

MEETING HELD JANUARY 20, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, January 20, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Neil Pagano presiding.

Present in addition to Mayor Pagano, were Trustees Gregory Adams, Daniel Brakewood, Saverio Terenzi, Luis Marino, Joseph Kenner and Gene Ceccarelli.

It should be noted that Trustee Kenner arrived at 6:07 p.m. and Trustee Brakewood arrived at 6:23 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 7:00 p.m.); Chief of Police, Richard Conway; Village Engineer, Dolph Rotfeld (arrived at 7:00 p.m.); Christopher Ameigh Administrative Aide to the Village Manager; Building Inspector and Director of Code Enforcement Peter Miley (arrived at 7:00 p.m.); Ed Brancati, Human Resources; Heather Krakowski, Recreation Supervisor (arrived at 7:00 p.m.); Edward Quinn, Village Fire Chief - Chief Engineer; Michael De Vittorio, 1st Assistant Fire Chief; Enrico Castarella, 2nd Assistant Fire Chief and Attorney Terry O'Neil (via telephone).

On motion of TRUSTEE ADAMS, seconded by TRUSTEE TERENZI, the meeting was declared opened at 6:04 p.m.

ROLL CALL

AYES: Trustees Adams, Terenzi, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood and Kenner.

DATE: January 20, 2015

MOTION FOR EXECUTIVE SESSION

At 6:05 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS, the Board adjourned into an executive session for the purpose of Interviewing Dwayne Edwards as a candidate for the Ethics Board and discussion involving collective bargaining negotiations between the Village and Port Chester Professional Firefighters Association Local 1971 and with regard to the employment status with regard to particular career fire fighters.

ROLL CALL

AYES: Trustees Adams, Terenzi, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustees Brakewood and Kenner.

DATE: January 20, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager; Ed Brancati, Human Resources; Edward Quinn,

Village Fire Chief - Chief Engineer; Michael De Vittorio, 1st Assistant Fire Chief; Enrico Castarella, 2nd Assistant Fire Chief and Attorney Terry O'Neil (via telephone).

It should be noted that at 6:23 p.m., Village Manager, Christopher Steers stepped outside the room during consultations with Terry O'Neil Labor Attorney.

No action was taken in executive session.

At 6:56 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees closed the executive session.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

PRESENTATION OF NEW POLICE APPOINTMENT

Promotion of Sergeant Anthony C. Scarlato to a Police Lieutenant with the Village of Port Chester



(From Left) Lieutenant Anthony C. Scarlato, Police Chief Richard F. Conway and Mayor Neil J. Pagano

WORKSHOP

Village Manager Chris Steers commented there are two items, the Sewer Rent and Storm Drains. He showed a PowerPoint presentation to show what we are working on with the Sewer Rent and Storm Drain systems. We have some numbers from the Village Engineer. We will talk about the appeals process and how we are doing on our collections and the issues we are looking at going forward. He would like to have further discussions on the Sewer Rent program and the budget specifically for that fund during our workshops. As part of this report he requested a special meeting to discuss where we are with the six month numbers and what the projections look like. We can get into more detail at that meeting. Chris Ameigh ran through the presentation and Dolph can answer any questions. After the presentation he will go over the dollars and cents.

(Chris Ameigh gave a PowerPoint presentation on PC Sanitary Sewer and Storm Sewer System over the past year showing what areas has been done and what areas need to still be worked on.)

Trustee Brakewood commented on whether there must be a certain temperature at which this work should be done. Dolph replied no it does not.

Village Manager Steers handed out a summary of expenditures where we are to date. We are on projection to hit that \$50MM, just a projection, for the amount of work that needs to be done. The estimated consumption for last year was about \$1,300M. The actual consumption was about \$1MM. The amount of money billed so far is \$1.9MM. Based on the figures, Trustee Terenzi said that this comes to a \$300,000 shortfall based on the amount that was estimated and the amount consumed. He did not think we had enough information to have the rate go up.

Trustee Brakewood questioned the \$374,000. Is that just what people haven't paid or is it the difference between the actual and estimated consumption? Village Manager Steers commented this is on a calculated billing. Mayor Pagano asked if these were places like schools, the county, the housing authority and Rye Brook, Those numbers are in the \$374,000. Trustee Brakewood asked for a list of the properties that have never paid. Village Manager Steers commented we are asking United Water to provide us with a more usable fashion.

Village Manager Steers commented there is a lag in the payments. The appeals amount to less than \$3,000. The bill for the schools is \$3,500 per quarter. Trustee Terenzi said this could be expanded to a seven year program if all the work is not done in five years. There was about \$6,900 that came in the end of last year that will be credited to this year.

Dolph said the Village of Port Chester uses the sewer on Comly Avenue, which is in Rye Brook. The pump station comes back into Port Chester. Mayor Pagano commented on Dolph's report. He would like to slow down and not be so aggressive in the repair work. Trustee Terenzi said this is a five year project. He commented what we spend is a capital item. Our budget is another item.

Trustee Ceccarelli commented it is an administrative burden to get into the appeals process when the law doesn't require it. With large companies they should get a meter to avoid an enormous amount of billing. Village Manager Steers commented he would favor that route rather than the 10%. Mayor Pagano commented appeals should be made once a year, not with every billing.

Trustee Brakewood commented that we do not have a water district or a municipal water department that we control, so whatever we do we have to do with United Water. Attorney Cerreto commented that we are the only municipality with an appeal adjustment process. We are the only municipality that requires the public to appeal each billing, which is cumbersome to both the staff and the public. We need to focus on the administrative processes. He would recommend that we have some criteria. It is unfair to the Village as well as property owners to not know how to follow an appeal if you want to go beyond 10%.

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

PUBLIC HEARING - - Local Law amending the code of the Village of Port Chester - Sewer Rent Section 268-4 adjustments and appeals.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, the public hearing was declared **re-open**.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

PUBLIC COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any comments regarding this public hearing.

Comments were made by:

Ms. Goldie Solomon commented we need to know what the adjustments and appeals are before you amend the code. What good is a public hearing on amending the local law when we don't even know what the adjustments and appeals are?

Mr. Howie Ravikoff commented on the he is happy we are revisiting this amendment. The majority of us are in between those with big businesses and homeowners. We are business people. You cannot measure water going down the drain. Also, the United Water meters measuring water going into a building are inaccurate. That is where the 10% adjustment comes in. Who will pay for the measuring device to be installed? The water company owns the line and the meter to measure the water. To file a grievance he will need to hire an engineer. To recoup those dollars would take years, if not decades. He can have his business owners sign a notarized affidavit saying what they are putting down the drain. The 10% cap is ridiculous. There should not be a 10% cap.

