

MEETING HELD SEPTEMBER 2, 2014

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, September 2, 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 6:03 p.m. and Trustee Kenner arrived at 7:58 p.m.

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto (via telephone); Director of Planning and Development Christopher Gomez (arrived at 7:00 p.m.); Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager; Heather Krakowski, Recreation Supervisor; Ed Brancati, Human Resources; Kevin McMinn, Village Fire Chief; Village Engineer, Dolph Rotfeld (arrived at 7:00 p.m.) and Attorney Emily E. Harper, Labor Council (via telephone).

On motion of TRUSTEE ADAMS, seconded by TRUSTEE TERENZI the meeting was declared opened at 6:00 p.m.

ROLL CALL

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

NOES: None.

ABSENT: Trustees Brakewood and Kenner.

DATE: September 2, 2014

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

Chief of Police Richards F. Conway updated the Board on recent arrests and statistics relating to the Police Department.

PROPOSED MOTION FOR EXECUTIVE SESSION

The Board of Trustees proposed a motion for executive session regarding:

- 1 - Involving the promotion of a particular person(s) in the Police Department.
- 2 - Consultation with Village Attorney regarding repairs to Village Sidewalks.

At 6:15 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO the Board adjourned into an executive session regarding:

- 1 - Involving the promotion of a particular person(s) in the Police Department.
- 2 - Consultation with Village Attorney regarding repairs to Village Sidewalks.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: September 2, 2014

Also present were:

Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto (via telephone); Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager; Ed Brancati, Human Resources and Attorney Emily E. Harper, Labor Council (via telephone).

No action was taken in executive session.

At 6:32 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, Marino, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Kenner.

DATE: September 2, 2014

Add-On Executive Session

Mayor Pagano asked for a motion to add-on an Executive Session to consult with Village Attorney regarding a particular person in the Police Department.

There being no objection TRUSTEE CECCARELLI, made a motion to add-on an Executive Session regarding consultation with Village Attorney regarding a particular person in the Police Department, seconded by TRUSTEE ADAMS, the motion received a unanimous vote of those present.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: September 2, 2014

At 6:32 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE CECCARELLI, the Board adjourned into an executive session regarding consultation with Village Attorney regarding a particular person in the Police Department.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: September 2, 2014

Also present were:

Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto (via telephone); Chief of Police, Richard Conway; Christopher Ameigh Administrative Aide to the Village Manager; Ed Brancati, Human Resources; and Attorney Emily E. Harper, Labor Council (via telephone).

No action was taken in executive session.

At 6:57 p.m., a motion to come out of executive session was made by TRUSTEE MARINO, seconded by TRUSTEE BRAKEWOOD, the Board of Trustees closed the executive session.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: September 2, 2014

Add-On Resolution

Mayor Pagano asked for a motion to add-on a resolution regarding the suspension of a member of the Port Chester Police Department pending a hearing and determination of disciplinary charges by the Board of Trustees.

There being no objection TRUSTEE MARINO, made a motion to add-on a resolution, seconded by TRUSTEE TERENCE, the motion received a unanimous vote of those present.

ROLL CALL

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

NOES: None.

ABSENT: Trustee Kenner.

DATE: September 2, 2014

RESOLUTION (ADD-ON #1)

**SUSPENSION OF A MEMBER OF THE PORT CHESTER POLICE
DEPARTMENT PENDING A HEARING AND DETERMINATION OF
DISCIPLINARY CHARGES BY THE BOARD OF TRUSTEES**

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

WHEREAS, disciplinary charges dated September 1, 2014 have been preferred against a member of Village of Port Chester Police Department by the Chief of Police; and

WHEREAS, a copy of said charges has been forwarded to the Board of Trustees for a hearing pursuant to Section 5711-q of the Unconsolidated Laws of New York and the Rules and the Regulations of the Port Chester Police Department; and

WHEREAS, the Board believes it is in the best interests of the Village that the individual involved be suspended without pay pending a hearing and determination on the charges;

NOW THEREFORE, BE IT RESOLVED that pursuant to Section 5711-q of the Unconsolidated Laws of New York and the Regulations of the Port Chester Police Department, the individual against whom disciplinary charges dated September 1, 2014 were preferred is hereby suspended without pay effective September 2, 2014 until the completion of the hearing and determination on the charges.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

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

DATE: September 2, 2014

PUBLIC COMMENTS

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

Comments were made by:

Ms. Goldie Solomon thanked the Mayor and Board members for attending the wake of Freddie Scott. Port Chester Day is this coming Saturday. The dog signs in our parks are meaningless because people do not pay attention to them. We will have a memorial ceremony at Lyon Park on September 11th.

Mr. Terranova commented on his discussion with Trustee Adams on the use of grills in the parks.

Ms. Heather Krakowski commented that the application for any resident to have a barbeque in the park is on the website. The restrooms are kept locked at times because we do not have the staff to maintain them on a daily basis. They remain open at Lyon and Columbus parks. We do have the bathrooms open at Abendroth when there is an event or when someone is renting the park. We do have port-a-potties available on the lower level.

