Commission”) is responsible for evaluating the proposed action against the policies and purposes of the adopted LWRP and provide such determination to the Lead Agency (the Board of Trustees).

WHEREAS, as part of its petition submission, the Applicant provided a Coastal Assessment Form for review by the Waterfront Commission.

WHEREAS, on December 29, 2015 said petition was heard by the Village of Port Chester Waterfront Commission at its meeting; and

WHEREAS, at the December 29, 2015 Waterfront Commission meeting the Waterfront Commission voted that the petition was inconsistent with the 1992 LWRP, as indicated in its January 4, 2016 determination; and

WHEREAS, the Waterfront Commission was bound by the 1992 LWRP since the proposed updated LWRP is currently being reviewed by the New York Department of State (“NYS DOS”), resulting in the determination of inconsistent; and

WHEREAS, the Waterfront Commission’s January 4, 2016 determination included a number of concerns regarding potential development at the subject site; and

WHEREAS, the LWRP, under Section 5.3, provides the management structure necessary to implement the LWRP, including the ability for Village agencies to issue their own findings; and

WHEREAS, the LWRP, under Section 5.3.C contains four (4) conditions that must be met for a Village agency in determining if a project or action should proceed; and

WHEREAS, the Village of Port Chester Department of Planning and Economic Development evaluated said petition regarding each of the four (4) conditions, as presented in a February 26, 2016 memorandum from the Director of Planning and Economic Development to the Board of Trustees; and

WHEREAS, the February 26, 2016 memorandum further recommended that the Board of Trustees prepare and issue findings on said petition, and

WHEREAS, the February 26, 2016 memorandum further stated that the Waterfront Commission’s concerns noted in its January 4, 2016 determination were evaluated as part of the New York State Environmental Quality Review Act (“SEQRA”) process and recommended that the Waterfront Commission’s concerns be addressed as part of the Village’s site plan approval process.

NOW, THEREFORE, be it

RESOLVED, that the Board of Trustees of the Village of Port Chester finds that said petition fits the threshold of each of the four (4) conditions as follows:

• **Condition 1** – *No reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of such LWRP policy standards and conditions.*

Development of any type will incur impacts to local resources, and any construction at this site will utilize public infrastructure. This includes land uses that are currently allowed in the MUR District’s existing zoning regulations, as well as the uses possible as part of the proposed zoning district, notably residential.

The “no-action” alternative would be to leave the project site vacant. However, doing so will directly hinder the LWRP’s policy objectives, which state a need to redevelop land in the Downtown Subarea. Therefore, such alternative would hinder the achievement of the LWRP’s standards and conditions and is considered not reasonable.

A second alternative would be to develop the project site under the existing MUR District regulations. Under such zoning, the Applicant had proposed a multi-story building for retail and commercial use. These uses would increase traffic generation and parking demand more than the mixed-use option currently proposed, resulting in additional traffic and air quality impacts. Therefore, such alternative would hinder the achievement of the LWRP’s standards and conditions and is considered not reasonable.

The proposed petition is consistent with Condition 1 that no reasonable alternatives exist that would not substantially hinder the achievement of LWRP policy standards and conditions.

• **Condition 2** – *The action would be undertaken in a manner which will minimize all adverse effects on such LWRP policy standards and conditions to the maximum extent practicable.*

The proposed action is consistent with Condition 2 in that it would be undertaken in a manner that would minimize adverse impacts to the maximum extent practicable. The proposed action, a zoning change, will not incur adverse impacts in and of itself. Rather, it is the forthcoming site specific plan that will and should be evaluated to ensure minimal adverse effects on LWRP policy standards and conditions. This will take place during the Village’s site plan approval process to the maximum extent practicable.

• **Condition 3** – *The action will advance one or more of the other coastal policies.*

The proposed action is consistent with Condition 3 as it will advance two additional coastal policies:

Policy 1: Restore, revitalize and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational and other compatible uses.

Policy 1D: Redevelop Port Chester owned land in Subarea IV, the Downtown Subarea for commercial, recreational, residential and other compatible uses.

