

## **MEETING HELD APRIL 20, 2015**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, April 20, 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, Saverio Terenzi, Luis Marino and Gene Ceccarelli.

It should be noted that Trustee Joseph Kenner was absent.

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (Arrived at 7:09 p.m.); Chief of Police, Richard Conway; Village Engineer, Dolph Rotfeld; Christopher Ameigh Administrative Aide to the Village Manager and Building Inspector and Director of Code Enforcement Peter Miley.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE TERENCE the meeting was declared opened at 7:02 p.m.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

### **MEETING OF THE BOARD OF TRUSTEES IN THEIR CAPACITY AS A BOARD OF POLICE COMMISSIONERS**

Chief of Police, Richard Conway provided the Board of Trustees with a department updated:

POLICE DEPARTMENT  
PORT CHESTER, NEW YORK

### **MONTHLY REPORT, MARCH 2015**

#### **Training:**

- On March 19th and 23rd, 43 members of the Department successfully completed a 7 hour course of study in Crisis Intervention. This instructional block was carried out by the Westchester County Office of Mental Health. Members received both classroom and practical training in the basics of police response to incidents involving people in emotional crisis. This course represents the first collaborative training effort between the Department and the Office of Mental Health
- On March 20th, Police Officers Marcello Presta and Arthur Dusenbury completed

High Intensity Drug Trafficking Area, (HIDTA) training. This 40 course of study was held at the New York City Police Department's Rodman's Neck facility in the Bronx. POs Presta and Dusenbury received both classroom and hands on training in areas such as; search warrants, surveillance, undercover operations, and tactical street encounters.

#### Harbor Patrol Initiative:

- On April 6, we received confirmation of the acceptance of our application for the Patrol Vessel Loan program through the NYS Office of Parks Recreation and historic Preservation. Under the program the Village will receive a fully equipped 21 or 24 foot Boston Whaler patrol boat. The package is valued at over \$90,000. This loan will be for the effective life of the patrol vessel which is estimated to be 10 years.
- In addition to providing the vessel, NYS OPRHP will also fund up to 50% of the salary of officers assigned to marine enforcement efforts, fuel used, maintenance, and safety equipment.
- Much of the initiative in seeking this funding comes from the efforts of Police Officer Jeff Garcia. PO Garcia learned of the program through his contacts with other agencies and obtained the necessary application information. He was diligent in following up on the progress of our project and will be assigned to its implementation.
- PO Garcia will be attending the Maritime Law Enforcement Course held at Lake George later this month. We expect to have our Harbor Patrol Initiative operational for the 2015 boating season

#### **Detective Bureau:**

For the month of March, the Detective Bureau closed out 28 cases with 8 cases resulting in arrest. The Bureau was assigned 16 new cases during the month and had a total of 45 arrests:

1. 1-Felony drug arrest
2. 4-misdemeanor drug arrests
3. 8-violation level
4. 6-non-drug related misdemeanors
5. 2 6-warrantarrests

The Bureau made the following seizures during March:

1. \$1,160.00 in US currency
2. 95-decks of heroin
3. 5-small bags of cocaine
4. 10-small bags of marijuana

Evidence in 70 cases was reviewed, this resulted in the return of property to

owners, or the disposal of retained evidence after the approval of the District Attorney's office

**Notable Cases:**

On Wednesday March 18th at approximately 5:30 PM members of the Port Chester Police Department arrested two men after disrupting a drug transaction in progress.

Members of the Department's Narcotics Squad were conducting a surveillance in the area of North Main Street when they observed one man, seated in a car, hand another, on foot, 30 small bags containing what was later determined to be heroin. With assistance from the Patrol Division they stopped and detained the men. Subsequent investigation uncovered 57 additional bags of heroin, US currency, and drug sales records in the vehicle occupied by one of the men.

Wilfredo Huertas, age 51, of the Bronx was arrested and charged with Criminal Sale of a Controlled Substance in the 3rd Degree, and Criminal Possession of a Controlled Substance in the 3rd Degree, both class B felonies

Johan J. Wallenberg, age 38, of Stamford was arrested and charged with Criminal Possession of a Controlled Substance in the 7th degree, a class A misdemeanor

**Public Affairs:**

The objective of our public affairs initiative is to keep abreast of the public safety concerns of our residents, and to keep them informed on public safety issues.

