

MEETING HELD AUGUST 15, 2016

A Meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, August 15, 2016 at 6:00 p.m. in the Village Justice Courtroom of the Police Headquarters Building, 350 North Main Street, Port Chester, New York

Present in addition to Mayor Pilla were Trustees Francis Ferrara, Gene Ceccarelli, Gregory Adams and Luis Marino.

Also present were Village Clerk Dave Thomas, Legal Assistant to the Village Attorney David Kenny, Village Manager Christopher Steers, Planning Director Eric Zamft, Village Engineer Vincent Masucci, Police Chief Richard Conway and Fire Chief Edward Quinn. Village Treasurer Leonie Douglas arrived at 7:16 p.m..

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE FERRARA, the meeting was declared opened at 6:35 p.m.

ROLL CALL

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

NOTES: None

ABSENT: Trustee Didden

PROPOSED MOTION FOR EXECUTIVE SESSION

On motion of Trustee Marino, seconded by Trustee Ceccarelli, the Board went into Executive Session for:

1. Discussion with counsel regarding the employment of a particular person.

ROLL CALL

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

NOTES: None

ABSENT: Trustee Didden

It should be noted that Trustee Didden arrived at 6:37 p.m..

The Board came out of Executive Session at 7:00 p.m.

On motion of TRUSTEE FERRARA, seconded by TRUSTEE ADAMS, the Executive Session was declared closed.

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

ROLL CALL

AYES: Trustees Didden, Ferrara, Ceccarelli, Adams, Marino and Deputy Mayor

NOES: None

ABSENT: None

PUBLIC HEARING ON 50/50 SIDEWALK BETTERMENT PROGRAM

Village Engineer Vince Masucci gave a slide presentation on the 50/50 Program. This is designed to help homeowners in the area to repair the sidewalks. With this program we are hoping to cover all of Port Chester. This is a ten-year program.

Trustee Didden noted that the business owners in the downtown area did not receive any help from the Village. Everybody should be responsible for their own.

Trustee Adams noted that the Village voted to spend \$20,000 on a specific area of this Village because of a group home.

PUBLIC COMMENTS ON THE PUBLIC HEARING

Ms. Goldie Solomon commented we are not an elitist community. Sidewalks should be repaired by tax money.

Mr. John Reavis commented on the labor costs for this program. Will there be any concern about subcontractors coming into our community and paying sub-standard wages? Mayor Pilla replied that the workers will be paid the prevailing wage. The Village has taken the liberty of planting trees and the roots have raised the sidewalk. This is the responsibility of the Village.

Mr. Richard Abel commented the program is a good idea. The curbs are the responsibility of the Village. Is there a plan to fix the curbs? There is no permit needed for the sidewalk or the apron.

Mr. William Finke commented on the interest rate. The 10 year payback would be under 2.5%. In the past have people been mandated to be in the program?

Trustee Brakewood commented on the Volunteer Program of past years. This program is good for entire neighborhoods.

Mr. Tim Chambers believes this is a good program. You have almost a year to decide whether you want to pay off the debt before the 10-year period. If you decide to have the curb or apron done it is between you and the contractor. All the safety precautions are in place. The contractor is responsible..

Mr. Eric Matelli said the unit price is a good idea. How do we control change orders? This is just surface areas. Mr. Steers commented we monitor this closely.

Ms. Elizabeth Minnulli commented on the curbs. Mr. Masucci replied the sidewalks are mandatory. Curbs are the responsibility of the Village.

Village Treasurer Douglas said all property owners have been notified. If they don't reply they will be assessed over the 10-year period at the 50/50 rate.

Mr. Abel commented if a homeowner does not agree with the assessment. There is an arbitrator and an appeals process.

Mr. Masucci commented that if there were no Sidewalk Betterment Program it would be up to Code Enforcement to go out and issue violations, and you would pay 100%.

On motion of TRUSTEE FERRARA, seconded by TRUSTEE DIDDEN, the public hearing was declared closed.

