

## MEETING HELD AUGUST 4, 2014

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, August 4, 2014, in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York.

Present in addition to Trustee Gregory Adams, were Trustees Daniel Brakewood, Luis Marino and Gene Ceccarelli.

It should be noted that Trustees Terenzi, Kenner and Mayor Pagano were absent.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Police Chief, Richard F. Conway; Christopher Ameigh Administrative Aide to the Village Manager, and Village Engineer, Dolph Rotfeld.

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

### ROLL CALL

**AYES:** Trustees Adams, Brakewood, Marino and Ceccarelli.

**NOES:** None

**ABSENT:** Trustees Terenzi, Kenner and Mayor Pagano.

**DATE:** August 4, 2014

### *Motion to Elect President Pro Tem*

TRUSTEE CECCARELLI made a motion to nominate TRUSTEE BRAKEWOOD President Pro Tem for the August 4, 2014 Board of Trustees meeting in the absence of Mayor Pagano and Deputy Mayor Terenzi, the motion was seconded by TRUSTEE MARINO. The motion was adopted by the Board of Trustees of the Village of Port Chester, New York.

### ROLL CALL

**AYES:** Trustees Adams, Brakewood, Marino and Ceccarelli.

**NOES:** None

**ABSENT:** Trustees Terenzi, Kenner and Mayor Pagano.

**DATE:** August 4, 2014

### **PUBLIC COMMENTS**

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

Ms. Goldie Solomon commented on dog signs in Lyon Park and at the Marina. She is worried about dogs being unleashed. She spoke of the Westmore News will be celebrating its 50<sup>th</sup> anniversary.

Ms. Bea Conetta commented on the Amnesty Program. It is difficult to sell your house because of the program. She thanked Mr. Ceruzzi for his newspaper article. She commented on the Municipal Center and Sewer Rent.

Mr. Bill Giangrande commented on a notice he received concerning his sidewalk. Village Manager Steers replied we are about to do a Phase 3 of the sidewalk program. Mr. Giangrande said his neighbors also received notices concerning their sidewalks. Regarding the light on Merritt, a brighter bulb will be used. Mr. Giangrande commented about the traffic on King and Putnam. Village Manager Steers said the problem has been referred to Traffic. Mr. Dolph Rotfeld talked to the DOT. There should be an arrow and “only” and a sign that reads right lane must turn right. That is required and since this is a state road only the state can put up signs.

Mr. Richard Abel commented on a \$360,500 two-year bid. There was only one person who submitted a bid. This is for emergency repairs. He commented on the public hearing on the Showboat Riverboat. Does this come under the Building Department or is it different because it floats?

## **RESOLUTIONS**

### **RESOLUTION #1**

#### **CONDITIONAL OFFER OF EMPLOYMENT FOR POLICE OFFICER**

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

RESOLVED, that the Board of Trustees extends a conditional offer of employment to JEFFERY S. CAVA, of Mount Vernon, New York, as police officer with appointment to be effective August 27, 2014.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

### **ROLL CALL**

**AYES:** Trustees Adams, Brakewood, Marino and Ceccarelli.

**NOES:** None

**ABSENT:** Trustees Terenzi, Kenner and Mayor Pagano.

**DATE:** August 4, 2014

**RESOLUTION #2 (POSTPONED TO AUGUST 18, 2014)**

**DETERMINATION ON APPEAL WITH REGARD TO SEWER RENT**

On the 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:

TRUSTEE CECCARELLI made a motion to amend the resolution as recommended by the Village Manager's Office to denial the appeal on the grounds that the application lacks documentation indicating non-sewer related discharge of water, seconded by TRUSTEE ADAMS.

The motion to amend the resolution did not have a sufficient number of votes to pass, resulting in no action.

**ROLL CALL**

**AYES:** Trustees Adams, Brakewood and Ceccarelli.

**NOES:** Trustee Marino.

**ABSENT:** Trustees Terenzi, Kenner and Mayor Pagano.

**DATE:** August 4, 2014

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, to postpone any action on resolution number 2 to August 18, 2014 meeting. The motion to postpone did not have a sufficient number of votes to pass, resulting in no action.

**ROLL CALL**

**AYES:** Trustees Brakewood, Marino and Ceccarelli.

**NOES:** Trustee Adams

**ABSENT:** Trustees Terenzi, Kenner and Mayor Pagano.

**DATE:** August 4, 2014

WHEREAS, Enrico Ciancio (hereafter the "applicant") filed an appeal with the Village of Port Chester Board of Trustees with regard to the Sewer Rent charged for

property located at 91 Hawley Ave, Port Chester, and also designated as Section 136.45 , Block 2 and Lot 15 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 7/7/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 7/22/14 the applicant was advised that the matter would be considered at the Board meeting of 8/4/14 and that they would be welcome to be heard at that time; and

WHEREAS, said letter also provided a copy of Village staff's report; and

WHEREAS, the applicant has appeared/not appeared on his/her/its' behalf at this meeting; and

WHEREAS, in addition to the appeal and staff report, the Board has considered the following in its deliberations:

Documentation of water consumption history.

prepared to make a determination on the appeal. NOW, therefore, be it

RESOLVED, that the appeal is hereby GRANTED/DENIED, and that the water consumption of 0 CCFs be reduced from the bill in question on the grounds that it has been found that a significant portion of water consumed did not affect the PC Sewer System, and be it further

RESOLVED, that the applicant be notified of the Board's determination with a certified copy of this resolution; and be it further

RESOLVED, if the appeal is granted, that the Village Manager is hereby directed to take all necessary and appropriate action with regard to this matter in order to effectuate timely and complete relief.

