

MEETING HELD MAY 19, 2014

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, May 19, 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.

It should be noted that Trustee Brakewood arrived at 6:06 p.m.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Director of Planning and Development Christopher Gomez (arrived at 7:39 p.m.); Christopher Ameigh Administrative Aide to the Village Manager and Village Planner Jesica Youngblood (arrived at 7:39 p.m.).

On motion of Trustee , seconded by Trustee the meeting was declared opened at 6:01 p.m.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

MOTION FOR EXECUTIVE SESSION

EXECUTIVE SESSION #1

At 6:01 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI the Board adjourned into an executive session to Interview Chris Summa for a position on the Port Chester Planning Commission.

ROLL CALL

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

NOES: None.

ABSENT: Trustees Brakewood.

DATE: May 19, 2014

Present in addition to the Board of Trustees, were Also present were Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto and Christopher Ameigh Administrative Aide to the Village Manager.

No action was taken in executive session.

At 6:18 p.m., a motion to come out of executive session was made by TRUSTEE ADAMS, seconded by TRUSTEE MARINO, 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 19, 2014

EXECUTIVE SESSION #2

At 6:18 p.m., on motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO the Board adjourned into an executive session regarding G & S – LADA Negotiations.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

Present in addition to the Board of Trustees, were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Christopher Ameigh Administrative Aide to the Village Manager; representatives from G&S, Stephen Klaiman and Attorney Daniel Tartaglia.

No action was taken in executive session.

At 7:04 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, Kenner, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: None.

DATE: May 19, 2014

EXECUTIVE SESSION #3

At 7:05 p.m., on motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the Board adjourned into an executive session regarding consultation with Labor Attorney regarding the Appointed/Non-Union Benefit Plan.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

Present in addition to the Board of Trustees, were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Christopher Ameigh Administrative Aide to the Village Manager; representatives from G&S, Stephen Klaiman and Attorney Daniel Tartaglia.

No action was taken in executive session.

At 7:04 p.m., a motion to come out of executive session was made by TRUSTEE TERENCE, 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: May 19, 2014

WORK SESSION

Jerry Terranova, Chairman of the Park Commission, commented on the park fees. Up to 20 people can use the park free. Residents 20 to 49 is a \$100 use fee. The fees are in listed in 236.5. If we had a resident using the park for less than 50 people and then using the ballpark in Lyon Park it would be \$100 for use for the number of people (less than 50) and \$50 for the ballpark. If a non-profit comes to us and wants to use the park there is no fee. However, if they bring in equipment such as a blow up, we need to charge them. Trustee Adams explained that the Board is having the Commissions come in to the Board Meetings to explain the work they do. At the present time there may be one opening on the Park Commission due to a resignation. If someone is interested in joining the board they should send a resume through the Village Clerk.

Joe Gianfrancesco Jr., Chairman of the Traffic Commission, commented he presently has four members on the commission. We are down one committee member. They deal with traffic issues, curb cuts, planning and zoning, we look at plans for potential future problems, handicapped parking, lights and signage, anything to do with traffic. There is someone every week on the road reviewing what needs to be done. The Traffic Commission meets once a month and I deal with the traffic sergeant every week and town hall on a regular basis. We are solely a recommendation group, we don't make laws. We make our recommendations to the BOT.

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 that all should get out and vote tomorrow on the school budget and for school board members. She commented on the closing of churches in the community. Our schools are overcrowded and we have too much construction of new housing.

Heather Paul commented as a member of the Park Commission. Most requests are usually for Lyon Park. We have tried to distribute requests throughout the other beautiful parks. Some of the requests must be rejected because of fairness to the people who live around the parks. Another thing is the number of vacant new housing in the Village. The people who will be applying for rental are upwardly mobile. With the closing of the Diamond Club this is a cleaner town.

Ms. Bea Conetta commented on the school election. The vote is the most important weapon we have. Up to this date I have sent in 200 signatures regarding how the Amnesty Program is being used. Ms. Conetta commented about an article regarding corruption in government.

Mr. John Giangrande commented on the churches closing in Port Chester. They looked at the attendance and that is why they are looking to close the two in the Village.

Mr. Bill Giangrande commented on the Town Hall meeting at the Senior Center. Village Manager Steers said the notice went out to every property owner in the village and a notice was in the newspaper. In the area of 31 Merritt Street there should be a 2-light fixture instead of the 1-light presently at that location.