Ms. Bailey-Reavis complimented the Board on the work they do for the Village. She commented on curb your dog or take your dog waste home signs. Another thought is to have a small area in each of the parks for leashed dogs. The road on King Street and Westchester Avenue are disgraceful. She asked that the Trustees contact Con Ed or whoever is tearing up the road to fix them. Mayor Pagano commented there would be more on this tonight. Village Manager Steers commented there will be road resurfacing. We have an agreement with Con Edison where they will pay us a fee to resurface the roads. The school census is probably well over the number who should occupy the classrooms. Thank you for co-sponsoring the town hall meeting at the Senior Center with the NAACP.

Ms. Beatrice Conetta commented in defense of Ann Latella. Port Chester is good for all the surrounding communities, but the residents are suffering. The state has too many regulations regarding permits. The crossing guards are insured for crossing children but are not insured for crossing adults. The police station is going to be renovated and add an addition. Mayor Pagano commented there is going to be some work in conjunction with the move of the Town of Rye. Bea commented she would go after anyone if what she believed they were doing was wrong, whether they are Democrats or Republicans.

Ms. Heather Paul commented on the Castle opposite the beautiful Summerfield Methodist Church. The back of it looks better than the front. The Mariner and the Castle are built right to the edge of the pedestrian sidewalk. Trustee Brakewood commented that this was done before we had a Master Plan. Mayor Pagano commented that the Westmore News posts the agendas of the boards and commissions. The meetings are open and the public is invited to voice an opinion.

Ms. Irene Tello urged the board to release the sidewalk betterment program. Most of the sidewalks in town are like the ones on Park Place. Are we being penalized because of a neighbor's complaint or are you going to cite all of the Village residents to repair the sidewalks. Some of the sidewalk was damaged by Village trees, so is the Village responsible for that part of the work? We need to work with the Village be it the Betterment Program or some other way. We are also asking that the fines be waived. Mayor Pagano commented you have to shop to get the best bid. You also have to file the permit with a contractor to stop the clock on the fines. If necessary the Building Department may extend the time. Ms. Tello commented because of the concern for safety the Village should work with the residents. Village Manager Steers commented there are associated risks and liabilities with a particular program and we need to have a program that will work with the entire Village. He mentioned that the Village does do repairs where the Village trees have caused the damage. Trustee Terenzi commented that hardship situations should be taken into consideration.

Mr. Richard Abel thanked Chris Ameigh and the Board for changing the meters in front of the courthouse. He commented on the Sewer Rent appeals and asked if you actually had to pay the bill before you appeal. Village Manager Steers commented the bill should be paid and a credit will be issued. Mr. Abel commented on the police department and their being part of the public. The public has a right to know when one of the public figures is being brought up on charges. Are we turning into a Village with people ratting on people, for instance sidewalks and sheds? It is becoming a sad issue in our Village. The planning board should not be the final board to give approval for buildings such as the Mariner and Castle. It should go to the Board of Trustees for final approval.

Mr. Morlino commented on the rental permit idea. The Village Attorney had some interest in this at one point. The Board looked at some sample ordinances in the State and in the Country. Mr. Morlino was wondering if this was still in the works. Mayor Pagano said he, the Village Manager and Village Attorney had a meeting scheduled in the Town of Islip. The original meeting was canceled but this is still on the radar.

Ms. Beatrice Conetta commented on citations for sidewalks. The planning commission should not have the last say.

PRESENTATION

Michael A. Cucchiara representing the National Development Council (NDC) provide an update related to the ongoing Municipal Building Feasibility Study undertaken by NDC.

National Development Council

NDC is the oldest national non-profit community development organization in the U.S. We have evolved a lot since our founding in 1969, but our mission -- increasing the flow of capital to underserved urban and rural areas for job creation and community development -- remains the same.



We offer our community partners development assistance and professional training as well as small business financing and debt and equity for residential, commercial, public and non-profit facilities projects.



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National Development Council

NDC has worked with hundreds of communities in every one of the 50 states and Puerto Rico, providing:

- technical assistance
- professional training
- investment in affordable housing
- small business financing
- direct developer services

Our work has taken many forms, but we have kept pace with the needs of our client communities, adding new programs and services or updating old ones.



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National Development Council Component Divisions

- NDC Economic Development Consulting Services
- NDC Grow America Fund
- NDC HEDC New Markets
- NDC Corporate Equity Fund
- NDC HEDC Public Facilities Division (P3)
- NDC Training Division



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NDC, through its Public-Private Partnerships has developed projects such as:

- municipal office space
- parking garages
- laboratory space
- student housing
- libraries
- biomedical research facilities



More Projects at:
Ndcppp.org



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Standard Public Development Process

- Advantages
 - Tax-exempt financing
 - 100% financing
- Disadvantages
 - Deliberative process -- often time consuming and expensive
 - Prone to costly change orders and time delays
 - Lowest bid is often not lowest cost
 - Typical costs exceed equivalent private projects by 20%-30% on average



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Private/Public Development Process (Public Perspective)

- Advantages
 - Efficient delivery
 - Saves time and money
 - Privatization of risk
 - Extensive development experience
- Disadvantages
 - Taxable debt
 - Required market return on equity



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NDC's Public-Private Partnerships: A Public-First Model

- Familiarly, “not-for-profit”
- Not public: not part of government
- Not private: publicly-designated and publicly accountable because of tax-exemption and declared public purpose
- A Public Private development partner combines public mission and access to public financing tools with private sector knowledge and skills