ROLL CALL

AYES: Trustees Didden, Ferrara, Ceccarelli, Adams, Marino and Deputy Mayor

NOES: None

ABSENT: None

PRESENTATIONS

Colony Grill – G&S

Mr. Daniel Tartaglia, Attorney for G&S LLC gave a presentation on the Colony Grill site plan. Also present were the engineers representing Colony Grill restaurant.

Trustee Ceccarelli commented on parking space availability for this restaurant.

Trustee Adams commented on wheelchair accessibility.

Trustee Didden commented on a basement in the building and the stabilization of the building.

Trustee Brakewood commented on how you would replace the tiebacks.

Report from the Traffic Commission

Mr. Joe Gianfrancesco, Chairman of the Traffic Commission, spoke of started projects that were never completed. He gave a slide show of traffic issues. He started with the earliest which was a crosswalk at 50 South Main Street (which belongs at Purdy and South Main). The County approved this as a temporary crosswalk. Attorney Tartaglia commented that G&S will make curb cuts to comply with anything set by the DOT.

Parkway Drive is before the Traffic Engineer. We need to accommodate for the increased population.

We have a request from Fire Chief Quinn to mark the streets in front of the Washington Park firehouses. The signs at the firehouses also have to be addressed.

Abendroth Avenue has three different problems. At Willett between the Mariner and Saltaire, there was no crosswalk. Now there are three crosswalks. At Mill Street there are no signs designating a left turn for the Post Road and right turn to I-95.

Nella Way was dedicated to the Village. We have two problems with this -- one is with the fire department and the rear entrance; and now Nella Way is becoming a street for abandoning cars. The gate needs to be addressed.

Abendroth Place is a Village road but has not been dedicated. The signage is horrendous and the police department cannot enforce the parking.

Wesley, Neuton and Columbus never had a stop sign. With the population growth, getting across Columbus onto Barton is an issue. We need a stop sign on Columbus and Neuton. Village Manager Steers commented we need to have the Traffic Engineer look at this.

Speed Bumps are located on Hawthorne. You have to go slow, you can't clean snow or ice around them. Fire trucks could break an axle going over them. Ambulances cannot do CPR going over them. Motorcyclists can lose control.

Ms. Angela Chambless commented on the speed bumps on the streets in her neighborhood. Regarding deliveries, G&S and their tenants have to understand that they border a residential area. They should only be parking in legal receiving areas. Village Manger Steers will work with the police chief on this issue.

Attorney Tartaglia commented we also have to look at Pearl Street and East Broad Street.

Trustee Adams asked for a discussion item on the second September meeting to address a follow up on the issues on Traverse as well as other issues.

PUBLIC COMMENTS

Ms. Doris Reavis commented that you check the signage on Travesse Avenue and other places. The Traffic Commission should outline in a document what we need here in Port Chester in the way of signage. She commented on the MTA improving the railroad station. This is disrespectful to our community. The Post Office is deplorable. She advocated for Voting District 16. The polling place used to be at Summerfield Church and now the people from this district have to go to Holy Rosary. She commented on the Starwood Project. Periodically the lawyer should come to the meetings to keep the public informed.

Mr. Richard Abel commented on the MTA's replacing a piece of sidewalk on Broad Street. We should look at pavers as crosswalks on our Village roads.

DISCUSSIONS

1. Bulkhead Reconstruction Project Recommendation – Steering Committee

The mayor started the Discussion by introducing members of the Bulkhead Advisory Committee members, Mr. Passerelli and Ms. Imbesi. The committee had sent a letter to the Board of Trustees expressing their opinion:

August 3, 2016

To Mayor Dennis Pilla and the Board of Trustees,

As a follow-up to Boswell's presentation regarding the different options for the waterfront and bulkhead redesign, some members of the Bulkhead Steering Committee had an opportunity to meet at Village Hall on August 3rd to finalize key recommendations. Please review for your consideration, before plans are submitted to the Department of State.