During March, the Department took part in several public events. Among them:

1. March 20th- Spring into reading, Park Ave. School
2. March 27th-Manhattanville College Job Fair
3. April 3rd-Good Friday Procession, Holy Rosary Church-Corpus Christi

**Statistics:**

<b>Arrests/Tickets</b>	<b>January</b>	<b>February</b>	<b>March</b>
Parking Tickets	5312 <sup>1</sup>	3661	4240
Traffic Tickets	559 <sup>2</sup>	433	555
Arrests	161 <sup>3</sup>	130	157

<b>FBI Part 1 Crimes</b>	<b>January, 15 2014</b>		<b>February,15 2014</b>		<b>March,15 2014</b>	
Assault	4	2	4	3	4	6
Burglary	4	1	1	4	4	2

Larceny	28	34	31	26	31	37
Murder	0	0	0	0	0	0
Motor Vehicle Theft	0	1	0	1	0	0
Rape	0	1	1	0	0	0
Robbery	1	4	2	0	1	2

<b>Common Calls for Service</b>	<b>January</b>	<b>February</b>	<b>March</b>
Aided (Medical)	192	150	154
Accidents	108	108	116
Alarms	106	96	80
Directed Patrols	166	116	101
Domestic	12	30	22
School Crossings	45	32	17
<b>Total Calls for Service</b>	<b>1637</b>	<b>1401</b>	<b>1556</b>

## **PUBLIC COMMENTS**

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

Comments were made by:

Mr. Jerry Terranova commented on the development of the Park Commission. The Park Commission, with the approval of the Board of Trustees, shall have the sole and exclusive control and management of the parks. The Board violated the Commission's charter because the BOT dealt directly with the dog park people. Mayor Pilla commented that he wants each commission to feel empowered as the authority invested in them calls for. In the present the staff is reconsidering the configuration for the dog park. We have to make sure we follow a process. They will go to the Park Commission. Trustee Brakewood commented it might be useful for Attorney Cerreto asked what the mandate says in relation to what the process should be between the Commission and the Board.

Mr. Terranova commented about his Amnesty Inspection. Mr. Miley treated him with dignity and respect. He and his department did a great job

Ms. Goldie Solomon commented on the D.A.R.E. program in the schools. We need it back in our schools. Our Village should be clean of alcohol and drugs. Trustee Brakewood commented that the D.A.R.E. program in the schools has been replaced with the Life Skills Program. The Middle School has a drug and alcohol program through Life Skills. There is a need for more interaction between the School Board and the police department. Mayor Pilla asked the Village Clerk to get together with the Village

Manager to set up a meeting with the School Board Liaison Committee so that we can set the budget resource that we need.

Mr. Eddie Eways commented that people should step out and make a difference. It is respect and sacrifice that count.

Ms. Mimi Graenberg of Upland Street commented on the issues related to King Street School and the parking. An orderly process of picking up the children is needed. Mayor Pilla asked the Chief to look into the situation.

Ms. Bea Conetta commented on the Power of Hope. This is a new beginning. We have a fantastic staff and a professional Board of Trustees if you work together.

Mr. Ruggeria commented that Cable has been out for five or six days. He came to the meeting because he has no audio at home.

Mr. Frank Ferrara commented that Trustee Brakewood is going to be appointed to the open seat on the I.D.A. We serve at the pleasure of the BOT. As a member of the BOT I think it is not a good idea to have a Village Trustee on the I.D.A. Board. We do have a qualified candidate who cannot get an interview. Mayor Pilla said putting Trustees on the Board keeps the strategy in place between the Board of Trustees and the I.D.A. Board. We are very interested in meeting with the candidates.

## **RESOLUTIONS**

### **RESOLUTION #1**

#### **EMERGENCY WORK AT VILLAGE MARINA**

On motion of TRUSTEE CECCARELLI, 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 Manager has informed the Board of Trustees that emergency work must be undertaken to secure a failing portion of the Village Marina Bulkhead; and

WHEREAS, the Manager has secured proposals from Concavage Marine Construction, Inc. to perform said work which will begin forthwith; and

WHEREAS, such work must be undertaken by the Village to protect the public health, safety and welfare. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby finds and declares that said work is a “public emergency” within the meaning of General Municipal Law, Section 103(4) requiring the Village to act without delay; and be it further

RESOLVED, that the Board authorizes the Village Manager to enter into an agreement with Concavage Marine Construction, Inc., Port Chester, New York, for a total cost of \$125,100, with an additional 10% contingency of \$12,510; and be it further