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NDC's Public-Private Partnerships

- Participants or Partners must have
 - A specific and relevant mission
 - Experience and measurable achievements
 - Knowledge of public sector requirements
 - Knowledge of private sector processes including development and asset management
 - Understanding of bond compliance
 - Commitment to return benefit back to public sector
 - Commitment to accountability and transparency
 - Structure: single-asset, bankruptcy-remote entity



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Public-Private Partnerships & Tax-Exempt Financing

- 63-20 Bond: Revenue Ruling 63-20 allows a Not-for-Profit Corporation to issue debt to finance a facility for a tax-exempt purpose IF
 - A local government endorses the financing
 - The facility will be occupied by a tax-exempt entity
 - The facility reverts to the ownership of the endorsing local government at the retirement of the debt
- 501(c)(3) Bond: Recipient of bonds issued through a conduit issuer with a lease to the municipality/not-for-profit



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501(c)(3) Bond for Public Facilities

- Not-for-profit / tax-exempt debt
- Requires conduit issuer
- Development using a private development process
- Governmental control through long-term lease
- No mandated reversion / can negotiate a contractual reversion at retirement of debt



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The NDC HEDC 501(c)(3) Bonds for Municipal Facilities

- Advantages of using 501(c)(3) bonds to finance municipal facilities
 - Tax-exempt debt
 - Private development process (Greater knowledge and efficiency = Lower development costs)
 - Risk transfer to the private partner
 - 100% financing
- Disadvantages of using 501(c)(3) Bonds to finance municipal facilities
 - Slightly greater up-front cost (e.g. design process)
 - Slightly higher interest rate (4 to 10 basis points)



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The NDC HEDC 501(c)(3) Bonds for Municipal Facilities

- When Does it Make Sense?
 - When a public development process is likely to be more costly because of time delay or pricing than a privatized approach
 - When conventional general obligation bonds are not a good alternative
 - When the local government does not possess the necessary development skills



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The NDC HEDC Not-for-Profit - 501(c)(3) Finance Structure

Not your Typical Not-for-Profit

- Must be a single asset entity that has bankruptcy remote characteristics
- Strength and substance: There should be qualities about the not-for-profit that suggest it will be in existence for the next 30 years (or the length of the term of the bonds)
- Must have the correct public purpose
- Must understand real estate development including long-term asset management
- Must understand the requirements of bond compliance



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Not-for-Profit Development Entity's Responsibilities

- **Negotiate** and enter into development contracts: architect agreement, development agreement, lease agreements and bond documents
- **Issue bonds**
- **Review** construction progress and process construction draws
- **Asset management**
 - Oversee property manager
 - Process lease payments
 - Review and approve annual budgets
- **Bond compliance**
 - Annual audits
 - Annual certification and reporting



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The NDC HEDC Development Team

- **Developer** – Works for the not-for-profit and oversees the development
 - Must be willing and able to guarantee completion and price
 - Must be experienced in the type of project
 - Developer is a subsidiary
- **Architect**
 - Works for the not-for-profit and under the direction of the developer
- **Contractor**
 - Works for the not-for-profit and under the direction of the developer



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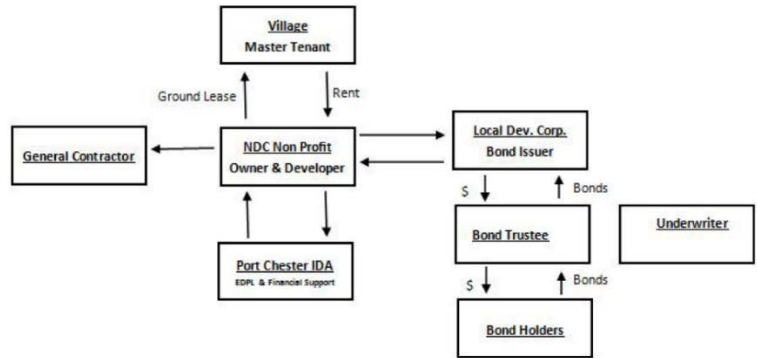
Steps and Key Players in NDC's Public Facility Development Process:

- Issuer Local Development Corp.
- PC IDA: EDPL Support & Financial Assistance
- NDC HEDC Single Purpose Not-for-profit Entity
- Developer
- Architect
- Building contractor
- Bond counsel
- Real estate / contracts counsel
- Bond trustee and trustee's counsel
- Underwriter and underwriter's counsel



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Flow Chart of NDC's Public Facility Development Process:



Advantages of NDC Projects vs. Traditional Government Projects

NDC Structure:

- Project debt belongs to NDC no recourse to Village
- Significant Cost Savings over Government Projects
- Fixed Cost Project – no liability for cost overruns
- Risk is borne by NDC not Village
- 25-30% Cost Savings over Government Projects
- Experienced Developer with over \$3 billion in projects
- Estimated project price \$35 million

Traditional General Obligation Structure:

- Project Debt goes on Village Balance Sheet
- Significantly Higher Development Costs - Wicks
- No Fixed Cost Project – full liability for cost overruns
- Project Risk assumed by Village
- 25-30% Higher Project Cost
- Inexperienced Developer
- Estimated project price \$48-52 million
 - Note: Police Station only projected at \$28 million

Where are we now in the process for the Municipal Building Study?

