

MEETING HELD OCTOBER 17, 2016

A Meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, October 17, 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, Village Attorney Anthony Cerreto, Legal Assistant to the Village Attorney David Kenny, Planning Director Eric Zamft, Human Resources Director Ed Brancatti, Village Engineer Vince Masucci, Police Chief Richard Conway, Fire Chief Edward Quinn and Engineering Consultant Dolph Rotfeld

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

ROLL CALL

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

NOTES: None

ABSENT: Trustees Didden and Brakewood

It should be noted that Trustee Didden arrived for Executive Session.

PROPOSED MOTION FOR EXECUTIVE SESSION

On motion of TRUSTEE FERRARA, seconded by TRUSTEE MARINO, the Board went into Executive Session for:

1. **Discussion with Labor Counsel regarding pending litigation in the matters of Dennis Pilla, et al v. Sahniai Kamasomtob et al and Village of Rye Brook v. Village of Port Chester.** (With Human Resources Director Ed Brancati and the Village Attorneys)

ROLL CALL

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

NOES: None

ABSENT: None

The Board came out of Executive Session at 7:02 p.m.

PRESENTATIONS

1. *Presentation of the Police Benevolent Association Awards*

Awards were presented by Det. Marcello Preta, PBA president, to officers and members of the public for helping to combat crime. Civilians Christopher Santiago and Robert Vilato, Danielle O'Mara and Mike Gabriel, Lt. Charles Nielsen, Officer Arthur Dusenbury, Sgt. Drew Conetta, Officers Chris Bivona, William Krzeminsky, Anthony Scarlata and Det. Anthony Rivera, Det. Thomas Munnely, Det. Chris Krzeminsky, Det. Angel Sanchez and Officers Garcia and Tompkins of the Westchester County P.D. Several officers were awarded certificates of merit with honor bars for their bravery in stopping crime.

PUBLIC COMMENTS

Ms. Goldie Solomon commented the police are our heroes. She also thanked the fire department, the DPW and our EMTs. Seniors need to get their taxes down.

Mr. Tom Kissner commented on the Sustainable Port Chester Alliance. The apprenticeship program will expose youths to available training. It is good for all.

Ms. Evelyn Closter, an officer of Longview Owners Inc., commented on temporary parking accommodations while work is being done.

Mr. Joseph Rende commented on the young men from the Police Department receiving awards. The comments made by members of the Board at last month's meeting were upsetting. Issues should be discussed in public. The Board has to work for the best interest of the community.

Mr. Chris Calabrese commented on the apprenticeship program. He is on the board of the Don Bosco workers. The workers at the Castle were never paid a fair wage. We are taking proactive steps to help workers enter into the pre-apprenticeship program.

Ms. Zelke Sanchez, an organizer of the Sustainable Port Chester Alliance, commented that many young people want to work for a reputable construction firm. The apprenticeship program is not enough.

Mr. John Crawford commented on the Sustainable Port Chester Alliance. Members get training and safety instructions. This is a four-year program. Non-union people don't have representation. You should have apprenticeship language when hiring someone so that you get career workers.

Mr. Dan Mecca, the apprenticeship training director for Local 3 IBW, commented on training work requirements and safety courses. In Local 3 the apprenticeship includes school training and college courses.

PRESENTATION

2 Sustainable Port Chester presentation on local apprenticeship Programs

Ms. Joan Grangenois Thomas, a member of the Port Chester Sustainable Alliance, gave an overview of what an apprenticeship program can do. The United Hospital development has many work opportunities. We need better jobs in our community. The income for the Black and Latino community is lower than the median income for Port Chester. An apprenticeship pipeline will lead the way to well-paid careers in the construction trades.

Councilman Anthony Macagnone of Oyster Bay, is an officer with the Northeast Organization of Carpenters. In Oyster Bay we enacted the apprentice requirement.

Trustee Ceccarelli commented that there are only a few villages on Long Island that have the apprenticeship program. However, these villages are mostly residential.