RESOLVED, that the expenditures not to exceed \$137,610 be appropriated from the Marina Improvement Project 5.7230.400.2009.107.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

**RESOLUTION #2**

**AUTHORIZING THE SUBMISSION OF A HOME RULE REQUEST  
TO IMPOSE A HOTEL OCCUPANCY TAX IN THE VILLAGE OF PORT CHESTER**

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

WHEREAS, the Village of Rye Brook secured special state legislation to adopt a local law to impose a hotel occupancy tax of three percent; and

WHEREAS, the cities of Rye, New Rochelle and White Plains also have a hotel occupancy tax; and

WHEREAS, a hotel occupancy tax offers the advantage of raising necessary revenue without imposing a regressive and heavier burden on property owners; and

WHEREAS, the Board of Trustees has accepted the petition of PC 406 BPA and PC 999 High Street Corp. which is the subject of a pending environmental review process pursuant to the State Environmental Quality Review Act (SEQRA) to redevelop the former site of United Hospital for a mixed residential/commercial development which includes a proposed hotel; and

WHEREAS, New York State Senator George Latimer has introduced legislation to the Senate with bill number S. 2596 and New York State Assemblyman Steve Otis has introduced legislation in the Assembly with bill number A. 6556 that would authorize the Village of Port Chester to impose such a hotel occupancy tax. Now, therefore, be it

RESOLVED, that the Board of Trustees of the Village of Port Chester hereby approves the submission of a Home Rule Request to the New York State Senate and Assembly for bill numbers S. 2596 and A. 6556 respectively relating to the authority of the Village to impose a hotel occupancy tax; and be it further

RESOLVED, that the Clerk is hereby authorized to execute all necessary documents with regard to the Home Rule Request and the Mayor to cause their delivery to the New York State Legislature on behalf of the Board.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

### **RESOLUTION #3**

#### **APPOINTMENT OF MEMBERS TO A TEMPORARY POLICE & COURTS FACILITY WORKING COMMITTEE**

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

WHEREAS, the Board of Trustees is committed to, over the longer term, providing and maintaining adequate and cost-effective Police and Court facilities to the village employees, Judges, and at-large public in order to appropriately provide public safety and justice court services as the Board is charged to do; and,

WHEREAS, over the years, the Board of Trustees has invested in maintaining the current police and court facility located at 350 North Main Street; and,

WHEREAS, the Board of Trustees had previously commissioned JCJ Architecture to complete a "Police & Court Feasibility Study" in 2011 on behalf of the Board of Trustees; and,

WHEREAS, the Board of Trustees has also retained National Development Corp (NDC) to study the construction of a certain Municipal Complex; and,

WHEREAS, there has been a recent turnover in the management of the Police Department, and a key leader within the Police Department has claimed the Police Department was “not part of the strategic process.... and were not responsible for the final product or any of the final recommendations”. Now therefore, be it

RESOLVED, that the Board of Trustees appoints CHIEF RICHARD F. CONWAY, Village Manager, Christopher D. Steers, TRUSTEE MARINO, TRUSTEE CECCARELLI, AND TRUSTEE BRAKEWOOD, to a temporary Police and Courts Facility Working Committee of the Board of Trustees; and be it further

RESOLVED, that this working committee is expected to review existing documentation related to the Police and Court facilities, tour the existing facility with key stakeholders, interview members of the Police Department and Courts to gather input and determine the police and court facility requirements, and report back to the Board of Trustees within 60 days with their findings and recommendations; and be it further

RESOLVED, that this resolution shall take effect immediately.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

## **RESOLUTION #4**

### **APPOINTMENT OF MEMBER TO IDA - LDC**

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

RESOLVED, that TRUSTEE DANIEL BRAKEWOOD, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester Industrial Development Agency (PCIDA) to fill the seat previously held by Trustee Joseph Kenner; and

BE IT FURTHER RESOLVED, that TRUSTEE DANIEL BRAKEWOOD, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester Local Development Corporation (LDC) to fill the seat previously held by Trustee Joseph Kenner.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015.