A majority consensus was reached on the following:

1. We understand the Department of State requires at least three plans with respect to the bulkhead repair, and Boswell presented several to consider. To place choices in perspective, we abbreviated three. •
 - **Option #1** featured repair with steel sheeting alone.
 - **Option #2** featured revetment (a sloping rock embankment with a cement platform anchored by cement columns).
 - **Option #3** – which garnered a majority consensus – involved continuous revetment beginning at the property line, where the Costco lot meets the Zodiac Industries, to run northbound to the end of the 2nd breach. A cement walkway could cap this portion of the waterfront that would be as flush as possible to the Costco lot. Steel sheeting should run from that breach point and beyond into the cove. Understanding cost, durability, and safety, consensus was reached in favor of this option.
2. The activity node plaza, and the conjoining promenade, should be raised as close as possible to be level with the Costco parking lot. The rationale for this is that sunken promenades and plazas are less secure, uninviting, and not visible from the street level. Raising the promenade and plaza also makes it easier for our law enforcement to efficiently patrol the area.
3. A pedestrian bridge should connect over the gut/cove between the Marina lot and the activity node plaza; such a bridge should be situated as close as possible to the Byram River waterway. This will create seamless pedestrian flow along the waterfront. A stage or performance space could be constructed over the westernmost part of the cove/gut, which we felt could serve as a hub for our village for a variety of events.
4. A publicly accessible launch for non-motorized vessels, such as kayaks and canoes, would be ideally situated at the southernmost point of the Costco lot, where it meets the Zodiac Industries property line. Positioning the launch here dovetails with our recommended bulkhead redesign and revetment walkway.

Recognizing possible concerns by Costco, we are hoping constructive dialogue in the near future will assess how this part of the lot is currently being used and occupied, so that it could successfully conjoin the waterfront to the kayak launch.

5. A check dam should be constructed at the gateway of the gut/cove, so as to trap water at low tide, thereby preventing mud exposure and unwanted odors in consideration of restaurant patrons.

6. Once these structural items are in place, amenities such as benches, landscaping, and historical and educational signage could be phased in later. Sponsorship and funding can be determined between the Chamber of Commerce and other vested parties (both private and public) so these features can provide our waterfront with a sense of historical identity and character.

The aforementioned points were concluded with the best interests of Port Chester's residents in mind. Our goal was to recommend ideas that would meet the public's need for open, appealing, and safe accessibility to the waterfront. Similar to the Tarrytown and Stamford revitalizations, our waterfront should be inviting for residents, families, and visitors to enjoy for leisure and recreational activities. Considering this vision, we believe this redesign will add even more value to commercial interests in the area. We would like to express special thanks to Doug Riley for attending the August 3rd meeting on behalf of G&S. Please note that not all committee members were present. We thank you for this opportunity of public input in the effort to improve our village.

Respectfully,

Emily Imbesi
Bulkhead Steering Committee / Beautification Commission
Tav Passarelli
Bulkhead Steering Committee / Waterfront Commission
Robert Reis
Bulkhead Steering Committee / Waterfront Commission

2. Police Court Upgrade Project

The Mayor suggested an upgrade and the Board should consider construction behind the current Police Station.

Trustee Marino suggested the committee meet again to review the project.

Trustee Brakewood suggested they start with requirements and options for the project.

Village Manager Steers reminded the Board that we answers to those questions in a previous report.

Trustee Didden agreed with both the Village manager and Trustee Brakewood but stated that he preferred not to build on the current site and to hire a consultant.

Trustee Brakewood stated that it's not a question of what we require but what we can

afford and that we may be able to improve the existing structure.

Village Manager Steers commented on the fact that there is already information on options available from past studies.

Chief Conway commented on the current conditions and the prospect of moving temporarily.

Trustee Ceccarelli commented on his research into the project.

The Board suggested the subcommittee meet in early October

3. Trustee election system & charter reform

The mayor suggest Trustee Ceccarelli and Ferrara informally meet to plan for the March election.