Mr. Richard Abel commented that there is no proposed law at this time. Village Attorney Cerreto commented that there was one that was tabled until tonight's hearing for discussion purposes. He referred to the question of eliminating the appeal process. He does believe there should be an administrative appeal process. Every appeal should not come to the Board. It should be dealt with administration; and if you are not satisfied there should be an appeal before the Board.

Attorney Cerreto commented the public hearing should be closed with direction to staff to make some changes. We should have a further workshop to discuss these changes. If the Board is comfortable with an affidavit as opposed to an engineering report, we can require that level of proof. Mayor Pagano said there needs to be some way to figure an adjustment to special users.

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the public hearing was declared close.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

PUBLIC COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any public comments.

Comments were made by:

Ms. Goldie Solomon commented on Martin Luther King Day. We are a great Village. We have too many nonprofits and municipal properties off the tax role. We have a diverse community. We have a wonderful police department, fire department, Emits and department of public works.

Mr. Richard Abel commented on the negotiating with Rye Brook on sewer rent. Are they going to be paying their full rate? Trustee Terenzi commented they will be paying their full rate. Mr. Abel disagreed with Trustee Brakewood on a difference of only \$10; he feels it the amount doesn't matter. The law should be equal for all.

RESOLUTIONS

MAYOR PAGANO asked for a motion to consider an add-on resolution to appoint Dwayne Edwards as member of the Port Chester Board of Ethics.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO, the motion received a unanimous vote of those present.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION (ADD-ON)

APPOINTMENT TO THE BOARD OF ETHICS

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:

RESOLVED, that Dwayne Edwards residing in Port Chester, New York, be and is hereby appointed as member of the Port Chester Board of Ethics, effective immediately, to serve at the pleasure of the Board of Trustees.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #1

ESTABLISHING A DOG RUN IN ABENDROTH PARK

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 received significant Community Development Block Grant funding through the Westchester County Consortium for making capital improvements to the upper portion of Abendroth Park resulting in a new pavilion, two playgrounds and parking area; and

WHEREAS, following a presentation by the Port Chester Dog Park Group (PCDPG) , the Board of Trustees adopted a resolution on May 6, 2013 that granted conceptual approval of a dog run in this area subject to a number of conditions; and

WHEREAS, the PCDPG embarked on a fund-raising campaign raising a substantial amount of donor funding towards the dog run; and

WHEREAS, the Board adopted a local law that provided for the opportunity of a dog run in designated areas in the Village's parks; and

WHEREAS, with the Board's support by resolution adopted on May 5, 2014, the PCDPG was successful in obtaining an award in the amount of \$25,000 from the PetSafe Bark for your Park Dog Park Contest; and

WHEREAS, the Board of Trustees has since received input from PCDPG, Park Commission and staff regarding the appropriate layout of the dog run and desires to maintain a safe distance between the pre-existing multi-generational programming and the area to be designated for the run; and

WHEREAS, rough measurements have been made and reviewed by all parties for the purpose of establishing the final layout of the dog run. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby designates the area in the upper portion of Abendroth Park to be established as a dog run to provide a much-needed recreational amenity to dogs and their handlers; and be it further

RESOLVED, that the Board's action presumes final professional design and site planning work as required for competitive bidding and construction of fencing and other improvements in connection with the Dog Park Group with key specific details for the guidance of said design to be as follows:

- Fencing for the dog run shall be installed at a distance of 60 feet from the existing playgrounds with the exception for the necessary fenced entrance area to pass from north to south from the west side of the pavilion to a point 60 feet south of the western playground and running parallel to the existing western park boundary fence and with a width of 15 feet maintained throughout for the pathway.
- Fencing for the dog run shall maintain a distance of 60 feet from the property lines of all residential homeowners to the north east of the playground.
- Fencing for the dog run shall maintain a distance of at least 115 feet from the existing soccer field.

and be it further

RESOLVED, that the Board hereby classifies this action as an Unlisted Action and makes a determination of non-significance under the State Environmental Quality Review Act (SEQRA) as set forth in the annexed negative declaration.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #2 (TABLED)

ACCEPTING THE DONATION OF \$25,000 FROM PETA SAFE FOR USE IN CONSTRUCTION OF THE DOG RUN IN ABENDROTH PARK

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

WHEREAS, by resolution adopted on May 6, 2013, the Board of Trustees granted conceptual approval to a dog run in the upper portion of Abendroth Park subject to a number of conditions; and

WHEREAS, the PetSafe Bark for your Park Dog Park Contest was established to foster the creation and construction of dog parks and runs across the country; and

WHEREAS, the Port Chester Dog Park Group was successful in obtaining an award in the amount of \$25,000 from this contest; and

WHEREAS, the Board has reviewed the conditions of the Pet Safe Bark for Your Park Dog Park Contest, finding no point of contention therein. Now, therefore, be it

RESOLVED, that upon receipt the Board of Trustees hereby accepts the donation of \$25,000 from the Pet Safe Bark for your Park Dog Park Contest and agrees to abide by the conditions thereof.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, to TABLE resolution number 2 - Accepting the Donation of \$25,000 from PETA SAFE for Use in Construction of the Dog Run in Abendroth Park.

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #3

BUDGET AMENDMENT – DEA FUNDS TO PURCHASE RADAR SPEED SIGNS WITH DATA COLLECTION SOFTWARE

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase two Safe Place 100 Radar Seed Signs with data collection software from Traffic Logix Corp., 3 Harriett Lane, Spring Valley, New York 10977 to assist in traffic calming efforts on village streets around the schools. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2014-15 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$(6,168.00)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$6,168.00
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Appropriations:

001-3120-0200	Police Service Equipment	\$6,168.00
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Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #4

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE
ID CARD SYSTEM**

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 Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase a Fargo DTC4500e ID card system from ID Wholesaler, 7003 West Lake Street, St. Louis Park, MN 55426. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2014-15 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695 Deferred Revenue Police DEA \$(6,101.95)

Revenues:

001-0001-2613 Use of Deferred DEA Revenue \$6,101.95

Appropriations:

001-3120-0200 Police Service Equipment \$6,101.95

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

RESOLUTION #5

ACCEPTANCE OF COURT AUDIT FOR FY 2013-14

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

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective governing boards; and

WHEREAS, the State of New York Chief Administrative Judge has requested a copy of the Village of Port Chester's most recent examination and audit of the Port Chester Justice Court's records and a copy of the Board of Trustees' resolution acknowledging that the required examination and audit was conducted, together with a copy of the audit; and

WHEREAS, the Village has retained Drescher Malecki LLP, Buffalo, New York, as independent auditors; and

WHEREAS, the Board of Trustees was presented with the Village's audit for the Fiscal Year 2013-14, including the Justice Court, and that same has been reviewed and is in order. Now, therefore, be it

RESOLVED, that the Village Board of Trustees acknowledges that the required audit was conducted of the Port Chester Justice Court for the fiscal year ending May 31, 2014 and hereby accepts said audit; and be it further

RESOLVED, that a certified copy of this resolution together with a copy of the audit for the aforesaid year be provided to the New York State Office of Court Administration pursuant to Section 2019-a of the Uniform Justice Court Act.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

REPORT OF THE VILLAGE MANAGER

Mr. Steers reported to the Board on:

INITIATIVES /PRI ORITIES:

Strategic Planning: Strategic Actions (Opportunity Areas #1 Downtown TOD, #2 Down town: Municipal Center, #3 Waterfront Redevelopment / Revitalization, #4 Fox Island, #5 United Hospital Site Redevelopment).