The resolution will be placed on the August 18, 2014 agenda.

**RESOLUTION #3**

**DETERMINATION ON APPEAL WITH REGARD TO SEWER RENT**

On the 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, Michael Del Vecchio (hereafter the "applicant") filed an appeal with the Village of Port Chester Board of Trustees with regard to the Sewer Rent charged for

property located at 92 Hawley Avenue, Port Chester, and also designated as Section 136.45, Block 2 and Lot 7 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 7/7/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 7/22/14 the applicant was advised that the matter would be considered at the Board meeting of 8/4/14 and that they would be welcome to be heard at that time; and

WHEREAS, said letter also provided a copy of Village staff's report; and

WHEREAS, the applicant has appeared/not appeared on his/her/its' behalf at this meeting; and

WHEREAS, in addition to the appeal and staff report, the Board has considered the following in its deliberations:

Documentation of water consumption history and pool capacity and is

prepared to make a determination on the appeal. NOW, therefore, be it

RESOLVED, that the appeal is hereby GRANTED with a credit of 6.81% of the total Consumption between 12/23/13-3/24/14, and that the water consumption of 6 CCFs be reduced from the bill in question on the grounds that it has been found that a significant portion of water consumed did not affect the PC Sewer System, and be it further

RESOLVED, that the applicant be notified of the Board's determination with a certified copy of this resolution; and be it further

RESOLVED, if the appeal is granted, that the Village Manager is hereby directed to take all necessary and appropriate action with regard to this matter in order to effectuate timely and complete relief.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

**ROLL CALL**

**AYES:** Trustees Adams, Brakewood, Marino and Ceccarelli.

**NOES:** None

**ABSENT:** Trustees Terenzi, Kenner and Mayor Pagano.

**DATE:** August 4, 2014

**RESOLUTION #4 (POSTPONED TO AUGUST 18, 2014)**

**DETERMINATION ON APPEAL WITH REGARD TO SEWER RENT**

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

On motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, to postpone the vote on resolution number 4 to August 18, 2014 meeting was adopted by the Board of Trustees of the Village of Port Chester, New York.

**ROLL CALL**

**AYES:** Trustees Adams, Brakewood, Marino and Ceccarelli.

**NOES:** None

**ABSENT:** Trustees Terenzi, Kenner and Mayor Pagano.

**DATE:** August 4, 2014

WHEREAS, Chester B. Edwards (hereafter the “applicant”) filed an appeal with the Village of Port Chester Board of Trustees with regard to the Sewer Rent charged for property located at 96 Hawley Ave, Port Chester, and also designated as Section 136.45 , Block 2 and Lot 6 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 7/7/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 7/22/14 the applicant was advised that the matter would be considered at the Board meeting of 8/4/14 and that they would be welcome to be heard at that time; and

WHEREAS, said letter also provided a copy of Village staff’s report; and

WHEREAS, the applicant has appeared/not appeared on his/her/its’ behalf at this meeting; and

WHEREAS, in addition to the appeal and staff report, the Board has considered the following in its deliberations:

Documentation of water consumption history, and pool capacity and is

prepared to make a determination on the appeal. NOW, therefore, be it

RESOLVED, that the appeal is hereby GRANTED/DENIED, and that the water consumption of 6 CCFs be reduced from the bill in question on the grounds that it has been found that a significant portion of water consumed did not affect the PC Sewer System, and be it further

RESOLVED, that the applicant be notified of the Board's determination with a certified copy of this resolution; and be it further

RESOLVED, if the appeal is granted, that the Village Manager is hereby directed to take all necessary and appropriate action with regard to this matter in order to effectuate timely and complete relief.

**RESOLUTION #5**

**SETTING A PUBLIC HEARING TO CONSIDER A REVOCABLE LICENSE AGREEMENT FOR THE "SHOWBOAT RIVERBOAT"**

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

RESOLVED, that the Board of Trustees hereby schedules a public hearing on August 18, 2014 at 7:00 p.m. or as soon thereafter at the Port Chester Justice Court, 2<sup>nd</sup> Floor Courtroom, 350 North Main Street, Port Chester, New York, to consider authorizing the Village Manager to enter into a revocable license agreement with Showboat Riverboat, LLC and HotShot Holdings, LLC, 30 Morgan Avenue, Greenwich, Connecticut 06831, so as to allow a vessel known as the "Showboat Riverboat" to be permanently moored at the Village Marina for the operation of a restaurant and jazz bar and for certain improvements to be made thereon.  
Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**DATE:** August 4, 2014

**RESOLUTION #6**

**AWARDING BID FOR EMERGENCY REPAIRS**

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 of Port Chester has advertised for bids for Emergency Repairs (Bid No. 14-04); and