**RESOLUTION #5**

**APPOINTMENT OF MEMBER TO PLANNING COMMISSION**

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

RESOLVED, that MICHAEL F. BRESCIO, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester PLANNING COMMISSION to fill the seat previously held by Frank Cervinka, effective immediately with said term expiring on 06/16/2016.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

**RESOLUTION #6**

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE**

**TWO (2) PATROL PC MOBILE COMPUTERS WITH PRINTERS AND  
RELATED HARDWARE FOR POLICE DEPARTMENT**

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 Two (2) Patrol PC Mobile computers with printers and related mounting hardware to install in Patrol cars 52 & 54 for a total cost of \$11,934.02 from L-Tron Corporation, 596 Fishers Station Drive, STE 1A, Victor, NY 14564, NYS Contract #PT 60949. 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	\$(11,934.02)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$11,934.02
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Appropriations:

001-3120-0200	Police Service Equipment	\$11,934.02
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APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

**RESOLUTION #7**

**AWARDING BID FOR COACH BUSES FOR FY 2015-2016**

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

WHEREAS, the Village of Port Chester has advertised for competitive bids with regard to the provision of coach bus transportation services for the 2015-2016 Fiscal Year and an option for the 2016-2017 Fiscal Year; and

WHEREAS, a single bid was submitted; County Coach, 287 Bowman Avenue, Purchase, New York 10577, in the amount of \$25,410.00; and

WHEREAS, the bidder is the current vendor and has been satisfactorily providing such services; and

WHEREAS, the Senior Center Director and Recreation Supervisor have recommended that such bid be accepted and that there are sufficient funds allocated in the upcoming budget for same. Now, therefore, be it

RESOLVED, that the bid of County Coach, 287 Bowman Avenue, Purchase, New York 10577 be accepted; and be it further

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement for such services.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

**RESOLUTION #8**

**AWARDING BID FOR SCHOOL BUSES FOR FY 2015-2016**

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 Village of Port Chester has advertised for competitive bids with regard to the provision of school bus transportation services for the 2015-2016 Fiscal Year and an option for the 2016-2017 Fiscal Year; and

WHEREAS, of the two bids submitted, the low bidder was County Coach, 287 Bowman Avenue, Purchase, New York 10577, in the amount of \$30,635.00; and

WHEREAS, the low bidder is the current vendor and has been satisfactorily providing such services; and

WHEREAS, the Recreation Supervisor has recommended that such bid be accepted and that there are sufficient funds allocated in the upcoming budget for same. Now, therefore, be it

RESOLVED, that the bid of County Coach, 287 Bowman Avenue, Purchase, New York 10577 be accepted; and be it further

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement for such services.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

**RESOLUTION #9**

**SENIOR NUTRITION PROGRAM**

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

RESOLVED, that the Village Manager be and is authorized to enter into an agreement with the County of Westchester for the Older Americans Act and New York State Community Services for the Elderly Act, for the Wellness in Nutrition Program (WIN) and Nutrition Services Incentive Program (NSIP) for the amount not to exceed \$64,302.00 for the period covered April 1, 2015 to March 31, 2016.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

MAYOR PILLA asked for a motion to consider an add-on resolution to appointment of members to a Bulkhead Negotiation Committee.

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

**RESOLUTION #10 (ADD-ON)**

**APPOINTMENT OF MEMBERS TO A BULKHEAD NEGOTIATION COMMITTEE**

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

RESOLVED, that the Board of Trustees appoints MAYOR PILLA and TRUSTEE TERENCE, to a Marina Bulkhead Negotiation Committee.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

MAYOR PILLA asked for a motion to consider an add-on resolution to transfer unclaimed bail monies from the Village Justice Court to the general fund.

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

**RESOLUTION #11 (ADD-ON)**

**TRANSFERRING UNCLAIMED BAIL MONIES FROM THE VILLAGE JUSTICE COURT TO THE GENERAL FUND**

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

WHEREAS, to satisfy the recommendation of the Village Independent Auditor, and the 80-515 opinion issued by the State Comptroller requiring that bail monies which are outstanding in excess of six years be transferred to the Village’s General Fund, and be it therefore

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to accept a check in the amount of \$17,065 from the Village Justice Court and record as Bail Forfeitures revenue in the FY 2014-15 General Fund Budget.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

MAYOR PILLA asked for a motion to consider an add-on resolution to set a public hearing to consider restoration of a parking and standing prohibition on Westchester Avenue in vicinity of fire headquarters on Westchester Avenue.