- 1) **Opportunity Areas #1:** CI Neighborhood Retail Zoning Analysis: medical, dental office use Preliminary analysis regarding a potential zoning text change to permit medical in the CI Neighborhood Retail District either as-of- right or by special exception permit subject to existing special exception criteria as defined in §345-61U.

This action is considered a Type I Action under SEQRA regulations and requires a determination of significance from the Board of Trustees prior to final approval. Presentation to Board of Trustees completed December 2014, January 2015. Referral to Planning Commission to consider pending draft local law, January 2015.

- 2) **Opportunity Area #1, 5:** Urbanomics presented its findings related to the School Children Generation Mitigation Formula to BOT, December 2014. Again, the Base Formula has been drafted and vetted. The BOT asked for an evaluation of the u nit mix of all of the current developments

in the pipeline to be added to the report. This evaluation is being completed.

Further, Tina Lund from Urbanomics had follow up conversations with stake holders to address any remaining concerns. Mrs. Lund spoke with both Richard Hymen and Maura McAward regarding the study. They each had questions and suggestions for minor revisions to clarify and further explain the text. The latter were mostly from Mura McAward and touched on topics that Trustee Brakewood brought up. Per Mrs. Lund none of the comments/suggestions change the actual content of the study, but will possibly head off some of the criticism.

- **Richard:** thinks the Mariner's dens should only be counted as bed rooms for those with windows. (Probably a fair assumption.)
 - o Footnote about the senior units at United Hospital.
 - o He also wants the additional projects in the pipeline to be added.
- Maura's questions were primarily so she could respond to comments from Trustee Brakewood and his wife:
 - o Why did we "choose" to group PC with the surrounding area?-she gets it well enough now to explain the PUMA concept to others.
 - o Questions about Port Chester/Yonkers comparison-different demographic groups, different housing choices.
 - o Wants a disclaimer on immigration in the text, even if it's only to say that the data aren't available and the retention rates are the closest thing we have to address that. Also a note that federal immigration policy in the next several years continues to be an unknown.
 - o Question about the number of kids at United Hospital's site: she was hearing references to the build out number and wanted to be able to counter. Also suggested a note that the developments in the pipeline are market rate and as such follow those conditions.

The final report will be completed and incorporate the comments / suggestions as described.

- 3) **Opportunity Area #2:** As you are aware N OC has been engaged by the BOT to begin phase three of the Municipal Center feasibility study. Current status:

Activity #1 Site Investigation - Phase I

- *Federal, state & local records review of environmental database*

- *Evaluation of adjacent parcels and historical usage*
- *Preparation of written report on site investigation*
- *Phase I ESA report according ASTM -1527 Standard*
- *Identify any environmental concerns for Phase 2 review*

To date NDC has have received two site access agreements from Mr. Numme and Mr. Wiessman. NDC has reconfigured the geo-tech boring plan to conform to these two sites as well as the areas under Village control. There was a need for NDC to commission a title search on Weismann's property which they should have in hand next week. Preliminarily the search has confirmed that Weismann owns an 8.5 foot strip of land across DeMarcos parcel.

Once the title search is in hand NDC will commission a survey so that DeMarco cannot claim that our equipment is entering his land.

- 4) **Opportunity Area #3:** Bulkhead; the contract for the bulkhead design grant award in the amount of \$225,000 has been executed. Again, the methodology is to design the bulkhead in two phases, Phase 1 being the first Activity Node and temporary "shoring" up of the vinyl area; Phase 2 being the complete steal replacement and partial bridging of the cove. This approach allows us to first make progress toward re-activation of the waterfront as planned and it also gives us time to build potential funding resources from grants, districts, and/or parking revenues without stalling the entire capital improvement project.

The Grant kick-off meeting between DOS and Staff held was completed 1/14/15. Final draft of the RFP attached.

- 5) **Opportunity Area #5:** Redevelopment of the former United Hospital Site (Starwood). The Mixed-use redevelopment proposal for the former United Hospital site located within the Village's PM U Planned Mixed Use District to permit: 500 "Millennial" housing units, 240 age- restricted housing units, an approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.

Preliminary DEIS submitted by Applicant December 31, 2014. Village consultants and staff reviewing for completeness for BOT to accept document as complete per adopted scope in February/March.

We request that any BOT comments to be given to Staff by February 2, 2015.

2015-2016 Budget Process: Budget development for the coming fiscal year has been initiated. Department budget worksheets have been distributed. Meetings with department

heads will begin early next month.

I would request that the BOT schedule a workshop between January 26th - 30th, in order to discuss 6 month revenues/expenses and projections for year end.

Sewer Rent: The program continues with revenue collections being steady and sewer work moving forward. As anticipated implementation and billing processes continue to be refined. Data is being updated as needed: specifically relating to removal of any non-sewer users from the billing system. Further the following program exceptions are being evaluated and addressed:

- **Westchester County:** The County has informed us that they are not using our system: apparently any water utilized is discharged to the holding tanks on site. Once this is appropriately verified they will be removed from the system.
- **School Board:** Staff has been in discussions with school board counsel relating to the sewer rent billing. The most reasonable disposition of same would be a letter of understanding stating that the services each party provides to the other more than fairly compensates each party for any expense or obligations relating thereto.
- **Housing Authority:** Staff has been in discussions with representatives regarding the sewer rent-billing. Further Discussion with BOT may be required due to limited options.
- **Rye Brook:** staff is finalizing the details relating to the proposed IMA; pending final numbers.
- **City of Rye and Greenwich:** City of Rye being billed. Status with Greenwich is pending.

Property Condition Study RFP: Again, the RFP has been issued and interviews have been conducted by the BOT. At the recommendation of the Board, Staff has had subsequent discussions with the two final consultants for the neighborhood revitalization strategies RFP. Next step is a second interview with the two finalists now scheduled for the first meeting in February.

Negotiations:

- **UFFA:** Fire Department negotiations are ongoing. Some progress is being made. At this point I want to reconvene the entire negotiation subcommittee in order to continue the process to its conclusion. Mediation is still pending.
- **CSEA:** The CSEA has requested to begin negotiations prior to their current contract expiration in May. Negotiation meetings will be scheduled accordingly. I ask the Bot if

they would select a subcommittee to sit in on the negotiation team.