- Task One – Start-up Space Utilization Investigation and Facility Conceptualization Analysis- **Completed**
- Task Two – Architectural and Operational Program & Investigation – **Completed Summer 2014**
- Task Three – Facility Cost Feasibility Analysis Study – **September- December 2014**
- Task Four – Construction Documents Development – **January –February 2015**
- Task Five – Formal Design and Construction - **Spring 2015- Fall 2016**



NATIONAL DEVELOPMENT COUNCIL

Date: September 2, 2014
To: Port Chester Board of Trustees
From: Michael Cucchiara, Director, National Development Council
Re: Municipal Building Study Task Three Investigation Proposal

The purpose of this memo is to provide the Board of Trustees with an update related to the ongoing Municipal Building Feasibility Study undertaken by NDC. To date NDC has undertaken and completed Task 1 and Task 2 of the Municipal Building Feasibility Study outlined in the Agreement between the Village of Port Chester and the National Development Council dated March 28, 2014. That Agreement outlined the parameters of the Municipal Building Feasibility Study sought by the Board of Trustees. The Municipal Building Study contemplated under the Agreement is comprised of the following three discrete investigation tasks. These Tasks are as follows:

Task One – Start-up Space Utilization Investigation and Facility Conceptualization Analysis
Task Two – Architectural and Operational Program & Investigation
Task Three – Facility Cost Feasibility Analysis Study

As mentioned above the studies involved in Task One and Task Two have been completed to date. A recap of the activities undertaken under Task One and Task Two are outlined below:

Task 1: Start-up Phase: NDC will develop with professional assistance and 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 blocking and costs studies for three alternative development strategies, and
- (3) convene at least three meetings with the Port Chester Municipal Building stakeholders

Task 2: Architectural and Operational Program & Investigation: NDC engaged an architect to undertake a four component study to be comprised of the following:

- (1) Architectural Investigation and Operational Program,
- (2) Site Investigation,
- (3) Hazardous Materials Investigation Recommendations, and
- (4) Creation of a Geotechnical Investigation strategy.

To date NDC has completed the studies outlined in Task One and Task Two and have presented those findings to the Board of Trustees in a formal public meeting. In order to continue with the Municipal Building Study NDC is requesting that the Board of Trustees endorse NDC's recommendation that the

more extensive investigation contemplated in Task Three be undertaken in order to provide NDC with the resources necessary to undertake a costing analysis based upon the programming study previously completed in Task Two.

As part of the study undertaken in Task Three, NDC will engage its architectural and construction management team to develop an accurate facility cost based upon more substantial design and site investigation studies. The purpose of Task Three will be to deliver to the Village a cost analysis that accurately reflects the full development costs associated with undertaking a Municipal Building facility. This will allow NDC to provide the Village Board of Trustees with a formal cost estimate of the Municipal Building so that the Board may determine whether such a facility is feasible.

In order to undertake the next phase of its Municipal Building Study, NDC would request that the Village enter into a contract extender with NDC to cover study costs associated with Task Three. Once completed the Municipal Building Feasibility Study Costing Phase encapsulated in Task Three, NDC will be able to provide the Village with a full picture of the project costs, at which time the Village can make an informed decision related to feasibility.

The Municipal Building Feasibility Study Task Three budget will be comprised of the following activities and costs associated with each element of the study:

- Environmental Site Investigation – Phase I.....\$11,000**
 - Federal, state & local records review of enviro. database
 - Evaluation of adjacent parcels and historical usage
 - Preparation of written report on site investigation
 - Phase I ESA report according ASTM-1527 Standard
 - Identify any environmental concerns for Phase 2 review
- Environmental Site Investigation – Phase II\$35,000**
 - Geophysical investigation of underground concerns
 - Soil sampling, groundwater testing
 - Order of Magnitude Projections
 - Local subsurface soils sampling & testing
- Site Geotech Investigation\$69,000**
 - Drilling of Borehole for subsurface analysis
 - Perform Field Permeability testing in borehole
 - Sieve analysis
 - Organic Content ASTM Method C Review
 - Dry Unit Weight Rock Cores
 - Modeling of subsurface
- Architect ACMEP (design).....\$295,000**
 - Abatement plan – allowance for demolition plan
 - Foundations footing sizes, depths and layout with standard details
 - Steel framing plan and column scale – including member sizes; including force protection at police station;
 - Skin/Glazing schedule elevations
 - Drywall and Carpentry – partition layouts
 - Elevator size capacity, general type
 - MEP/ HVAC design, general type

- Architectural drawings using REVIT
- Site Plan
- Roof Plan – drainage, minimum insulation thickness; system type;
- Floor Plan- layouts, general type; finish schedule;
- Elevations – street level & floors
- Typical Overhead Section (2-3)
- Finish Schedule REVIT standard

Site Survey.....\$14,000

- Boundary/Topographic Site Parcels
- Structure/Improvements Review
- Utility Mapping
- NYS Board for Engineering & Land Surveying Report

Constructability Review.....\$75,000

- Identification of building materials & pricing
- Costing of steel quotes;
- Site prep work estimate
- Foundation pricing
- Labor hours schedule
- Subcontractor pricing schedules
- Finish Schedule by general type
- Construction period schedule & 12 month pricing

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Total Cost Phase Analysis	\$500,000
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It is proposed by NDC that the above scope of work be presented to the Village Board of Trustees in September for their approval. NDC’s ability to provide a full cost analysis study for the Municipal Building is contingent on the activities outlined above. It is therefore, NDC’s proposal that Board enter into a contract extender to cover Task Three study activities as contemplated in the Agreement of March 28, 2014.