Mr. Richard Abel commented about a fee for up to 50 people using the parks. It should be 21 to 49 people. He commented on the Village Agreement with Chris Steers. Regarding the parking at the Village Court the signage should be changed on the street. He commented that the current and previous Boards have been the most incorruptible in the last 50 years of Village history.

Ms. Granata commented about the closing of the Diamond Club. She asked the members of the Board to look at the codes. She would like to Code Tracker to be brought up to

date. Our parks are already being maintained, so there should be no fee for the dog park. The Amnesty has been letting certain people extend the time to rectify the violations.

Dominic Rende commented about the Vendor Fee. He is not allowed in certain areas and feels he is getting more for less. The permit fee went from \$350 to \$435. The fee should be comparable to other towns.

Ms. Linda Turturino commented on the Dog Park. As of today Port Chester is in third place out of 900 nominated communities. We are currently selling raffle tickets. We are currently working on the entertainment committee for the summer concerts in Lyon Park and downtown. The 4th of July Celebration will be on July 4th, rain date July 5th.

Mr. Rende suggested that the Village have more “Truck Route” signs.

PRESENTATION

The Annual Stormwater Report was presented by Dolph Rotfeld. The annual report was given to all Trustees. It is due in two weeks. The educational part has been covered. We have flyers out with recycle information. Public participation is qualified. Storm drains are marked. We’ve inspected 16 outfalls with trauma in three of them. One has been corrected and the others will be corrected when the contract is out for repairing of sewers. At minimum site control, we only have one site under construction that’s subject to the permit and that is the Castle at Willett and Abendroth. Post construction #5, there is nothing eligible for it. The new sweeper truck that has been service for the last month and a half is doing much better than the previous one. We’ve got roughly 41 miles of streets in the Village that he covers.

The bid for storm drains is out and we expect returns in two weeks. The website has plenty of information that people can look at. We have the questionnaires that went out. Unfortunately, none of the questionnaires on the DPW website were answered. There is quite a bit of information on how to keep Port Chester clean.

Mayor Pagano commented he sat in on a meeting recently regarding cross connections. There are around 150 that have been identified. A cross connection is a legal connection to the sanitary sewer. No sewage is allowed to go into a storm drain. Any driveway that goes down from the road and has a drain at the bottom, chances are that they are connected to the sanitary sewer. That means that the homeowner will have to put in a sump pump so have the water go into the storm drain.

Dolph commented the Board has to sign the report and send to the Village Clerk to put on the website. By Friday he should get it in the mail to the state DEC. Dolph has written to the State DOT about the cones on King Street. The state has to take care of this. It should be cleared up in approximately one week.

Dolph will be meeting with Con Edison next week regarding their work on King Street going down the hill toward Summerfield Park.

RESOLUTIONS

RESOLUTION #1
CHANGES TO THE APPOINTED AND NON-UNION BENEFIT PLAN

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

WHEREAS, by Resolution dated November 1, 2004, the Board of Trustees adopted a revised "Appointed and Non-Union Benefit Plan" (hereinafter "Plan") which set forth terms and conditions of employment for certain appointed employees of the Village; and

WHEREAS, the current Board of Trustees has reviewed the Plan and desires to revise the Plan with respect to certain Vacation benefits and procedures so that employees covered by the Plan utilize the Vacation benefits afforded to them in the year in which they are provided,

NOW, THEREFORE, BE IT RESOLVED that Section I (A.) Vacation is hereby amended so that, *effective as of the Village's Fiscal Year beginning June 1, 2014*, any vacation time earned or accrued by employees covered by the Plan in a given fiscal year must be utilized in that same fiscal year; and be it

FURTHER RESOLVED that the following paragraph of said section is hereby stricken:

"At any time during employment, an individual may request a payment of accrued vacation days in any year with the approval of the individual's supervisor and prior notification to the Finance Office."

FURTHER RESOLVED that that all accrued vacation leave as of May 31, 2014 shall be paid at the rate of pay in effect for that employee as of May 31, 2014.

