#### **MEETING HELD MAY 5, 2014**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, May 5, 2014, 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.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas (arrived at 7:07 p.m.); Director of Planning and Development Christopher Gomez (arrived at 7:07 p.m.); Acting Police Chief, John R. Telesca, Building Inspector and Director of Code Enforcement Peter Miley; Christopher Ameigh Administrative Aide to the Village Manager (arrived at 7:07 p.m.); Village Planner Jesica Youngblood (arrived at 7:07 p.m.) and Village Engineer, Dolph Rotfeld.

On motion of TRUSTEE ADAMS, seconded by TRUSTEE TERENZI the meeting was declared opened at 6:30 p.m.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

**DATE:** May 5, 2014

#### MOTION FOR EXECUTIVE SESSION

At 6:30 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the Board adjourned into an executive session regarding the Village Manager's Employment Agreement Renewal.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

**DATE:** May 5, 2014

Present in addition to the Board of Trustees, were Village Manager, Christopher Steers and Village Attorney, Anthony Cerreto. No action was taken in executive session. At 7:07 p.m., a motion to come out of executive session was made by TRUSTEE TERENZI, seconded by TRUSTEE KENNER, 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:** May 5, 2014

#### **RESOLUTIONS**

#### **RESOLUTION #1 (POSTPONE)** AUTHORIZING THE RENEWAL OF EMPLOYMENT AGREEMENT WITH THE VILLAGE MANAGER

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE KENNER to postpone the vote on resolution Number 1 to the May 19, 2014 meeting.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

**DATE:** May 5, 2014

On motion of TRUSTEE , seconded by TRUSTEE , the following

resolution was adopted by the Village of Port Chester, New York:

WHEREAS, since October 11, 2012, Christopher D. Steers has been employed by the Village of Port Chester as Village Manager; and

WHEREAS, the employment agreement between the Village and the Manager provides for a two-year term to expire on October 11, 2014; and

WHEREAS, the Board of Trustees has timely notified the Manager of its' intention to renew the said agreement; and

WHEREAS, the parties have negotiated terms for the renewal. Now, therefore, be it

RESOLVED, that on behalf of the Board of Trustees the Mayor is hereby authorized to enter into an employment agreement with Mr. Steers in the form annexed herein setting out the following terms and conditions:

-two year term

-current annual base salary of \$190,000

--assigned village vehicle with expense for professional and Village-related business use assumed by the Village

- six months severance

- annual performance and goals evaluation

Approved as to Form:

Anthony M. Cerreto, Village Attorney

#### **RESOLUTION #2 (POSTPONE)** AMENDING THE VILLAGE OF PORT CHESTER APPOINTED/NON-UNION BENEFIT PLAN

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO to postpone the vote on resolution Number 2 to the May 19, 2014 meeting.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

**DATE:** May 5, 2014

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 November 1, 2004, the Board of Trustees adopted a benefit plan for public officers and employees that are appointed and/ or are not part of a collective bargaining unit; and

WHEREAS, the plan provides that an individual may request a payment in lieu of accrued vacation days with the approval of the individual's supervisor and prior notification to the Finance Office; and

WHEREAS, the Board desires that officers and employees take their allotted vacation time. Now, therefore, be it

RESOLVED, that the Appointed/Non-Union Benefit Plan adopted on November 1, 2004 be amended to eliminate the provision for a vacation "buy-out."

Approved as to Form:

Anthony M. Cerreto, Village Attorney

#### WORK SESSION

Bart Didden, Chairman of Waterfront Commission, commented on the opening of McShane's on North Main Street. The restaurant is doing remarkably well. He commented on the Waterfront's activities or lack of activities due to the lack of attention by the Village itself. This is something that's been going on for a long time. The Waterfront Commission operates under Chapters 148 and 332 of the Village Code and they cross over between the two sections. The commission is unproductive and in as much disarray as the waterfront itself. With moderate changes the commission can become a stellar example how to move the game down the road. Every vessel that travels down the river is supposed to be paying a fee to the Village. None are. The only income comes from the moored boats in the marina. We have size limitations and responsibilities of a harbor master and don't have any enforcement on the river. The Building department permits for docks are supposed to go by the Waterfront Commission for review. The Waterfront Commission would like the Board to appoint a commission, as a committee, to become the harbormaster to make the decisions that have to be made about moorings and land-based properties that support Waterfront activity in the Village. The members of the commission are incredibly knowledgeable. The request was made to reappoint all the members to the Waterfront Commission.