Mr. Macagnone said the program in Oyster Bay has been set up by Resolution setting a Local Law. In Hempstead at least 10 percent of the workforce on a project have to be from Hempstead. The apprenticeship programs are paid for by the contractors as a cost to the job.

Village Manager Steers commented on the pre-apprenticeship program being developed at Don Bosco. How is this enforced, and how do you know that the people being funneled through the program come from the Village? Mr. Macagnone said that the Building Department would receive a list with the names and addresses of workers on the site.

The pre-apprenticeship programs are funded by state grants and county grants. Chris Calabrese commented that Don Bosco applied for grants. There are several steps and goes through the Department of Labor.

Trustee Didden commented we Port Chester has a much bigger need than having 10% on a project.

Mr. Dolph Rotfeld commented that we do a lot of work on public works programs. Mr. Macagnone replied for the state for every 4 journeymen you have one apprentice. This keeps costs down and trains someone for the future.

Village Manager Steers commented this program has potential.

Mayor Pilla commented we should get that Law.

Trustee Didden commented that Don Bosco is already active on the pre-apprenticeship program.

DISCUSSIONS

1. ***Police Municipal Center***

Village Manager Steers commented a conference call is set for tomorrow at 11:00 a.m. Mayor Pilla set a discussion for the next BOT meeting.

2. ***Village of Port Chester Sesquicentennial Committee***

Trustee Ceccarelli commented we are now at a 20-month window. The Village staff should all be part of this process. Eric and his group are working on this. They need a committee to do some heavy work. Seniors can contribute, the Chamber of Commerce, Village staff and others should all become involved. Soliciting members of the committee is essential.

3. ***Local Law – An alternative method of establishing a legal nonconforming use.***

We no longer have an Amnesty Program. Some people still unknowingly still are not conforming. Village Manager Steers commented on fine tuning as to what date you should begin and end the 10-year threshold date. We need input from the Planning Commission. Trustee Didden commented there are a lot of unanswered questions. The burden of proof is on the property owner. Trustee Ceccarelli commented on discrepancies in documents received before the meeting. Mayor Pilla commented there will be more discussion on this at the meeting on November 7th.

RESOLUTIONS

RESOLUTION #1

Discussion on Changes to Parkway Drive will be withdrawn until the next meeting.

RESOLUTION #2

AUTHORIZING INTER-MUNICIPAL AGREEMENT FOR IMPLEMENTING NEW YORK STATE WATER QUALITY IMPROVEMENT PROJECT PROGRAM

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, with the Village of Sleepy Hollow assuming the role of lead agency, the Village of Port Chester and other municipalities in Westchester County agreed to participate as a stormwater consortium (“Consortium”) for the purpose of making application for grant funding from the New York State Department of Environmental Conservation (“DEC”) through the Water Quality Improvement Project Program (WQIP); and

WHEREAS, the Village of Sleepy Hollow has applied for and been approved for a WQIP grant (DEC01-C00077GG-335000) in the amount of \$343,854.00 to conduct stormwater mapping services so

as to enhance the data base for mapping of stormwater infrastructure for all members of the Consortium;
and

WHEREAS, it is beneficial to the Village of Port Chester to formalize its participation in the Consortium so as to share in the benefits of the grant. Now, therefore, be it

RESOLVED, that the Village of Port Chester hereby authorizes the Village Manager to enter into an inter municipal agreement with the Village of Sleepy Hollow for the purpose of implementing the above referenced grant agreement with New York State Department of Environmental Conservation; and be it further

RESOLVED, that the Board acknowledges the terms of the agreement enabling the Village to provide in-kind services representing its municipal share in the amount of \$4,062.00 and providing salary and benefit information in connection with those services to the Village of Sleepy Hollow in a timely manner.

