

**MEETING HELD MARCH 5, 2012**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, March 5, 2012 at 6:30 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 Daniel Brakewood, Saverio Terenzi, Bart Didden, John Branca, Luis Marino and Joseph Kenner.

Also present were Village Manager, Christopher Russo; Village Clerk, Joan Mancuso; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas and Police Chief Joseph Krzeminski.

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On motion of Trustee Kenner, seconded by Trustee Marino, the meeting was opened at 6:30 p.m.

**ROLL CALL**

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla  
NOES: None  
ABSENT: Trustee Branca

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**Executive Session:**

At 6:30 p.m., on motion of Trustee Kenner, seconded by Trustee Marino, the Board of Trustees adjourned to an executive session for consultation with Labor Counsel and Village Attorney with regard to a particular personnel matter. Included in the session were the Village Manager and the Police Chief.

**ROLL CALL**

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

No action was taken in the executive session.

At 6:57 p.m., on motion of Trustee Didden, seconded by Trustee Kenner, the executive session was closed.

**ROLL CALL**

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

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**Executive Session:**

At 6:57 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the Board of Trustees adjourned to an executive session to interview a candidate for the Planning Commission.

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ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

No action was taken in the executive session.

At 7:08 p.m., on motion of Trustee Didden, seconded by Trustee Kenner, the executive session was closed and the public portion of the meeting was reopened.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

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Before the next item on the agenda, the Board had a moment of silence for the passing of former Mayor Peter Iasillo.

Mayor Pilla spoke about the latest bond rating that the Village has received from Moody's which assigned us an Aa3 rating. There was further discussion by the Board on what they have done over the last year to help with this bond rating.

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**Public Hearing: Chapter 319 "Vehicle and Traffic"**

The Clerk read Affidavits of Publication stating that the following Public Notice was duly published in the Westmore News on February 24, 2012 and Monday, February 27, 2012 in the Journal News, certified by Angelia Brescia, Office Manager of the Westmore News and by Cecilia Hernandez, Principal Clerk of the Journal News.

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, March 5, 2012, at 7:00 P.M., at the Village Justice 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 319 "Vehicle and Traffic" Section 319-33 "Parking Meter Zones and Parking Meters and Section 319-87 of Schedule XXVI " Parking Meter Zones".

Interested persons will be afforded the opportunity to be heard at this time. The proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com)

JOAN MANCUSO  
Village Clerk

Dated: February 27, 2011

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

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

Mayor Pilla said that this local law would change the parking restrictions in front of the Court on North Main Street from 2 hour limit to 4 hour limit to help people that have to attend court not to worry about not being able to feed the meters. He asked if anyone from the audience would like to comment. The Mayor recognized Goldie Solomon.

Ms. Solomon asked if this law is going to help the citizens and taxpayers of the community. She noted that we are a restaurant community and going out to eat takes time and that it is hard to find parking downtown but noted that the Marina Parking lot is free.

Trustees Marino and Kenner noted that this law is just affecting two blocks on North Main Street in front of Police Headquarters and the Court.

Ms. Solomon asked if this will help.

The Mayor said that this change will make it a more inviting experience for anyone coming to court. He recognized Richard Abel.

Mr. Abel spoke about the proposed law and that brackets indicate what is being removed but on page 2 Section B there is a beginning bracket but no end bracket.

Anthony Cerreto, the Village Attorney confirmed what is being removed from this section everything up to the new language which is underlined.

Mr. Abel then spoke about the language in the law that speaks about the parking requirements between the hours of 7:00 a.m. and 7:00 p.m. and thought that enforcement was only until 6:00 p.m. He said that he does not want extended hours of enforcement.

The Mayor spoke on that and said time of enforcement is not changing.

Mr. Cerreto said that the law is accomplishing two things housekeeping of this section which was reviewed by our municipal law contractor, General Code and changing the two hour meters on North Main Street in front of the Police and Court to four hour meters.

Mr. Abel said that he is not in favor of 12 hour time zones for the enforcement of 2 hour meters.

Mayor Pilla asked if there was anyone else from the audience who would like to speak on this proposed law. He recognized William Giangrande.

Mr. Giangrande spoke about jaywalking and pedestrian crossings downtown.