• **Condition 4** – *The action will result in an overriding Village, regional or State-wide public benefit.*

Said action is consistent with Condition 4 since it will result in an overriding Village public benefit to develop its downtown area and waterfront in a smart growth, transit-oriented fashion. Said action is within walking distance of the Port Chester train station and Main Street and will help to bring new residents and foot-traffic to the downtown area. These new residents and shoppers will provide significant economic benefits to the Village as patrons to local stores and restaurants. Inclusion of retail uses on the first floor will also provide economic benefits by adding to the Village’s non-residential tax base; and be it further

RESOLVED, that, based on the foregoing, the Board, as the Lead Agency, finds that said petition shall be permitted to proceed.

Approved as to Form:

Village Attorney Anthony Cerreto

ROLL CALL

AYES: TRUSTEES KENNER, BRAKEWOOD, CECCARELLI, MARINO, ADAMS AND MAYOR PILLA

NOES: NONE

ABSENT:

DATE: March 7, 2016

The LWRP submitted to the State would allow for residential. The SEQRA review has gone over traffic and density in the Village. Planning Director Zamft commented this is consistent with our master plan but as of now does not have State approval.

Mr. Mark Chertok and Mr. O'Rourke commented the proposal through SEQRA is that we determine mixed use. The proposal to convert this site to mixed use means there would be less traffic generated and less parking demand. Mr. O'Rourke and Mr. Zamft worked on parking a pedestrian traffic. A second floor parking deck was also looked at. No residents would be allowed to park more than four hours in the Marina parking lot. After development the sewer drains will be the same in terms of the drainage system. The other issue is the effect on the school district. The applicant would pay the cost per student that was identified in the IDA study done in respect to the school district. It is based on seven students. We looked at issues of hazardous substances; there would be no significant impacts. The residential part of this development would go on the tax role.

Trustee Ceccarelli commented on the number of accidents in the Don Bosco area and on Waterfront Place. The accident numbers are consistent with the area.

In the applicant's package there is a mistake on page 4 of the SEQRA document, section C. Parking. The second paragraph fourth line should read 127 parking spaces (not 167). The Board would have to allow the 4 hour parking during the overnight period.

Mayor Pilla commented this type of plan was included in the master plan.

DISCUSSION:

The Dog Park Group, represented by Ms. Dina Goren, read a petition regarding Tethering of Dogs in Port Chester. There are currently 19 states with laws addressing tethering of dogs. We took text from New York City and Miami laws and made a proposal for a Port Chester law. We are looking for humans to be with their dogs while tethered outside. Dogs should not be tethered for more than three hours (with a responsible party with the animal).

Village Attorney Cerreto will work with the Dog Park Group to set up a local law.

Trustee Brakewood pointed out what a good example this is. The Dog Park Group saw something wrong and is working with the Village to correct it.

Mayor Pilla commented that the second meeting in April should be time enough to draft a local law and set a public hearing.

CORRESPONDENCE:

G&S request for restrictions on parking in the Walgreens lot.

Attorney Tartaglia commented this was an outgrowth of parking in the Marina lot. If we make the Marina lot paid parking, Walgreens would need enforcement in that lot. G&S is requesting a ½ hour parking

This will be referred to staff for consideration.

RESOLUTION #2

ACCEPTING THE PORT NORTH MAIN STREET LLC AMENDED PETITION TO AMEND THE ZONING CODE OF THE VILLAGE OF PORT CHESTER TO INCLUDE A C4-R GATEWAY RETAIL ZONING DISTRICT FOR REVIEW AND CONSIDERATION, DECLARING THE VILLAGE OF PORT CHESTER BOARD OF TRUSTEES AS LEAD AGENCY FOR THE PORT NORTH MAIN STREET PROPOSED ACTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) AND SETTING A PUBLIC HEARING ON THE PROPOSED ZONING AMENDMENT

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, On October 6, 2015, Port North Main Street LLC (the "Applicant") filed site plan applications for 531 and 601 North Main Street to convert the existing buildings to retail use; and

WHEREAS, recognizing that retail is currently not a permitted use in the C4 General Commercial Zoning District in which the properties are located, the Applicant concurrently filed a petition on December 15, 2015 for a proposed zoning text amendment to Village Code Chapter 345, to allow retail as a special exception use within all or part of the C4 District, to provide a parking standard for retail use, and to provide specific special exception criteria (the "Original Petition"); and

