

MEETING HELD AUGUST 1, 2016

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, August 1, 2016 in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Deputy Mayor Luis Marino presiding.

Present in addition to Mayor Pilla were Trustees Bart Didden, Francis Ferrara, Daniel Brakewood, and Luis Marino.

Also present were: Village Clerk, David Thomas; Village Manager Christopher Steers, Chief of Police, Richard Conway; Director of Planning, Eric Zamft; Village Attorney Anthony Cerreto, Village Treasurer Leonie Douglas, Human Director Consultant Ed Brancati and Assistant Fire Chief Mike DiVittorio

On motion of TRUSTEE FERRARA, seconded by TRUSTEE MARINO, the meeting was declared opened at 6:05 p.m.

PROCLAMATION

Rev. Natalie R. Wimberly

PUBLIC COMMENTS ON PUBLIC HEARING

ON A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER CH. 345
'ZONING' ART. XVIII 'WIRELESS TELECOMMUNICATIONS FACILITIES'

On motion of TRUSTEE FERRARA, seconded by TRUSTEE DIDDEN, the Public Hearing was reopened.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Ceccarelli and Adams

Ms. Goldie Solomon commented we need an explanation of what the Law amending the Code is for.

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE MARINO, the Public Hearing on Wireless Telecommunications Facilities was declared closed.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Ceccarelli and Adams

PROCLAMATION

PUBLIC COMMENTS ON PUBLIC HEARING

TO CONSIDER THE ADVISABILITY OF ADOPTING A NEW LOCAL LAW, CHAPTER 95
'PUBLIC OFFICERS,' AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER WITH
REGARD TO THE RESIDENCY OF PUBLIC OFFICERS.

On motion of TRUSTEE FERRARA, seconded by TRUSTEE MARINO, the Public Hearing was declared open.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Ceccarelli and Adams

Mr. John Reavis commented on the term Public Officers. They include Police Officers, the Treasurer, Deputy Treasurer, the Village Clerk, the Deputy Clerk, Court staff personnel and must live within New York State. Mr. Reavis commented this Law needs to be publicized.

Ms. Goldie Solomon commented if you hire Port Chester people and then they decide to move they already know the history of Port Chester. If you hire someone from out of town you have to have a class to instruct them on what is going on in Port Chester.

Village Manager Steers commented that you have to be qualified and sometimes that qualified person lives outside of the area.

On motion of TRUSTEE FERRARA, seconded by TRUSTEE MARINO, the Public Hearing on Public Officers was declared closed.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Ceccarelli and Adams

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE FERRARA, the Board adopted a new Local Law, Chapter 95 "Public Officers," amending the Code of the Village of Port Chester with regard to the residency of Public Officers.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Ceccarelli and Adams

PRESENTATION

The Bulkhead Steering Committee will meet with Boswell Engineering next week. Mr. Robert Reis of the Waterfront Committee and Bulkhead Steering Committee brought up the issue of the level of the promenade. He cautioned the Board about going for low costs and the disasters that have occurred. Another issue is safety. It may become an encampment for vagrants. This should be at the same level as the Costco parking lot.

PUBLIC COMMENTS

Ms. Nikotavage commented there is not a stop sign and a crosswalk at the corner of Wesley and Newton. Vince Massuci commented this is part of his recommendation.

Ms. Goldie Solomon commented on the concerts at Lyon Park. She would like to see the Trustees at the concerts. She commented on our saviors, the Police and Fire departments, the DPW, EMTs and our military.

RESOLUTION

ACCEPTANCE AND APPROVAL OF CHRISTIAN LONDONO AS AN ACTIVE MEMBER OF PUTNAM ENGINE & HOSE CO. NO.2

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

WHEREAS, at the July, 2016 meeting of Putnam Engine & Hose Co. #2 the company held an election for new active members; and

WHEREAS, Christian Londono has been elected to be a new active member. Now, therefore, be it,

RESOLVED, that the Board of Trustees hereby accepts and approves the election of Christian Londono to Putnam Engine & Hose Co. #2, as an active member of the Port Chester Fire Department