The Mayor told Mr. Giangrande that this hearing is only on the change to the parking meters and that he could speak on the other topic during the public comment section.

Trustee Brakewood said that he understands that this will increase the parking time of the meters for people that need to go to court but that he would like the processes of the court to take less time so people can get through the court faster.

Police Chief Joseph Krzeminski told the Board that Port Chester besides the traffic court has a very busy criminal court calendar which process does take longer and this will help with families and others coming to court.

Mayor Pilla asked if there were any further comments from the Board or the public. There was none so he asked for a motion to close the hearing.

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

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ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

On motion of Trustee Didden, seconded by Trustee Kenner and approved, the following Local Law No. 2, 2012 was adopted:

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

Be it enacted by the Board of Trustees of the Village of Port Chester, New York as follows:

A LOCAL LAW AMENDING CHAPTER 319  
OF THE CODE OF THE VILLAGE OF PORT CHESTER  
WITH REGARD TO PARKING METER ZONES AND TIME LIMITS

**SECTION 1. Chapter 319, Vehicles and Traffic, Section 319-33 of the Code of the Village of Port Chester is amended as follows:**

§ 319-33. Parking meter zones and parking meters.

- A. In the parts of the highways and municipal parking lots in the Village of Port Chester described in Schedule XXVI (§ 319-87) and established as parking meter zones, parking meters and multi-space meters shall be installed, operated, maintained, policed and supervised. Where signs are erected or curbs or the bed of streets are painted giving notice thereof or parking meters are installed in such parts of said highways and lots, and except in an emergency or in compliance with the direction of a peace officer or traffic control signal or sign, no vehicle shall be parked [on Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and 7:00 p.m. for more than two hours, 12 hours or as otherwise specified, except Sundays and holidays] longer than the time limit indicated on the days and during the hours specified in Schedule XXVI. Additional locations and parking restrictions may be adopted by resolution of the Board of Trustees and added to Schedule XXVI.
- B. [No vehicle shall be parked on Monday to Friday, both inclusive, between the hours of 9:00 a.m. and 4:00 p.m. for more than seven hours or as otherwise specified, except Saturdays, Sundays and holidays, on the streets enumerated in Schedule XXVI, Subsection D (§ 319-87D)] Parking meter rates are set forth in Chapter 175, Fees.
- [C. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and 7:00 p.m. for more than two hours, 12 hours or as otherwise specified, except Sundays and holidays, in the locations enumerated in Schedule XXVI, Subsection E (§ 310-87E). ]

**SECTION 2. Chapter 319, Vehicle and Traffic, Section 319-87 of the Code of the Village of Port Chester is amended as follows:**

§ 319-87. Schedule XXVI: Parking Meter Zones.

- A. Two-hour limit. Parking meter zones are hereby established pursuant to § 319-33[A] on the following streets [for the parking of vehicle for not more than two hours at a rate as set forth in Chapter 175, Fees]. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and 7:00 p.m. for more than two hours, except Sundays and holidays.

.....  
B. Twelve-hour limit. Parking meter zones are hereby established pursuant to § 319-33[A] on the following streets [for the parking of vehicles for not more than 12 hours at a rate as set forth in Chapter 17, Fees]. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and 7:00 p.m. for more than 12 hours, except Sundays and holidays.

.....  
C. Parking lot use [7:00 a.m. to 7:00 p.m. Monday through Saturday except Sundays and holiday, parking meter zones are hereby established pursuant to § 319-33A on the following parking lots for the parking of vehicles for not more than the time limit specified at the rate specified in Chapter 175, Fees]. Parking meter zones are hereby established pursuant to § 319-33 on the following parking lots. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and 7:00 p.m., for longer than the time limit specified below, except Sundays and holidays.

.....  
D. Seven-hour limit. Parking meter zones are hereby established pursuant to § 319-33[B] on the following streets [for the parking of vehicles for not more than seven hours at a rate as set forth in Chapter 175, Fees]. No vehicle shall be parked on Monday to Friday, both inclusive, between the hours of 9:00 a.m. and 4:00 p.m. for more than seven hours, except Saturdays, Sundays and holidays.