BE IT FURTHER RESOLVED that the remaining provisions of the Plan remain in effect as previously set forth.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #2
AUTHORIZING THE RENEWAL OF EMPLOYMENT AGREEMENT WITH THE
VILLAGE MANAGER

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, 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

ROLL CALL

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

NOES: None

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #3 (POSTPONE)

AUTHORIZING STIPULATION OF SETTLEMENT IN THE MATTER OF PC 406
BPR and PC 999 HIGH STREET CORP v. VILLAGE OF PORT CHESTER, ET AL.
WITH REGARD TO THE REDEVELOPMENT OF THE FORMER SITE OF UNITED
HOSPITAL AND 999 HIGH STREET

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE KENNER to postpone the vote on Resolution Number 3 to the June 2, 2014 meeting.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 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, on or about July 16, 2013, PC 406 BPR. LLC and PC 999 High Street Corp. (“plaintiffs”) brought suit against the Village of Port Chester in State Supreme Court, Westchester County, challenging on various grounds the zoning amendments adopted by the Board of Trustees on March 18, 2013 as affecting their properties located at 406 Boston Post Road and 999 High Street; and

WHEREAS, on April 23, 2014, Judge Sam Walker directed the parties to appear for a status conference wherein the court was advised by counsel that on April 21, 2014 the Board of Trustees had accepted for consideration a superseding application for zoning amendments so as to commence the environmental review process under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the parties desire to avoid the time and expense and accompanying distraction of litigating this matter pending the review of the new application which determination is ultimately entrusted to the discretion of the Board of Trustees. Now, therefore, be it

RESOLVED, that the Village Attorney is hereby authorized to enter into a Stipulation of Settlement in the matter of PC 406 BPR, LLC and PC 999 High Street Corp. in the form annexed.

APPROVED AS TO FORM:

Anthony M. Cerreto, Village Attorney

RESOLUTION #4
AUTHORIZING RELEASE OF A REQUEST FOR PROPOSALS FOR
PROPERTY CONDITION ASSESSMENT AND NEIGHBORHOOD
REVITALIZATION STRATEGIES REPORT

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

WHEREAS, the Board of Trustees (herein referred to as “Board”) has identified the need for a property condition assessment and neighborhood revitalization strategies report to identify areas of concern and opportunity within the Village; and

WHEREAS, such a study will assess and analyze existing building stock to identify health code violations, structural deficiencies, substandard, insanitary, or deteriorated conditions, tax delinquencies, judgment and mechanics liens, mortgage defaults, vacancy, abandonment, and zoning code violations; and

WHEREAS, data collected will lead to recommendations of how best to leverage the powers of the Port Chester Board of Trustees, Port Chester Industrial Development Agency (PCIDA), Port Chester Local Development Corporation (LDC), existing state and federal resources, loans, subsidies, grant funding, public/private partnerships, condemnation powers of the village etc. as a means to facilitate viable economic rehabilitation/redevelopment opportunities; and

WHEREAS, a Request for Proposals (“RFP”) has been prepared by the Village’s Director of Planning and Development and approved as to form by the Village Attorney for presentment to the Board that would solicit sealed proposals for planning consultant services in this regard. Now, therefore, be it

RESOLVED, that the Village Manager be and hereby is authorized to release a Request for Proposals (“RFP”) in the form annexed for consultant services with regard to property condition assessment and neighborhood revitalization strategies report.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

NOES: None

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #5
APPOINTMENT OF MEMBER TO PLANNING COMMISSION

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

RESOLVED, that CHRIS SUMMA, 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

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #6
RE-APPOINTMENT OF MEMBER TO WATERFRONT COMMISSION

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

RESOLVED, that BART A. DIDDEN, residing in Port Chester, New York, be and hereby is appointed as a full member of the Port Chester WATERFRONT COMMISSION; and

BE IT FURTHER RESOLVED, that BART A. DIDDEN be and hereby is appointed CHAIRMAN of the Port Chester WATERFRONT COMMISSION, effective immediately with said term to expire 12/02/2017.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #7

RE-APPOINTMENT OF MEMBER TO WATERFRONT COMMISSION

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

RESOLVED, that JOHN HIENSCH, residing in Port Chester New York be and hereby is re-appointed as a full member of the Port Chester Waterfront Commission, effective immediately with said term expiring on 12/02/2014.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #8

RE-APPOINTMENT OF MEMBER TO WATERFRONT COMMISSION

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

RESOLVED, that ALEXANDER B. LEONZI, residing in Port Chester New York be and hereby is re-appointed as a full member of the Port Chester Waterfront Commission, effective immediately with said term expiring on 12/02/2017.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #9

RE-APPOINTMENT OF MEMBER TO WATERFRONT COMMISSION

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

RESOLVED, that MICHAEL O'CONNOR, residing in Port Chester New York be and hereby is re-appointed as a full member of the Port Chester Waterfront Commission, effective immediately with said term expiring on 12/02/2017.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #10