Information Technology: Update to be presented as part of this report at this meeting.

ACTIONS:

Payroll Services: At the last BOT meeting staff presented its recommendation for KVS/Sprain Brook to be selected as the vendor. Numerous benefits will be realized upon implementation of a managed payroll system including accountability, better reporting, and better management tools for monitoring time and leave. The BOT requested more detailed information and pricing for the potential implementation of biometric time keeping. KVS provided us with some contacts relating to same. As we stated, essentially any of the vendors that they have utilized in their product implementation can provide this service. There are however duplications in functionality already provided through the KVS/Sprain Brook platform that we would not need from a third party biometric vendor. As such we would need to pare down the products so that we would purchase only what was needed and that would seamlessly interface with KVS. Pricing etc... The BOT also requested that we further explore any implications to the further implementation of biometrics including any impacts on the organization specifically; overtime. Each concern will be will be discussed at the meeting as part of this report.

PROJECTS:

- 1) **Street Paving:** All street paving/Village sidewalk/curb work has been completed (some limited stripping remaining).

Note: issues relating to the prior year's street paving contract with ELQ have been resolved and the remediation work has been completed.

- 2) **Town of Rye Move:** the project is close to completion. Staff has been meeting with the Towns project manager, GC, and Architect to finalize a punch list of items to be completed I order to obtain final inspections and CO. Note there is a proposed change of direction relating to the electrical service.

It appears to be more cost effective to simply include the utility cost as part of the rent. Once we have a firm number the lease will be amended to include the appropriate increase for the electricity usage.

- 3) **350 North Main Street:** The proposed capital improvements to the building continue to move forward. RFPs have been received relating to the Brick Work. All responses have been rejected and this part of the project is being re-bid. Expected completion date March 2015.

DEPARTMENT UPDATES:

Justice Court

- Assisted the Judge on the Bench during court sessions on Mondays, Thursdays and Fridays

- Assisted the judge at Traffic Night Court on December 9
- Assisted Judge Sisca and Judge Troy on December 10th for Pre-Jury Trial Conferences
- Processed Criminal Disposition Reports (CDRs) after court
- Completed court paperwork after court sessions
- Update excel spreadsheets with Bail disbursements from court
- Electronically transmitted 220 Criminal Dispositions Reports (CDRs) to New York State Division of Criminal Justices Services since December 9, 2014
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 12/31/14 - \$71,648.73
- Prepared December 2014 Monthly Report to the N.Y. State Comptroller's Office- justice Court Fund for Judge Troy - \$71,067.70 to be reviewed and electronically submitted by judge Troy
- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 12/31/14 - \$138,267.11
- Prepared December 2014 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$137,397.55 to be reviewed and electronically submitted by Judge Sisca
- Reconciled Bail Account. Ending Bank Balance as of 12/31/14 - \$192,593.52
- Reconciled Tow Account. Ending Bank Balance as of 12/31/14 - \$1,075.00
- Prepared vouchers and Payroll to be sent to the Finance Department
- No Monthly Staff Meeting in December next staff meeting to be held on 1/21/15

Legal

- Board of Trustees: Prepared resolutions and local laws making changes to sewer rent and site plan procedures and booting and towing on private property. Reviewed final agenda and attended all meetings of the Board of Trustees. Conference calls with counsel, prepared memos to the Board and attended all meetings of Board of Trustees in capacity as Police Commissioners with regard to disciplinary matter against a member of the Police Department.

Prepared survey of Westchester County municipalities with sewer rent programs. Researched options for adjustment/appeal process. Developing legislative agenda for presentation to Board of Trustees,

- Litigation: At the request of the Justice Court, prepared and filed court papers against Empire Bonding and Insurance Co. to recover monies owed on forfeited bond. Consultations and review of court papers prepared by special counsel in Article 78 proceeding against Westchester County Board of Elections. Represented Building Inspector at his non-party examination before trial in a personal injury case.
- Code Enforcement: Provided Board with "White Paper" presenting policy options and recommended strategy with regard to distressed and abandoned properties. With Board authorization, began statutory process to take title to 23 Washington Street as an abandoned property under Article 19-A of the Real Property Actions and Proceedings Law.
- Contracts: Reviewed retainer agreement with AKRF and renewal agreements with Port Chester Youth Baseball League and Westchester County with regard to Organic Waste STOP-DWI program and Employee Assistance Program (EAP), BEi Agreement (NICE Systems Voice Recorder) for Police Department, and prepared extension agreement with Complus Data Innovations.
- Planning and Zoning: Attended October and November 2014 meetings and first January 2015 meeting. Provided opinion to Planning Commission regarding oaths and conditional site plan approval to the Capitol Theater. Prepared findings of fact and attended November and December 2014 and January 2015 meetings. Attended weekly staff planning and Board subcommittee meetings, telephone conference calls and meetings with AKRF and special counsel regarding the Starwood development project. Attended planning meetings with applicant/counsel on proposed and pending projects.
- Meetings: Meetings and conference calls with regard to the following matters: Clay Art Center (additional services); National Development Council (Municipal Center), Chief of Police (benefits package), Port Chester Housing Authority (security, tenant complaints, sewer rent), United Water Westchester (sewer rent billing), Metro-North (all outstanding issues), Knute Numme and Allan Weissman (Municipal Center), Village Hall tenant meeting (parking and security issues), Village staff (entertainment licensing, police auxiliary, court scheduling, court translation services, baseball league and soccer agreements, Con Edison street openings), Port Chester Dog Park Group and Petsafe (dog run in Abendroth Park. Consultations with Manager and Labor Counsel on several personnel matters.
- Other Boards and Commissions: Attended meetings of Beautification Commission, Board of Ethics, Park Commission, Port Chester Industrial Development Agency and Traffic Commission.

- Other: Attended Pace University Land Use Law Center Corporation Counsel Roundtable and Mayor's Roundtable meetings.