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA

NOES: NONE

ABSENT: TRUSTEES CECCARELLI AND ADAMS

DATE: AUGUST 1, 2016

RESOLUTION

ACCEPTANCE AND APPROVAL OF GERARDO GARCIA AS AN ACTIVE MEMBER OF
PUTNAM ENGINE & HOSE CO. NO.2

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

WHEREAS, at the July, 2016 meeting of Putnam Engine & Hose Co. #2 the company held an election for new active members; and

WHEREAS, Gerardo Garcia has been elected to be a new active member. Now, therefore, be it,

RESOLVED, that the Board of Trustees hereby accepts and approves the election of Gerardo Garcia to Putnam Engine & Hose Co. #2, as an active member of the Port Chester Fire Department

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA

NOES: NONE

ABSENT: TRUSTEES CECCARELLI AND ADAMS

DATE: AUGUST 1, 2016

RESOLUTION

ACCEPTANCE AND APPROVAL OF ROBERTO HEREDIA AS AN ACTIVE MEMBER OF
PUTNAM ENGINE & HOSE CO. NO.2

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

WHEREAS, at the July, 2016 meeting of Putnam Engine & Hose Co. #2 the company held an election for new active members; and

WHEREAS, Roberto Heredia has been elected to be a new active member. Now, therefore, be it,

RESOLVED, that the Board of Trustees hereby accepts and approves the election of Roberto Heredia to Putnam Engine & Hose Co. #2, as an active member of the Port Chester Fire Department

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA
NOES: NONE
ABSENT: TRUSTEES CECCARELLI AND ADAMS

DATE: AUGUST 1, 2016

RESOLUTION

APPOINTMENT OF POLICE CHAPLIN

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

RESOLVED, that Rabbi Jaymee Alpert, be and he hereby appointed as Police Chaplin with the Village of Port Chester Police Department, effective immediately, or as heretofore adopted by the Board of Trustees.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA
NOES: NONE
ABSENT: TRUSTEES CECCARELLI AND ADAMS

DATE: AUGUST 1, 2016

RESOLUTION

DESIGNATING MEMBERS TO PARTICIPATE IN MEDIATION EFFORTS WITH REGARD TO PORT CHESTER-RYE BROOK INTER-MUNICIPAL AGREEMENT FOR FIRE PROTECTION SERVICES

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

WHEREAS, there is ongoing litigation involving the inter-municipal agreement (IMA) between the Village of Rye Brook and Village of Port Chester for fire protection services in the New York Supreme Court, Westchester County before the Honorable Alan Schienkman; and

WHEREAS, through the good offices of Judge Scheinkman, both villages have agreed to suspend the litigation and pursue a mediation of their differences; and

WHEREAS, in order to facilitate the mediation, it is intended that the sessions be attended by representative members of both village's boards of trustees. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby appoints Trustees Gregory Adams, Bart Didden, and Mayor Dennis Pilla to represent the Village Board of Trustees with regard to a mediation of the dispute between the Villages of Rye Brook and Port Chester regarding their inter-municipal agreement for fire protection services.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA

NOES: NONE

ABSENT: TRUSTEES CECCARELLI AND ADAMS

DATE: AUGUST 1, 2016

RESOLUTION

AWARDING RFP # 2016-03 FOR MOBILITY AND PARKING MANAGEMENT STUDY WITH RECOMMENDATIONS FOR PLAN OF ACTION TASKS 4 THROUGH 9

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 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 and mobility throughout the downtown are concerns 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, on May 4, 2016 the Village and the Port Chester Industrial Development Agency (“PCIDA”) jointly issued a Request for Proposals (“RFP”) for the preparation of a Mobility and Parking Management Study with Recommendations for Plan of Action; and

WHEREAS, the RFP acknowledges that Tasks 1 through 3 and 9 are of interest of the PCIDA and the remaining Tasks 4 through 9 are of interest to the Village; and

WHEREAS, on June 10, 2016 the Village received seven (7) responses to RFP # 2016-03; and

WHEREAS, the Village Manager/Administrative Director of the PCIDA, Department of Planning & Economic Development, and Chairman of the PCIDA reviewed all proposals received, and

WHEREAS, the bids were reviewed not only for their content, but price as well; and