RE-APPOINTMENT OF MEMBER TO WATERFRONT COMMISSION

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

RESOLVED, that TAV PASSARELLI, residing in Port Chester New York be and hereby is re-appointed as a full member of the Port Chester Waterfront Commission, effective immediately with said term expiring on 12/02/2017.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #11
ESTABLISHING REVISED FEES FOR THE USE OF VILLAGE PARKS

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 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
	50-99 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
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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:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #12
AUTHORIZING RENEWAL AGREEMENT WITH REGARD TO
COURT INTERPRETER (SPANISH) SERVICES

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

WHEREAS, Olga Hurtado, 170 Elm Street, New Rochelle, New York, has long provided contracted court interpreter services (Spanish) to the Port Chester Justice Court; and

WHEREAS, Ms. Hurtado has proposed a renewal of her agreement with the Village at no increase in rates of compensation; and

WHEREAS, the Police Court Justice and Assistant Police Court Justice have recommended such renewal. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement with Olga Hurtado, 170 Elm Street, New Rochelle, New York, 10805 as Interpreter (Spanish) for the Justice Court for a term of one year, commencing on June 1, 2014 and ending on May 31, 2015, as provided in a proposal dated April 25, 2014 annexed hereto.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #13
AUTHORIZING RENEWAL AGREEMENT WITH REGARD TO
COURT REPORTER SERVICES

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

WHEREAS, Gail Letizia, 16 Saxon Woods Park Drive, White Plains, New York 10605 has long provided contracted court reporter services to the Port Chester Justice Court; and

WHEREAS, Ms. Letizia has proposed a renewal of her agreement with the Village at no increase in rates of compensation; and

WHEREAS, the Police Court Justice and Assistant Police Court Justice recommends such renewal. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to execute an agreement

with Gail Letizia, 16 Saxon Woods Park Drive, White Plains, New York 10605, as Court Reporter for the Justice Court for a term commencing on June 1, 2014 and ending on May 31, 2015, compensation to be as provided in the fee proposal dated April 24, 2014, as follows: Monday, Thursday and Friday. \$225 per day (starting time 9:00 a.m. until 5:00 p.m.) any session running past 5:00 p.m. an additional \$50perhour, and on Wednesday evenings Small Claims session at \$150.00 per night until 10:00 p.m. and any session past 10:00 p.m. an additional \$150.00.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

RESOLUTION #14
SENIOR NUTRITION TITLE III-B

On motion of TRUSTEE KENNER, seconded by TRUSTEE BRAKEWOOD, 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 Title III-B for \$24,670.00 to cover the programs provided by the Village of Port Chester for period covered January 1, 2014 through December 31, 2014.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

REPORT OF THE VILLAGE MANAGER

INITIATIVES:

- 1. National Development Council:** NDC and their partners at STV, Inc. have started their analysis. The scope of work and timelines are as follows:

Task 1:

Start-up Phase: STV will develop based upon input provided by NDC and the Board of Trustees, the following items:

- 1) Conceptual cost estimate schematics based upon a preliminary design scheme from January 17, 2014,
- 2) Development of a Financial Pro forma incorporating lease space objectives,
- 3) Development of blocking and costs studies for three alternative development strategies, and (4) Hold at least three meetings with the Port Chester Municipal Center Exploratory Steering Committee.

Timeline:

Draft Report May 2, 2014 (**COMPLETED**)

Final Report May 18, 2014 (**PENDING**)

Task 2:

Architectural and Operational Program & Investigation: STV will undertake a four component study to be comprised of; Architectural Investigation and Operational Program, Site Investigation, Hazardous Materials Investigation Recommendations, and Geotechnical Investigation strategy.

(1) *Architectural Investigation and Operational Program* will involve the development of a detailed architectural and operational program which will involve detailed interviews with users and stakeholders, observation of current operations and systems, documentation of major equipment or furnishings to be re-used, development of program narrative, and development of tabular program of requirements.

(2) *Site Investigation* will involve at a minimum the visual observation of the site area, photographic documentation, documentation of surrounding structural context, preliminary utilities investigation, and analysis of site survey based upon assessment records.

(3) *Hazardous Materials Investigation Recommendations* will involve the development of recommendations for hazardous materials testing and

investigation, including the preparation of a scope of work for the detailed investigation.

(4) *Geotechnical Investigation* will at a minimum result in the development of recommendations and a scope of work for further geotechnical analysis should the project proceed beyond the initial preliminary analysis stage as contemplated by Task 1 and Task 2.

Timeline:

Draft Report May 16, 2014 (**PENDING**)

Final Report May 28, 2014 (**PENDING**)

NOTE: A follow up meeting is scheduled for Wednesday to discuss the preliminary report. The goal is to finalize the direction to have the follow up report, proforma, and results of the architectural investigation presented to the BOT in June.