Police Department:

- **Training:** On December 19th, 4 Probationary Police Officers: PO Arroyo, PO Ferraro, PO Fiumara, and PO J. Roman, graduated from the 138th session of the Westchester Zone 3 Basic Recruit Training Course. This 20 week course of study *covers* such areas as legal issues, street encounters, car stops, first aid and physical fitness. On December 5th, Police Officers J. Garcia and Sal Baldo successfully completed High Intensity Drug Trafficking Area (HIDTA) training at the NYPD Rodman's Neck Training Facility. This 1week course of study covers both the legal and tactical aspects of street encounters.
- **Evidence:** Work has been completed on the evidence facility construction project in the annex building. During the month security doors and a chain link fence partition were installed. The partition separates the actual storage a room and evidence work section which includes space to dry, package, and label evidence.
- **Equipment:** Each of the Department's 21 patrol *vehicles* was outfitted with upgraded medical gear. First aid bags containing state of the art medical supplies developed on the battlefields of Afghanistan and Iraq were put together with assistance of Paladin Center. They were purchased with drug forfeiture funds. The kits include; Quick Clot hemostat, Combat Action Tourniquets, and Israeli Combat Dressings, as well as conventional first aid supplies. Members of the Department completed an 8 hour course of study in the use and application the upgraded medical kits in November.
- **Robbery Suspects Arrested:** Shortly after mid night on December 28th Police Officer Michael Giandurco and Probationary Police Officer Vincent Fiumara responded to a report of a knifepoint robbery at King and Chestnut Streets. The 21 year old female victim was at Police headquarters with a knife wound to her neck. Acting on limited information, Police Officers Giandurco and Fiumara stopped and identified several subjects who fit the general description. They developed further probable cause after interviewing the victim at Greenwich Hospital and determined that three of the subjects they had stopped were indeed the perpetrators. These subjects were located and arrested. The officers recovered the knife, and property taken from the victim on the suspects. All three were charges with robbery in the first degree.
- **Bank Robbery Suspect Arrested:** On Tuesday December 30, Detectives made an arrest for the December 22 robbery of Chase Bank on North Main Street. The suspect,

a Mount Vernon resident, is accused of passing a note to a teller announcing a robbery, then fleeing the bank on foot with approximately \$1,700 in US currency. Detectives used video footage to track the suspect's movements. After exiting the bank, he walked to the MTA train station and hailed a taxi. A trip sheet indicated that the suspect was driven to the White Plains train station. Working with the MTA Police, Detectives were able to obtain video footage of the suspect entering a train. From there, the suspect's identity was determined through a combination of camera footage and old fashioned Detective work. The suspect was charged with robbery in the third degree a D felony he faces a maximum of 7 years in prison.

- **Detective Bureau:** During the month of December 2014, the Bureau closed out 21 cases and made 19 arrests. Detectives were assigned 24 new cases. Included in the arrests were:
 - 4- felony drug charges
 - 1- misdemeanor drug charge
 - 3-non-drug felony charges
 - 2-non-drug misdemeanors

During the month of December, Detectives seized the following:

- \$2,615. US currency
- 1- 1988 Coachman recreational vehicle
- 20- small bags of cocaine/crack
- 31-small bags of marijuana
- 3-large (8oz) bags of marijuana
- 5-bags of PCP
- **General:** In December 2014, the Department:
 1. Responded to 1693 calls for service, up 9% from November
 2. Issued 3461 parking tickets, down 18% from November
 3. Issued 292 traffic tickets, down 26% from November
 4. Made 147 arrests, down 3% from November
 5. Conducted 149 directed patrols of; parks, abandoned buildings, public housing, and houses of worship

Public Works:

- Completed Street Paving and associated remediation work.

- Completed Marvin lot sidewalk improvement.
- Completed Village Hall sidewalk improvement.
- Constructed Village salt shed.
- Completed Pilgrim Drive Drainage.
- Worked on and completed the majority of Phase 1 of sewer lining.
- Cleaned 30 Storm Drains.
- Removed 24 tree stumps.
- Trimmed 9 Trees.
- Replaced 3 defective manholes.
- Repaired various potholes.
- General day to day activities.

Senior Center / Nutrition:

- (January thru December) Meals served: 24,611
- 37 Home Bound Seniors received their meals at home, per day Monday-Friday
- Dec. 2nd-Holiday Arts & Crafts-Gingerbread House Contest-Winners will be announced 12/22
- Dec. 3rd-Hearing Screenings and Information Seminar 11a.m.
- Dec. 5th-Friday Christmas Movie & Popcorn
- Dec. 5th-Christmas Show at Westchester Dinner Theatre
- Dec. 10th-Trip to Yonkers Casino
- Dec. 12th-Holiday Shopping Market
- Dec. 13th-Holiday Night Party
- Dec. 15th-Trip to Kmart in White Plains
- Dec. 17th-Hanukah Luncheon
- Dec. 19th-Friday Christmas Movie & Popcorn
- Dec. 22nd-Hot Chocolate & Caroling
- Dec. 24th-Breakfast with Mrs. Claus
- Dec. 30th-New Year's Eve Luncheon

Senior Center Calendar:

- Nov. 19-CSEA U n ion Meeting-Annual Dinner Meeting

- December 2-Police Dept. Training --1/2 room all day
- Meeting held with Scott Moore, C. Steers, regarding defibrillator use and first aid training.
- December 10-Recreation meeting, Park Commission meeting,
- December 17th-Oral History Dinner and awards
- December 14th-PBA Children's Christmas Party
- 122 seniors attended the Christmas Party on 12/13, a DJ and gifts for each senior were paid for from the additional money received from Freehold Productions. (\$650)

Building / Code Enforcement Department: See Building Inspector/ Code Enforcement Director's report attached.

Planning and Development: See Planning and Development Director's reports attached.

Recreation: See Recreation Supervisor's report attached.

Achievements

- Christopher Gomez has been appointed to the Westchester Municipal Planning Federation (WMPF) Board of Directors.
- Village Manager has been recertified as a Floodplain Manager by the National Association State Floodplain Managers.
- The Village has received the Distinguished Budget Presentation Award from the Government Finance Officers Association for 2014.

REPORT OF THE BUILDING INSPECTOR

RESOLUTION

January 2015

Code Enforcement, Overcrowding-Illegal
Occupancy, Court-Case Update, and Vacant and
Distressed Property Report

Annual Report

PART I: CODE ENFORCEMENT FUNCTIONS

**PERFORMANCE BY THE CODE ENFORCEMENT DEPARTMENT IN ALL
CATEGORIES REMAINS AT A VERY HIGH LEVEL.**

In the last Board of Trustee meeting, the Mayor and Trustees were provided with a white-paper report titled: DISTRESSED AND VACANT PROPERTIES, this report was created by the

Village Attorney and his assistant David Kenny. The report provided good information and insight about the evolution and operations of the Code Enforcement Department including the revised and subsequently enacted local law(s) thereby providing the necessary tools that the Code Enforcement Department needed to perform their job effectively and to obtain desired results. In addition, as the report indicated, Code Enforcement continues to work collaboratively with the Police, Fire and the Department of Public Works by communicating and sharing information through a referral process; this system has led to the discovery of multiple illegal dwellings and has also enhanced the department's ability to achieve many levels of compliance in many areas and sections of the State and Village code.

CODE ENFORCEMENT DEPARTMENT FUNCTIONS

The primary responsibilities of the Code Enforcement Department include:

- Conducting fire inspections and specialized testing of fire-safety equipment
- Reducing with a goal of eliminating overcrowded/ illegal occupancies
- Responding to a myriad of resident "quality of life" complaints.