#### **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 on the special day of Cinco DeMayo. With Memorial Day coming up, we should honor all who served to keep this country free.

Ms. Beatrice Conetta commended Bart Didden and the Waterfront Commission. Since the sewer rent meeting residents have questions because they do not know what it is all about. People have been asking for petitions regarding the Amnesty Program. Ms. Andrea Granata commented on the petition presented on code reform. She commented on code enforcement on sheds. Ms. Granata commented that we should not spend above budget.

Mr. Frank Ferrara commented on the alternate candidate to the Planning Commission. We need younger people on our commissions.

Mr. Morlino commented on the United Hospital property and the resources that it would add to, in particular the school district. With all the multi-family building going on, this affects the future of Port Chester.

Trustee Terenzi commented on e-mails he received regarding Andrea Granata.

#### **PRESENTATION**

Ms. Dina Goren gave a presentation on "Bark For Your Park" contest.



Presentation before the Port Chester Board of Trustees May 5, 2014

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Past: What has been accomplished to date?

**Present:** Where are we in the process and what more needs to be done?

Future: What can get us to our budget goals?

**Decision-making:** PetSafe Bark for Your Park dog park contest approval by BOT

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# **Current Status Summary:**

	PC Dog Park Group	Parks Commission	Village Staff	Board of Trustees
Concept	✓ Approved	<ul> <li>Approved</li> </ul>	<ul> <li>Approved</li> </ul>	<ul> <li>Approved</li> </ul>
Location	✓ Approved	<ul> <li>Approved</li> </ul>	✓ Approved	<ul> <li>Approved</li> </ul>
Design	<ul> <li>Draft completed, Design in-progress</li> </ul>	<ul> <li>Draft layout reviewed only</li> </ul>	<ul> <li>Draft layout reviewed only</li> </ul>	<ul> <li>Draft layout reviewed only</li> </ul>
Parking	<ul> <li>Refer to Parks</li> <li>Commission</li> </ul>	<ul> <li>Requested</li> <li>Board input</li> </ul>	✓ Discussed, latest on 4/7/14	✓ Discussed, latest on 4/7/14
Rules and Regulations	<ul> <li>Draft Completed</li> </ul>	✓ Draft in Review	✓ Draft in Review	To be Reviewed
Staffing	<ul> <li>Refer to Parks</li> <li>Commission</li> </ul>	To be discussed	To be discussed	To be discussed
Law Change	<ul> <li>Requested</li> </ul>	To be discussed	To be discussed	To be discussed

✓ Complete ✓ In-Progress





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(Existing standard park maintenance by village not included in budget)

Category	Build Dog Park	Year 2	Year 3
	Initial dog park development costs	Maintenance support and education	Maintenance support and education
Source of Inflows			
Fundsraising Campaign Goals (assuming no other inflow)	55,000	10,000	5,000
Grant Possibilities	10,000	5,000	5,000
Private Company Contest Possibilities	100,000	5,000	5,000
Total Inflow Source Possibilities	165,000	20,000	15,000
Development Expenses			
Fencing*	42,000	NA	NA
Landscaping/Shrubbery (possible donations)	2,000	NA	NA
Benches	3,500	NA	NA
Signs	1,500	NA	NA
Garbage Cans with Lids + Misc amenities	1,000		NA
Poop Bag Dispensors	Existing/Donated	NA	NA
Administrative Costs	5,000	NA	NA
Total Year 1 Expenses	55,000	0	0
On-going Expenses		Estimated	Estimated
Staffing			
Park Attendent (not recommended based on research)**	NA	NA	NA
Parking lot open/close (TBD whether this is additional cost)	TBD	TBD	TBD
ID/Pass administration (TBD whether this is additional cost)**	TBD	TBD	TBD
Key Card or other system (not recommended for at least first year)**	NA	5,000	1,000
Fence/Gate Maintenance (5% of Fencing Budget)	NA	2,100	2,100
On-going Administrative Costs	NA	710	310
Total On-going Expenses	0	7,810	3,410