- 2. Strategic Planning:** Again on April 7th, 2014 the Village has adopted its first Economic Development Strategic plan. The Village Board of Trustees has recognized the need for a Strategic Plan to identify and prioritize economic development projects, provide an articulated direction and focus, and allocate scarce village resources to ensure the successful completion of specific projects consistent with the adopted Comprehensive Plan. Update to be presented by Planning Department at this meeting

Five opportunity areas:

1. • Facilitating transit oriented development in the downtown
2. • Creating a new municipal center
3. • Enhancing and revitalizing waterfront areas
4. • Redevelopment of Fox Island peninsula
5. • Redevelopment of the United Hospital site

Strategic Actions

- 1) Opportunity Area #1, 5: IDA awarded Urbanomics contract for school children mitigation formula study at last meeting. It is anticipated that a draft school children mitigation formula will be ready for presentation to the Board and IDA by August.
- 2) Opportunity Area #2 - Municipal Center: Met with NDC regarding draft municipal center feasibility study (Phases 1-2) that will be presented to the Board on or about the June 2nd meeting.

- 3) Opportunity Areas #1-5: The Village's Grant Writing Working Group (Jessica Youngblood, Chris Ameigh, Chris Gomez) attend the Mid-Hudson Regional Economic Development Council's Consolidated Funding Application Workshop at Manhattanville College on May 12th to gain more insight into potential FY 2014-15 grant opportunities. The working group will provide an update to the Board as to which grant applications will require resolutions of support and or SEQRA determination before the June 16 application deadline.
- 4) Opportunity Area #5 - United Hospital Site: 406PBR, owner, of former United Hospital Site submitted amended zoning petition on April 17, 2014 proposing intention to bring a new mixed-use neighborhood to Port Chester that features a unique retail-based destination public place where people can live, work, stay and shop while offering a new high quality streetscape that is designed to engage the street along the Site's frontage on Boston Post Road and create an inviting and safe pedestrian experience. Next steps are for the Board to formally establish Lead Agency Status under SEQRA, issue a Positive Declaration identifying any potential adverse environmental impacts, and accept a scope of study for the Draft Environmental Impact Statement (DEIS).

3. Property Condition Study RFP: Again, The data needed to properly evaluate property improvement strategies include: housing and health code violations, structural deficiencies, tax delinquencies, judgment and mechanics liens, mortgage defaults, zoning code violations, etc. Proper assemblage of this data can identify areas within which blight is pervasive or areas of opportunity for rehab, expansion, and improvement of existing buildings. The RFP will call on the consultant to give us criteria for identifying the discrete areas that should be studied based on available strategies and funding as well as the data set that you need to develop a range of strategies including urban renewal, neighborhood revitalization, selective demolition, economically feasible rehabilitation, brownfield remediation, etc. Further, a property condition study would identify areas where energy conservation can be effective through a variety of on-site generation techniques. The RFP is on this agenda.

NOTE: The Discussion during the Strategic Planning Process indicated that our initial strategies would be the implementation of the Strategic Plan thereby effectuating the desired economic revitalization as growth expands from the five 'Opportunity Areas' into the surrounding areas.

ACTIONS:

1. **Budget:** Budget implementation meetings have been held. Recruitment process underway for affected departments.

2. **Payroll:** Staff is setting meetings with vendors that provide payroll services in order to ascertain the products and services available. Once research is completed a report and draft RFP will be prepared for BOT review. Anticipated report date is within 30-45 calendar days.
3. **Pothole Killers:** 26 streets received about 80 tons of patching material during the week of May 5th through the 9th. Street list attached.
4. **MTA Accessibility:** investigation is ongoing.

PROJECTS:

1. **Town of Rye Move:** the project continues to move forward. Follow up meeting will be held with Town on Tuesday the 20th.
2. **350 North Main Street:** The proposed capital improvements to the building continue to move forward.
 - Again, the evidence room build out is underway. Demolition in progress and evidence inventory is underway.
 - PROJECT TARGET SCHEDULE
 1. *Confirm preliminary design and scope* *February 6*

COMPLETE

2. *Prepare bid document plans and specs* *3 weeks February 6 – February 27*

COMPLETE

3. *Bidding, Building Permit approval* *1 week February 28 – March 7*

COMPLETE

4. *Bid evaluation, Contract award,*

Again, only one bidder submitted a bid. The bid is in excess of 300K. Feasibility of annex expansion is now improbable due to apparent costs. Project has been realigned with the majority of all **interior** demolition/construction/and finish work being done in house with the exception of the Asbestos remediation. Secondary bidding to done for necessary electrical and mechanical work. Remaining funds will be

List” on any outstanding construction items, has been received. List being vetted / verified prior to authorizing the release of a current draw down request from Verde.