Code enforcement is guided by the enforcement of the New York State mandated Uniform Building and Fire Code, Property Maintenance Code, and the Village Code. In addition to the department's core functions, the responsibility of the Code Enforcement Department has expanded to also include:

- Facilitating Court Cases
- Monitoring Vacant/ Distressed Properties and locating owners or responsible entities

PART II: PERFORMANCE

THE RESULTS ARE SUBSTANTIAL

Court Cases

Currently, there are [106] pending court cases in Village Justice Court. The number of court cases continues to fluctuate as new Court Appearance Tickets are served and others are settled.

Over the last two years, the Village Justice Court has become more efficient. Disposition of cases has been substantially reduced whereas in the past, the time of disposition in 2011 and 2012 in some cases, have taken up to [500] days or more. Today, most cases are disposed of in [90] days or less. This time period incorporates service of the court appearance tickets and given the fact that it can take [30] or more days to be on the court docket, date of disposition is actually less. For example: A court appearance ticket served today on January 14, 2015 will be first heard in court on the next available date of February 20, 2015.

One of the main reasons that the time of disposition has lessened, is the implementation and introduction of the stipulation. The stipulation is an agreement between the justice court (the prosecutor) and the defendant. The fine is negotiated and a time period of compliance is set; defendant agrees and executes similar to any contract. If non-payment or a failure to comply with the code within the agreed upon time period, the contract is essentially breached and the defendant is placed back on the court docket and may be subject to trial and additional fines.

Service

It's imperative that proper service of any court appearance ticket (CAT) is rendered in accordance with the law. To assist with facilitating proper service, the Code Enforcement Department secured three process servers that render service on the villages' behalf outside the village boundary lines. In addition, to ensure that services has been rendered to the "actual owner or entity," the Code Enforcement Department has secured three separate title companies to ensure that service is provided to the "actual" owner or entity of any given property.

In sum, results of the stipulation of agreement, use of process servers outside boundary lines, and the assistance provided by title companies to identify the actual owner of a property has resulted in greater efficiency and the results speak for themselves. The data below represent two full calendar years however, differ slightly from the last presentation that concentrated on the fiscal year.

Results

Court Cases Closed in 2013: **41**

Court Cases Closed in 2014: **50**

Average number of days to disposition in 2013: **160**

Average number of days to disposition in 2014: **93**

Court Fines Collected

Those that choose to ignore the code may be subjected to heavy fines. A court appearance is the result of non-compliance by ignoring a notice of violation (NOV). All parties served are provided with a notice of violation and an abatement period that can be extended if there is open line of communication with the village. In short, the village is more than willing to work with property owners that are willing to comply. A notice of violation (NOV) cost the recipient nothing, court appearance tickets are only issued after an NOV has been ignored and the property owner shows no intent to work with the village. Those that chose not to work with the village have been fined. Below are the cumulative amounts of those parties fined as a result of showing no willingness to work with the village. The fines below represent a calendar year.

Total Amount of Court Fines Collected in 2013:	\$341,850.00
Total Amount of Court Fines Collected in 2014:	\$229,350.00

PART III: OVERCROWDED-ILLEGAL DWELLINGS

CODE ENFORCEMENT HAS MADE A SUBSTANTIAL IMPACT IN THE REDUCTION OF OVERCROWDED and ILLEGAL DWELLINGS

Eliminating overcrowded homes and illegal dwellings still remains Code Enforcement's number one priority. Overcrowded and Illegal Dwellings are discovered in numerous ways, they include: Amnesty & standard municipal searches, State mandated fire inspections for multiple dwellings that contain three apartments or more, complaints received by neighbors, proactive inspections, and collaboration with Police, Fire and the Department of Public Works resulting in numerous referrals to the Code Enforcement Department; referrals are handled as a priority.

Decades of Neglect or Lack of Code Enforcement

There are [5448] properties located within the Village of Port Chester. Over [23] percent of the properties in the village have been discovered to contain an illegal dwelling or occupancy. This is the culmination of decades of no system or any willingness to enforce the code. The impact of this long-period of neglect or lack of effective code enforcement resulted in the staggering number of illegal dwellings identified throughout the village however, in the past four years, the number of overcrowded and illegal dwellings have been substantially lessened.

Combined, [1503] illegal occupancies have been discovered since 2012. In 2013, the result of ramping-up staff and multiple neighborhood sweeps netted the discovery of over [800] units in one year alone. In 2014, although statistics indicate a decline in the discovery of illegal dwellings (a good thing for the village) [376] illegal dwellings were still discovered. Multiple dwellings still remain the primary contributor to the illegal dwelling problem.

PART IV: VACANT AND DISTRESSED PROPERTIES

VACANT ABANDONED PROPERTIES REPRESENT A SMALL PERCENTAGE OF ALL THE PROPERTIES LOCATED WITHIN THE VILLAGE

There are approximately [32] “noticeable” vacant and distressed properties that are being monitored and enforced by the Department of Code Enforcement on a weekly basis. Prior to the New Year 2015, the list of vacant properties were monitored on a monthly basis. The properties that are identified on the list represent those properties that display more noticeable violations of the code and therefore, they are monitored more frequently.

The list provided herein identifies those properties and provides a brief summary of the last action taken. The entire list generated by Municipity and is comprised of 48 pages with a detailed time-line of continuous enforcement action rendered since the inception of the original vacant and distressed property list. The list of properties is not static, it is constantly changing as new properties are added and older properties are transferred to new owners, become complaint, and are removed from the list. The original list provided in June 2013 contained a number of properties that were foreclosed/ vacant and/or abandoned. For this reason, the updated list also contains those properties indicating those that have achieved compliance since the creation of the original list. Overall, the amount of vacant/ distressed properties in comparison to the amount of properties located within the village is relatively low. There are [5448] properties located in the Village of Port Chester, the [32] +/- vacant/ distressed properties represent 0.005% of all the properties in Port Chester, this calculates to 1/20th of 1 percent.

This list does include a number of properties that are in foreclosure. Code enforcement only discovers a foreclosure when a property is in violation and serving the owner is required. There are many properties in foreclosure where the bank has secured a management company to maintain the property and the bank continues to pay the taxes therefore going unnoticed. Part II:

of the White-Paper Distressed and Vacant Properties beyond Code Enforcement illustrates the difficulties code enforcement face by conventional methods of enforcement through village justice court. The report provides for five separate options that the village can commence for those properties that require action by a higher court. The report also indicates the extent of the process and the potential need for the village to conduct a village-wide property condition evaluation.

The Code Enforcement Department is prepared, receptive, and willing to engage and become an integral part of the additional steps required realizing that for some properties, compliance through convention methods can be a difficult and an arduous endeavor with limited results.