# **Current Fundraising Status:**







# PetSafe Bark For Your Park Contest

## Here's how the contest works

#### Who Let the Dogs Out?

What: Nominate your city, and get friends, family members, community leaders, and everyone in your city to visit us online and vote for your dog park. Make sure your city's application is complete by finding a home for your dog park and encouraging your civic leader to log his or her support.

When: May 7 - June 7





## Here's how the contest works

#### Top Dogs

What: Based on the information provided by each city, PetSafe will evaluate the availability of land, civic leader support, population size, and the total number of votes to select the 15 finalists.

When: Finalists will be announced July 7

NOTE: Above is screenshot from website, however, rules state June 13<sup>th</sup> as the Finalist announcement date which we believe is the accurate date.





### Here's how the contest works

#### Bark for Your Park

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What: Visit us online to vote for your favorite finalist to win a grand prize of \$100,000 to build a PetSafe dog park. Encourage others to vote and check the leaderboard to see which cities are in the lead. Popular vote will determine the winner, who will receive \$100,000. Additionally, the runner-up city in each small, medium and large category will win \$25,000. The Bark from Your Heart award winner, which will be the city with the highest vote to opportunity to vote, will win \$25,000.

When: June 13 - July 21





## Here's how the contest works

#### Howl at the Moon

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What: During the last week of the contest, PetSafe will not post a leader board. The contest will go "dark" until the winning city gets a surprise announcement.

When: July 25 - July 31





### Here's how the contest works

#### Every Dog Has Its Day

What: At the end of the contest, PetSafe will announce which community has won the Bark for Your Park contest and will receive the \$100,000 grand prize. We will also announce the four \$25,000 winners.

When: August 7



PetSafe Contest -- Rules of Interest

### 6. Community Eligibility: BARK

The term "Community" as used in these Official Contest Rules means (a) a county, city, municipality or other local governmental unit, legally organized, constituted and existing under state law (a "Local Government") or (b) a non-profit, public benefit organization legally organized and existing under state law which has received tax-exempt status under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and which manages or operates park facilities on behalf of a Local Government or which owns, manages and/or operates park facilities which are open to the general public at no charge (an "Eligible Non-profit Organization").

To be eligible to be selected as a Finalist, a Community must agree to accept and be bound by these Official Contest Rules and must submit the following to Sponsor before 5:00 pm ET on June 7, 2014:

(i) a verification letter from the land owner where the proposed dog park will be built that confirms the land owner's support for the project;

(ii) letter(s) from the city or county mayor, city manager, the director of parks and recreation, or other civic leader within the Community that document their support of the proposed dog park and their willingness to complete the project if the Community is chosen as a Prize Winner; and

(iii) examples of media support, if any, of the proposed dog park, providing web links to local media coverage of the contest showing or promoting the Community's participation.

These submissions may be made to Sponsor via the petsafe.net/barkforyourpark or facebook.com/PetSafeBrand websites.

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(m) Community Eligibility Requirements. To be eligible to receive a Prize, each Community selected as a Prize Winner must:

(i) agree in writing to be bound by these Official Contest Rules.

(ii) provide land for construction and operation of the dog park, the location and suitability of which are subject to Sponsor's reasonable approval.

(iii) provide a budget for the design and construction of the dog park, which shall be subject to Sponsor's reasonable approval.

(iv) provide evidence of appropriation or availability of sufficient funds to complete construction of the dog park in accordance with the proposed budget.

