

MEETING HELD APRIL 13, 2015

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, April 13, 2015, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis G. Pilla presiding.

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

It should be noted that Trustee Saverio Terenzi was absent.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager and Village Planner Jesica Youngblood.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS the meeting was declared opened at 7:03 p.m.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Mayor Pilla asked for a motion to take Public Hearing regarding the application of Ability Beyond Disability firs.

On motion of TRUSTEE MARINO, seconded by TRUSTEE KENNER, The Board of Trustees accepted the motion.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

Public Hearing to consider the application of Ability Beyond Disability to establish a community residence for six adults with developmental disabilities to be licensed by the New York Office for People with Developmental Disabilities.

The following Public Notices were duly published in the Journal News and the Westmore News on March 27, 2015, certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, April 13, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the application of Ability Beyond Disability to establish a community residence for six adults with developmental disabilities to be licensed by the New York Office for People with Developmental Disabilities.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website www.portchesterny.com.

Date: March 27, 2015

/s/ JANUSZ R. RICHARDS
JANUSZ R. RICHARDS
Village Clerk
Village of Port Chester, New York

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the public hearing was declared open.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Public Comments

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

Comments were made by:

Attorney David Steinmetz from the law firm of Zaren and Steinmetz, for Ability Beyond Disability, for people with developmental disabilities commented this is for care and training for people with a wide variety of needs. We are here for the NYS Pativan Law, which allows group homes to be in single family areas. We have gotten permission from NYS to proceed to build this home on Betsy Brown Road. We are now prepared to proceed with the consolidation of three lots into one home on the consolidated property. He asked that tonight the site be approved, an alternative site be recommended, or you

have the ability to object on the nature and character within the municipality would be substantially altered. We are anxious to move forward. The residents work in the community.

Tom Fanning commented we are looking forward to working with the people of Port Chester. We believe that people with disabilities belong in our community.

Mr. Ceruzzi commented that the State holds the cards. In Port Chester we have a number of group homes. You are going to take another piece of property off the tax roles. This area gets big taxes. This will be a disservice to the Village.

Ms. Goldie Solomon commented we can't afford to have anything more off the tax roles. We have too much off the tax roles now with the nonprofit and municipal property. This will also knock down the value of the property around the group home. This property needs to stay on the tax roles.

Dr. Ken Burkowitz thanked the Board for the open communication to get all points of view. He commented that he is not opposed to people with disabilities. This is the wrong site for this home because it is on a horrible corner. We need to address safety, drainage and traffic. Is this the right subdivision to have?

Ms. Andrea Granada commented there is a group home in her neighborhood on Upland Drive. With the changing times you can't always take care of your own families. We want to promote independence.

Mayor Pilla made a motion to close the Public Hearing until after the Board meets to discuss this matter further.

Trustee Marino asked how many homes there are in Westchester County. Mr. Fanning replied there are 11 homes.

Trustee Ceccarelli commented on the chain of events and approvals that need to take place. Attorney Cerreto commented the first step is the Pativan hearing, which took place tonight. The second step would be an application for subdivision of the property. There may need to be a variance. Mr. Miley may have to review an application for any zoning variances required. Then they would need a zoning variance from the Zoning Board as well. The date for this Board to take action would probably be this week. Either the 19th or the 20th is our deadline to take action.

Trustee Brakewood commented that when the lot was originally subdivided there was concern about the property issues.

Mr. Richard Abel commented on the assessment value on the land and what happens if the clock does run out. Trustee Brakewood commented that if the Village does not take action within 40 days it is automatically approved.

Ms. Solomon again commented we have too much off the tax roles.

Ms. Granada commented that the Board is not going to waste our tax dollars fighting things.

Mr. Ceruzzi commented this site was chosen because of the price of the land. Mr. Fanning is in the group home business and for him not to say how many group homes there are in Westchester is a disingenuous to this Board.

Trustee Adams asked if there have been problems at other group home locations. Mr. Fanning commented that there has not been any police problems at any other locations that he knows of.

Trustee Ceccarelli commented that Port Chester has eight sites of special need locations. Attorney Steinman noted that this community has no reason to object to the Pativan Law.

An Executive Session on this topic will be held on Tuesday, April 14th in the Conference Room at 222 Grace Church Street.

The Public Hearing on the group home was adjourned to Thursday, April 16th in the Conference Room at 222 Grace Church Street.

Dr. Berkowitz commented we have nothing to lose by objecting because it gives us more time.

Attorney Cerreto commented the Board would need a good reason to objecting.