WHEREAS, the Applicant made a presentation to the Board of Trustees on the Original Petition at the January 19, 2016 Board meeting; and

WHEREAS, at the January 19, 2016 Board meeting, the Board accepted the Original Petition for consideration and review, referred the matter to the Planning Commission and Waterfront Commission for their review and comments, and declared their intent to be Lead Agency under the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Board of Trustees referred the Proposal to the Westchester County Planning Board pursuant to §345-34 H for review and comment in accordance with of the Village Zoning Code; and

WHEREAS, At its January 25, 2016 meeting, the Planning Commission held a public meeting on the zoning and provided comments, as encapsulated in the January 25, 2016 Planning Commission meeting minutes; and

WHEREAS, based upon the Planning Commission's comments and an initial review by the Department of Planning & Economic Development, the Applicant filed an Amended Petition to specifically request a proposed zoning text amendment to Village Code Chapter 345, to create a new C4-R Gateway Retail District from Terrace Avenue north along North Main Street to the Connecticut border, create a retail parking standard for the C4-R District, designate permitted and special exception uses and lot and bulk controls for such district, and establish special exception criteria for retail uses (the "Amended Petition"); and

WHEREAS, The Village has not received any objection from any involved agencies objecting to the Board of Trustees acting as lead agency; and

WHEREAS, the proposal is an Unlisted Action pursuant SEQRA regulations and will require determination of significance of potential environmental impacts prior to adoption.

NOW, THEREFORE, be it

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

RESOLVED, that the Village of Port Chester Board of Trustees declares its intent to serve as Lead Agency for the proposed Unlisted Action described herein and as defined in Part 617 of SEQRA regulations; and be it further

RESOLVED, that the Board of Trustees sets a public hearing on this matter on April 4, 2016 at 7:00 p.m. or shortly thereafter at the Village Justice Court Room, 350 North Main Street, Port Chester NY 10573.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: TRUSTEE KENNER, BRAKEWOOD, CECCARELLI, MARINO, ADAMS AND MAYOR PILLA

NOES: None

ABSENT:

DATE: March 7, 2016

RESOLUTION #3

ADOPTION OF LOCAL ADJUSTMENTS FOR HOMESTEAD AND NON-HOMESTEAD BASE PROPORTIONS FOR 2016-2017

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 February 2, 2005, the Board of Trustees adopted Local Law No.2 of 2005 relating to the adoption of the provisions of Section 1903 of the Real Property Tax Law regarding Homestead Base Proportions; and

WHEREAS, the Town of Rye Assessor has prepared and adopted Homestead and Non-Homestead base proportions for the Village of Port Chester on February 16, 2016; and

WHEREAS, the Board of Trustees of the Village of Port Chester wishes to adopt local adjustments to these base proportions that will be used to establish a Homestead tax rate and a Non-Homestead tax rate for the 2016-2017 Village Budget and tax rates. Now, therefore, be it

RESOLVED, that the Board of Trustees of the Village of Port Chester hereby adopts for the 2016-2017 Village tax, Homestead Base Proportions of 54.889754%, and Non-Homestead base proportions of 45.110246%; and be it further

RESOLVED, that the Village Manager is authorized to sign all necessary documents to implement the purposes of this resolution; and be it further

RESOLVED, that the Town Assessor and Receiver of Taxes are authorized to make any filings on behalf of the Village of Port Chester, and to take any additional actions necessary to implement the purposes of this resolution.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEE KENNER, BRAKEWOOD, CECCARELLI, MARINO, ADAMS AND MAYOR PILLA

NOES: None

ABSENT:

DATE: March 7, 2016

RESOLUTION #4

ACCEPTANCE OF JUSTICE COURT ASSISTANCE PROGRAM GRANT TO PURCHASE EQUIPMENT FOR THE JUSTICE COURT

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 Board of Trustees authorized the submission of an application for a New York State Office of Court Administration 2016 Justice Court Assistance Program (JCAP) grant to facilitate necessary improvements to the Port Chester Justice Court; and