(v) provide a budget for operation of the dog park, which shall be subject to Sponsor's reasonable approval, and commit to maintain and operate the dog park for at least three (3) years from the date the dog park opens to the general public.

(vi) make the dog park available for use by the general public at no charge, subject to reasonable rules and regulations concerning such use.

(vii) agree to permanently include Sponsor's name in the name of the dog park and include Sponsor's name and logo in all materials related to the dog park.

 $(viii) \qquad \text{coordinate the opening of the dog park with Sponsor and participate in promotional activities related to the contest and the dog park as reasonably requested by Sponsor.}$ 



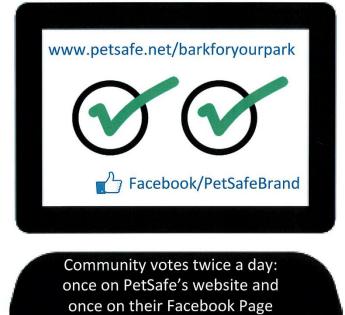
#### 8. Use and Funding of Grand Prize:

The \$100,000 Grand Prize cannot be used to purchase land and must be used only for direct costs of development and construction of the dog park, such as design fees, permits, site preparation, construction services, building materials, installation of utilities, and other capital expenses related to development and construction of the dog park, which shall be set forth in a project budget and subject to Sponsor's reasonable approval (the "Approved Expenses"). If the cost for constructing the Grand Prize Winner's dog park is less than \$100,000, the remaining funds will be donated by the Sponsor to the tax exempt animal shelter closest to the dog park.



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#### **RESOLUTIONS**

#### **RESOLUTION #3**

#### LETTER OF SUPPORT ON BEHALF OF THE VILLAGE OF PORT CHESTER FOR THE "BARK FOR YOUR PARK" CONTEST ENTERED INTO BY THE PORT CHESTER DOG PARK GROUP TO ASSIST IN FUNDING A PROPOSED DOG PARK AT ABENDROTH PARK

RESOLVED, that the Village Manager is hereby authorized to send the annexed letter of support for the Port Chester Dog Park Group's submission in the "Bark for Your Park" Contest to assist in funding a proposed dog park at Abendroth Park.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

#### **ROLL CALL**

**AYES:** Trustees Adams, Brakewood, Terenzi, Kenner, Marino and Trustee Ceccarelli. **NOES:** Mayor Pagano. **ABSENT:** None.

**DATE:** May 5, 2014

#### **RESOLUTION #4 (POSTPONE)** APPOINTMENT OF MEMBER TO PLANNING COMMISSION

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE KENNER to postpone the vote on resolution Number 4 to the May 19, 2014 meeting.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

DATE: May 5, 2014

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

RESOLVED, that \_\_\_\_\_, residing in Port Chester New York, be and hereby is appointed as an ALTERNATE member of the Port Chester PLANNING COMMISSION, and to fill the seat previously held by Sheila M. Rogan, effective immediately with said term expiring on 06/16/2014.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

#### **RESOLUTION #5 (POSTPONE)** ESTABLISHING REVISED FEES FOR THE USE OF VILLAGE PARKS

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO to postpone the vote on resolution Number 5 to the May 19, 2014 meeting.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

**DATE:** May 5, 2014

resolution was adopted by the Board of Trustees of the Village of Port Chester, New

York:

WHEREAS, the Park Commission has recommended fees for the use of Village parks; and

WHEREAS, the Chairman of the Park Commission has made a presentation with regard to same and has urged their approval by the Board of Trustees. Now, therefore, be it

RESOLVED, that the Code of the Village of Port Chester, Chapter 175, Fees, be amended as follows:

Code Reference

Section 236- 5

Fee

DELETE:

Permit fee for all parks

Up to four hours	
Residents	\$100
Nonresidents	\$200
Resident corporations	\$200
Nonresident corporations	\$300
Nonprofit organizations	\$25

#### ADD:

Group Use (up to five hours)

Residents	Up to 49 persons	\$100
	51-99 persons	\$225
	100 persons	
	and over	\$600
Non-Resident	Up to 49 persons	\$250
	50-99 persons	\$500
	100 persons and over	\$1,000