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

**RESOLUTION #12 (ADD-ON)**

SETTING PUBLIC HEARING TO CONSIDER RESTORATION OF A PARKING AND STANDING PROHIBITION ON WESTCHESTER AVENUE IN VICINITY OF FIRE HEADQUARTERS ON WESTCHESTER AVENUE

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

WHEREAS, the Fire Chief has made a complaint with the Board of Trustees raising issue with the parking and standing of vehicles on Westchester Avenue in the immediate vicinity of Fire Headquarters on Westchester Avenue which compromises the ability of fire apparatus to freely ingress and egress the fire station; and

WHEREAS, the Board referred the matter to the Traffic Commission for study and report; and

WHEREAS, the Traffic Commission has provided a report dated April 15, 2015 recommending the restoration of a parking or standing prohibition on the south side of Westchester Avenue from Grove Street to Smith Street to alleviate the situation; and

WHEREAS, such action would initially require the repeal of a portion of Local Law No. 11 of 2010; and

WHEREAS, based on the foregoing, the Board desires to advance this matter to a public hearing to consider said recommended action. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby sets a public hearing on May 18, 2015 at or about 7:00 p.m. at the Port Chester Police Headquarters/Justice Court, 2<sup>nd</sup> Floor Courtroom. 350 North Main Street, Port Chester, to consider the advisability of a local law repealing Section 1 of Local Law No. 11 of 2010 in order to facilitate the restoration of the parking or standing prohibition on Westchester Avenue in the vicinity of Fire Headquarters on Westchester Avenue.

APPROVED AS TO FORM:

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Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

## **REPORT OF THE VILLAGE MANAGER**

Village Manager Christopher D. Steers, provided the Board of Trustees with the following updates:

### **INITIATIVES/PRIORITIES:**

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

- 1) Opportunity Areas #1:** C1 Neighborhood Retail Zoning Analysis: medical, dental office use Preliminary analysis regarding a potential zoning text change to permit medical in the C1 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, and March 2015. Presentation to BOT completed March 2015. Planning Commission supports concept. Staff to prepare draft law for BTO review.

- 2) **Opportunity Area #2:** As you are aware NDC 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*

Site Borings have been completed as of this past week. The testing results are due within the next two weeks.

- 3) **Opportunity Area #3:** Bulkhead; the contract for the bulkhead design grant award in the amount of \$225,000 has been executed. The initial methodology included design in two phases, Phase 1 being the first Activity Node and temporary “shoring” up of the vinyl area; Phase 2 being the complete steel replacement and partial bridging of the cove. This approach would have allowed 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. Since then a second breach has occurred which will necessitate two things; a proposed emergency repair which is on the agenda his evening; and perhaps the design of the activity node and now a complete replacement.

Staff received four responses to the RFP for design, bid documents, and permits. Staff reviewed same and found all bidders responsive. Staff will be conducting interviews with all four consultants and narrow down the field to two finalist. The BOT will thereafter interview the two finalists and make a final selection. This is anticipated to be ready for interview and/or board action on or about the second meeting in May.

- 4) **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 PMU 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 30, 2014. The applicant is scheduled to submit the final DEIS revisions next month. Anticipated DEIS adoption as complete May/June 2015.

- ❖ **2015-2016 Budget Process:** The Tentative Budget has been presented to the Bot and the public hearing has been completed. As the BOT completes the remaining budget workshops, proposed changes to the tentative Budget are to be voted on during the April 28<sup>th</sup>, budget- adoption meeting.
- ❖ **Property Condition Study RFP:** Consultant selection has been made. The finalist is Kevin Dwarka of KDLLC. Their partnership with Pace Law School brings to bear the necessary resources for developing attainable and legally sufficient strategies for potential revitalization initiatives within the prescribed areas. Staff is finalizing the scope of services with the final scope and authorization to execute the agreement to be discussed at the May 4<sup>th</sup> BOT meeting.

#### **ACTIONS:**

- **CDBG:** we are currently pursuing approximately \$800,000 from the County's new Community Housing Infrastructure Investment Program (CHIIP) to fund prior CDBG awards for sewer and sidewalk infrastructure. The BOT adopted a resolution identifying the projects eligible under the new CHIIP funding on March 16<sup>th</sup>, 2015. All required documentation has been submitted to the County. We are expecting a response from the County by the end of this month and/or middle of next month. The program requires a 50% match.
- **MTA:** Staff continues to discuss a possible settlement to the property maintenance violations issued to the MTA. The context is in the realm of better routine maintenance and possible beautification utilizing existing and potential funds in a collaborative manner between the Village and the MTA.
- **Grant Writing RFP:** The Village received four responses however none of the submittals were responsive to the request. In sum the majority grant writing community seems to avoid contingency based contracting. We are exploring other alternatives that would allow for us to capture and properly administer any grant funds attained in the most cost effective way. The issue at hand is not necessarily the application process/processing; it is the labor intensive reporting and administrative portion of grant management/administration that taxes our limited resources.