PRIORITIES

- 1. Sewer Rent:** Staff continues to work very closely with United Water on the implementation and we maintain almost daily contact in order to maintain our implementation deadlines. As we move forward with said implementation the Village continues to reach out to inform the public: information went out in the Village Newsletter, a second post card notice was also sent out, a “Town Hall” meeting was held at the Senior Center for Wednesday April 30th, the presentation is posted on the website and the cable channel, and a third notice is being sent out with FAQ’s and a sample bill. The tentative first Billing date is the week of May 19th.
- 2. Bulkhead:** Preliminary analysis indicates that the conceptual design is feasible within limits. Now focusing on hybrid wharf type concept; use of steel sheet pile is still recommended with a cantilevered walkway with revetment/rip-wrap limited to non-structural support (for habitat creation only). Rough cost estimate should be received this week. Conceptual design being drafted for submittal with Consolidated Funding Application.

INFORMATION

1. Staffing (for information only):

As part of the collective bargaining agreement with CSEA, during the month of November represented employees may appeal their Classification/Compensation. In November of 2013 three appeals were granted, to be implemented June 2, 2014. They were:

- Michael Tedesco to Skilled Laborer, salary grade 12
- Diego Cabezas to Parking Meter Repairer, salary grade 13A
- Christopher Summa to Assistant General Foreman, salary grade 17.
- Due to resignation and retirement two other positions were filled effective June 2, 2014.
- Steven Gazick to Lead Maintenance Mechanic (Laborer), salary grade 16. (Replaces Jay DiLeo)

- David Telesco Jr. to Sanitation Worker, salary grade 12. (Replaces David Telesco Sr.)
- The newly adopted budget contained one new Skilled Laborer and is also filled June 2, 2014.
- Michael Barrella is appointed as Skilled Laborer, salary grade 12.

All the foregoing appointments are subject to mandatory probation periods of not less than twelve (12) weeks nor more than fifty-two (52) weeks.

2. Recruitments: Actively underway in DPW, Planning, Legal, Police Department, and Fire Department.

REPORT FROM DIRECTOR PLANNING & DEVELOPMENT

Village Director of Planning and Development Chris Gomez submitted for review a list of all active Planning applications as well as approved applications. The report has a lot of project proposal forms (this is the first step in moving through the planning proposal process).

Mayor Pagano asked about the italicized forms. Mr. Gomez commented the italicized is when they have had formal pre submittal meetings with staff.

Mr. Gomez will have more information at the next meeting, when they will discuss applying for a grants.

ACTIVE PLANNING APPLICATIONS

Address	Project Description	Status of Project
220 Westchester Ave	Legalization of medical/dental offices	Public Meeting 5/22/2014
25 Willett Ave	Creation of American Bar & Restaurant.	Public Hearing 4/24/14
242 King St	Expansion of existing office building.	Public Hearing 4/24/14
120 N Pearl	New multi-family building (50 units) with high-end amenities + parking.	Referred to BOT and ZBA
264 Boston Post Road	Legalization of freezer at existing drive-thru restaurant	Public Hearing 4/24/14

RECENTLY APPROVED APPLICATIONS (Jan 1 – present)

Address	Project Description
411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Verizon).
411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
135 S Main Street	Site plan approval for construction of two new two-family residences.
117 N Main Street	Open a family oriented Papa John's pizza restaurant
999 High Street	Renewal for special exception use permit for wireless telecomm facility (AT&T).
167-169 Terrace Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).