WHEREAS, the Village has been awarded a \$6,855.99 grant; and

WHEREAS, the Court Clerk seeks to purchase the equipment sought through the JCAP grant so as to enhance security and operations. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby accepts the 2016 JCAP grant and authorizes the Village Treasurer to modify the General Fund Budget as follows:

General Fund

Increase:

1.13389	NYS Other Public Safety Items	\$6,855.99
1.1110.200	Equipment	\$6,855.99

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEE KENNER, BRAKEWOOD, CECCARELLI, MARINO, ADAMS AND MAYOR PILLA

NOES: None

ABSENT:

DATE: March 7, 2016

RESOLUTION #5

AWARDING BID FOR MASONRY REPAIRS TO POLICE HEADQUARTERS/JUSTICE COURT

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 advertised that it was seeking bids for masonry work at the Police Headquarters/Justice Court facility at 350 North Main Street (Bid # 2015-14-); and

WHEREAS, the Village received a single bid, from RVT Construction, 85 5th Avenue, Unit 3, Patterson, New Jersey 07524 which submitted a bid of \$89,000.00; and

WHEREAS, the Village's consulting engineer, Dolph Rotfeld Engineering, P.C . recommends that this bid be accepted which is in compliance with the bid specifications. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for masonry repairs to the Police Headquarters/Justice Court (Bid #15-14) to RVY Construction, and be it further

RESOLVED, that the Village Manager is hereby authorized to enter into post-bid negotiations and enter into an agreement with the contractor provided that the amount shall not exceed \$80,000; and be it further

RESOLVED, that the funding for said work be appropriated from the Police Building Improvement Project a/c 5.3120.2013.126 in the Capital Fund.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEE KENNER, BRAKEWOOD, CECCARELLI, MARINO, ADAMS AND
MAYOR PILLA

NOES: None

ABSENT:

DATE: March 7, 2016

RESOLUTION #6

**AWARDING BID FOR DEMOLITION
OF UNSAFE STRUCTURE AT 1 BETSY BROWN ROAD**

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 commenced a special proceeding in Westchester County Supreme Court to abate the public nuisance created by the fire-damaged structure at 1 Betsy Brown Road; and

WHEREAS, the Village received a decision on December 23, 2015 granting the Village's petition authorizing the Village to effectuate the demolition through a private contractor and for such expenses to constitute a lien on the property to be collected and enforced in the same manner as village taxes and requesting an order to be prepared for the court's signature confirming same; and

WHEREAS, in anticipation of the signed order, the Village advertised that it was seeking bids for the demolition of 1 Betsy Brown Road (Bid # 2016-01); and

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

WHEREAS, State Contracting Corp of NY d/b/a Capital Industries submitted the lowest bid of \$28,000.00; and.

WHEREAS, on February 19, 2016 the Village received the signed order; and

WHEREAS, Village staff recommends that this bid be accepted which is in compliance with the bid specifications. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards Bid # 2016-01 Demolition of 1 Betsy Brown Road to State Contracting Corp of NY d/b/a Capital Industries, 555 Saw Mill River Road, Yonkers New York, 10701, 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 modify the General Fund as following:

General Fund:

Transfers from:

1.1990.400	Contingency	\$28,000
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Transfers to:

1.3650.400	Demolition of Unsafe Buildings	\$28,000
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Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEE KENNER, BRAKEWOOD, CECCARELLI, MARINO, ADAMS AND MAYOR PILLA

NOES: None

ABSENT:

DATE: March 7, 2016

RESOLUTION #7

AMENDING THE 2015-2016 CAPITAL PROJECT PLAN TO ESTABLISH TWO (2) PROJECTS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SENIOR CENTER VEHICLES AND EQUIPMENT AND APPOINTING OFFICERS RESPONSIBLE FOR ADMINISTRATION THERETO

On the 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 was awarded \$106,745 in Community Development Block Grant (“CDBG”) funding from the New York State Office of Community Renewal (“NYSOCR”) for replacement Vehicles and Kitchen Equipment; and

WHEREAS, as part of receipt of such funding a number of forms must be submitted; and

WHEREAS, Form 8-1 Project Team, and form I-2 Designation of Depository for Direct Deposit of NYS CDBG Funds are required forms; and

