

## **MEETING HELD MONDAY SEPTEMBER 15, 2014**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, September 15, 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 and Gene Ceccarelli.

It should be noted that Trustee Kenner was absent.

It should be noted that Trustee Marino arrived at 6:01 p.m. and Trustee Brakewood arrived at 6:13 p.m.

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Deputy Clerk, Vita Sileo; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Director of Planning and Development Christopher Gomez; Chief of Police, Richard Conway and Christopher Ameigh Administrative Aide to the Village Manager.

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

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood, Marino and Kenner.

**DATE:** September 15, 2014

### **WORKSHOP**

Director of Planning and Development Chris Gomez commented he expects to get the estimates from the Town Assessor this week. He recommended adjourning this discussion until the October 20<sup>th</sup> meeting. He commented this will go before the Planning Commission on September 29<sup>th</sup>.

**PUBLIC COMMENTS** regarding 120 North Pearl Street:

Ms. Goldie Solomon commented that the Village cannot take any more residential property because our schools are already overloaded. Do not approve any more residential properties.

### **MOTION FOR EXECUTIVE SESSION**

***EXECUTIVE SESSION 1, 2 & 3***

At 6:02 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE TEREZI the Board adjourned into an executive session for:

*Involving the promotion of a particular person(s) in the Police Department.*

*Consultation with Village Attorney regarding repairs to Village Sidewalks.*

*Consultation with Village Attorney regarding Village Election.*

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Brakewood and Kenner.

**DATE:** September 15, 2014

Also present were: Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Deputy Clerk, Vita Sileo; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; and Christopher Ameigh Administrative Aide to the Village Manager.

No action was taken in executive session.

At 6:56 p.m., a motion to come out of executive session was made by TRUSTEE CECCARELLI, 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 15, 2014

**AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION**

**RE:**

The following Public Notices were duly published in the Journal News and the Westmore News on August 22, 2014, certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News

**PUBLIC NOTICE**  
**PUBLIC NOTICE**

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, September 15, 2014, 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 a Special Exception Density Bonus Application on behalf of AGD North Pearl, LLC., to construct a 50-unit multi-family building on property located at 120 North Pearl Street, Port Chester, New York, also known and designated as Section 142.22, Block 2, Lot 62 on the Tax Map of the Town of Rye.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. A copy of the application and all supporting materials is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: August 22, 2014

/s/ JANUSZ R. RICHARDS  
JANUSZ R. RICHARDS  
Village Clerk  
Village of Port Chester, New York

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the public hearing was declared open.

#### **ROLL CALL**

**AYES:** Trustees Adams, Brakewood, Terenzi, arino, Ceccarelli and Mayor Pagano

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** September 15, 2014

#### ***Public Comments***

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

Ms. Goldie Solomon commented that the Village cannot take any more residential property because our schools are already overloaded. Do not approve any more residential properties.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the public hearing was adjourned to the October 20, 2014 BOT meeting.

#### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** September 15, 2014

## **PRESENTATIONS**

*As requested by Trustee Adams regarding the impact of the lack of CDBG funds on local organizations. (The first presentation was postponed until 8:00)*

Don Bosco Workers, Inc. Trustee Marino introduced Executive Director Gonzalo Cruz and Ann Hicken, Board President of Don Bosco Workers. The presentation is a new campaign by the workers. We do a lot of work in wage recovery. A second area is wage reform. The third topic is redefining wage theft.