999 High Street	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
222 Grace Church St	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
45 Townsend	Remove an existing two family dwelling and use the parcel for open storage of materials.
126 North Main St	Gastropub styled restaurant featuring weekend acoustic performances.
33 New Broad St	Open microdistillery as part of larger sustainable/farming operation.
152 King Street	Proposed interior renovations to a 1-story building to convert existing repair bays to a convenience store.
96 Perry Ave	Two-lot subdivision
145 Westchester Ave	Expansion of use and operation of the space by annexing it into the adjacent existing overall operations of The Capitol Theatre.
149-151 Westchester Ave	Expansion of capacity use/increase occupancy from 1835 to 2205; add exterior walk in cooler, use of sidewalk hydraulic material lift and addition of mobile stand up bars.
36 Midland Avenue	Installation of sectional overhead doors & relocation of 3 parking spaces.
104 North Main Street	Reconfigure existing takeout restaurant & expand kitchen & dining room into existing adjacent tenant spaces, renovate existing basement for auxiliary use to restaurant on 1st floor, install new NFPA Sprinkler System throughout entire building.
110 Midland Avenue	Installation of a self-contained cosmetic spray booth within open warehouse space in accordance with Westchester County emission permit.
110 North Main Street	Raise existing roof structure to provide habitable space. Existing 2nd floor to be used as an office, storage, private dining and a service kitchen for private dining.
400 Westchester Ave	Construct a rear handicap-accessible rear facility entrance with canopy and fence; Replace playground equipment
275 Boston Post Road	Renovate existing vacant food service establishment into a Popeye's franchise restaurant with drive-thru.
110 Westchester Ave	Provide pedestrian access from Village owned muni parking lot to rear of common property line, install new exit door, walkway with lighting new fencing and new lawn.
26 Putnam Ave	Plan approval for continued use of an existing Sign/Graphic Design Shop (2nd fl.) and approval for a change of use (1st fl.) for current non-conforming use as a laundromat.

PROJECT PROPOSAL FORMS

Address	Proposal
118 N Main Street\$	Establish a hair/nail salon.
118 N Main Street\$	Establish a jujitsu studio on second floor; Install a kitchen for use of restaurant.
126 N. Main St\$	Gastro pub styled restaurant
135 South Main Street\$	Renovate existing rooming house on the 2nd and 3rd floors into two separate single-family apartments and continue active restaurant on 1st floor.
136-140 Horton Ave\$	Black Sparrow, microbrewery with restaurant and tasting room components.
143 Westchester Ave\$	1,000 sqft expansion on ground floor of existing restaurant (no addition to bldg.)
145 Irving Ave\$	Open a café in a vacant store front; Open an accounting service office.
150 Midland Ave\$	Reconfigure parking spaces

150 S. Regent St\$	Silk screen printing operations
163 N. Main St\$	Accessory kitchen via drive-up/takeaway window
19A Putnam Ave\$	Reflexology/massage
2 Bowman Ave	Creation of electric vehicle charging station.
217 Madison Ave\$	Car collection storage facility
217 Madison Ave\$	Bottle redemption/distribution center
217 Madison Ave	Legalize use (warehouse)
220 Westchester Ave	Legalize use (medical office)
220 Westchester Ave	Establish professional medical and dental offices on the 2nd floor.
25 Willett Ave	New restaurant with lounge and outdoor seating
27 Smith Street	Opening of a day care center in a two-family district.
28 South Main St\$	Brick oven pizza restaurant with loft storage component.
29 N. Main St	Construction of raised concrete terrace
30 Westchester Ave\$	Proposed outdoor seating for existing restaurant.
30 Westchester Ave\$	Outdoor seating to existing restaurant.
33 New Broad Street\$	Microbrewery/distillery
33 New Broad Street\$	Gluten-free bakery
33 New Broad Street	Establish use for existing woodshop and storage facility.
34 Broad Street\$	Oyster Bar, limited seating
35 Park Ave\$	Operate a day-care facility out of a residential home.
36 Midland Ave\$	Indoor virtual golf machine, incidental to primary use of site.
38 Bulkley Ave	Convert existing building to warehouse space with small accessory office use, incidental to principal warehouse use.
303 Boston Post Road	Conversion of existing drive-thru Wendy's Restaurant into Taco Bell.
304 Midland Ave	Establish use for existing woodshop/carpentry repair shed.
357-359 Willett Ave	Convert vacant space into small laundromat.
391 Irving Ave\$	Install an underground storage tank in addition to removal of existing tank.
41 Exchange Place\$	Minor subdivision.
45 King St\$	Convert vacant store front into taxi stand.
45 Midland Ave\$	Demolition/reconstruction to restaurant/residential.
45 Townsend Street	Demolish existing residential dwelling and construct storage for building materials.
528 Willett Ave\$	Sidewalk hotdog cart operation.
53 Barton Ave\$	Conversion of land into driveway for property owner.
7 Willow St\$	Operate a restaurant with nightly entertainment.
80 Fox Island Road	Legalize multiple uses (manufacturing/auto repair/office/storage)
9-11 N Pearl St	New work/live studios/lofts on second and third floors. Ground floor commercial to remain.
Village Marina	Operate a permanently moored vessel at the marina as a restaurant/cabaret use.