Trustee Didden commented on the various voting possibilities.

4. Consent agenda Trial run

The mayor suggested that the Board “Test drive” the Consent Agenda system.

5. RFP# 2016-06 for Strategic Planning Facilitation Services

The Village Manager suggests the Board participate in Strategic Planning Session run by a professional consultant.

RESOLUTIONS

RESOLUTION #3

APPROVING REQUEST FOR PARKING LIMITATION AT WALGREENS PARKING LOT

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 and G&S Port Chester, LLC (“G&S”), are parties to a Land Acquisition and Development Agreement (“LADA”) as part of the 1999 approvals for the Village’s Modified Marina Redevelopment Project; and

WHEREAS, G&S sub-leases property in the Project located at 107 North Main Street to Walgreens; and

WHEREAS, G&S Port Chester Unit 2C LLC (a related G&S entity) has made request on behalf of Walgreens that the Village approve a one our time limitation for parking in its parking lot which shall be privately enforced; and

WHEREAS, such request is governed by the provisions of Article 16 of the LADA (“Project Parking”); and

WHEREAS, the Board has deliberated with regard to same. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby approves the request of G&S Port Chester Unit 2C LLC. for the imposition of a one hour time limitation at the Walgreens parking lot.

Approved as to Form:

Anthony M. Cerreto, Village Attorney.

ROLL CALL

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

NOES: NONE

ABSENT: NONE

DATE: AUGUST 15, 2016

RESOLUTION #1

AWARDING BID FOR EMERGENCY REPAIRS 2016-2017 BID# 2016-08

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 of Port Chester has advertised that it was seeking bids for emergency repairs in BID# 2016-08; and

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

WHEREAS, ELQ Industries Inc., of New Rochelle, New York, has submitted the lowest bid at \$623,750.00; and

WHEREAS, this is a two year project, where there is a ten percent unit price increase for the second year of the contract; and

WHEREAS, Dolph Rotfeld, P.E., BCEE recommends that the bid by ELQ be accepted.

Now therefore, be it,

RESOLVED, that the Board of Trustees hereby awards the contract for Bid # 2016-08 Emergency Repairs to ELQ Industries Inc. with offices located at 567 Fifth Avenue New Rochelle, NY 10801; and be it

FURTHER RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with the ELQ Industries Inc.; and be it

FURTHER RESOLVED, that the funding for said will be appropriated from the various accounts related to these emergency repairs upon the need for repair.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: NONE

ABSENT: NONE

DATE: AUGUST 15, 2016

RESOLUTION #2

AWARDING BID FOR 2016 ROAD RESURFACING BID# 2016-05

On motion of TRUSTEE DIDDEN, 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 road resurfacing in BID# 2016-05; and

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

WHEREAS, ELQ Industries Inc, of New Rochelle, New York, has submitted the lowest bid at \$1,527,207.00.

WHEREAS, Dolph Rotfeld, P.E., BCEE recommends that this bid be accepted. Now therefore, be it,

RESOLVED, that the Board of Trustees hereby awards the contract for Bid # 2016-05 2016 Road Resurfacing to ELQ Industries Inc. with offices located at 567 Fifth Avenue New Rochelle, NY 10801; and be it

FURTHER RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with the ELQ Industries Inc.; and be it

FURTHER RESOLVED, that the funding for said work be appropriated from FY 2016-17 Street Resurfacing Capital Project A/c 5.5110.400.2016.176.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: NONE

ABSENT: NONE

DATE: AUGUST 15, 2016

RESOLUTION #4

DECLARING THE VILLAGE OF PORT CHESTER BOARD OF TRUSTEES AS LEAD AGENCY FOR THE MICRO-ALCOHOL ESTABLISHMENTS PROPOSED ACTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) AND SETTING A PUBLIC HEARING ON THE PROPOSED ZONING AMENDMENT ESTABLISHING DEFINITIONS AND ADDITIONAL REGULATIONS FOR BREWERIES, DISTILLERIES, WINERIES, AND MICRO-ALCOHOL ESTABLISHMENTS