WHEREAS, although four bid packages were taken from interested bidders, Village received single bid from Joken Development Corp. for this work; and

WHEREAS, the Village's consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept this bid which meets all the specifications as set forth in the bid documents. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for Emergency Repairs to Joken Development Corp, 9 Beltway Place, White Plains, New York 10601 in the amount of \$360,500.00 for the first year and \$378,525.00 for the second year; and be it

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

FURTHER RESOLVED, that the funding for said work be appropriated on an "as needed" basis from the appropriate budget account at the time the work is undertaken.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

## **ROLL CALL**

**AYES:** Trustees Adams, Brakewood, Marino and Ceccarelli.

**NOES:** None

**ABSENT:** Trustees Terenzi, Kenner and Mayor Pagano.

**DATE:** August 4, 2014

## **REPORT OF THE VILLAGE MANAGER**

Mr. Steers reported to the Board on Parking Meter expansion onto Midland and Horton Avenues began last week. The meter machines will be in by the end of this week. Signage is in stock and will be installed by DPW. All locations will be papered with notices indicating the new regulations and giving notice of the

beginning of enforcement 10 days after completion of installation. The estimated completion time for the machines and signage is August 15th.

Power issues relating to solar paneled machines have been determined to arise from the installation of inappropriate modems in the machines. The installation came as a result of manufacturers fault. These modems will be replaced this fall at no cost to the village. Various model modems will be tested as needed this august for compatibility before the changeover is made.

Several other machines with solar panel related power issues have been hardwired and this effort continues with a total machine count of 9 machine transitions before the winter season. Parts have been ordered to complete this process in house.

Lighted, glass paneled shelter locations for meters in the Broad Street Lot, Oak and Grove Lot, Highland Lot, and the Westchester and Irving Lot have been identified. The sites will require some prep work by DPW prior to installation. This money will come out of existing funds for meter program improvements dedicated under the current budget.

## **CORRESPONDENCES**

### ***Sewer Rent Appeal regarding 26 Grace Church Street***

The Board referred the correspondence to staff without objection.

### ***Sewer Rent Appeal regarding 168 Poningo Street***

The Board referred the correspondence to staff without objection.

### ***Sewer Rent Appeal regarding 31 Pearl Street***

The Board referred the correspondence to staff without objection.

### ***Sewer Rent Appeal regarding 53-57 Pearl Street***

The Board referred the correspondence to staff without objection.

***Bethel Sounds of Praise Pentecostal Fellowship Ministries, Inc., requesting permission to block off the corner of Townsend Street entrance to the corner of Ryan Ave***

The Board referred the correspondence to staff without objection.

## **PUBLIC COMMENTS AND BOARD COMMENTS**

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

Comments were made by:

### ***Public***

Mr. Frank Ferrara commented on the Sewer Rent and with the parking, we should take advantage of the technology software available. We need a transactional website. You should be able to pay tickets from your cell phone.

Ms. Bea Conetta commented on the Amnesty Program, Code Enforcement and Parking Meters. She commented about the MTA article in the Westmore News. They have improved their key stations (which does not include Port Chester). She commented about parking tickets, especially for residents on Midland Avenue.

Village Manager Steers commented that we have the responsibility for the Amnesty Program and Code Enforcement. It is for the safety of our residents and first responders. We must enforce the State building code.

Ms. Andrea Granata commented on the reregistration of every student in the schools. She commented on the amnesty program.

Mr. Richard Abel commented about the parking meters across from the Court. Do you feed the meters or get a slip from the machine?

Mr. Dolph Rotfeld commented that two years ago a grant of \$725,000 from the State was used on the sewers we fixed for the EPA problems.

### ***Board***

Trustee Adams commented about the parking meter hub have a camera for security. Village Manager Steers said it is not part of the project at this time but it may be something to look at in the future.

Village Administrative Aide Chris Ameigh commented you can now pay parking tickets through the website and there is also a pay by phone option.

Trustee Marino commented that we should put the police promotions on the next agenda.

Trustee Ceccarelli commented on the good work of Chris Steers and staff, code enforcement and the building department staff. Under the amnesty program people should be aware of who they are hiring and to go in with the inspectors to find out what has to be done and the cost. We have sent letters to those accepted to the Boards and

Commissions. Some people were not accepted and they should receive a letter to let them know they were not accepted. Town of Rye Supervisor Carvin invited the Mayor and the Board to see some activity that's going on at "Windows to the Future" classroom on Main Street.

Trustee Brakewood commented on interviewing candidates for the Neighborhood Revitalization program. He suggested the week of August 18<sup>th</sup> and will need a few hours. August 20<sup>th</sup> at 6:00 p.m. was set as a tentative date. He commented that the Board should form a citizens' Committee on Technology.

At 08:53 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the meeting was closed.

### **ROLL CALL**

**AYES:** Trustees Adams, Brakewood, Marino and Ceccarelli.

**NOES:** None

**ABSENT:** Trustees Terenzi, Kenner and Mayor Pagano.

**DATE:** August 4, 2014

Respectfully submitted,

Janusz R. Richards  
Village Clerk