WHEREAS, after a thorough review of all proposals received, the Village Manager/Administrative Director of the PCIDA, Department of Planning & Economic Development, and Chairman of the PCIDA recommended three (3) firms to be; and

WHEREAS, the three (3) short-listed firms were invited to interview with the PCIDA at their July 13, 2016 meeting; and

WHEREAS, following the interviews, the PCIDA voted to select the RBA Group, New York, New York, for award for Tasks 1 through 3 and 9 for an amount not to exceed \$61,222; and

WHEREAS, the RBA Group was invited to interview with the Board at their August 1, 2016 meeting; and

WHEREAS, based upon their proposal for Tasks 4 through 9 and their interview, the Director of Planning & Economic Development, Village Manager, and Village Attorney recommend that the Board of Trustees award the remaining Tasks 4 through 9 to the RBA Group, New York, New York.

NOW, THEREFORE, be it

RESOLVED, that the Board of Trustees hereby awards the bid for a Mobility and Parking Management Study with Recommendations for Plan of Action, Tasks 4 through 9 to the RBA Group, 32 Old Slip, 4th Floor, New York, NY 10005, for an amount not to exceed \$56,434; and be it

FURTHER RESOLVED, that the Board authorizes the Village Treasurer to transfer \$36,500 from Contingency a/c 1.1990.400 to Planning Contractual line 1.8020.400 to cover the Village's share of said study, and be it

FURTHER RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with RBA Group for Tasks 4 through 9 for an amount not to exceed \$56,434, and be it

FINALLY RESOLVED, that the form and content of said contract shall be subject to the approval of the Village Attorney.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA

NOES: NONE

ABSENT: TRUSTEES CECCARELLI AND ADAMS

DATE: AUGUST 1, 2016

RESOLUTION

APPROVING G&S REQUEST FOR PARKING RESTRICTIONS AT WALGREENS

On motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, this resolution was discussed by the Board of Trustees of the Village of Port Chester, New York

Trustee Didden spoke to amend the resolution.

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE MARINO, the resolution was tabled until August 2nd.

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA
NOES: NONE
ABSENT: TRUSTEES CECCARELLI AND ADAMS

RESOLUTION

CONFIRMATION AND APPROVAL OF DIRECTOR OF CODE ENFORCEMENT

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

WHEREAS, the Village Manager desires to appoint Lawrence Chiulli as Director of Code Enforcement; and

WHEREAS, pursuant to Section 77-5C of the Village Code, such appointment is subject to the confirmation and approval of the Board of Trustees. Now, therefore, be it

RESOLVED, that the Village Manager's appointment of Lawrence Chiulli as Director of Code Enforcement is hereby confirmed and approved, at an annual salary of \$110,000.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA
NOES: NONE
ABSENT: TRUSTEES CECCARELLI AND ADAMS

DATE: AUGUST 1, 2016

RESOLUTION

**AWARDING BID #2016-07 FOR BROAD STREET AND NORTH MAIN STREET
SEWER REPLACEMENT PROJECT**

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE DIDDEN,

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

WHEREAS, the Village is in the middle of conducting an ongoing capital improvements project for village-wide sewer improvements; and

WHEREAS, the Village of Port Chester has advertised for bids for the 2016 Broad Street and North Main Street Sewer Replacement Project (Bid No. 2016-07); and

WHEREAS, the Village received four 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 Joken Development Corporation of White Plains, New York in the amount of \$639,335.00 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 2016 Broad Street and North Main Street Sewer Replacement Project (Bid No. 2016-07) to Joken Development Corporation of 9 Belway Place White Plains, New York; 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 Village Manager, Section 112 of the Specifications and Contract Documents is authorized to make changes in the work unit prices line for change orders, and be it further

RESOLVED, that the Board of Trustees authorizes the Village Treasurer to make payment from the following account in the Capital Fund as follows: #5.8120.400.2013.132 for the 2016 Broad Street and North Main Street Sewer Replacement Project.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA
NOES: NONE
ABSENT: TRUSTEES CECCARELLI AND ADAMS

DATE: AUGUST 1, 2016

CORRESPONDENCE

Putnam E&H Co. No. 2, notice of the election of three new members.