RESOLUTIONS

RESOLUTION #1 (WITHDRAWN BY VILLAGE MANAGER)

**SETTING A PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF
ADOPTING A LOCAL LAW AMENDING CHAPTER 268, "SEWER RENTS",
OF THE CODE OF THE VILLAGE OF PORT CHESTER WITH REGARD TO
ADJUSTMENT IN WATER CONSUMPTION AND APPEALS**

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:

RESOLVED, that the Board of Trustees hereby schedules a public hearing on
Monday, October 6, at 7:00 P.M., or as soon thereafter at the Port Chester Justice
Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider
adopting a local law amending Chapter 268, "Sewer Rents", of the Code of the Village of
Port Chester with regard to adjustment in water consumption and appeals.

RESOLUTION #2

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE ADAMS, to
combine resolution 2, 3, 4, 5 and 6 of the agenda for the purpose of casting one vote for
all of the combine resolutions was adopted by the Board of Trustees of the Village of Port
Chester, New York.

ROLL CALL

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

NOES: None

ABSENT: None

DATE: September 2, 2014

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

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

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 been invited to appear 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,

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

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 8 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, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano.

NOES: None

ABSENT: None.

DATE: September 2, 2014

RESOLUTION #3

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

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE

CECCARELLI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, Dominick Neri (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 31 Pearl Street, Port Chester, and also designated as Section 142.30 , Block 2 and Lot 5 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 8/4/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 8/29/14 and phone then about the applicant was advised that the matter would be considered at the Board meeting of 9/2/14 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 been invited to appear 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 water use in industrial processes.

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

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 902 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, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano.

NOES: None

ABSENT: None.

DATE: September 2, 2014

RESOLUTION #4

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

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

WHEREAS, Dominick Neri (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 53-57 Pearl Street, Port Chester, and also designated as Section 142.30 , Block 2 and Lot 9 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 8/4/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 8/29/14 and phone then about the applicant was advised that the matter would be considered at the Board meeting of 9/2/14 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 been invited to appear 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 water use in industrial processes.

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

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 520 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, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano.

NOES: None

ABSENT: None.

DATE: September 2, 2014

RESOLUTION #5

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

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

WHEREAS, H & H Property Corporation (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 211 Irving Ave, Port Chester, and also designated as Section 142.22 , Block 1 and Lot 37 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 8/18/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 8/29/14 and by phone then about the applicant was advised that the matter would be considered at the Board meeting of 9/2/14 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 been invited to appear 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, a breakdown of tenant’s water consumption and description of non sewer related water use,

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

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 138 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, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano.

NOES: None

ABSENT: None.

DATE: September 2, 2014

RESOLUTION #6

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

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

WHEREAS, H & H Property Corporation (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 33 New Broad Street, Port Chester, and also designated as Section 142.30 , Block 2 and Lot 64 on the Tax Map of the Town of Rye; and

WHEREAS, at the meeting of 8/18/14, the Board referred this matter to Village staff to review and make a report with a recommendation; and

WHEREAS, by letter dated 8/29/14 and by phone then about the applicant was advised that the matter would be considered at the Board meeting of 9/2/14 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 been invited to appear 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, a breakdown of tenant’s water consumption and description of non sewer related water use.

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

RESOLVED, that the appeal is hereby GRANTED, and that the water consumption of 77 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, Terenzi, Kenner, Marino, Ceccarelli and Mayor Pagano.

NOES: None

ABSENT: None.

DATE: September 2, 2014

RESOLUTION #7

**SETTING A PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF
ADOPTING A LOCAL LAW FURTHER MODIFYING THE AMNESTY
PERIOD OF THE PERMIT AMNESTY PROGRAM**

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

RESOLVED, that the Board of Trustees hereby schedules a public hearing on, Monday, October 6, 2014 at 7:00 p.m. or as soon thereafter at the Port Chester Justice Court, 2nd Floor Courtroom, 350 North Main Street, Port Chester, New York, to consider

the advisability of adopting a local law further modifying the amnesty period of the Permit Amnesty Program so that it shall be deemed to expire on September 30, 2015.
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: September 2, 2014

RESOLUTION #8 (WITHDRAWN BY VILLAGE MANAGER)

PARTICIPATION BY THE VILLAGE OF PORT CHESTER IN THE WESTCHESTER COUNTY FIRE MUTUAL AID PLAN

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

WHEREAS, the Village of Port Chester desires to become a participant in the Westchester County Fire Mutual Aid Plan (the “Plan”); and

WHEREAS, to do so, the Board of Trustees is required to adopt a resolution approving the Village’s participation in the Plan, and file said resolution with the Westchester County Commissioner of Emergency Services. Now, therefore, be it

RESOLVED, that the Board of Trustees approves participation by its’ Fire Department in the Plan, as amended from time to time, and further certifies to Westchester County, through its Commissioner of Emergency Services, that the Village shall comply with the provisions of the Plan; and be it further

