

## **MEETING HELD DECEMBER 1, 2014**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, December 1, 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 Trustees Brakewood arrived at 6:58 p.m.

Also present were: Village Clerk, Janusz R. Richards; Village Deputy Clerk, Vita Sileo; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Chief of Police, Richard Conway; Director of Planning and Development Christopher Gomez (arrived at 6:58 p.m.); Christopher Ameigh Administrative Aide to the Village Manager; Building Inspector and Director of Code Enforcement Peter Miley (arrived at 6:55 p.m.) and Village Planner Jessica Youngblood (arrived at 6:55 p.m.).

On motion of TRUSTEE ADAMS, seconded by TRUSTEE MARINO the meeting was declared opened at 6:03 p.m.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustees Brakewood.

**DATE:** December 1, 2014

### **MOTION FOR EXECUTIVE SESSION**

*It should be noted that Trustees Ceccarelli recused himself from the portion of Executive Session dealing with Collective bargaining negotiations involving the PBA.*

At 6:04 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE TEREZI, the Board adjourned into an executive session regarding:

*Collective bargaining negotiations involving the PBA.  
Chief of Police – Establishing Benefits.*

### **ROLL CALL**

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

**NOES:** None.

**RECUSE:** Ceccarelli

**ABSENT:** Trustees Brakewood.

**DATE:** December 1, 2014

Also present were: 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 6:10 p.m., a motion to come out of executive session was made by TRUSTEE TERENCE, seconded by TRUSTEE MARINO, the Board of Trustees closed the executive session.

### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** Trustees Brakewood.

**DATE:** December 1, 2014

### **PRESENTATION**

#### ***Amendment to Marina Urban Redevelopment (MUR) regarding Section 142.031, Block 1, Lots 3, 4, 5, 6, 20, 21, 22, 23, and 24 (Former Coney's lot).***

Village Planning Director Chris Gomez gave a brief overview of the G&S development site at Westchester Avenue and North Main Street. This is a draft zoning petition to amend the official map to include a five floor multi use building to include dwellings.. This would have no setbacks or available open space. Tonight this presentation is an information session. A workshop is needed on this and it should be referred to the Planning Commission. Any decisions require the approval of the Board of Trustees.

Daniel Tartaglia, attorney for G&S Developers, presented the last piece of property for development that was started by G&S ten to twelve years ago. The Coney's lot is between Abendroth and North Main with Westchester Avenue on the side of it. It is part of the MUR zone. Everything with this project goes through the Board of Trustees.

### **UPDATE FROM THE BUILDING INSPECTOR**

#### **Subjects**

1. Concern regarding the level of integration between the building department and code enforcement.
2. TCO's
3. Article in paper regarding Christmas lighting, public perception

## **Code Enforcement**

### **Level of integration of Building and Code Enforcement Departments**

1 & 2 family dwellings are not required to have a fire inspection performed.

If a 3 family dwelling or more and/or commercial establishment is scheduled for a fire inspection 3 things will happen after the inspection has been completed:

1. They pass
2. They fail inspection and are given a notice of violation to abate conditions that fail to meet the minimum code requirements. Violations are explained and a re-inspection date is established. If all of the conditions are satisfied that are provided in the initial inspection sheet (copy provided to person present at initial inspection), inspection passes and a certificate of compliance is issued. If they fail to complete all of the items indicated on the inspection sheet, they are required to schedule for an additional re-inspection where they are charged an additional "re-inspection fee." There are no changes or add-ons to the original inspection, the initial inspection identifies deficiencies. Code enforcement does not provide a prescriptive method of compliance, essentially; they cannot tell someone how to fix certain items that require a licensed design professional and would normally require a building permit. Code enforcement can however, instruct them on certain items, for example:
  - Location of additional emergency egress and exit lighting
  - Fire extinguisher locations
  - Hardware requirements on egress doors, fire doors
  - Posting of and type of signage required

There a number of other items that a fire inspector is more than willing to assist with, again, all deficiencies are identified in the initial inspection and documented on the inspection "field" sheet where a copy is signed for and provided to the person present during the inspection.

3. Should one of the conditions of the inspection require a building permit, a building department referral form is also handed to the person with clear instructions of the item(s) that require a building permit. At that point, they

deal directly with the building department and depending on the level of work required to become code compliant, dictates how much time is given (extensions) to make the necessary corrections. Life-threatening violations are treated with the utmost importance and to be corrected immediately.

### **Building Department**

On the building department end, applicants that receive a building permit (based on the level of alterations i.e., relocation of egresses, fire safety systems (sprinkler, Ansul, & fire alarms) may be required to have an updated fire inspection conducted after the work has been completed; this is accomplished most time, if ready, at the CO or final inspection.

All building department forms are clear with instructions as to what inspections are required. Permits packages are given to recipients and it includes an inspection check list, this is provided with every permit.

Further, the actual permit also includes a list of inspections that may be required.

### **TCO's**

- How long is appropriate for renewals
- What happens after they fail to obtain the permanent CO

Building department is not in a position of failing to follow up with parties operating with a TCO. The building department requires that they apply every 30 days for renewal, essentially; all TCO's are monitored monthly for progress.

### **Current status**

There are less than 12 TCO's that are currently under renewal, most are for a month or two. The higher profile projects have had numerous renewals.

**Mariner:** Issued on 1/10/2013, requires site plan amendment or complete work as planned. Current issues are Con-Ed.

**The Capital Theater:** 1/15/2013, in process of planning amendments and zoning variances are required.

**Burger King:** 3/18/2014, just completed the final stages of planning and filed for the permanent CO.

**Clay Fitness:** 8/13/2014, United Water issue, inadequate water pressure, very difficult company to deal with.

In the event that they fail to meet conditions all applicants are well aware that a TCO renewal is at the discretion of the building department.

**CO/TCO's recently revoked**

McDonalds, Bar Taco

**Revenues (TCO's)**

January 2014 thru May 2014:	<b>\$2775.00</b>
June 2014 thru November 2014: implemented in June 2014.	<b>\$19,425.00</b> - this is after the new fees were

**Applicable Village Code**

**151-7 F.** The Building Inspector shall be permitted to issue a temporary certificate of occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a building permit. However, in no event shall a temporary certificate be issued unless it is determined that: the building or structure, or the portion thereof covered by the temporary certificate, may be occupied safely, that any fire- and smoke-detecting or fire protection equipment which has been installed is operational and that all required means of egress from the building or structure have been provided. The Inspector shall include in a temporary certificate such terms and conditions as deemed necessary or appropriate to ensure safety or to further the purposes and intent of the Code. A temporary certificate shall be effective for a period of time, **not to exceed six months unless otherwise determined by the Building Inspector and so specified in the temporary certificate.** During the specified period of effectiveness of the temporary certificate, the permit holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Code.

**Article in Paper regarding Christmas Lights**

Article was a gross misrepresentation by the Westmore News. The way the article was written, it appeared “on the surface, perception” that Code Enforcement was targeting “Holiday Lighting;” this was absolutely not the case.

Complaints by two Boards, some business owners and citizens regarding the excessive amount of signage throughout the Village prompted code enforcement to take action. Window coverage is a concern for the safety of first responders (police and fire), being able to see a suspect inside and location of a fire incident is of the utmost importance.

Led scrolling, signs installed without permits or architectural review board approvals, and excessive window coverage was targeted for Village Code violations. Lighting, especially those utilizing power strips and non-UL rated temporary electrical extension cords were issued a violation, they are all fire hazards. During the sweep, Christmas lighting discovered during an inspection that as considered unsafe were issued, as per the code, a violation. The code reads:

**345-15 G.**

(2) The outlining by direct illumination of all or part of a building such as a gable, roof, wall, side or corner is prohibited, except during the **Christmas season**. The code does not specify a Christmas Season. Past practice has been from the day after Thanksgiving until December 8<sup>th</sup> 11:59 pm after the end of **Bodhi Day**, the Buddhist holiday.

(3) No flashing or moving signs, except time and temperature information, nor any rooftop signs shall be permitted in any district.

(4) Illumination of signs shall be accomplished by means of shielded light sources and in such a manner that no glare shall extend beyond the property lines, disturb the vision of passing motorists nor constitute a hazard to vehicular traffic.

**345-15 E.**

(4) Business identification may be interior-lighted with no glaring lights or may be illuminated by shielded floodlights or shielded neon tubing using a transformer with a maximum of 30 mill amperes; **provided, however, that red and green lights shall be set back at least 75 feet from the point of the intersection of the street lines at a street corner, and further provided that any intermittent or flashing lights shall not be used on or in any sign. Moving or animated signs shall be prohibited.**

**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 on Port Chester going to city status and keeping our sales tax. We don't need any more residential property because our schools are overloaded. Goldie commented on December 7<sup>th</sup> Pearl Harbor Day, December 11<sup>th</sup> Santa in the Park, and December 12<sup>th</sup> Holiday Shopping at the Senior Center.

Ms. Doris Reavis commented on the Housing notice in the newspaper. We have monstrous apartment buildings going up that are going to impact the community. Our schools are overcrowded and the Port Chester traffic is overwhelming. She urged the Trustees to work with the Planning Board and Architectural Review Board to find something other than more housing.

Mr. Richard Abel commented about an article in the Westmore News of October 24<sup>th</sup> regarding taking down the lights. The story is about lights, not just Christmas lights, which the newspaper clarified. The newspaper explained what happens. The comments on social media were wrong.

Ms. Alie Daly commented on the death of Joseph Touri and the critical condition of Diana Penata in an automobile accident. She presented a petition requesting that bumps and humps be placed along College and Park Avenue to slow down traffic. New York City has speed bumps around school zones and they do slow down the traffic.

Ms. Bea Conetta congratulated the Board on full attendance. She congratulated Joe Kenner on his marriage. She thanked the Mayor and Dan Brakewood on attending her 90<sup>th</sup> birthday party. Ms. Conetta commented on TCO's. The small businesses and homeowners have eighteen months in which to correct the problem or pay \$175 for an extension. She was happy to hear that Code Enforcement does go after the big guys who go on and on with TCO's. Peter Miley does know his business and has the answers for everything. People are frightened with the expiration date. She commented on the traffic tragedy and asked that people pray for the families.

## **DISCUSSIONS (Taken out of order)**

### ***Speed Hump as requested by Trustee Terenzi.***

Trustee Terenzi commented he received a call from Michelle Mendicino after the tragic accident. Michelle commented on educating our children on safe driving. People are in support of speed bumps that are needed in the high school area. Mayor Pagano commented that prior to this tragedy there was already a study in place and there has been surveillance in place on Betsy Brown. He asked Police Chief Conway to give a report on what has been done so far. Chief Conway commented one suggestion was to use speed signs, which tell you when you are inadvertently speeding. When people are intentionally speeding there is the possibility of speed cameras. Village Attorney Cerreto is looking into a pilot program that allows ticket generating speed cameras. There are also other ways. One of them is speed humps, which have been discussed. Initially these were negatively received because they were viewed as speed bumps. Speed humps are used around New York City schools and in Irvington and Pelham. They are about \$3,600 each and work well where people are inadvertently speeding. That would solve a lot of the problem. We are looking at placing them where crosswalks are and putting the crosswalks on the speed humps, which would give them greater visibility. Essentially it

would render that roadway essentially impossible to drag race on. Ms. Mendicino commented with winter approaching she does not want this to be put on the back burner and then forgotten about. She commented they make removable speed humps which can be removed for plowing. She thinks that speed humps would be the best suggestion around schools, just don't wait until after winter.

Trustee Marino suggested that whatever we do, we should move forward immediately before another tragic accident occurs. Trustee Brakewood commented this is a traffic commission and planning issue. A temporary speed bump is a good solution as an immediate measure and if something better is planned they can be removed. We should look at the area as a campus and speed bumps would be great. Money, i.e. waiting for a grant, should not stand in the way. Mayor Pagano asked that Chief Conway come up with a suggestion and work with the Village staff to get it done. He said with the winter coming do we run out and remove the bumps for the plows.

Trustee Adams asked if the Police Department went to the high school to speak to the students about drag racing. Chief Conway commented not yet, it is something he needs to take up with Dr. Combs. It definitely is worthy of consideration. Ms. Alie Daley commented money is not an issue. This could be backed by the community.

## **ADD-ON RESOLUTIONS**

### ***MOTION TO ADD-ON RESOLUTION #1***

Following the Public Comments section of the meeting, Mayor Pagano asked for a motion to add-on a resolution to ratify and approves the Memorandum of Agreement dated November 7, 2014 with the Port Chester Police Association, Inc.

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

### **ROLL CALL**

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

**NOES:** None.

**RECUSE:** Trustee Ceccarelli.

**ABSENT:** None.

**DATE:** December 1, 2014.

### **RESOLUTION (Add-On #1)**

**MEMORANDUM OF AGREEMENT AND SUCCESSOR  
COLLECTIVE BARGAINING AGREEMENT BETWEEN**



THE VILLAGE OF PORT CHESTER AND  
THE PORT CHESTER POLICE ASSOCIATION, INC.

On motion of TRUSTEE KENNER, seconded 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 and the Port Chester Police Association, Inc., entered into negotiations for successor agreement to a contract that expired on May 31, 2014; and

WHEREAS, those negotiations have been successfully concluded; and

WHEREAS, the parties have arrived at a tentative agreement covering the period of June 1, 2014 through May 31, 2018. Now therefore, be it

RESOLVED, that the Board of Trustees hereby ratifies and approves the Memorandum of Agreement dated November 7, 2014 in the form annexed hereto with the Port Chester Police Association, Inc., and be it further

RESOLVED, that the Village Manager be authorized to execute the successor agreement incorporating said provisions; and be it further

RESOLVED, that the Board of Trustees authorizes the Village Treasurer to modify the General Fund Budget as follows:

**GENERAL FUND**

Transfer From:

Contingency

1.1990.0400	Contingency	<b>\$265,640</b>
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Transfers To:

Police Department

1.3120.100	Salaries	\$150,959
1.3120.101	Overtime	\$11,531
1.3120.102	Longevity	\$27,875
1.3120.105	Out of Title	\$538
1.3120.106	Holiday Pay	\$4,000
1.3120.124	Sick Incentive	\$350
1.3120.125	O/T V. Court	\$250
1.3120.126	O/T C. Court	\$625
1.3120.143	In Service Training	\$4,358
1.3120.197	Vacation Buyout	\$1,250
1.3120.198	Super Holiday Pay	\$1,000

1.3120.199	Final Retirement Payout	\$3,125
1.9030.802	FICA	\$12,763
1.9030.810	Medicare	\$2,985
1.9010.801	NYS Police & Fire Retirement	\$44,031
<b>Total</b>		<b>\$265,640</b>

Approved as to Form:

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Anthony M. Cerreto  
Village Attorney

**ROLL CALL**

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

**NOES:** None.

**RECUSE:** Trustee Ceccarelli

**ABSENT:** None.

**DATE:** December 1, 2014

***MOTION TO ADD-ON RESOLUTION #2***

Following the Public Comments section of the meeting, Mayor Pagano asked for a motion to add-on a second resolution to provide for the benefits to the Chief of Police.

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

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** December 1, 2014.

**RESOLUTION (Add-On #2)**

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, Richard Conway has been appointed Chief of Police; and

WHEREAS, with such appointment, Chief Conway is no longer a member of the police collective bargaining unit; and

WHEREAS, the Board desires to provide for the benefits to the Chief of Police; and

RESOLVED, that the Chief of Police shall be accorded a salary as determined by resolution of the Board of Trustees and all other benefits of the collective bargaining agreement currently in effect between the Village of Port Chester and the Port Chester Police Association, Inc., except that the Chief shall not be entitled to overtime/extra-time and/or additional compensation to attend in-service training.

Approved as to Form:

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Anthony M. Cerreto  
Village Attorney

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** December 1, 2014

## **RESOLUTIONS**

### **RESOLUTION #1**

**AUTHORIZING AN INTER-MUNICIPAL AGREEMENT  
WITH THE COUNTY OF WESTCHESTER WITH REGARD TO STOP-DWI  
ENFORCEMENT CRACKDOWN PROGRAM**

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

WHEREAS, the STOP-DWI Enforcement Crackdown Program is an overtime, added, patrol effort to enforce the New York State Vehicle and Traffic Laws against intoxicated and impaired driving (DWI/DWAI) through an IMA with the County of Westchester; and

WHEREAS, the County has forwarded an inter-municipal agreement covering the period October 1, 2013 through September 30, 2014; and

WHEREAS, execution of the agreement will enable the Village of Port Chester to be reimbursed for Village police officers participating in the program during this time-period. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an inter-municipal agreement with the County of Westchester to facilitate the Port Chester Police Department's participation in the STOP-DWI Enforcement Crackdown Program for 2013-2014.

APPROVED AS TO FORM:

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Village Attorney  
Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** December 1, 2014

**RESOLUTION #2**

**BUDGET AMENDMENT – DEA FUNDS TO PURCHASE  
AND UPGRADE THE POLICE DEPARTMENT MEDICAL EQUIPMENT  
FOR EMERGENCY RESPONSE**

On motion of TRUSTEE CECCARELLI, 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 upgrade its emergency medical equipment consisting of but not limited to: 2 Automated External Defibrulators, 12 Oxygen Bags, 20-CAT Tourniquets, 40 Packages of Quick Clot Gauze, 20 Asherman Chest Seals for a total cost of \$5,000 from Moore Medical, 169 New Britain Avenue, Suite A, Farmington, CT 06032; and Physio Control Corp, 11811 Willows Road, N.E., P.O. Box 97006, Redmond, WA 98073-9706. 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	\$(5,000.00)
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Revenues:

001-0001-2613	Use of Deferred DEA Revenue	\$5,000.00
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Appropriations:

001-3120-0220	Police Service Equipment	\$5,000.00
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APPROVED AS TO FORM:

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Village Attorney  
Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** December 1, 2014.

**RESOLUTION #3**

**AUTHORIZATION OF FREE HOLIDAY PARKING FOR 2014**

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, by letter from the President of the Chamber of Commerce dated November 20, 2014, request has been made for Holiday parking in the downtown; and

WHEREAS, this practice has been a tradition in the Village of Port Chester for many years; and

WHEREAS, this practice encourages shoppers and visitors to the Village and promotes its' reputation as the "Restaurant Capital of Westchester County", thereby increasing property values and the Village's tax base. Now, therefore, be

RESOLVED, that enforcement be suspended so that there will be free parking within all posted limitations of parking time limits and hours from December 20, 2014 through December 31, 2014 on North Main Street between the railroad bridge and Westchester Avenue, South Main Street, Abendroth Avenue, Willett Avenue between Abendroth Avenue and Marvin Place, Adee Street, Marvin Place, Westchester Avenue east of the Library to Liberty Square, Lower King Street north to the railroad bridge, and the following municipal parking lots: Highland Street (Lot 11), East Broadway (Lot 18), Willett Avenue (Lot 16) and Adee Street (Lot 17).

Approved as to Form:

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Anthony M. Cerreto  
Village Attorney

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** December 1, 2014

**RESOLUTION #4**

ESTABLISHING A NO-PARKING ZONE ON NORTH PEARL STREET

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

WHEREAS, parking regulations currently allow for parking at a metered space immediately north-east of property located at 120 North Pearl Street; and

WHEREAS, the Planning Commission has granted site plan approval for a multi-family transit-oriented development which shows a proposed driveway to North Pearl Street; and

WHEREAS, the Planning Commission and Traffic Commission has identified the need to remove said parking space so as to improve sight line visibility for users and vehicular traffic on North Pearl Street. Now, therefore, be it

RESOLVED, that the Code of the Village of Port Chester, Chapter 319, Vehicles and Traffic, Schedule XIV, Section 319-74, is hereby amended to read as follows:

Section 319-74 No Parking or Standing

In accordance with the Provisions of 319-20, the parking or standing of vehicles is prohibited at all times in the following locations:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
(Add) N. Pearl Street	North	From the North West Intersection with King Street, West for a distance of 150 feet to the Driveway of 120 N. Pearl Street

and be it further

RESOLVED, that this resolution shall be effective upon the issuance of the building permit for the project referenced herein.

APPROVED AS TO FORM:

\_\_\_\_\_  
Village Attorney, Anthony Cerreto

**ROLL CALL**

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

**NOES:** None.  
**ABSENT:** None.

**DATE:** December 1, 2014

## **DISCUSSIONS (Continues)**

### ***Permitting medical uses in the C1 Zone.***

Village Planning Director Chris Gomez reviewed his handouts reviewing medical uses in the C1 Neighborhood Business District. We have several applicants asking to allow medical and dental facilities in the C1 District. We have differences in our code for facilities that include X-Rays facilities and those that do not. These districts do include some special exceptions.

Attorney for Dr. Cohen, at 220 Westchester Avenue, a C1 district. At the time this was bought in 1996 he obtained a letter from the Building Inspector saying that a medical office could be housed in this building. He also rented it out to a dentist, who also received a CO. He commented it would be nice to get permission for medical in this C1 district.

Chris Gomez commented if we change this to a P1 Zone, the question is do we have to change all C1 Zones to P1 zones. We have to be careful about which districts we change. The C1 district does have a provision in the code requiring parking. If we move the municipal center that would also require some rezoning in that area.

Mark Arnell asked why there has to be a distinction between X-Ray and no X-Ray. It is regulated by the county and the state. Installation of equipment requires inspection by the county regularly. The X-Ray question is inconsequential.

We will look into having an analysis (which includes history of certain properties) by December 15<sup>th</sup>.

### ***Parking on Horton Ave., as requested by Mayor Pagano.***

Mayor Pagano commented he received several calls over the last few months from tenants in the Life Savers building. Their issue is when guests come after 6:00 P.M. they have to pay the meters on Horton until 9:00. He would like to have a better handle on the analysis. We still have old meters on Horton. Chris Ameigh can get numbers by the next Board meeting on the revenue generated between those hours. He will also look into the parking lot on Wilkins Avenue.

## **CORRESPONDENCES**



**From Fire Patrol & Rescue Co. #1 on the expelling of Anthony Reillo.**

The Board duly noted the correspondence.

**From Port Chester Rye Brook Rye Town Chamber of Commerce regarding free parking from December 20 through and including December 31, 2014.**

The Board duly noted the correspondence.

**From Ciro Cuono letter to express interest in becoming a member of the Planning Commission.**

Mayor Pagano asked that the Clerk setup an interview.

**From Christina Collins, Sustainability Committee Invitation to Join Sustainability Committee.**

Mayor Pagano stated that Trustee Ceccarelli would not mind tackling it.

**MINUTES**

Mayor Pagano asked for a motion to combine the minutes of;

Minutes from October 29, 2014

Minutes from November 3, 2014

Minutes from November 17, 2014

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

There being no objection TRUSTEE KENNER, made a motion, seconded by TRUSTEE MARINO, to combine the minutes of October 29, 2014, November 3, 2014, and November 17, 2014 of the agenda for the purpose of casting one vote for all the minutes.

**ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** December 1, 2014.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE CECCARELLI, The Board of Trustees accepted the minutes of October 29, 2014, November 3, 2014, and November 17, 2014.

## **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** December 1, 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 commented on George Orwell's *1984*. He commented that he is upset that the anti-Semitic comments made at the November 3<sup>rd</sup> meeting were not included in the minutes nor were Trustee Adams' comments at the end of the meeting condemning the comments. But, the comments made in the hall at the next meeting were commented on by Mr. Steers and these were in great detail. There is nothing in the minutes about the event of November 3<sup>rd</sup>.

### ***Board***

Trustee Adams commented on a back hoe removing dirt on United Hospital site. We should be kept address of any work being done on that property. It was being done near Abendroth Park and the old ER parking lot. Attorney Cerreto will check into this. Trustee Adams requested that the Board be informed in advance of any work to be performed on this property. Regarding the resolution on the Block Grant he requested that several agencies get copies. Village Clerk Richards commented that the copies have been sent to the agencies. Trustee Adams commented regarding Do Not Block the Box on South Regent Street Co-op. He would like information on that progress. He congratulated Joe Kenner on his marriage.

Trustee Brakewood commented on the revision of the minutes from November 3<sup>rd</sup> to reflect the entire comments made on November 3<sup>rd</sup>. He requested Village Clerk Richards to update the minutes. He commented at the next Board meeting we should rescind the approved minutes and adopt new minutes. The comments should be added to

reflect the entire meeting. He commented we should have a Board update on the Neighborhood Revitalization. Planning Director Gomez commented we are down to two finalists and will have a follow-up workshop on this topic in early January. Trustee Brakewood commented he continues to be amazed about the e-mails going back and forth about the dog park. This has the energy and the funds of the general public behind it and the Village should be able to move forward on this pretty quickly. He extended his condolences to the Touri family. We will do whatever is necessary make it safer and solve the problem of speeding in the high school area.

Trustee Marino commented on the good job of the fire department at the Madison Avenue fire; and of the EMS, fire department and police department at the automobile tragedy.

Mayor Pagano passed along his condolences to the Touri family and wished a speedy recovery to Diana Penata. He commented on the good work done by Louis Marino and how he helps those in need.

At 9:32 p.m., on motion of TRUSTEE MARINO, seconded by TRUSTEE TERENCE, the meeting was closed.

#### **ROLL CALL**

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

**NOES:** None.

**ABSENT:** None.

**DATE:** December 1, 2014.

Respectfully submitted,

Janusz R. Richards  
Village Clerk