## **DEPARTMENT UPDATES:**

### ➤ **Police Department:**

- **Training:** On March 19th and 23rd, 43 members of the Department successfully completed a 7 hour course of study in Crisis Intervention. This instructional block was carried out by the Westchester County Office of Mental Health. Members received both classroom and practical training in the basics of police response to incidents involving people in emotional crisis. This course represents the first collaborative training effort between the Department and the Office of Mental Health

On March 20th, Police Officers Marcello Presta and Arthur Dusenbury completed High Intensity Drug Trafficking Area, (HIDTA) training. This 40 course of study was held at the New York City Police Department's Rodman's Neck facility in the Bronx. POs Presta and Dusenbury received both classroom and hands on training in areas such as; search warrants, surveillance, undercover operations, and tactical street encounters.

- **Harbor Patrol Initiative:** On April 6, we received confirmation of the acceptance of our application for the Patrol Vessel Loan program through the NYS Office of Parks Recreation and historic Preservation. Under the program the Village will receive a fully equipped 21 or 24 foot Boston Whaler patrol boat. The package is valued at over \$90,000. This loan will be for the effective life of the patrol vessel which is estimated to be 10 years.
  - In addition to providing the vessel, NYS OPRHP will also fund up to 50% of the salary of officers assigned to marine enforcement efforts, fuel used, maintenance, and safety equipment.
  - Much of the initiative in seeking this funding comes from the efforts of Police Officer Jeff Garcia. PO Garcia learned of the program through his contacts with other agencies and obtained the necessary application information. He was diligent in following up on the progress of our project and will be assigned to its implementation.
  - PO Garcia will be attending the Maritime Law Enforcement Course held at Lake George later this month. We expect to have our Harbor Patrol Initiative operational for the 2015 boating season
- **Detective Bureau:**
  - For the month of March, the Detective Bureau closed out 28 cases with 8 cases resulting in arrest. The Bureau was assigned 16 new cases during the month and had a total of 45 arrests:
    1. 1-Felony drug arrest
    2. 4-misdemeanor drug arrests
    3. 8-violation level
    4. 6-non-drug related misdemeanors

- 5. 26-warrant arrests
- The Bureau made the following seizures during March:
  1. \$1,160.00 in US currency
  2. 95-decks of heroin
  3. 5-small bags of cocaine
  4. 10-small bags of marijuana
- Evidence in 70 cases was reviewed, this resulted in the return of property to owners, or the disposal of retained evidence after the approval of the District Attorney's office
- **Notable Cases:** On Wednesday March 18th at approximately 5:30 PM members of the Port Chester Police Department arrested two men after disrupting a drug transaction in progress. Members of the Department's Narcotics Squad were conducting a surveillance in the area of North Main Street when they observed one man, seated in a car, hand another, on foot, 30 small bags containing what was later determined to be heroin. With assistance from the Patrol Division they stopped and detained the men. Subsequent investigation uncovered 57 additional bags of heroin, US currency, and drug sales records in the vehicle occupied by one of the men.

Wilfredo Huertas, age 51, of the Bronx was arrested and charged with Criminal Sale of a Controlled Substance in the 3rd Degree, and Criminal Possession of a Controlled Substance in the 3rd Degree, both class B felonies. Johan J. Wallenberg, age 38, of Stamford was arrested and charged with Criminal Possession of a Controlled Substance in the 7th degree, a class A misdemeanor

➤ **Justice Court**

- Assist the Judge on the Bench during court sessions on Mondays, Thursdays and Fridays
- Processed Criminal Disposition Reports (CDRs) after court
- Completed court paperwork after court sessions
- Update excel spreadsheets with Bail disbursements from court
- Electronically transmitted 574 Criminal Dispositions Reports (CDRs) to New York State Division of Criminal Justice Services since February 11, 2015
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 02/28/15 - \$80,644.53
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 3/31/15 - \$78,471.68
- Prepared February and March 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Troy - \$80,783.50 (Feb) \$77,890.65 (March) to be reviewed and electronically submitted by Judge Troy
- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 02/28/15 - \$132,265.71

- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 3/31/15 - \$159,676.14
- Prepared February and March 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$131,746.20 (Feb) and \$158,821.58 (March) to be reviewed and electronically submitted by Judge Sisca
- Reconciled Tow Account. Ending Bank Balance as of 02/28/15 - \$895.00
- Reconciled Tow Account. Ending Bank Balance as of 3/31/15 - \$410.00
- Prepared vouchers and Payroll to be sent to the Finance Department
- Monthly Staff Meeting held on February 18
- Gina LaMazza held Monthly Staff meeting on March 18
- Sent letters out to Defendants for Unclaimed Bail (6 years or older) for 140 cases. If the bail is not picked up by April 17th the unclaimed bail will be turned over to the Port Chester General Fund. Amount: \$16,080 as of today

➤ **Public Works:**

Police Department

- Completed the Evidence room.
- Completed the breezeway.
- Painted various locations within the building.

Lyons Park

- Fixed the benches.
- Removed graffiti.
- Repaired underground electrical wire.
- Repaired vandalism at Lyons & Columbus Park.

Street Lights

- Repaired 50 street lights.

Village Trees

- Trimmed 20 trees.
- Removed 7 trees.

Village Hall

- Various maintenance tasks.

Potholes

- Repaired/filled 25 tons of black top for potholes thru out the Village.

Catch Basins & Sidewalks.

- Cleaned 34.
- Repaired catch basin & installed pedestrian ramp at the corner of Fairview Avenue & Neuton Avenue.
- Repaired 2 catch basin at shopper's lot.
- Repaired 3 catch basins King Street.
- Repaired sidewalks at Puritan Drive, Wilkins Avenue, & the Shoppers lot.

Street Traffic lines

- Commenced painting street traffic lines.

#### Street Signs

- Installed or replaced 40 signs.

#### Street Cleaning

- Performed additional street cleaning in non-posted areas.

#### Plantings

- Planted spring flowers.
- Cleaned the Village Islands.
- Mulched various Village Properties.

#### Equipment

- Repaired various equipment as needed.

#### Sanitation

- Regular duties as contracted & directed.

### ➤ **Senior Center / Nutrition:**

#### **Senior Center Calendar:**

- April 7th—Easter Party—music by the Upbeats 1 p.m.
- April 9th—Passover Luncheon
- April 16th—Marie Leonard, Westchester Community College Lecture—food safety and eating on a budget 11:30
- April 29th—Yonkers Casino
- May 5th—Cinco de Mayo celebration—music 1p.m.
- May 9th—Mother’s Day Brunch—music with James Kulich 11 a.m.
- May 13th—City Island Lunch on your own Cost \$10
- May 20th—Lobster Festival at Platzl Brauhaus with Rye Brook—Lobster festival, live music and dancing. Bus leaves Possillipo center at 10 a.m. Cost: \$42.
- Every Monday—Zumba 1 p.m. Every other Tuesday Tai Chi—10:30 a.m. Art Class every Friday morning at 10-12, Bingo Wed and Thurs afternoons

#### **Community Center Calendar:**

- Wed. 4/8—Chamber of Commerce meeting, Recreation meeting, Beautification meeting, Parks commission meeting.
- 4/9—Volleyball meeting—Rec
- 4/13—PCYBL Travel Meeting—Rec
- 4/14—PCYBL Baseball meeting
- 4/25—Clay Arts Center Educational Symposium 10-5 p.m.
- 4/29—Football meeting—Rec
- 4/6/15—Board of Health Inspection—No violations
- 4/7/15—Westchester County Dept of Senior Programs & Services Bi-annual inspection of congregate program at center.
- 4/8/15—Ace Extermination—Regular monthly preventative spraying.

- **Recreation:** See Recreation Supervisor's report attached.