Athletic Field Use (two hours)

Lyon Park Baseball Field

Resident	\$50
Non-Resident	\$200
Recreation Park Baseball Field	
Resident	\$50
Non-Resident	\$200
Abendroth Park Softball Field	
Resident	\$50
Non-Resident	\$200
Abendroth Park Soccer Field	
Resident	\$50
Non-Resident	\$200
Columbus Park Soccer Field	
Youth Resident	\$60
Youth Non-Resident	\$120
Adult Resident	\$90
Adult Non-Resident	\$180
Resident Corporation	\$175
Non-Resident corporation	\$350

(Youth designation is 18 years or less or still in high school)

Edgewood Park Baseball Field

Resident	\$50
Non-Resident	\$100
Edgewood Park Soccer Field	
Resident	\$50
Non-Resident	\$100

Approved as to Form:

Anthony M. Cerreto, Village Attorney

#### **CORRESPONDENCES**

From Joseph L. Suppa regarding resignation from the Architectural Board of Review.

The Board accepted the correspondence.

From Senator Latimer's Office - Traffic Complaint from Marian Gray - 61 Oak St., PC.

The Board referred the correspondence to staff (Traffic Commission).

#### **MINUTES**

#### Minutes from April 12, 2014

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees accepted the minutes of April 12, 2014.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

DATE: May 5, 2014

#### Minutes from April 15, 2014

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees accepted the minutes of April 15, 2014.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

**DATE:** May 5, 2014

Minutes from April 21, 2014

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees accepted the minutes of April 21, 2014.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

**DATE:** May 5, 2014

#### Minutes from April 22, 2014.

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board of Trustees accepted the minutes of April 22, 2014.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

**DATE:** May 5, 2014

#### PUBLIC COMMENTS AND BOARD 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:

#### Public

Ms. Granata commented on e-mails received by Trustee Terenzi.

Ms. Conetta commented on Ms. Granata's being cited for a shed when the person she complained about was not. This has developed into a neighborhood disaster. She commented on the proposed condo on Pearl and King Streets. They were given permission for 20 units; they now want to build 50 units. She asked about the bonus program to which they are entitled Village Director of P&D Chris Gomez commented this is density development to attract transient residents.

#### Board

Trustee Adams commented on the Post Road signage (near the United Hospital Property) that says 287, but I-95 is not there. He requested that someone look into getting I-95 signage back up. We should continue the effort of keeping people on the Boards.

Regarding the budget, we are working hard to watch the taxpayer's pocketbook, but we must keep the Village on solid ground.

Trustee Marino commented on the property on Washington Street. We need to do something about this. There bottom of the property is boarded, but people are still living in it.

Trustee Ceccarelli commented on the Dog Park. The street paving and potholes are still in disrepair. As trustees we need to get more timely information when something happens within the Village. He thanked the Westmore News for the restaurant review. The Village has a lot of rentals; we should have more ownership.

Mayor Pagano commented on misinformation on the dissolution matter. The Board has met monthly with the Town of Rye, Rye Brook and Village of Mamaroneck. There will be no changes in our use of Crawford Park whether or not we move forward.

#### MOTION FOR EXECUTIVE SESSION

At 9:29 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the Board adjourned into an executive session regarding a particular person in the Police Department.

#### **ROLL CALL**

AYES: Trustees Adams, Brakewood, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano NOES: None. ABSENT: None.

**DATE:** May 5, 2014

Present in addition to the Board of Trustees, were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Acting Police Chief, John R. Telesca and Christopher Ameigh Administrative Aide to the Village Manager.

No action was taken in executive session.

At 9:48 p.m., a motion to come out of executive session was made by TRUSTEE KENNER, seconded by TRUSTEE ADAMS, 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:** May 5, 2014

At 9:48 p.m., on motion of TRUSTEE ADAMS, 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:** May 5, 2014

Respectfully submitted,

Janusz R. Richards Village Clerk