On motion of Trustee DIDDEN, 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 is committed to the economic revitalization of Port Chester that is sustainable both environmentally and socioeconomically; and

WHEREAS, based upon national trends and local interest, on May 2, 2016 the Board directed staff to draft zoning text amendments to permit alcohol and micro-alcohol establishments within certain portions of the Village; and

WHEREAS, a local law has been prepared that would amend Chapter 345 "Zoning" of the Village Code to permit such uses, which are currently excluded from locating anywhere in the Village; and

WHEREAS, the draft local law would also:

-add definitions for Brew Pub, Brewery, Distillery, Microbrewery, Microdistillery, Microwinery, Nanobrewery, Tasting Room, and Winery,

-permit Brewery, Distillery, and Winery in the M1 and M2 Districts; permit Brewpub in the C1, C2, C3, C4, C5, C5T, CD, CDS Districts and as a special exception use in the DW and DW2 Districts; and permit Microbrewery, Microdistillery, Microwinery, and Nanobrewery (including Tasting Rooms) in the C2, C5, and C5T Districts and as a special exception use in the DW and DW2 Districts;

-provide specific criteria for such uses that must be satisfied related to odors, water usage, and effluent; and

WHEREAS, such proposed amendment is consistent with the Village's 2012 Comprehensive Plan, notably Economic Development Recommendation #1: Strengthen and expand economic opportunity and the Village's tax base by focusing efforts on retaining and expanding existing businesses and attracting new businesses and Economic Development Recommendation #3: Increase Port Chester's retail capture rate by improving the profitability of commercial businesses and recruiting new establishments based on market demand; and

WHEREAS, at the July 18, 2016 Board meeting, the Board adopted a resolution considering the Proposed Zoning Text Amendment for review, declared their intent to be Lead Agency under the New York State Environmental Quality Review Act ("SEQRA"), referred the matter to the Planning Commission pursuant to §345-34 H for their review and comment in accordance with of the Village Zoning Regulation, and referred to the Westchester County Planning Board and adjoining municipalities, as may be required under the Westchester County Administrative Code, Section 277.61, and/or State General Municipal Law, Sections 239-l, 239-m, and 239-n; and

WHEREAS, the matter was discussed at the July 25, 2016 Planning Commission meeting and is anticipated to be discussed at the August 29, 2016 Planning Commission meeting; and

WHEREAS, in an August 2, 2016 letter, the Westchester County Planning Board stated that they found it appropriate that the Village take steps to update its zoning ordinance to reflect and to address emerging economic development trends; and

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

WHEREAS, the Board found that the Proposed Action is properly classified as an Unlisted Action pursuant to NYCRR 617 of the SEQRA regulations; and

WHEREAS, the Department of Planning and Economic Development prepared a Full Environmental Assessment Form ("FEAF") Parts 1 and 2 with attached information that evaluated the potential environmental impacts of the Proposed Action; and

WHEREAS, the Board is required to conduct a public hearing on the advisability of adopting the local law.

NOW, THEREFORE, be it

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

RESOLVED, that the Board of Trustees sets a public hearing on this matter on September 6, 2016 at 7:00 p.m. or shortly thereafter at the Village Justice Court Room, 350 North Main Street, Port Chester to consider the advisability of adopting a local law amending the Village Code establishing definitions and additional regulations for breweries, distilleries, wineries, and micro-alcohol establishments.