PART V: CODE STATISTICS

THE NUMBER OF COMPLAINTS, INSPECTIONS PERFORMED, AND NOTICE OF VIOLATIONS ISSUED INCLUDING COURT APPEARANCE TICKETS HAVE STEADILY INCREASED FISCAL AFTER FISCAL.

The work load of the code enforcement department continues to grow. Complaints have increased by 38% in the fiscal period 6/ 2013 thru 5/ 2014. In the first half of the fiscal period 6/2014 thru 12/2014, complaints received have already matched the total amount received in the total fiscal period 6/ 2012 thru 5/ 2013. The increase of complaints resulted in an increase of inspections, notice of violations, and court appearance tickets issued.

Code Enforcement Staff levels not including staff dedicated to fire-safety consist of:

(1) Sr. Code Enforcement Officer

- 20 hours a week is dedicated in facilitating court operations, assisting the prosecutor, and appearing on behalf of all CEO's eliminating the need for each CEO to be present.

(2) FT Code Enforcement Officers

(1) PT Code Enforcement Officer (17.5 hrs. a week)

Compliance

Compliance overall has increased. Comparing the number of notice of violations (NOVs) issued to the number of court appearance issued indicates the level of compliance. In the fiscal period 6/ 2012 thru 5/ 2013 there were [697] NOVs issued; only [28] court appearance tickets. In the

fiscal period 6/2013 thru 5/2014, there were [883] NOVs issued; only [93] court appearance tickets. Court appearance tickets are only issued in the event that there is no communication with the village and a violation is essentially ignored.

See Page 10: Fiscal Comparison

PART VI: FISCAL COMPARISON

The numbers below represent work load comparison from fiscal period 6-2012 thru the first half of the fiscal period that started on 6/1/2014.

Fiscal 6-2012 thru 5-2013

Complaints: 1367
 Inspections Performed: 2392
 Notice of Violations Issued: 697
 Court Appearance Tickets Issued: 28

Fiscal 6-2013 thru 5-2014

Complaints: 1869
 Inspections Performed: 3832
 Notice of Violations Issued: 883
 Court Appearance Tickets Issued: 93

Fiscal 6-2014 thru 12-2014

Complaints: 1317
 Inspections Performed: 3089
 Notice of Violations Issued: 574
 Court Appearance Tickets Issued: 55

The numbers represent “no shortage” of work.

Appendix A: Vacant & Distressed Properties List

Address	Street Name	Property Use	Owner Name	Notice of Violation	Court Appearance Ticket	Vacant Abandoned Distressed	Status
14	Breckenridge Ave	1 Family	John Walter Trust	NOV Issued		Vacant Abandoned	Private Investigator discovered owner deceased. In process of locating new owners.

47	Clark Pl	1 Family	Richard & Mary Young	NOV Issued		Vacant Abandoned Distressed	Private Investigator discovered owner deceased. In process of locating new owners. House maintained.
15	E. Broadway	2 Family	Peter Marzziotti			Vacant Abandoned Distressed	Working with PCBD. Building Permit Issued.
52	Eldridge St	2 Family	Frank Testa	NOV Issued	CAT Issued	Vacant Abandoned	Abandoned house demolished. Property being used unlawfully.
416	Elm St	1 Family	416 Elm Street Corp.	NOV Issued	CAT Issued	Vacant Abandoned	In VoPC Justice Court. Property Maintained.
169	Fairview Ave	1 Family	Edixon Galindo & Myra Rojas	NOV Issued	CAT Issued	Vacant Distressed	Unfit for Occupancy and Unsafe Structure notices posted. Unsafe structure removed.
99	Glen Ave	2 Family	Fernando Martinez			Vacant Distressed	Compliance obtained.
450	Glen Ave	1 Family	Craig & Paula Rysik			Vacant Abandoned Distressed	Occupied. Compliance obtained.
72	Glendale Pl	1 Family	Jeanette Anello	NOV Issued		Vacant Distressed	NOV issued.
78	Glendale Pl	2 Family	Charles & Rose Cumming	NOV Issued		Vacant Distressed	Private Investigator discovered owner deceased. In process of locating new owners.
100	Grandview Ave	2 Family	Vincent Straface			Vacant Abandoned Distressed	Under new ownership. Compliance obtained.
5	Haines Blvd	1 Family	Leon Sidor	NOV Issued		Vacant Distressed	Private Investigator discovered owner deceased. In process of locating new owners.
64	Halstead Ave	1 Family	Ireneusz & Barbara Bukanowski			Vacant Abandoned Distressed	Occupied. Compliance obtained.
81	Haseco Ave	1 Family	Juan Matute	NOV Issued		Vacant Distressed	Occupied. Maintained. NOV issued 12/16/14 for graffiti.
76	Inwood Ave	Commercial	Unknown	NOV Issued		Vacant Abandoned	NOV Posted. Previous owners (Century Maxim Construction) no longer have access to building. In process to locate new owners.
48	Irenhyl Ave	1 Family	Nalini Singh	NOV Issued	CAT Issued	Vacant Abandoned Distressed	In VoPC Justice Court. Partial compliance obtained.
167	Irving Ave	2 Family	Huguette Sinis	NOV Issued	CAT Issued	Vacant Distressed	Inspection conducted 1/8/15 - premises secure. Police referral 1/10/15 indicated break-in on property - premises unsecure. In VoPC Justice Court. In process of filing with Westchester County Supreme Court.
62	Leicester St	2 Family	Anthony Casterella	NOV Issued	CAT Issued	Vacant	In VoPC Justice Court. Property maintenance issued present.

224	Locust Ave	2 Family	Zoila & Monserrate Flores	NOV Issued		Vacant	Occupied. Working with PCBD and PCCE. Compliance pending.
313	Locust Ave	2 Family	Town of Rye			Vacant Abandoned Distressed	Occupied. Compliance obtained.
61	Oak St	7 Family	Annette & William James	NOV Issued	CAT Issued	Vacant Distressed	In foreclosure. Underwent temporary support measures to eliminate hazards.
71	Oak St	2 Family	Aurora Loan Services LLC			Vacant Abandoned Distressed	Under new ownership. Compliance obtained.
3	Oakridge Dr	1 Family	Ann Glennon	NOV Issued	CAT Issued	Vacant Distressed	In VoPC Justice Court. Compliance obtained.
51	Purdy Ave	5 Family	Briga Realty Inc - Robert Capolongo	NOV Issued	CAT Issued	Vacant Abandoned	In VoPC Justice Court.
63	Purdy Ave	3 Family	Brunilda Cruz	NOV Issued	CAT Issued	Vacant Abandoned	In VoPC Justice Court. Under new ownership. Working with PCBD. Building Permit Issued.
30	Quintard Dr	1 Family	Jennifer & Eric Salinas	NOV Issued	CAT Issued	Vacant Abandoned Distressed	In VoPC Justice Court. Working with PCBD. Building permit issued.
31	Quintard Dr	1 Family	Edward Gerrity			Vacant	Original home demolished. New 1 Family residence under construction.
35	Riverdale Ave	1 Family	Lucy Cecere	NOV Issued		Vacant Distressed	In process of verifying owner. Reinspection by PCCE on 12/16/14 indicated property being maintained. PCCE will monitor property.
16	S. Main St	Commercial	Pierre & Huguette Sinis			Vacant	
59	Smith St	1 Family	SR Holdings I, LLC			Vacant	Under new ownership. Working with PCBD.
23	Washington St	2 Family	Charlotte Garcia	NOV Issued	CAT Issued	Vacant Abandoned Distressed	Unfit for Occupancy and Unsafe Structure notices posted. Filing in Westchester County Supreme Court
457	West St	3 Family	Natacha Saintil	NOV Issued		Vacant	Unfit for Occupancy notice posted. NOV service pending owner address verification.