WHEREAS, NYSOCR has recommended that project team members be identified on such form and by local resolution, where necessary; and

WHEREAS, the only roles on Form 8-1 that are necessary to appoint are Fair Housing Officer, Section 3 Coordinator, and Labor Compliance Officer; and

WHEREAS, the following amendment to the 2015-2016 Capital Project Plan is necessary to properly account for the additional project

NOW, THEREFORE, be it

RESOLVED, that Christopher Steers, occupying the role as Village Manger is hereby appointed as the Village of Port Chester Fair Housing Officer for the CDBG Senior Center Project; and be it further

RESOLVED, that Christopher Steers, occupying the role as Village Manger is hereby appointed as the Village of Port Chester Section 3 Officer for the CDBG Senior Center Project; and be it further

RESOLVED, that Village Engineer is hereby appointed as the Village of Port Chester Labor Standards Compliance Officer for the CDBG Senior Center Project; and be it further

RESOLVED, that Village of Port Chester affirms the roles and responsibilities of the remaining officers designated on Form 8-1; and be it further

RESOLVED, that the 2015-2016 Capital Fund Budget be modified as follows:

SENIOR CENTER VEHICLES:

Revenues		
5.5.4985.2015.0166	CDBG CFDA 14.228	\$93,438
Appropriations		
5.6750.203.2015.0166	Senior Center Vehicles	\$93,438

SENIOR CENTER EQUIPMENT:

Revenues		
5.5.4985.2015.0167	CDBG CFDA 14.228	\$13,307
Appropriations		
5.6730.200.2015.0167	Senior Center Equipment	\$13,307

Approved as to Form:

Village Attorney
Anthony Cerreto

ROLL CALL

AYES: TRUSTEE KENNER, BRAKEWOOD, CECCARELLI, MARINO, ADAMS AND MAYOR PILLA

NOES: None

ABSENT:

DATE: March 7, 2016

RESOLUTION #8

AMENDING THE 2015-2016 CAPITAL PROJECT PLAN TO ESTABLISH A PROJECT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SEWER MAIN IMPROVEMENT PROJECT AND APPOINTING OFFICERS RESPONSIBLE FOR ADMINISTRATION THERETO

On the 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 was awarded \$750,000 in Community Development Block Grant (“CDBG”) funding from the New York State Office of Community Renewal (“NYSOCR”) for repairs to the Village of Port Chester’s sewer mains; and

WHEREAS, as part of receipt of such funding a number of forms must be submitted; and

WHEREAS, Form 8-1 Project Team, and form I-2 Designation of Depository for Direct Deposit of NYS CDBG Funds are required forms; and

WHEREAS, NYSOCR has recommended that project team members be identified on such form and by local resolution, where necessary; and

WHEREAS, the only roles on Form 8-1 that are necessary to appoint are Fair Housing Officer, Section 3 Coordinator, and Labor Compliance Officer; and

WHEREAS, the following amendment to the 2015-2016 Capital Project Plan is necessary to properly account for the additional project

NOW, THEREFORE, be it

RESOLVED, that Christopher Steers, occupying the role as Village Manger is hereby appointed as the Village of Port Chester Fair Housing Officer for the CDBG Senior Center Project; and be it further

RESOLVED, that Christopher Steers, occupying the role as Village Manger is hereby appointed as the Village of Port Chester Section 3 Officer for the CDBG Senior Center Project; and be it further

RESOLVED, that Village Engineer is hereby appointed as the Village of Port Chester Labor Standards Compliance Officer for the CDBG Senior Center Project; and be it further

RESOLVED, that Village of Port Chester affirms the roles and responsibilities of the remaining officers designated on Form 8-1; and be it further

RESOLVED, that the 2015-2016 Capital Fund Budget be modified as follows:

1. SEWER MAIN IMPROVEMENT

Revenue

5.5.4985.2015.0168	CDBG CFDA 14.228	\$750,000
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Appropriations

5.8120.400.2015.0168	Sewer Main Improvement	\$750,000
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Approved as to Form:

Village Attorney
Anthony Cerreto

ROLL CALL

AYES: TRUSTEE KENNER, BRAKEWOOD, CECCARELLI, MARINO, ADAMS AND MAYOR PILLA

NOES: None

ABSENT:

DATE: March 7, 2016

REPORT OF THE VILLAGE MANAGER

Update – Grace Church Street Parking Plan

This has already been discussed.