Approved as to Form:

Anthony M. Cerreto, Village Manager

ROLL CALL

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

NOES: NONE

ABSENT: BRAKEWOOD

DATE: October 17, 2016

RESOLUTION #3

**AUTHORIZING PAYMENT TO SPECIAL COUNSEL IN THE MATTER OF GAMBLE v.
VILLAGE OF PORT CHESTER**

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

WHEREAS, an action was filed by Ellen and Jason Gamble against the Village of Port Chester for significant personal injuries sustained on January 29, 2000 due to a sidewalk fall on snow/ice in front of Fire Headquarters; and

WHEREAS, during the course of litigation, the Village's general liability insurance company, Reliance Insurance Company, went insolvent; and

WHEREAS, all parties of interest, including the New York Department of Insurance, were placed on notice; and

WHEREAS, the State determined that the usual fund for coverage in such events was not available to the Village; and

WHEREAS, this matter was defended by special counsel, Joseph A. Maria, P.C., White Plains, New York which resulted in a settlement of \$225,000 which was paid by the Village of Port Chester; and

WHEREAS, the Village filed a proof of claim with Reliance for reimbursement of this amount; and

WHEREAS, the Village's claim was considered among the many other claims as part of the liquidation of Reliance in the State of Pennsylvania where it was chartered; and

WHEREAS, through the efforts of Attorney Maria, the Village has received another distribution of \$48,630.61; and

WHEREAS, Attorney Maria has presented an invoice in the amount of ten percent of the distribution for his collection services. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby authorizes payment to Joseph A. Maria, P.C., 301 Old Tarrytown Road, White Plains, New York, 10603 in the amount of \$4,860.00 for collection services in the matter of Gamble v. Village of Port Chester, to be made from General Ledger Code 1420.400 Legal-Contractual.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: NONE

ABSENT: BRAKEWOOD

DATE: October 18, 2016

RESOLUTION #4(A)

ACCEPTANCE AND APPROVAL OF WUILBER MALDONADO 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 October 5, 2016 meeting of PUTNAM ENGINE & HOSE CO. NO. 2 the company held an election for a new active member; and

WHEREAS, Wuilber Maldonado 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 Wuilber Maldonado to PUTNAM ENGINE & HOSE CO. NO. 2, as an active member of the Port Chester Fire department, conditioned upon passing the required medical examination.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

DATE: October 18, 2016

RESOLUTION #4(B)

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

On motion of TRUSTEE ADAMS, 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 October 5, 2016 meeting of PUTNAM ENGINE & HOSE CO. NO. 2 the company held an election for a new active member; and

WHEREAS, Joshua Lopez 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 Joshua Lopez to PUTNAM ENGINE & HOSE CO. NO. 2, as an active member of the Port Chester Fire Department, conditioned upon passing the required medical examination.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: NONE

ABSENT: BRAKEWOOD

DATE: October 18, 2016

RESOLUTION #4(C)

**ACCEPTANCE AND APPROVAL OF MARTIN HERNANDEZ AS AN ACTIVE MEMBER OF
HARRY HOWARD HOOK & LADDER CO. NO.1**

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, at the October 4, 2016 meeting of Harry Howard Hook & Ladder Co. No. 1 the company held an election for a new active member; and

WHEREAS, Martin Hernandez 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 Martin Hernandez to Harry Howard Hook & Ladder Co. No. 1, as an active member of the Port Chester Fire Department, conditioned upon passing the required medical examination.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: NONE

ABSENT: BRAKEWOOD

DATE: October 18, 2016

RESOLUTION #4(D)

ACCEPTANCE AND APPROVAL OF PETER DILEO AS AN ACTIVE MEMBER OF HARRY HOWARD HOOK & LADDER CO. NO.1

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

WHEREAS, at the October 4, 2016 meeting of Harry Howard Hook & Ladder Co. No. 1 the company held an election for a new active member; and

WHEREAS, Peter DiLeo 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 Peter DiLeo to Harry Howard Hook & Ladder Co. No. 1, as an active member of the Port Chester Fire Department, conditioned upon passing the required medical examination.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: TRUSTEE DIDDEN

ABSENT: TRUSTEE BRAKEWOOD

DATE: October 18, 2016

RESOLUTION

REFERRING CERTAIN CORRESPONDENCE TO STAFF FOR APPROPRIATE ACTION

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

WHEREAS, the Board has been presented with certain correspondences at its October 17, 2016 meeting, and wishes to direct staff to act upon the correspondences.