On motion of TRUSTEE MARINO seconded by TRUSTEE KENNER the public hearing was adjourned to the meeting on April 16, 2015.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Public Hearing on Fiscal Year 2015-2016 Budget

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS, the public hearing was declared open.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Public Comments

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

Comments were made by:

Mr. Richard Abel commented on the parking fine revenue; if you pay your fine within 48 hours you get a \$10 discount.

Trustee Ceccarelli made a motion, seconded by Trustee Adams that the Public Hearing on the Budget be closed.

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS, the public hearing was declared closed.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

PUBLIC COMMENTS

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

No public comments were made.

DISCUSSIONS

Director of Planning and Development Christopher Gomez updated the Board regarding the Bulkhead RFP.

The Village of Port Chester received a grant from the New York State Department of State (NYSDOS) for up to \$225,420 for the final design, construction documentation and applicable permits for the rehabilitation of the collapsed bulkhead and construction of an 'activity node' as part of the 2013 Consolidated Funding Application process coordinated by the Mid-Hudson Regional Economic Development Council. Per the executed contract, the Village posted the RFP February 2015 and closed the response window on March 16, 2015. The Village received four (4) qualified responses: COWI Group/Ocean and Coastal Consultants Engineering, LLC; McLaren Engineering Group; Boswell Engineering; and Langan Engineering.

At this time, Village Staff have thoroughly reviewed each response and provided a summary matrix for each response for RFP and NYSDOS contract compliance. Also provided is a memo from the Village Engineer, Dolph Rotfeld doing the same.

Overview of Responses:

- Each firm complies with the requirements of the RFP/NYSDOS contract. Further, some of the submissions provide better understanding and therefore a more thorough response to the enumerated task list per NYSDOS contract (COWI/OCC, Langan, and McLaren).
- Three firms can provide additional out-of-scope services for an additional cost, including construction management and inspection (COWI/OCC, Langan, and McLaren).
- The estimated timeframe for completion ranges from 4.5 months (Boswell) to 13 months (Langan, McLaren)
- The pre-scope/contract fee schedule include:
 - \$193,032 – COWI/OCC
 - \$228,289 – Boswell
 - \$275,754 – McLaren
 - \$398,000 – Langan
- All firms submitted relevant and local project experience documentation

Recommendation

Presently, Staff recommends interviewing all four firms; however, Staff can narrow it down to two firms if the Board prefers. Staff anticipates conducting interviews within the next month.

RESOLUTIONS

RESOLUTION #1

**AWARDING BID FOR
SANITARY SEWER AND STORM DRAIN
CLEANING & TELEVISION INSPECTION**

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

WHEREAS, the Village of Port Chester has advertised for bids for Sanitary Sewer and Storm Drain Cleaning and Television Inspection (Bid No. 2015-04); and

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

WHEREAS, the Village's consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept the low bid of National Water Main Cleaning Co. Kearney, New Jersey which bid which meets all the specifications as set forth in the bid documents. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for Sanitary Sewer and Storm Drain Cleaning and Television Inspection to National Water Main Cleaning Co., 1806 Harrison Avenue, Kearney, New Jersey 07032 in the amount of \$186,580.00; and be it

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

FURTHER RESOLVED, that the funding for said work be appropriated from the Sewer Improvement Project 5.8120.400.2013.132 in the Capital Fund.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

CORRESPONDENCES

From the Traffic Commission regarding overnight parking for 1 Landmark Square during painting in the parking garage.

The Board requested that a resolution be provided for the Tuesday meeting.

PUBLIC COMMENTS AND BOARD COMMENTS

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

No comments were made by public.

Board

Trustee Brakewood thanked Dolph Rotfeld for responding to his e-mails regarding the quality associated with the liners for the sewer rent. He thanked Village Manager Steers regarding the responsibility of the Village Manager. He commented on the Village getting the roads back on track after the hard winter.

Trustee Marino commented on the poles still being there from the old parking meters. Westchester Avenue still needs to be painted.

Trustee Ceccarelli thanked Dolph for the presentations tonight.

Mayor Pilla thanked Village Manager Steers for running a tight ship in Village Hall. He commented the sidewalk café ordinance calls for a 9' sidewalk.

Trustee Adams made a motion, seconded by Trustee Brakewood, that the meeting be adjourned.

At 10:20 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE BRAKEWOOD, the meeting was closed.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Terenzi.

DATE: April 13, 2015

Respectfully submitted,

Janusz R. Richards
Village Clerk