RESOLVED, that there are no resolutions in effect that restrict outside service and training by the Village’s Fire Department; and be it further

RESOLVED that there are currently no limitations, conditions or restrictions on the Fire Department from providing prompt assistance, and the County Commissioner of Emergency Services shall be notified in writing if any such limitations are imposed subsequent to the adoption of this Resolution; and be it further

RESOLVED, that the Fire Department shall respond to all calls for assistance from another Fire Agency through the Westchester County Emergency Communications Center a/k/a "60 Control"; and be it further

RESOLVED, that the Village of Port Chester hereby acknowledges and accepts its' financial responsibility pursuant to applicable law; and be it further

RESOLVED, that a copy of this resolution shall be filed with the Westchester County Commissioner of Emergency Services approving participation of the Fire Department in the Plan.

RESOLUTION #9

APPOINTMENT OF PRESIDENT (DEPUTY MAYOR)

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

RESOLVED, that TRUSTEE GENE CECCARELLI, be and he hereby is designated as President of the Board of Trustees with the power to act as Mayor of the Village of Port Chester, New York, in case of the absence or sickness of the Mayor, in which event, he shall have all the powers, rights and privileges, and be subject to all the duties of the Mayor of the Village until recovery or return of said Mayor who shall have been absent or sick.

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: September 2, 2014

RESOLUTION #10

**VILLAGE OF PORT CHESTER, NEW YORK
REPURPOSE RESOLUTION**

On motion of TRUSTEE BRAKEWOOD, 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 (the "Village") issued \$475,000 principal amount general obligations on September 27, 2007 (the "Bonds") to finance the cost of the acquisition, construction and reconstruction of parking improvements in and for the Village pursuant to a \$475,000 aggregate principal amount serial bond resolution (the "2007 Resolution") adopted by the Board of Trustees on February 21, 2007 (the "Project"); and

WHEREAS, \$317,773 of the proceeds of the Bonds were spent on the Project; and

WHEREAS, the Village Board of Trustees has determined that Project has been completed; and

WHEREAS, \$157,227 of the proceeds of the Bonds issued by the Village remain unspent (the "2007 Unspent Proceeds"); and

WHEREAS, all of such proceeds have been invested at a yield less than the yield on the Bonds such that no arbitrage profit has been earned and no event which would constitute a material event under SEC Rule 15(c)(2)(12) has occurred.

WHEREAS, the Village Board of Trustees has directed that a portion of the 2007 Unspent Proceeds be applied to projects included in the adopted capital budget for Fiscal Year 2014 and a portion of the 2007 Unspent Proceeds be applied to the payment of the acquisition, construction and reconstruction of road improvements, including drainage improvements, in and for the Village; and

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Port Chester, New York, anything in the Code of the Village to the contrary notwithstanding, as follows:

1. **RESOLVED**, that pursuant to section 165.00(a) of the Local Finance Law and section 11 of the General Municipal Law, a portion of the proceeds originally in the amount of \$157,227 constituting obligations of the Village issued pursuant to a \$475,000 aggregate principal amount serial bond resolution adopted by the Board of Trustees on February 21, 2007, now unspent and not needed for the object or purpose stated therein, hereby shall be (A) (i) deposited in a single special account of the Village in a bank or trust company located and authorized to do business in New York, (ii) not at any time commingled with other funds of the Village, and (iii) expended and applied to the cost of the acquisition, construction and reconstruction of road improvements, including

drainage improvements, such class of objects or purposes having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Laws, or (B) applied to debt service payable on serial bonds of the Village maturing in 2014 and 2015. In connection with the issuance of said obligations, the Board of Trustees hereby ratifies, approves and confirms the powers delegated to the Village Treasurer, as chief fiscal officer of the Village, contained in said bond resolution.

2. **FURTHER RESOLVED**, that the maximum maturity of serial bonds authorized pursuant to the 2007 Resolution shall be not be in excess of ten (10) years.

3. **FURTHER RESOLVED**, that prior to the expenditure of said unspent proceeds, the Board of Trustees shall conduct applicable environmental compliance proceedings under the NYS Environmental Quality Review Act with respect to the environmental and climate change impact of said similar object or purpose.

4. **FURTHER RESOLVED**, this resolution will take effect upon its adoption by the Board of Trustees of the Village.

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: September 2, 2014

RESOLUTION #11A

CLOSEOUT OF COMPLETED STREET PROJECTS & INCREASE FY 2014-15 STREET RESURFACING PROJECT

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

WHEREAS, the Village consulting engineer has recommended that streets that were severely damaged due to the harsh Winter be included in this year's street paving budget, and

WHEREAS, extra CHIPS funding of \$64,788.08 (\$214,788.08-\$150,000 was budgeted) is available from the Extreme Winter Recovery Appropriation, and

WHEREAS, the Village Treasurer is recommending the closing of various completed street paving projects, and that any remaining balance from said projects be applied to the Village’s current street resurfacing project 5.5110.400.2014.141 to assist with this year’s paving costs. Now, therefore, be it

RESOLVED, that the FY 2014-15 Street Resurfacing project be increased from \$1,150,000 to \$1,705,277.11 and the following projects in the Capital Fund be closed out, and that the Capital Fund be modified as follows:

<u>Project</u>	<u>Budget</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Balance</u>
005.5110.0400.2008.0074: Street Resurfacing-2008-/09	\$ 600,000.00	\$ 500,000.00	\$ 470,824.61	\$ 29,175.39
005.5110.0400.2010.0110: Road Resurfacing – 20010/11	\$1,301,505.92	\$1,371,261.10	\$1,067,174.90	\$304,086.20
005.1620.0400.2007.0070: Pkg Lot Impr-222 Grace Ch 07/08	\$ 477,000.00	\$ 477,000.00	\$ 319,772.56	\$157,227.44
\$ 29,175.39	From: Street Resurfacing -2008/09 005.5110.400.2008.74		To: Street Resurfacing-2014/15 005.5110.400.2014.0141 (Budget Increase from \$1,150,000 to \$1,179,175.39)	
\$304,086.20	From: Road Resurfacing-2010/11 005.5110.400.2010.110		To: Street Resurfacing-2014/15 005.5110.0400.2014.0141 (Budget Increase from \$1,179,175.39 to \$1,483,261.59)	
\$157,227.44	From: Pk’g Lot Imp-222 Grace Ch-2007/08 005.1620.400.2007.70		To: Street Resurfacing-2014/15 005.5110.0400.2014.0141 (Budget increase from \$1,483,261.59 to \$1,640,489.03)	
\$ 64,788.08	From: Additional CHIPS Funding		To: Street Resurfacing-2014-15 005.5110.0400.2014.0141 (Budget increase from \$1,640,789.03 to \$1,705,277.11)	

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: September 2, 2014

RESOLUTION #11B

**CLOSEOUT OF COMPLETED STREET PROJECTS & INCREASE
FY 2014-15 STREET RESURFACING PROJECT**

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

WHEREAS, the Village consulting engineer has recommended that streets that were severely damaged due to the harsh Winter be included in this year's street paving budget, and

WHEREAS, extra CHIPS funding of \$64,788.08 (\$214,788.08-\$150,000 was budgeted) is available from the Extreme Winter Recovery Appropriation, and

WHEREAS, the Village Treasurer is recommending the closing of various completed street paving projects, and that any remaining balance from said projects be applied to the Village's current street resurfacing project 5.5110.400.2014.141 to assist with this year's paving costs. Now, therefore, be it

RESOLVED, that the FY 2014-15 Street Resurfacing project be increased from \$1,150,000 to \$1,548,049.67 and the following projects in the Capital Fund be closed out, and that the Capital Fund be modified as follows:

005.5110.0400.2008.0074:

Street Resurfacing-2008-/09 \$ 600,000.00 \$ 500,000.00 \$ 470,824.61 \$ 29,175.39

005.5110.0400.2010.0110:

Road Resurfacing – 20010/11 \$1,301,505.92 \$1,371,261.10 \$1,067,174.90 \$ 304,086.20

\$ 29,175.39 From: Street Resurfacing -2008/09
005.5110.400.2008.74 **To:** Street Resurfacing-2014/15
005.5110.400.2014.0141
(Budget Increase from \$1,150,000 to \$1,179,175.39)

\$304,086.20 From: Road Resurfacing-2010/11
005.5110.0400.2009.0090 **To:** Street Resurfacing-2014/15
005.5110.0400.2014.0141

(Budget Increase from \$1,179,175.39 to \$1,483,261.59)

\$ 64,788.08 **From:** Additional CHIPS Funding

To: Street Resurfacing-2014-15
005.5110.0400.2014.0141
(Budget increase from \$1,483,261.59 to \$1,548,049.67)

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES: None

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

ABSENT: None.

DATE: September 2, 2014

RESOLUTION #12

AWARDING BID FOR ROAD RESURFACING 2014

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

WHEREAS, the Village of Port Chester has advertised for bids for Road Resurfacing 2014 (Bid No. 2014-05); and

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

WHEREAS, the Village’s consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept the low bid of Bilotta Construction Corp. with Alternate A which bid which meets all the specifications as set forth in the bid documents. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for Road Resurfacing 2014 to Bilotta Construction Corp., 296 Purchase Street, Rye, New York 10580 in the amount of \$1,553,647 and be it

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

FURTHER RESOLVED, that the funding for said work be appropriated from FY 2014-15 Street Resurfacing Project 5.5110.400.2014.141 in the amount of \$1,441,154.50 and from Sidewalk/Curb Improvement Project 5.5110.400.2011.120 in the amount of \$112,492.50.

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: September 2, 2014

RESOLUTION #13

AWARDING BID FOR PILGRIM DRIVE DRAINAGE IMPROVEMENTS

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

WHEREAS, the Village of Port Chester has advertised for bids for Pilgrim Drive Drainage Improvements (Bid No. 2014-02); and

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

WHEREAS, the Village's consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept the low bid of Con-Tech Construction Technology, Inc. which bid which meets all the specifications as set forth in the bid documents. Now therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for Pilgrim Drive Drainage Improvements to Con-Tech Construction Technology, Inc., 28 Lakeview Drive, Yorktown Heights, New York 10598 in the amount of \$78,620.00, and be it

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

FURTHER RESOLVED, that the funding for said work be appropriated from Sewer Improvement 13/14 Project account code 5.8120.400.2013.132.