NOW, THEREFORE BE IT,

RESOLVED, that the Board of Trustees hereby refers the Correspondences #'S 1, 2, 4, 6, 7, 8, 9 and 10 given to the Board at the October 17 2016 meeting, and directs staff to act upon such correspondences as appropriate.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: NONE

ABSENT: BRAKEWOOD

DATE: October 18, 2016

CORRESPONDENCE

From the Park Commission regarding Rec Park

From the Veterans Association re Veterans Day.

From the Traffic Commission re placing an additional handicap parking space in front of the Police Station.

315-325 King Street Longview Request – Parking Accommodation

From Fire Patrol & Rescue Co. #1 on the expulsion of Justin DiSanto.

Request from Landmark Condo Association – Overnight Parking

Resignation of Ciro Cuono from the Planning Commission.

Correspondence from the Port Chester Fire Department concerning False Alarms.

The Alarm Review Board only meets when called upon by the Clerk

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE FERRARA, the correspondence requests were referred to staff to approve subject to conditions.

ROLL CALL

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

NOES: None

ABSENT: Trustee Brakewood

DATE: October 17, 2016

PUBLIC COMMENTS

Mr. Abel commented on Sustainable Westchester. He is for hiring local people. The communities we talked about have many more people. He questioned that our community requires a developer are we opening up ourselves to a potential law suit by people who live in neighboring towns. Does this hinder our ability to get developers to come in.

Mr. Rende commented on Parkway Drive. The fact that it takes two-way traffic and has only had a few minor accidents. This slows cars down. A one-way street encourages people to move more quickly. Regarding the talk of 150 years Celebration, you should open this up to all community minded people, and get the not-for-profit organizations involved. You need to get the merchants and business people involved.

Ms. Evelien Closter commented she needs parking spaces to accommodate for construction on the new roofing at the Longview Terrace Apartments until November 14th.

TRUSTEE COMMENTS

Trustee Didden commented on the Police Awards. They do a great job. The department leadership deserves a lot of credit. The fire department is having their annual Inspection on October 27th at the South End Fire House. The councilman from Oyster Bay understated the number of our high school students who go on to higher education. The *Westmore News*

October 14th issue stated incorrectly that he has had disputes with G&S. These comments distort what had occurred.

Trustee Ferrara commented on Citizen involvement. The Columbus Day parade committee did a fantastic job.

Trustee Ceccarelli commented the Councilman from Oyster Bay. It is a great concept but only in a limited way. On the 150th Anniversary celebration we need to move quickly. Rec Park seems to be one that could help take some of the activities off Lyon Park. Chief Conway was a dignified grand marshal of the Columbus Day parade. The Knights of Columbus had a very nice event on Saturday. The MTA elevator is going to be a one-year project. The property at 21 Parkway Drive is used as a child care facility. The tax office has this as a private residential building.

Trustee Adams would like the Board to have a list of the Port Chester fire fighters. The Board meetings do not have any audio over Cablevision. Village Attorney has written a letter to the attorney of Cablevision stating this is unacceptable.

Where do we stand with the \$20,000 investment in having a company to promote policy. What has happened with this company. Village Manager Steers commented they will be in the offices the week of October 24th.

Are we working with the DOJ in terms of defining the cumulative voting districts? Village Attorney Cerreto replied that it is all up to us in the upcoming election.

Is the United Hospital Project being held up because of the Traffic Study or is there another reason? Trustee Ferrara commented that we received a memo stating the schedule.

Mayor Pilla commented on the parking project and would like that for the next meeting.

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

ROLL CALL

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

NOES: None

ABSENT: Trustee Brakewood

The meeting was adjourned at 10:20 p.m.

Respectfully submitted,

David Thomas, Village Clerk