Approved to form:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: NONE

ABSENT: NONE

DATE: AUGUST 15, 2016

RESOLUTION #5

APPOINTMENT TO THE PLANNING COMMISSION AS A MEMBER

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

RESOLVED, that GERALD ESPINOZA, of Port Chester, New York, be and he hereby is appointed as a member of the Port Chester PLANNING COMMISSION, effective immediately, with said term to expire June 6, 2017.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: NONE

ABSENT: NONE

DATE: AUGUST 15, 2016

RESOLUTION #6

APPOINTMENT TO THE ZONING BOARD OF APPEALS

AS AN ALTERNATE MEMBER

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

RESOLVED, that ERIC CHALCOFF, of Port Chester, New York, be and he hereby is appointed as a member of the Port Chester ZONING BOARD OF APPEALS, effective immediately, with said term to expire December 31, 2016.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: NONE

ABSENT: NONE

DATE: AUGUST 15, 2016

RESOLUTION #7

SPECIFIC WAIVER OF ATTORNEY CLIENT PRIVILEGE WITH RESPECT TO A MEMO FROM SPECIAL COUNSEL ON COMMUNITY BENEFIT AGREEMENTS

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

WHEREAS, there has been public discussions of community benefit agreements with regard to certain development projects within the Village of Port Chester; and

WHEREAS, for one project in particular, United Hospital/Starwood Redevelopment, there has been public requests for the Village to enter into, or to require of the applicant, a community benefits agreement as part of the proposed project; and

WHEREAS, the Board of Trustees has received a privileged and confidential legal memorandum on community benefit agreements from its special counsel, Mark Chertok of Sive, Paget & Riesel P.C.; and

WHEREAS, the Board wishes to share this specific memorandum with the public to answer certain questions it is receiving regarding community benefits agreements; and

WHEREAS, the Board is making only a specific waiver of its attorney/client privilege with respect to this memorandum only, and fully intends to maintain the attorney/client privilege on all other matters it pertains to. Now, therefore, be it,

RESOLVED, that the Board of Trustees hereby makes a specific waiver of the attorney/client privilege only with respect to the legal memorandum on community benefits agreements prepared by special counsel Mark Chertok of Sive, Paget, & Riesel, and continues to maintain the privilege on all other matters it pertains to; and be it,

FURTHER RESOLVED, that such legal memorandum will be released to the public.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: NONE

ABSENT: NONE

DATE: AUGUST 15, 2016

ADD ON RESOLUTION

PROVIDING NEW PARKING REGULATIONS FOR SPRING STREET

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE MARINO, 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 an issue with regard to the timing of its street cleanings on Spring Street, and the related parking restrictions; and

WHEREAS, the Board of Trustees wishes to solve these issues by moving the times of the street cleaning and related parking restrictions to a time where less traffic occurs on Spring Street; 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 319-76, Schedule XV, Parking Prohibited Certain Times, pursuant to the provisions of Section 319-22 is amended as follows:

Name of Street	Side	Time	Location
Spring Street	East	Wednesdays [8:30 a.m.] 9:30 a.m. to 11:30 a.m.	From Westchester Ave to Olivia Street

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 DIDDEN, FERRARA, BRAKEWOOD, CECCARELLI, ADAMS,
MARINO AND MAYOR PILLA

NOES: NONE

ABSENT: NONE

DATE: AUGUST 15, 2016

ADD ON RESOLUTION

RECOMMENDING THE DENIAL OF A LIQUOR LICENSE RENEWAL REQUEST WITH
THE NEW YORK STATE LIQUOR AUTHORITY

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, Nico's Chicken, Inc., ("Nico's") has applied for a liquor license at premises located at 137 Irving Avenue, Port Chester; and

WHEREAS, pursuant to Alcohol Beverage Control Law, Section 64(2-a), an applicant must give a municipality thirty (30) days' notice prior to the submission of an application for a liquor license; and

WHEREAS, Nico, has requested that the Village waive the 30-day notice requirement in an effort to expedite the granting of the liquor license.