A PowerPoint presentation was made on the new campaign the Don Bosco workers are launching starting this week on “No Pay, No Way”, Wage theft is bad for Port Chester. Where we have typically been as a worker organization is we do a lot of work in the area of wage recovery. Gonzalo spends most of his day with workers who have been defrauded by their employers and not paid the legal wage. A second area is wage reform in terms of legislative reform. We have turned to a third area of redefining wage theft, which unfortunately is at very high levels of incidence. There is a tendency to dismiss the problem. There are certain protocols that an employer must follow once they hire someone. We have a wage theft epidemic. Regardless of legal status an employer is obligated to follow the law. Our talk is to have a dialogue on how wage theft hurts the entire community. It undermines the responsible business persons. The second way is it hurts the local economy. Low income workers spend their money locally. A third area is the pressure that wage theft places on local community services. Chances are that if someone is not paid he will have to depend on local emergency services. The last area is how all of this comes back to reduced revenues in the local economy and the increased pressure on publically funded services. This all comes to increased taxes in our community. We are here to invite you to support us in our goal of making Port Chester a zero tolerance zone for wage theft.

Mr. Cruz commented of employers in the Village who pay less than the minimum wage and do not pay overtime. Right now we have charges against some of the employers.

Ms. Hicken commented part of our mission is to teach employees how they should be paid and when they should be paid. If employees are not paying our first step is to call them. Once you start down the path with the DOL it is hard to recover because they have so many cases.

Don Bosco Community Center provides the opportunity for employees to stand on the corner and obtain day work. We are a placement service. We are funded by the Catholic Church and Presbyterian Church.

## **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 commented that the Village of Port Chester should have only legal immigrants working in the Village. The Mariner is not finished and the Castle is not finished and they are loaded with residential properties. If we have to build more schools our taxes will go sky high. We need more commercial, not residential.

Mr. Vincent Bizano commented on the need to repave Touraine Avenue. This has not been done since 1967. Parking during the time soccer is being played in Abendroth Park is difficult for the residents. The parking lot should be opened for that period of time. Mayor Pagano commented a list of the streets to be paved will be posted. Also, the parking lot situation will be rectified with the dog park.

Mr. John Giangrande commented on the sidewalks. Mayor Pagano commented this was brought up in Executive Session and we will have some a recommendation for the public shortly.

Mr. Bill Giangrande commented about street paving. There are at least 25 holes on Franklin Street. Secondly, the traffic lights are different colors and some of them are out. Mayor Pagano commented that Con Edison and the Sewer Company are all over the Village. Mr. Giangrande commented on the traffic lights at Pearl Street. Village Manager Steers will check with Con Ed to get the completion date.

Ms. Bea Conetta commented on the Municipal Center that is being considered. So many people in the Village have no idea about it. We had many problems with our present Village Hall. We have only been in there for nine years. Selling something that cost us between \$18MM and \$20MM and building another building for \$36MM to \$40MM. You've already paid out \$30M. Now they want \$500M to go ahead. If you decide not to build it you lose the \$500M. We won't even own the building, we will be the first tenant.

Mr. Keith Morlino thanked the Board for hosting the meeting regarding the NDC project. He commented that he would like to see the area developed. The funding of it makes sense. It is a lot of tax dollars to be dedicated to this. Trustee Terenzi commented that the 2% is for the next five years. The outstanding debt right now will end in ten years. With some assumptions, at the end of ten years the debt remaining on the building, we would actually buy the building from them. The debt that is sitting there now that is going to come off in ten years is \$2.1MM. You would be trading Grace Church Street, putting them on the tax role for \$10MM and you are trading that to take \$3MM or \$4MM from Irving Avenue. Mr. Morlino commented on how NDC controls their costs. Who would be monitoring them on this project? Mayor Pagano commented one good thing is that we would be going in as a tenant. NDC will be responsible for all landlord issues.

Ms. Joan Di Buono commented there will be an Ethics Training Seminar on October 2<sup>nd</sup> at the Senior Center. This session will address many of the most frequently asked questions related to municipal ethics. Topics of discussion will include conflict of interest, updating your local ethics codes nepotism, ethics boards, gifts and more. This

program is being sponsored by the Village. Mayor Pagano commented this invitation has been extended to the Village of Rye Brook, the Town of Rye, and City of Rye.

Mr. Richard Hyman commented on conflicting items on the agenda. The first one is 120 North Pearl Street where you are requesting them to pay you a fee for a bonus to build an extra 12 units. Next on the agenda is taking \$440M that was set aside by the Mariner which can be used for housing rehabilitation. You are asking for money that is already there. You cannot overrule the rules set up by the Planning Board's site plan of approval. Also, there is no economic value to combining a municipal facility with the Police Court facility.

Mr. Angelo Sposta commented regarding the workshop on the NDC project. The condition of Grace Church Street and the current Police Station are in terrible condition. The Village is growing, the police department is growing. You need to build for the long-term future. Part of the work is to clean up that corridor. The municipal center would start cleaning up that neighborhood.

Ms. Bea Conetta complimented the Board on acting swiftly on the crossing guards being able to cross adults with children.

Mr. Greg Gregory commented on the Mariner not having a CO. They have a TCO until they put their wires in. As far as the Don Bosco workers he supports the legal immigrants. The people who have spoken out against the Castle development never came to one planning meeting to see what was being done. This should have been spoken about before the building started going up. Valet Parking in Port Chester, especially at the Tarry Lodge is a serious problem. Valet Parking should be part of site plan approval.

## **PRESENTATION (Continues)**

*As requested by Trustee Adams regarding the impact of the lack of CDBG funds on local organizations.*

*Trustee Adams commented at the June 2nd meeting we had a resolution before us on the idea of Port Chester putting pressure on these organizations that were losing this money. We are about to lose \$1,673M. The programs listed were The Clay Arts Center, Don Bosco, the Open Door medical facility and the Port Chester Housing Authority. Unfortunately this resolution was pulled from the agenda so I would like to get this back on the agenda.*

*We have Housing and Clay Arts Center here and I would like these organizations to come forth and tell us how the loss of these funds may affect them. These organizations provide a vital service to the Village. This is federal money and this Village cannot make it up at the local level.*

**Port Chester Housing Authority:**

Robert J. Vyskocil commented on how the loss of these funds will affect the PC Housing Authority and the residents of the Village. He introduced Juan Voscal who is in charge of HUD and the funding for the Housing Authority. He is also responsible for the maintenance of the buildings. We provide federally subsidized affordable housing to low income residents of the Village of Port Chester. We are a local agency and our funding is from the federal government and local rents. We have five developments totaling 340 rental apartments to 340 families and senior citizens. We have a total of \$400M allocated to us under grants, \$300M of which was allocated to electrical upgrades at Weber Drive, \$100M was allocated for roof replacement at Traverse Avenue. The impact on us is significant. We are currently operating with funding from HUD at 82% of our budget. We are operating pretty much day-to-day bare bones. The electrical is an outdated system and there is the potential for power outages. The roofs at Purdy and Traverse Avenue are deplorable. We think we may have enough money to replace one, but not the other.

Trustee Terenzi commented on the impact of running out of money. Mr. Voscal commented that HUD has no additional money and if there are no funds, some bills will go unpaid. We had to let workers go several months ago. The debt service would have to be paid out of the Capital Funds. That would mean we would have less money to do items like roofs, etc.

Mayor Pagano commented that these buildings are five and six stories and you have seniors living on the top floors. When the power goes out you have no elevators. Mr. Voscal commented that a generator at each facility would be about \$300M, money we don't have.

Trustee Ceccarelli commented that Port Chester has no involvement in legal action on affordable housing. He suggested that the Housing Authority make an appeal to HUD.

### **Clay Arts Center:**

Ms. Leigh Taylor Mickelson, Executive Director of the Clay Art Center presented the following statement regarding the impact of the lack of CDBG funds.

“Thank you for the opportunity to share with you the impact that the lack of CDBG funds has had on Clay Art Center. Firstly, you should know that we were approved for two 3-year grants in the amount of \$15,000. The first 3 year grant was completed, but the second 3 year grant was withheld, and we received none of the funds that were promised.

Through the initial CDBG grant, Clay Art Center was able to expand a scholarship program that targeted the underserved and economically disadvantaged minority youth from Port Chester. Our goal with this community arts grant, and with others that are awarded to us, is to improve the lives of youth by providing educational and enrichment opportunities for low income underserved youth from Port Chester. By offering underserved youth access to a nationally renowned art facility, Clay Art Center provides stimulating and enriching experiences that engage students to think creatively and interact socially in a safe, structured after school setting. Our instructors and artists are positive role models. Our facility is unusual and fascinating to visitors who can see and experience how “things” are made by hand, slowly, and carefully. Our artists, students and instructors are all familiar with failure, the need to accept mistakes and move on.

These are valuable lessons, especially for young people who no longer have shop or home economics classes in school, and who rarely have the opportunity to actually “make” anything. It is a powerful and positive experience to create something by hand, to work with moist and pliant clay and go through the many steps necessary to create something solid and lasting.

The expected objectives and outcomes of the program were to:

- Create authentic art making experiences and encourage self-expression and creativity among underserved youth.
- Engage disadvantaged youth in safe and structured after school activities.
- Teach art and life related skills that can be applied outside of the classroom.
- Over the three-year grant period, 60 youth/year for a total of 180 youth over three years who have limited access to arts training and education will have the opportunity to create with clay.
- Strengthen CAC public art strategy by collaborating with other non-profits agencies.
- Fill the gap in arts education that is caused by a cut in arts funding in the public schools.
- Diversify the ethnic background and income levels of CAC students to reflect the Port Chester community

Without the CDBG grant, Clay Art Center had to absorb the costs of the classes that had already been promised to the underserved youth of Port Chester. We rallied and found some support so we did not have to completely abandon the programs, but because of the loss of funding, we had to reduce the number of scholarships and were not able to reach as many children as we had hoped. We hope that Westchester County will consider releasing these funds which have had such a direct impact on the spirit and wellness of the community.”

### **Open Door Clinic:**

Ms. Anita Rulentz, COO of the Open Door Clinic commented on the grants we’ve been getting from the federal government help support needed projects. Some of the past funding helped us develop our dental rooms and expand them for the dental services in the community. We serve medical, dental and behavioral services primarily to the underinsured. To expand medical services you don’t always have the pockets deep enough to do this. We need the resources to make this happen. We need the funds to replace needed equipment. Open services are very expensive if you are bringing in new technology. We are looking to expand our dental. At our Port Chester site we are seeing about 1,500 patients per year. We are also looking at expanded hours.

Legislator David Gelfarb presented a certificate of merit on behalf of the Board of Legislators to the 2014 Port Chester select team on winning the Soccer Tournament. He commented it is the intention of the County to do what it can to make up to Port Chester for money’s lost through HUD’s freezing of the CDBG funds. For the current fiscal year we sent money to the Carver Center, Don Bosco and Tools for Change. He referred to the Huntington Report where the towns of Harrison and Rye Brook are against the code. Because of this, money has been taken away from Port Chester. The County is on target to build 750 units of affordable housing. An analysis of impediments has been rejected by HUD. The Chairman of the Board of Legislators asked The Monitor to undertake an



analysis under Huntington. The analysis said it was stigmatizing near the Rye Ridge Shopping Center and said it was undesirable to live near that area. Some people think that if we start suing municipalities then HUD would release the money. Everyone knows that HUD is withholding money from communities that desperately need the money.

Mayor Pagano commented that the \$1.6MM has not been lost, it has been reallocated. What the County is talking about now is floating its own bond.

Legislator Gelfarb commented that Port Chester is completely blameless, yet they are the one who are being adversely affected by HUD's action. There is a real effort on the part of the County to get money to Port Chester.

Trustee Brakewood commented it is not just the money, it is the jobs that are being affected, slip and fall law suits that occur because sidewalks aren't being repaired. It is a lot more monetary value to the community. It's about investing in the community.

Trustee Terenzi commented that exclusionary zoning is a town that doesn't allow two-family housing. In Harrison there is only a certain section that allows multi-family. There is no disparate impact in Rye Brook.

Legislator Gelfarb commented The Monitor is trying to bludgeon various communities into changing their zoning.

Trustee Terenzi commented there is going to be a close vote on the legislation. What they want to propose to do is to adopt The Monitor's finding in the hope to get HUD to release the money.

## **RESOLUTIONS**

### **RESOLUTION #1**

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

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

WHEREAS, the Village of Port Chester 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.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** September 15, 2014

**RESOLUTION #2 (POSTPONED to 10-20-2014)**

RESOLUTION AUTHORIZING RETAINER OF NATIONAL DEVELOPMENT COUNCIL TO PROVIDE TECHNICAL ASSISTANCE TO THE VILLAGE OF PORT CHESTER WITH REGARD TO STUDIES AND INVESTIGATIONS RELATING TO PROPOSED MUNICIPAL CENTER DEVELOPMENT PROJECT

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

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO to **postpone** the vote on **Resolution Number 2** to the October 20, 2014 meeting.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** September 15, 2014

WHEREAS, current deteriorated conditions at the Port Chester Police Headquarters/Justice Court at 350 North Main Street provided the impetus for the Board to take action in constructing a new facility; and

WHEREAS, JCJ Architecture, Hartford, Connecticut, was retained to undertake a needs analysis and potential alternative locations; and

WHEREAS, the preferred location identified for such facility consists of privately-held parcels in the block bounded by Irving Avenue and Poningo Street; and

WHEREAS, there are operational advantages in relocating Village offices, together with the Village's state legislative representatives, Town of Rye and Port Chester-Rye Brook Chamber of Commerce, from 222 Grace Church Street to such new facility as a Municipal Center Project ("Project"); and

WHEREAS, the opportunity is presented to broaden the focus of the proposed government center at this location so as to include additional properties and thereby incorporate new retail and commercial office space fronting on Westchester Avenue; and

WHEREAS, such alternative development plan would assure that the Project would accommodate municipal administrative needs and act as a vital catalyst for economic development throughout the Village; and

WHEREAS, in collaboration with the Board, the Village of Port Chester Industrial Development Agency retained the National Development Council, New York, New York, to provide consulting services with regard to economic development initiatives; and

WHEREAS, the Village identified the Project as a priority for the National Development Council which, if further studies and investigations determine to be viable, would result in a proposed public-private partnership with the NDC acting as developer; and

WHEREAS, following a public presentation to the Board, the National Development Council, in partnership with STV, Inc., submitted a proposal dated February 27, 2014 to undertake the following: (1) Start-Up and (2) a Facilities Architectural and Operational Program with additional tasks to be determined based on project size and scope; and

WHEREAS, by resolution dated March 14, 2014, the Board authorized the Village Manager to enter into an agreement based on said proposal; and

WHEREAS, NDC has satisfactorily completed these tasks; and

WHEREAS, on September 8, 2014, the Board conducted a workshop with NDC to consider the next steps required so as to determine the viability of the Project; and

WHEREAS, NDC has since made a presentation to the Village of Port Chester Industrial Development Agency with regard to these efforts, including the potential future roles for the IDA and the recently-created Port Chester Local Development Corporation (LDC) in the Project with the NDC; and

WHEREAS, pursuant to and in accordance with a proposed Agreement (the "Agreement, a copy of which is presented before this meeting), the Board has determined to continue to proceed with a further retainer of NDC so as to undertake the following tasks:

- Site investigation
- Environmental Site Investigation
- Site Survey
- Site Geotech Investigation
- Architect ACMEP (Design)
- Constructability Review

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees hereby authorizes the Village Manager to execute and deliver the proposed Agreement (in substantially the form presented) with NDC working in partnership with STV, Inc. and Whiting-Turner, Inc. to provide additional preliminary architectural and other professional consulting services as set forth in it the agreement annexed hereto with regard to the Municipal Center Development Project, compensation to be a maximum total of \$439,000, such amounts to be disbursed in phases in accordance with the provisions of the Agreement, and be it further

RESOLVED, that the Village has identified the contemplated studies and investigations as a Type II action pursuant to Part 617.5(c)(18) the State Environmental Quality Review Act ("SEQRA") as information collection, pollution studies, engineering studies, surveys, subsurface investigations and soil studies that do not commit the Village to undertake, fund or approve any action; and therefore no SEQRA review is required, and be it further

RESOLVED, that the Board of Trustees hereby authorizes the Village Treasurer to use \$439,000 from the Mariner Proffer and modify the FY2013-14 General Fund Budget as follows:

**Increase General Fund Budget:**

Revenues:

1.1.1589	Use of Developers Fees	\$439,000
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Appropriations:

1.8020.400	Planning Contractual	\$439,000
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**RESOLUTION #3**

**BUDGET AMENDMENT – USE OF DEA FUNDS TO PURCHASE & INSTALL VHF RECEIVER AT POLICE HEADQUARTERS TO ENHANCE PERFORMANCE OF PORTABLE RADIOS**

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

WHEREAS, the Police Chief is recommending the use of DEA Asset Forfeiture Funds to purchase and install a MTR 300, VHF Receiver at Police Headquarters to facilitate performance of portable radios for \$10,289.87 from Motorola, 31 Plainfield Avenue, Bedford Hills, NY 10507, New York State Contract #PT62495 & PS62496. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2014-15 General Fund Budget as follows:

**GENERAL FUND**

Balance Sheet:

001-001-0695	Deferred Revenue Police DEA	\$(10,289.87)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$10,289.87
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Appropriations:

001-3120-0200	Police - Equipment	\$10,289.87
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Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** September 15, 2014

**RESOLUTION #4**

ACCEPTING \$1,000.00 DONATION FROM ALICE & JOSEPH ANTONELLI  
FOR THE PORT CHESTER RECREATION DEPARTMENT

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 Port Chester Senior Center has received a donation in the total  
amount of \$1,000.00 from Alice & Joseph Antonelli in memory of their friend Jenny  
Richards for programs and needs of the Port Chester Senior Center;

RESOLVED, that the Board of Trustees duly accepts this generous contribution  
to the Village of Port Chester as restricted.

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** September 15, 2014

**CORRESPONDENCES**

*From Poningo Properties - 4 Bulkley Ave. 142.22-1-52 Sewer Rent Appeal - 2014-09-05.*

The Board referred the correspondence to staff without objection.

***From Poningo Properties - 46 Poningo St. 142.22-1-52 Sewer Rent Appeal - 2014-09-05.***

The Board referred the correspondence to staff without objection.

***From Howie Ravikoff regarding Fire Safety Inspection fees.***

The Board referred the correspondence to staff without objection.

***From Doreen Kushel regarding parking in the Beech Street parking lot.***

The Board referred the correspondence to staff without objection.

***From Leigh Taylor Mickelson, Executive Director Clay Art Center to formally request a change to the municipal lot on Beech Street.***

The Board referred the correspondence to staff without objection.

***From Catherine Rosenfeld on her resignation from the Beautification Commission.***

The Board accepted the correspondence.

***From the Park Commission regarding the horse trough in Lyon Park.***

The Board referred the correspondence to staff without objection.

## **MINUTES**

Mayor Pagano asked for a motion to combine the minutes of

June 16, 2014  
June 23, 2014  
June 24, 2014  
July 1, 2014  
July 7, 2014  
July 9, 2014  
July 21, 2014  
August 4, 2014  
August 18, 2014  
September 2, 2014  
September 8, 2014

for the purpose of casting one vote for the above listed minutes.

There being no objection TRUSTEE CECCARELLI, made a motion, seconded by TRUSTEE MARINO, to combine the minutes of:

June 16, 2014  
June 23, 2014  
June 24, 2014  
July 1, 2014  
July 7, 2014  
July 9, 2014  
July 21, 2014  
August 4, 2014  
August 18, 2014  
September 2, 2014  
September 8, 2014

of the agenda for the purpose of casting one vote for all the minutes.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** September 15, 2014

On motion of TRUSTEE MARINO, seconded by TRUSTEE ADAMS, The Board of Trustees accepted the minutes of:

June 16, 2014  
June 23, 2014  
June 24, 2014  
July 1, 2014  
July 7, 2014  
July 9, 2014  
July 21, 2014  
August 4, 2014  
August 18, 2014  
September 2, 2014  
September 8, 2014.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

**DATE:** September 15, 2014

**PUBLIC COMMENTS AND BOARD COMMENTS**



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

Comments were made by:

***Public***

Mr. Richard Abel asked if the Housing Authority came under the Code Enforcement. Attorney Cerreto commented they are under the MTA so we have no authority. Mr. Abel's questioned the booting law on private property. Mayor Pagano commented this is coming back up.

***Board***

Trustee Adams commented about Resolution 5 on the June 2<sup>nd</sup>. He would like this reintroduced regarding the Village acknowledging losing the \$1.6MM. Trustee Adams would like the resolution brought back exactly as it was. This will be on the next agenda. Attorney Cerreto asked if it should be brought back exactly as it was. He commented on the championship soccer team and asked if they could come before the Board at the next meeting to be recognized. He mentioned about an article on the agenda regarding NAACP sensitivity. Has any date been set? Village Manager Steers said a date has been set for September 25<sup>th</sup> at 6:00 p.m. at the Senior Center. Regarding street paving there are a number of them being torn up. Can Village residents see a schedule and this schedule will be compared with other utilities so there is no conflict. Village Manager Steers said we let the utilities know our schedule and we have a schedule out there now. Trustee Adams commented there is a pole on the corner of Westchester and Regent that has a rope at the top to keep it from falling over. Regarding the handicapped parking on New Broad Street and East William, has any action been brought up on that? Village Administrative Aide Chris Ameigh commented we are going to take this to the Traffic Commission to see if they had any issues. There is a question as to whether the location can handle the ADA requirements to install a new space. We should get a response by next meeting. Marshall Steve Carroll should make a presentation for his idea at a future meeting.

Trustee Brakewood commented on the parking situation and about 200 spots that could be utilized in the off-hours. Chris Ameigh commented that right now we are proposing a questionnaire to be sent to the property owners to get their reaction. Trustee Brakewood suggested that there be about five designated parking areas around the Village and instead of individual valets we have a contract with a valet company to work with the Village. He commented on the municipal center and the past purchase of 222 Grace Church Street. The estimated cost of the new center would be approximately \$40MM and this doesn't cover the cost of eminent domain. We need to look at what the people of Port Chester can afford.

Trustee Terenzi commented on the audit report from last year. We normally have the report by this time. The handicapped spot in the parking lot near T&J's is not wide enough. He commented that he is in favor of a new municipal center.

Trustee Ceccarelli commented on a letter regarding zoning on Sands Street. Village Manager commented this is part of the rezoning. He congratulated Heather, the Parks

Commission and the DPW on a fantastic Port Chester Day. He commented on his concerns about the number of the apartments going up and their effect on the sewers and on the treatment plant.

Mayor Pagano commented on a letter from a concerned citizen regarding speeding on College Avenue. There are young children in the area. Police Chief Conway commented we are going to put a traffic safety car on the street and stagger the hours. Mayor Pagano commented on a general invitation to a Columbus Day Celebration on October 12<sup>th</sup>, rain date October 19<sup>th</sup>. He received a thank you note from Mrs. Freddie Scott on the turnout of the fire and police departments at her husband's funeral.

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustee Kenner.

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Respectfully submitted,

Janusz R. Richards  
Village Clerk