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: September 2, 2014

RESOLUTION #14 (WITHDRAWN BY VILLAGE MANAGER)

SETTING A PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF ADOPTING A LOCAL LAW TO PROVIDE FOR A PROCESS FOR LOT LINE ADJUSTMENTS

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:

RESOLVED, that the Board of Trustees hereby schedules a public hearing on Monday, October 6, 2014 at 7:00 p.m. or as soon thereafter at the Port Chester Justice Court, 2nd Floor Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law amending the Appendix to the Code of the Village of Port Chester A402 Land Subdivision Regulations to provide for a process for lot line adjustments.

Add-On Resolution

Mayor Pagano asked for a motion to add-on a resolution regarding co-sponsoring Town Hall Meeting with NAACP.

There being no objection TRUSTEE MARINO, made a motion to add-on a resolution, seconded by TRUSTEE TERENZI, the motion received a unanimous vote of those present.

ROLL CALL

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

NOES: None

ABSENT: None

DATE: September 2, 2014

RESOLUTION (ADD-ON #2)

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

RESOLVED, that the Village of Port Chester hereby co-sponsors a town hall-style meeting with the NAACP at a mutually convenient date and time at the Senior/Community Center so as to provide residents an opportunity to express their concerns about the recent spate of racially charged and insensitive activities in the Village of Port Chester with an open invitation to other community groups and the Board of Ethics to attend.

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: September 2, 2014

CORRESPONDENCES

From Church of Our Lady of the Rosary for permission to use Edgewood Park on October 12, 2014 for an outdoor mass, to close Don Bosco Place from 9:00 a.m. to 2:00 p.m. and for a police escort for a procession from the Church to the park and back.

The Board referred the correspondence to staff without objection.

From Christine Morgan Teter requesting to place a sign at Messina Park.

The Board referred the correspondence to staff without objection.

The Port Chester-Rye Union Free School District regarding Port Chester Fire Department light tower rescue truck.

The Board referred the correspondence to staff without objection.

From the Traffic Commission regarding the driveway at 330-340-350- So. Regent Street

The Board referred the correspondence to staff without objection.

From the Traffic Commission regarding handicap parking at Bethesda Baptist Church and overnight parking in parking areas.

The Board referred the correspondence to staff without objection.

PUBLIC COMMENTS AND BOARD COMMENTS

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

There were no comments from the public.

Board

Trustee Adams congratulated the Westmore News on their big bash. He commented on a car racing on College Avenue, on South Regent Street and on King Street. He offered his condolences to the family of Freddie Scott. I hope this board can look into the Sidewalk Betterment Program.

Trustee Brakewood commented on the Sidewalk Betterment Program. We need to address this. The parking requirements that many municipalities have is very outdated. We are signing agreements that are very short term and people are backing out of the agreements. To try to allocate spaces to places like the Capital and restaurants is almost impossible. We really need to look at how we manage parking in our downtown area. Trustee Brakewood commented on the burying of the lines at the Mariner and the Castle. Planning and Development Director Chris Gomez commented they came before the planning commission last month and did compliance with the Willett and Abendroth intersection. Trustee Brakewood mentioned that Terry Lodge is building parking and the Village has done almost nothing to improve Abendroth Avenue as more people use and live on that street. We need to set time to talk about the Neighborhood Revitalization Study. A date was set for Monday, September 22nd in the Conference Room.

Trustee Terenzi commented on the NDC proposal. It will come down to what we can spend on an annual basis. I think we can find an alternative where we can drive the numbers down to a manageable amount.

Trustee Ceccarelli commented on the parking situation at the Clay Arts Center. Village Manager Steers said this situation has been brought to the police chief. Trustee Ceccarelli commented on the population impact and its effect on the sewage situation. It was a great event that the Westmore News put on.

Mayor Pagano commented on the litigation study. Is this at a point where we might be able to weave it in to things like Pearl Street and other projects. Village Manager Steers commented it is about 90 percent there. Chris Gomez said there will be a meeting on Friday. Mayor Pagano commented we start talking about important items like the Municipal Center and United Hospital and within five minutes people start to leave. These are important items that are going to affect the Village and people don't stay to listen.

Add-On Executive Session

Mayor Pagano asked for a motion to add-on an Executive Session to consult with Village Attorney with regard to career fire fighters staffing.

There being no objection TRUSTEE MARINO, made a motion to add-on an Executive Session, seconded by TRUSTEE BRAKEWOOD, the motion received a unanimous vote of those present.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: September 2, 2014

At 10:07 p.m., on motion of TRUSTEE CECCARELLI, seconded by TRUSTEE KENNER, the Board adjourned into an executive session to consult with Village Attorney with regard to career fire fighters staffing.

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: September 2, 2014

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto (via telephone); Christopher Ameigh Administrative Aide to the Village Manager and Ed Brancati, Human Resources.

No action was taken in executive session.

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

ROLL CALL

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

NOES: None.

ABSENT: None.

DATE: September 2, 2014

At 10:23 p.m., on motion of TRUSTEE BRAKEWOOD, 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: September 2, 2014

Respectfully submitted,

Janusz R. Richards
Village Clerk