WHEREAS, the Building Inspector found outstanding Fire Inspection notices of violations. Now, therefore, be it

RESOLVED, that the Village Board of Trustees of the Village of Port Chester does not waive the thirty (30) day Liquor License notice requirement to Nico's Chicken, Inc. for premises located at 137 Irving Avenue, Port Chester; and it is,

FURTHER RESOLVED, that the Building Inspector is to write a letter to the New York State Liquor Authority recommending that Nico's Chicken, Inc. application for a liquor license be denied.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: NONE

ABSENT: NONE

DATE: AUGUST 15, 2016

REPORT OF THE VILLAGE MANAGER

1. The contract for the LED Lighting has been executed.
2. 201 Grace Church Street has been demolished and a bid has been awarded for construction of the parking lot,
3. Columbus Park Lighting – we have reached out to Westchester County relating to potential funding.

APPROVAL OF MINUTES

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the minutes of February 23, 2016 were approved.

ROLL CALL

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

NOES: None

ABSENT: None

RECUSED: Trustees Didden and Ferrara

DATE: August 15, 2016

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the minutes Of March 17, 2016 were approved.

ROLL CALL

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

NOES: None

ABSENT: None

RECUSED: Trustees Didden and Ferrara

DATE: August 15, 2016

On motion of TRUSTEE MARINO, seconded by TRUSTEE FERRARA, the minutes of May 6, 2016 were approved.

ROLL CALL

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

NOES: None
ABSENT: None
RECUSED: Trustee Adams

DATE: August 15, 2016

On motion of TRUSTEE FERRARA, seconded by TRUSTEE CECCARELLI, the minutes of May 10, 2016 were approved.

ROLL CALL

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

DATE: August 15, 2016

On motion of TRUSTEE FERRARA, seconded by TRUSTEE MARINO, the minutes of May 24, 2016 were approved.

ROLL CALL

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

DATE: August 15, 2016

CORRESPONDENCE

Procession Request from Saint Virgin of Guadalupe of Banos-Cuenca, Ecuador

St. Peter Requesting Permission to hold Procession on August 20, 2016

Village Board of Ethics – Alex Payan resignation letter of 7/27/2016

Request for Linden Street Block Party on September 3, 2016

were referred to staff for approval subject to conditions.

Election of Dan Scales to Fire Patrol & Rescue Co. No. 1

Election of Estella Perrone to Harry Howard Hook & Ladder Co. No. 1

A motion was made by TRUSTEE MARINO, seconded by TRUSTEE DIDDEN, to accept Dan Scales and Estella Perrone to the Port Chester Fire Department.

ROLL CALL

AYES; Trustees Didden, Ferrara, Brakewood, Ceccarelli, Adams, Marino and Mayor Pilla

NOES: None

ABSENT; None

DATE” August 15, 2016

Resignation of Greg Gregory from the Planning Commission.

PUBLIC COMMENTS

Mr. Richard Abel asked if the Village holds a referendum to change our voting system, would the County run it and we wouldn't have to pay for it? The BOT meetings in the past were over in an hour. Decisions were made previous to the meetings. This Board lets the public see how you make your decisions. Discussion items should move to the end of the meeting.

Vince Masucci commented that the Auto School building is going to be taken down right after Labor Day. We have seen the MTA elevator plans.

Trustee Didden commented on the Birthday of St. Don Bosco. He offered condolences to the Sabato family.

Trustee Brakewood commented on Fire Chief Quinn having a section in the Village Manager's report. Regarding the folks on Traverse Avenue regarding the traffic this is a very dense neighborhood. We have a mix of manufacturing and residential. This needs to be addressed as a residential neighborhood. We had a successful Byram River clean-up day. We should speak with the Port Chester Yacht Club regarding launching in the River.

Trustee Ceccarelli commented on the Charter. It is a document that goes back to 1868. The height of the grass at Metro North is in defiance of the code. As a public service company they have a right not to comply if anything interferes with the running of the railroad. He acknowledged the work done by the members resigning from several boards. The parking kiosks have enclosures, protecting people from the rain while using them. We should impose a time limit on the pFEIS.

Trustee Adams thanked all who wished his family condolences on the passing of his mother.

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE MARINO, the meeting was adjourned at 11:43 p.m.

Respectfully submitted,

David Thomas, Village Clerk