Update – Police Department

Chief Conway provided an Annual Report for the police department showing traffic violations, arrests, school crossing coverage, etc. The department hired 8 police officers bringing the total to 62. We have over 8,000 hours of training, which saves lives and connects the police department to the public. We won a \$162,000 boat package. The department upgraded the radio system with DEA money, We have to get out there so people in the community will come to us when they need help. Narcotics Enforcement has worked with other agencies and outside agencies are lending their expertise. YPI is a mutual understanding between at-risk youth and the police department.

The Auxiliary Police is being reestablished as an unarmed police supplement and being a more integral part of the police department. We have people in the community with skills we could use in the department. We are recruiting people.

Update – Parking Strategy – Long and Short Term

Planning Director Zamft commented it is time to revisit parking. We would like to look at parking downtown and throughout the Village. We need an actionable plan with specific items that the Village can enact. We have to develop a scope of work and the schedule to get us there. We need to have a sit-down workshop with public attendance. The IDA is doing the study.

Update – Starwood Project

In December or early January chapters of the pFEIS were submitted by the applicant to the Village. Those have been reviewed and returned with four outstanding: traffic, storm water and utilities, and alternatives. Traffic is the main issue that needs to be discussed.

We can review traffic next week if the applicant completes it and it is given back with time for us to review. A consultant is reviewing the traffic. Mid April would be an appropriate time to do a workshop.

Update – MTA Accessibility Project

This was tabled.

DISCUSSIONS

Proposed County Legislation Modifying the Airport Terminal Use Agreement

Village Manager Steers commented we have looked at the issues pertaining to that Agreement regarding changing flight hours. We should send them something in writing that we need to better understand what they are trying to do. Ultimately they may want to expand the terminal. The other shift is in the size of the planes. Our services would be impacted by more passengers and planes.

Another important point is that the County is going through a master plan for the Airport. We need to have a voice. The County legislators are meeting this week. There are many environmental impacts.

Election Update

Early voting started this morning. We sent out two English and two Spanish commercials. We sent out almost 35,000 document in English and Spanish on early voting and cumulative voting. We have 117 certified election inspectors, 41 bi-lingual. We had inspection of the machines and found on five of the machines the bottom row sticks slightly. Our poll workers will advise everyone that if they have trouble with the levers to ask for help. We are set to go.

CORRESPONDENCE

From National Alliance on Mental Illness of Westchester Inc. regarding a Ribbon Campaign from May to May 31, 2016.

This was referred to staff for action.

Workforce Housing Coalition regarding United Hospital zoning

This was duly noted. Mr. Zamft received a copy.

From Rye Brook regarding Westchester County Airport

Staff will respond.

PUBLIC COMMENTS AND BOARD COMMENTS AT THE END OF THE MEETING

PUBLIC COMMENTS

None

BOARD COMMENTS

Trustee Brakewood commented on the beauty of campaigning has given lots of suggestions. Seniors have spoken about handicapped parking stickers. The Oak Street parking lot has residents parking overnight; can we make a section of this lot “no parking without a permit.” We need an update on the Glen Avenue/North Regent Street project. Village Manager Steers commented this should be a few more weeks. People should take advantage of Early Voting.

Trustee Ceccarelli thanked the firemen for the good job on Cottage Street. Congratulations on the Distinguished Budget Award. He commented that Mr. Steers hire the Building Inspector who he feels most comfortable with.

Trustee Marino commented we need the light on North Regent to be fixed. He thanked the firemen for their work at recent fires.

Trustee Adams thanked the chief for the good work at the Cottage Street fire.

Mayor Pilla thanked the volunteers for their good work on the commissions. He encouraged everyone to vote

On motion of TRUSTEE ADAMS, seconded by TRUSTEE CECCARELLI, the meeting was adjourned at 11:29 p.m.

Respectfully submitted,

David Thomas
Village Clerk