A Resolution was approved and we welcome the new members.

Letters from Robert Reis.

Mr. Reis spoke earlier.

Correspondence from the Traffic Commission.

Noted.

Correspondence from Washington Engine & Hose Company.

Noted.

Correspondence from residents of May Place.

Forwarded to Staff for their approval subject to conditions.

ADD-ON RESOLUTION

TO CO-SPONSOR THE ONE YEAR ANNIVERSARY OF THE DOG PARK

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE MARINO, the Resolution was adopted by the Board of Trustees of the Village of Port Chester, New York

ROLL CALL

AYES: TRUSTEES DIDDEN, FERRARA, BRAKEWOOD, MARINO AND MAYOR PILLA
NOES: NONE
ABSENT: TRUSTEES CECCARELLI AND ADAMS

DATE: AUGUST 1, 2016

DISCUSSIONS

1. Corenthal Correspondence to Village Attorney.

Trustee Didden commented we looked at this and it is done.

2. Spring Street Parking Restrictions.

Trustee Didden commented that there is a street sweeping at 7:00 a.m. and that people are receiving tickets during the 9:00 a.m. Mass.

3. 2nd Annual Wall Street Rides FAR.

Trustee Ceccarelli asked for the Mayor's response. The governor has not set legislation yet.

4. Housing Bonus and Rehabilitation Policy.

Mayor Pilla commented we had people come from Sustainable Port Chester talk about a few things including the 10% set aside. Planning Director said this would require SEQRA. Trustee Ferrara said this would require discussions and any additional affordable housing would bring more children to the schools.

PUBLIC COMMENTS

Mr. Richard Abel commented on the Public Officers' law. The Board should take it one step further – the highest paid officials in this Village do not live in the Village.

BOARD COMMENTS

Trustee Didden expressed his condolences to the Gelfarb family. He thanked the fire department for two quick stops.

Trustee Ferrara expressed sympathy to the Gelfarb and Adams families on their losses.

Trustee Brakewood expressed his sympathy to the Gelfarb and Adams families.

Trustee Marino asked for an update on the lighting in Columbus Park. Village Engineer said the bid was too high. Mr. Steers will send an update to the Board tomorrow. Trustee Marino asked when the work on the ramps at the firehouses is going to start.

Mayor Pilla expressed condolences to the Adams and Gelfarb families.

APPROVAL OF MINUTES

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the minutes of April 5, 2016 were approved by the Board

ROLL CALL

AYES: Trustees Ferrara, Brakewood, Marino and Mayor Pilla

NOTES: None

ABSENT: Trustees Ceccarelli and Adams

RECUSED: Trustee Didden

Without a majority vote the minutes were not approved.

On motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, the minutes of April 6, 2016 were approved by the Board.

ROLL CALL

AYES: Trustees Ferrara, Brakewood, Marino and Mayor Pilla

NOTES: None

ABSENT: Trustees Ceccarelli and Adams

RECUSED: Trustee Didden

On motion of TRUSTEE FERRARA, seconded by TRUSTEE BRAKEWOOD, the minutes of April 26, 2016 were approved by the Board.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Marino and Mayor Pilla

NOTES: None

ABSENT: Trustees Ceccarelli and Adams

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE DIDDEN, the minutes of the April 27, 2016 meeting were approved by the Board.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood and Mayor Pilla

NOTES: None

ABSENT: Trustees Ceccarelli and Adams
RECUSED: Trustee Marino

On motion of TRUSTEE MARINO, seconded by TRUSTEE DIDDEN, the minutes of the April 28, 2016 meeting were approved by the Board.

ROLL CALL

AYES: Trustees Didden, Ferrara, Marino and Mayor Pilla
NOTES: None
ABSENT: Trustees Ceccarelli and Adams
RECUSED: Trustee Brakewood

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE FERRARA, the meeting was adjourned at 9:02 p.m.

ROLL CALL

AYES: Trustees Didden, Ferrara, Brakewood, Marino and Mayor Pilla
NOTES: None
ABSENT: Trustees Ceccarelli and Adams

Respectfully submitted,

David Thomas
Village Clerk