601 N Main St	Convert office into retail store(s) with possible residential component.
117 N Main St	Convert existing retail service/telegram/money transfer store into a Papa John's Pizza Restaurant.
411 Westchester Ave	Site plan and special exception use application for modification to existing wireless facility.
999 High Street	Site plan and special exception use application for modification to existing wireless facility.
167-169 Terrace Ave	Site plan and special exception use application for modification to existing wireless facility.
120 N Pearl	New mixed use multi-family development (50 dwelling units) primarily comprised mostly of studios and one-bedrooms with 46 parking spaces provided on-site.
Regent Gardens	Installation of gazebo and signage.
8 Slater Street	Creation of new mezzanine + internal freight elevator
26 Poningo Street	Environmentally friendly dry cleaning plant

Note: Italicized items indicate completion of a Pre-Submission Conference with Planning Staff.

§: Denotes inactive application due to unresponsive applicant or application involves a non-permitted use. Some applications have already been approved.

CORRESPONDENCES

From Port Chester-Rye Brook-Town of Rye Independence Day Committee requesting financial support from the Village.

The Board referred the correspondence to staff.

From Jorge A. Valencia and Amparo Ramirez for Makondo Restaurant and Bakery, 139 N. Main Street regarding a new Application for a Liquor License.

The Board referred the correspondence to staff.

From Eric Opdyke for the Jarden Westchester Triathlon for permission for the use of roadways on September 21, 2014 and Police Officers posted along the route.

The Board referred the correspondence to staff.

From American Legion Port Chester Post 93 requesting permission from the Board of Trustees of the Village of Port Chester to hold 2014 Memorial Day Ceremonies and parade to start at the top of Westchester Avenue and proceed to Broad Street.

The Board referred the correspondence to staff.

From Westchester County Rent Guidelines Board.

The Board accepted the correspondence.

From Westchester County Rent Guidelines Board (2nd).

The Board accepted the correspondence.

From Putnam Engine & Hose Co., #2 on the election of Alfredo Vargas Coyt to membership.

The Board duly noted the correspondence.

From Park Avenue School requesting permission to close Park Avenue from Columbus Avenue to College Avenue on June 6, 2014 from 9:00 a.m. to 2:00 p.m. and on June 16, 2014 from 9:00 a.m. to 12:00 p.m.

The Board referred the correspondence to staff.

From Division of Alcoholic Beverage Control regarding Neri Spadaro, LLC.

The Board accepted the correspondence.

From Carolee Brakewood regarding Relay for Life of Port Chester/Rye Brook.

The Board referred the correspondence to staff.

From Centro Cultural Bolivia requesting support and co-sponsorship towards their parade and permission to use the Village Showmobile on August 24, 2014.

The Board referred the correspondence to staff.

From the Port Chester Dog Park Group asking to work with the Village to seek NY State grant funding through the 2014 Consolidated Funding Application process.

The Board referred the correspondence to staff.

Motion to Add-On Correspondence

TRUSTEE MARINO asked for a motion to consider an add-on a correspondence from Harry Howard Hook & Ladder Co., #1 on the election of Alexander Hauryluck to membership.

On motion of TRUSTEE MARINO, seconded by TRUSTEE KENNER, 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: May 19, 2014

MINUTES

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE BRAKEWOOD, to combine minutes of April 28, 2014, and May 5, 2014 of the agenda for the purpose of casting one vote for all four resolutions was adopted by the Board of Trustees of the Village of Port Chester, New York.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

Minutes from April 28, 2014.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the minutes of April 28, 2014.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

Minutes from May 5, 2014.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the minutes of May 5, 2014.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 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 thanked the Trustees who voted for the dog park.

Board

Trustee Brakewood commented that at the next meeting when we consider the stipulations with Starwood, he would like to get a copy of the resolution passed declaring ourselves the lead agency.

Trustee Brakewood had a question on Fairview. Attorney Cerreto commented he is waiting for the judge to make a decision on the case. Trustee Brakewood asked what we should be doing legally to speed the process up.

Trustee Brakewood commented on traffic on Parkway Drive during the baseball season. We should do something to make it safer. This should be passed on for Traffic Commission review.

Trustee Terenzi commented on resolving the HUD situation. We need the money for the affordable housing. We need a resolution to state our position.

At 10:03 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, the meeting was closed.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: May 19, 2014

Respectfully submitted,

Janusz R. Richards
Village Clerk