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Appendix B: Overcrowded Illegal Dwellings

Overcrowding & Illegal Dwelling Update 2014

Total Properties Affected: 224

Total Unlawful Occupancies Discovered: 375

Several properties contain both unlawful attic and basement occupancies, a number of them also contain SRO's

Unlawful Occupancy Breakdown is as Follows:

- | | |
|-----------------------------------|-----|
| 1. Unlawful Basement Occupancy: | 89 |
| 2. Unlawful Attic Occupancy: | 39 |
| 3. Single Room Occupancy (SRO's): | 62 |
| 4. Additional Dwelling Units: | 185 |

2014 Compliance Obtained

- | | |
|-------------------------------------|-------|
| Full Compliance Achieved: | 21.0% |
| Compliance in Process: | 15.2% |
| No Compliance to Date: | 63.8% |
| Properties Part of Amnesty Program: | 24% |

71 Notice of Violations were issued (32%) as a result of failing to comply.

2014 OC/IDW Distribution by Use

Number of Properties

- | | |
|--------------------------------|-----------------------|
| 1 & 2 Family: | (93) Represents: 42% |
| Multiple Dwelling (3 or more): | (119) Represents: 53% |
| Mixed Use: | (12) Represents: 5% |

Overcrowding & Illegal Dwelling Update 2013

Total Properties Affected: 305

Total Unlawful Occupancies Discovered: 822

Several properties contain both unlawful attic and basement occupancies, a number of them also contain SRO's

Unlawful Occupancy Breakdown is as Follows:

- 1. Unlawful Basement Occupancy: 240
- 2. Unlawful Attic Occupancy: 98
- 3. Single Room Occupancy (SRO's): 213
- 4. Additional Dwelling Units: 271

2013 Compliance Obtained

- Full Compliance Achieved: 24.3%
- Compliance in Process: 52.1%
- No Compliance to Date: 23.6%
- Properties Part of Amnesty Program: 9%

168 Notice of Violations were issued (55%) as a result of failing to comply.

2013 OC/IDW Distribution by Use

Number of Properties

- 1 & 2 Family: (114) Represents: 37%
- Multiple Dwelling (3 or more): (163) Represents: 53%
- Mixed Use: (28) Represents: 9%

CORRESPONDENCES

Mayor Pagano asked for a motion to combine correspondence number 1, 2, 3, 7, 8, and 9 to refer the correspondence to staff without objection.

There being no objection TRUSTEE CECCARELLI, made a motion, seconded by TRUSTEE MARINO, to combine correspondence number 1, 2, 3, 7, 8, and 9 for the Board to refer the correspondence to staff without objection.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015.

From Poningo Properties LLC regarding Sewer Rent Appeal for 46 Poningo Street for 9-29-14 to 12-29-14.

The Board referred the correspondence to staff without objection.

From Poningo Properties LLC regarding Sewer Rent Appeal for 4 Bulkley Avenue.

The Board referred the correspondence to staff without objection.

From H & H Property Corp. regarding Sewer Rent Appeal for 211 Irving Avenue.

The Board referred the correspondence to staff without objection.

From Sheila M. Rogan on her resignation from the Planning Commission

The Board duly noted the correspondence.

From the Tamarack Tower Foundation requesting to hang 4 banners around the Village and place a sign at Messina Park from May 7, 2015 through June 7 2015 regarding “A Taste of Port Chester.”

The Board referred the correspondence to staff without objection.

From Howie Ravikoff regarding Sewer Rent law review

The Board referred the correspondence to staff without objection.

From Poningo Properties LLC regarding Sewer Rent Appeal for 46 Poningo Street for 12-3-14 to 1-5-15.

The Board referred the correspondence to staff without objection.

From New Broad St LLC regarding Sewer Rent Appeal for 33 New Broad Street.

The Board referred the correspondence to staff without objection.

From 235 Holding Co. LLC regarding Sewer Rent Appeal for 235 Westchester Avenue.

The Board referred the correspondence to staff without objection.

REPORTS

Village Treasurer, Leonie Douglas provided the Board with six month Revenues and Expenses Comparison Control Report.

PUBLIC COMMENTS AND BOARD COMMENTS

Mayor Pagano asked if there was anyone from the audience who would like to make any public comments.

Public (none)

Board

Trustee Adams commented the Port Chester Committee for Better Government is having a meeting at Mt. Zion on February 28th at 10:00 A.M. They are requesting the Police Chief, Mayor and Village Manager for the purpose of working better with the Village. He commented on the traffic light at the Post Road and South Regent Street. The pedestrian crosswalks should be painted to increase the visibility because if people are wearing dark clothing after sundown they are hard to see. At the next meeting or two meetings we should discuss additional municipal parking. There are not available parking spaces on the weekend. Trustee Adams requested the Village Clerk to have the Boards and Commissions chairpersons come to the Board to discuss their commission duties.

Trustee Marino commented on the light at Poningo and Irving.

Trustee Ceccarelli commented on road construction. When the repair crews come out they generally leave debris after they finish their repair. Village Manager Steers commented we should have someone from DPW come out to follow up after the contractors leave. The improvement process at Westchester Avenue is still a mess.

Trustee Ceccarelli questioned the lines on Westchester Avenue at the Capital Theater. The business people do not have space for their customers to park.

Mayor Pagano commented the staff, Trustee Terenzi and he have a meeting at the County Executive's Office on Monday regarding the \$5MM allocation. The Village has turned in projects early on and we want to see how much money we can recoup. Trustee Terenzi commented we are not coming out of this meeting without getting some help. We are going to be looking for between \$500,000 and \$1MM.

At 10:45 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the meeting was closed.

ROLL CALL

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: January 20, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk