

MEETING HELD FEBRUARY 19, 2013

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, February 19, 2013 at 7:00 P.M., in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla, were Trustees Bart Didden, Luis Marino and Joseph Kenner.

It should be noted that Trustees Daniel Brakewood, Saverio Terenzi and John Branca were absent.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Administrative Aide, Chris Ameigh; Director of Planning and Development Christopher Gomez and Village Planner, Jesica Youngblood

On motion of Trustee Kenner, seconded by Trustee Marino, the meeting was declared opened at 7:10 p.m.

Roll Call

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

AWARD PRESENTATION

Award Presentation to Jason Ippolito named a 2012 Golden Dozen Scholar-Athlete

Mayor Pilla spoke to public about Mr. Jason Ippolito and his accomplishments. Mayor Pilla presented a proclamation to Mr. Ippolito that Wednesday, February 20, 2013 will be proclaimed as Jason Ippolito Day in the Village of Port Chester.

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

Public Hearing to consider Zoning Text Amendments and Amendments to the Village Official Zoning Map Implementing the Comprehensive Plan

The following Public Notices were duly published in the Journal News and the Westmore News on February 1, 2013 certified by Cecilia Hernandez, Principal

Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

PUBLIC NOTICE

Village of Port Chester

Zoning Text Amendments and Amendments to the
Village Official Zoning Map Implementing the Comprehensive Plan

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester, New York, will hold a public hearing on Tuesday, February 19, 2013 at 7:00 p.m. or as soon thereafter in the Village Justice Court Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 345 "Zoning," and the Official Zoning Map of the Village of Port Chester, implementing the Comprehensive Plan.

Highlights of the draft local law amending the Official Zoning Text and Map include:

Residential Districts

- Makes strategic upzonings
- Reduces floor area ratio in all residential districts
- Reduces maximum allowable building height in the RA3 and RA4 Districts
- Eliminates the PTD Planned Tower Development District

Non-residential Districts

- Commercial
 - Renames and modifies the C2 Central Business District to C2 Main Street Business District
 - Renames and modifies the C3 Design Office and Commercial District to C3 Office and Commercial District
 - Modifies the C4 General Commercial District
 - Establishes new C5 Train Station Mixed Use and C5T Downtown Mixed Use Transitional Districts
 - Eliminates the PRSP Planned Railroad Station Plaza Development District
- Waterfront
 - Rezones portions of the waterfront area to DW Design Waterfront District
 - Establishes a new DW2 Downtown Design Waterfront District
- Former United Hospital Site
 - Establishes a new PMU Planned Mixed Use District

Other New Provisions

- Provides for a fee in lieu of open space per unit in the C2, C5, C5T, DW, and DW2 Districts
- Establishes a Building Height and Floor Area Bonus Program
- Deletes the provision for Cluster Development in the R2F District
- Amends the Schedule of Regulations for Residence and Nonresidence Districts

An electronic copy of the related draft Zoning Text and Map Amendments can be downloaded from the Village's website: http://www.portchesterny.com/Pages/PortChesterNY_Webdocs/plan.

Paper copies of the related draft Zoning Text and Map Amendments are available for viewing at Village Hall, 222 Grace Church Street, Port Chester, NY 10573 and the Port Chester-Rye Brook Library, 1 Haseco Avenue, Port Chester, NY 10573. For information, please call (914) 937-6780.

Interested persons will be afforded the opportunity to be heard.

Janusz R. Richards
Village Clerk
Village of Port Chester

Dated: January 29, 2012

On motion of Trustee Didden, seconded by Trustee Kenner, the public hearing was declared open.

Roll Call

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

Mr. Gomez and Mr. Fish spoke to the Board about the zoning text amendments and amendments to the village official zoning map implementing the Comprehensive Plan.

Mayor Pilla asked if there was anyone who would like to comment to consider Zoning Text Amendments and Amendments to the Village Official Zoning Map Implementing the Comprehensive Plan.

Comments were heard from the following residents and public:

TGI Realty, Ms. Bailey-Reavis, Mr. Tony Gioffre, Mr. Reavis, Ms. Bea Conetta, Mr. Gene Ceccarelli and a resident from 45 Midland Avenue.

On motion of Trustee Kenner, seconded by Trustee Marino, the public hearing was adjourned to the next meeting.

Roll Call

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

PUBLIC COMMENTS

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

Ms. Solomon commented about property taxes and assessments. Ms. Dina Goren commented about having a dog park in the village. Mr. Reavis commented about a dog park in the village. Ms. Bea Conetta commented about Department of Public Works. Mr. Buccieri commented about Department of Public Works and thanked Rocky Morabito for doing a good job. Ms. Turturino commented about a dog park in the village and Starwood Capital.

RESOLUTIONS

RESOLUTION

SEQR DETERMINATION OF SIGNIFICANCE NEGATIVE DECLARATION LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

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

WHEREAS, by resolution, adopted on February 19, 2013, the Village Board of Trustees adopted a draft Local Waterfront Revitalization Program (LWRP), dated February 15, 2013; and

WHEREAS, that pursuant to Part 617 of the SEQR Regulations, the Village Board of Trustees designated itself as the Lead Agency on February 6, 2012 for the SEQR Review of this Type I Action;

WHEREAS, the Village's planning consultant, BFJ Planning, has prepared a negative declaration and supporting documentation pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law; now, therefore, be it

RESOLVED, that, the Lead Agency has determined that the proposed Type I Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form and supporting documentation.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

DATE: February 19, 2013

**LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)
ADOPTION OF DRAFT TO FACILITATE FORMAL REVIEW BY THE NEW YORK
STATE DEPARTMENT OF STATE**

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

WHEREAS, in 1992, the Village of Port Chester adopted a Local Waterfront Revitalization Plan (LWRP), which was approved by the New York State Department of State, that provides a comprehensive program for the beneficial use, revitalization, and protection of the Village's Waterfront resources and is the official plan for governing local, state, and federal actions in the defined Waterfront Revitalization area; and

WHEREAS, the Department of State recommends that Local Waterfront Development Programs be updated periodically and provides technical assistance and grant fund funding to defray the costs of such an update; and

WHEREAS, in the 2010, the Village obtained a grant to update the 1992 LWRP and after a competitive RFP process retained BFJ Planning to work with the Village's Waterfront Commission for the task; and

WHEREAS, that pursuant to Part 617 of the SEQR Regulations, the Village Board of Trustees designated itself as the Lead Agency on February 6, 2012 for the SEQR Review of this Type I Action;

WHEREAS, the Board of Trustees held public hearings on the draft LWRP on January 22, 2013 and February 4, 2013, and allowed an additional 10 day written comment period to provide the public ample opportunity for review and comment; and

WHEREAS, Village Staff has provided to the Board a revised draft LWRP incorporating comments submitted; and now therefore let it be

RESOLVED, that Village Board of Trustees adopts the draft Local Waterfront Revitalization Program (LWRP), dated February 15, 2013; and be it further

RESOLVED, that Village Staff is hereby directed forward the draft Local Waterfront Revitalization Program (LWRP) to the New York State Department of State to initiate the requisite 60-day formal review period; and be it further

RESOLVED, that Board looks forward to such input so it will be in the position to adopt a final Local Waterfront Revitalization Plan in short order.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

DATE: February 19, 2013

RESOLUTION

APPOINTMENT OF ADDITIONAL ELECTION INSPECTORS

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

WHEREAS, the Village Clerk has advised of the need for the Board of Trustees to appoint additional election inspectors for the 2013 Village Election; and

WHEREAS, the Clerk has proposed a number of candidates who have been qualified to serve in this capacity. Now, therefore, be it

RESOLVED, that the following named persons are qualified Election Inspectors and are hereby appointed to act as Election Inspectors for the Village of Port Chester with regard to the 2013 Village Election:

Maria R. Alvarez

Eneida E. Burton

Feliz E. Burton

Gabriel Cepallan

Elvira M. Clark

Fernando Gomez

Roy Lespier

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

DATE: February 19, 2013

RESOLUTION

AGREEMENT TO PROVIDE SHELTER AND VETERINARY SERVICES FOR DOGS
SEIZED IN THE VILLAGE OF PORT CHESTER

On motion of TRUSTEE DIDDEN, seconded TRUSTEE MARINO, the following resolution was **tabled to March 4, 2013** by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village desires a shelter and veterinary services for dogs seized by the Police Department in accordance with the requirements of the New York Agriculture and Markets Law; and

WHEREAS, Village staff has identified an animal hospital/veterinarian qualified to provide such services;

WHEREAS, this matter is provided for in the 2012-2013 Budget.. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement with Stamen Animal Hospital and Violi Veterinary Care PPC, 61 Quaker Ridge Road, New Rochelle, New York 10804 to provide an maintain a pound or shelter for dogs seized in the Village and necessary veterinary care, compensation and other terms as provided for in the said agreement annexed hereto, payable out of Account Code 3510-400 "Animal Control".

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

DATE: February 19, 2013

CORRESPONDENCE & DISCUSSION

Holy Rosary soup kitchen, food pantry, open closet and emergency services

Add-on Resolution

Trustee Didden made a motion to add-on a resolution authorizing temporary use of South End Firehouse kitchen for Don Bosco Community Center, seconded by Trustee Marino:

ROLL CALL

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

RESOLUTION AUTHORIZING TEMPORARY USE OF SOUTH END FIREHOUSE KITCHEN FOR DON BOSCO COMMUNITY CENTER

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

WHEREAS, Caritas of Port Chester, Inc. is a not-for-profit organization that provides services to the most needy in the Village of Port Chester at the Don Bosco Community Center at Holy Rosary Church; and

WHEREAS, the community center will be undergoing a major renovation starting in March 2013; and

WHEREAS, by letter dated February 12, 2013, Caritas of Port Chester, Inc. has requested the use of the kitchen at the South End Firehouse from April 1, 2013 for a period of five to six months so that it may continue to provide hot meals for those in need; and

WHEREAS, Mellor Engine & Hose Co. #3 and Putnam Engine and Hose #2 have conditionally approved the use of the kitchen facilities; and

WHEREAS, the Village Manager has favorably recommended the request given the unique circumstances and significant public benefit provided to the Village by Caritas. Now, therefore be it

RESOLVED, that permission be and is hereby granted to Caritas of Port Chester, Inc., 22 Don Bosco Place, Port Chester to use the kitchen facilities at the South End Firehouse in the mornings from April 1, 2013 to October 1, 2013, provided that the applicant keep the kitchen area clean and orderly at all times and that the term be on a month-to-month basis; and be it further

RESOLVED, that the Village Manager is hereby authorized to enter into a revocable license agreement with Caritas of Port Chester on such other and additional terms that are satisfactory to the Manager and Village Attorney, including insurance, indemnification and compliance with all applicable laws and regulations.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES:

ABSENT: Trustees Brakewood, Terenzi and Branca

DATE: February 19, 2013

REPORT OF THE VILLAGE MANAGER

Update on goals and priorities

Mr. Steers said that he should have the formal priority presentation by the end of the month.

Update on actions, initiatives and projects

Mr. Steers said that he should have the formal priority presentation by the end of the month.

DISCUSSIONS

Additional amendments to amnesty program for one and two family homes

The Board asked to defer the discussion to the next meeting.

Landlord Registry

The Board asked to defer the discussion to the next meeting.

CORRESPONDENCES

From Village of Rye Brook regarding invitation to a reception honoring outgoing May Joan L. Feinstein

The Board acknowledged the correspondence.

From Fire Patrol Rescue Company No. 1 on the election of new member Omar Barrett

The Board acknowledged the correspondence and congratulated Mr. Barrett.

Request to raise Irish flag on March 14, 2013 from the Port Chester Irish American Association

The Board acknowledged the correspondence and referred to staff.

From Anthony Gioffre regarding United Hospital Redevelopment

The Board acknowledged the correspondence.

MINUTES

Approval of the Board of Trustees minutes of November 15, 2012 and November 19, 2012

On motion of Trustee Didden, seconded by Trustee Marino, the minutes of November 15, 2012 and November 19, 2012 were adopted.

Roll Call

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

PUBLIC COMMENTS AND BOARD COMMENTS

Public:

Mr. Peter Feinman commented about the New York State Heritage weekend this summer. Ms. Sonja Philips commented about the landlord registry.

Board:

Trustee Didden commented about Department of Public Works and the Housing Rehabilitation Program.

Mayor Pilla commented about the upcoming Trustee election.

At 10:08 p.m., on motion of Trustee Didden, seconded by Trustee Kenner, the meeting was closed.

AYES: Trustees Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Brakewood, Terenzi and Branca

Respectfully submitted,

Jacqueline Johnson
Deputy Village Clerk