**Meetings:**

- 3/10 Agenda review
- 3/11 Recreation Commission
- 3/12 L. Douglas, Budget
- 3/17 T. Cerreto, Playground Inspections
- 3/18 Dog Park meeting - WRAPS
- 3/20 R. Morabito, DPW field maintenance and Easter in the Park
- 3/23 J. Cunningham, Carver Center, Swim lessons, Lifeguard Training
- 3/24 T. Cerreto, Village Attorney Concession Stand Contract PCYBL
- 3/24 T. Cerreto, Playground Inspections
- 3/25 Pre/Post Agenda and Staff meeting
- 3/25 ARC meeting
- 3/25 R. Morabito, DPW field maintenance
- 3/26 E. Tigani – Parks attendants, schedule
- 3/30 Roller Hockey meeting
- 4/1 Entertainment Committee
- 4/6 Bus Bids
- 4/8 Park Avenue Custodial Staff – Walkthrough of Camp site
- 4/9 Post BOT/Pre Agenda Meeting
- 4/14 Pre –Agenda Review
- 4/14 Budget Workshop –BOT, Village Manager
- 4/15 Department of Health – Camp Meeting
- 4/16 Bryan Diaz, Council of Community Services
- 4/16 Adult Roller Hockey Group

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

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

- **Treasures Office:** the Budget process ongoing.

## **DISCUSSIONS**

Mayor Pilla presented several suggestions on how to improve the Sidewalk Café law. Following a short discussion the Mayor requested a resolution, to set a public hearing at our next Board of Trustees meeting, to amend Village Code regarding Sidewalk Café.

## **CORRESPONDENCES**

***From Francis A. Cervinka regarding resignation from Port Chester's Planning Commission.***

The Board duly noted the correspondence.

***From Virginia R. Bonaro regarding application for the Open Seat on the VPC IDA.***

The Board duly noted the correspondence.

***From the American Legion Port Chester Post 93 respectfully request that the Village of Port Chester appropriation of \$1,500 for the 2015 year***

The Board referred the correspondence to staff without objection.

***From the Traffic Commission regarding the V&T Law – Fire Zones***

The Board duly noted the correspondence.

***From Mellor Engine & Hose Co. No. 3, Inc. on the election of Brendan Doyle to active membership.***

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the election of Brendan Doyle as a member to Mellor Engine & Hose Co. No. 3, Inc. with the Port Chester Fire Department.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

***From Mellor Engine & Hose Co. No. 3, Inc. on the resignation of Bedford Brown from active membership.***

The Board duly noted the correspondence.

***From Harry Howard Hook & Ladder Co. No. 1 on the expulsion of Cesar Reyes, Reynaldo Sanchez and John Evans from membership in the Company.***

The Board duly noted the correspondence.

***From Harry Howard Hook & Ladder Co. No. 1 on the resignation of James Magrone.***

The Board duly noted the correspondence.

## **PUBLIC COMMENTS AND BOARD COMMENTS**

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

Comments were made by:

### ***Public***

Mr. Richard Abel commented on the Town Assessment role which is locked at the end of the year. Are Building Records also locked? How hard would it be to merge those two databases? This way the assessment records are with the Building Department as well. Village Manager Steers commented we download the information once a year, whether it is correct or incorrect. Mr. Abel questioned if you sign up for Amnesty and they several months later, if an inspection has not been done, want to opt out. Mr. Miley replied everybody who has applied is already in the program. Essentially, nothing happens.

Mayor Pilla commented that people shouldn't be afraid to go to the Building Department before they do the work. They should do a search.

### ***Board***

Trustee Adams commented on Pearl Street where it meets the Post Road. The warning light is now gone. Chief Conway will look into that. He will notify the traffic sergeant. Trustee Adams commented that the yellow lines are gone from North and South Regent Street and Westchester Avenue. Chief Conway will run this by DPW next week. Trustee Adams commented on the smell at the Grove Street parking lot.

Trustee Brakewood is looking forward to serving with the other members of the I.D.A. He is looking forward to working with the subcommittee formed tonight.

Trustee Terenzi commented on defending Amnesty. He is looking forward to Mayor Pilla streamlining the program.

Trustee Ceccarelli thanked the Village Manager and Peter Miley for their good reports. He commented that on 10 Pearl Street Mr. Neri wants to put in a five story office building.

Mayor Pilla commented on the professional staff in every department. We had a discussion on the Dog Park where everybody will be in a win/win solution. Mayor Pilla asked for a motion to go into executive session

## **MOTION FOR EXECUTIVE SESSION**

At 10:01 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE ADAMS the Board adjourned into an executive session for the purpose of consulting

with the Village Manager and Village Attorney concerning particular personnel in the Courts.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

Also present were: Village Clerk, Janusz R. Richards; Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto and Chief of Police, Richard Conway.

No action was taken in executive session.

At 10:23 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

At 10:23 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, the meeting was closed.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** April 20, 2015

Respectfully submitted,

Janusz R. Richards  
Village Clerk