.....  
E. Parking lot use [7:00 a.m. to 7:00 p.m.]. Parking meter zones are hereby established pursuant to § 319-33[C] on the following parking lots [for the parking of vehicles for not more than the time limit specified at the rate specified in Chapter 175, Fees]. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of 7:00 a.m. and 7:00 p.m., for longer than the time limit specified below, except Sundays and holidays.

.....  
F. Four-hour limit. Parking meter zones are hereby established pursuant to § 319-33 on the following streets. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of 9:00 a.m. and 6:00 p.m. for more than four hours except Sundays and holidays.

SECTION 3: This local law shall be effective immediately upon filing with the Secretary of State.

BY ORDER OF THE BOARD OF TRUSTEES OF  
THE VILLAGE OF PORT CHESTER, NEW YORK  
DENNIS PILLA, Mayor  
JOAN MANCUSO, Village Clerk

Adopted: March 5, 2012

The Clerk noted that along with this public hearing there is a resolution that will affect the change to the parking meter times as discussed.

VEHICLE AND TRAFFIC AMENDMENT  
SCHEDULE XXVI, SECTION 319-87 PARKING METER ZONES

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

RESOLVED, by the Board of Trustees of the Village of Port Chester that traffic regulations, Schedule XXVI "Parking Meter Zones" Subsections 319-87A and 319-87F are hereby amended.

Section 319-87A, "Parking Meter Zones – Two (2) Hour Limit

**Delete:**

Name of Street	Side	Location
North Main Street	Both	From the Railroad Bridge at Horton Avenue north to Rectory Street

**Add:**

Name of Street	Side	Location
North Main Street	Both	From the Railroad Bridge at Horton Avenue north to Wilkins Avenue

Section 319-87F, "Parking Meter Zones – Four (4) Hour Limit

**Add:**

Name of Street	Side	Location
North Main Street	Both	From Wilkins Avenue north to Rectory Street

**ROLL CALL**

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla

NOES: None

ABSENT: None

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**Presentation:**

Mayor Pilla noted that a presentation was scheduled with a representative from Nixle regarding their system for Reverse 911. He said that this presentation was rescheduled from the last Board meeting but the representative could not make it this evening due to illness.

Trustee Didden said that the Board has received the presentation information which spells out the system and proposal so is a presentation necessary or can the Board go forward with the proposal.

The Mayor said that there are two aspects to what is being offered a free aspect of the program and a paid aspect. He spoke further about the aspects of the Reverse 911 Program.

Trustee Kenner said that he would recommend that the presentation be made.

Mayor Pilla agreed and said that this will be brought back for another meeting date.

Trustee Branca asked Police Chief Krzeminski if DEA Funds could be used for the cost of this system.

Chief Krzeminski said no it cannot because DEA Funds can only be used for crime fighting.

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**Public Comments:**

William Giangrande spoke about locations where jaywalking is high and that cars are running red lights. He said that something needs to be done about these situations.

Mayor Pilla told Mr. Giagrande that the Police Chief has instructed the bike patrol officers on this matter.

Mr. Giangrande told the Board that they should use red light cameras to catch people that run red lights.

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Goldie Solomon said that this is the United States of America and that we are all Americans in the United States even though we may not be United States citizens. She said that our Village is a low to moderate income community and that we have more off the tax rolls then our more affluent neighbors. Ms. Solomon said that one major problem in the Village is that we have lots of empty stores and houses for sale which are not selling because our taxes are too high. She told the Board that when they do the budget that we need our police, fire and public works but that they have to remember that our taxes have to be lowered. Ms. Solomon said that we cannot afford it that people are struggling to stay in their homes and pay their bills. She concluded her comments noting that we are a very diverse community.

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John Giangrande spoke about a vehicle accident that occurred on the Post Road between Dunkin Donuts and McDonalds. He said that cars speed from the bottom of King Street to King Street School and something needs to be done so that their speeding is reduced.

Police Chief Krzeminski commented that there is extensive speed enforcement by the police on King Street.

Mayor Pill and Trustee Brakewood noted that a large percentage of speeding tickets are issued on King Street.

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Richard Abel questioned the proposed scofflaw that states that it is amending the law but it appears that this is a brand new law.

Mr. Cerreto said that this proposed law will replace what we have currently and spoke on the focus of the law.

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Mario Karas asked if a traffic consultant is going to be used regarding the stop signs on Quintard Drive. He spoke further about the installation of these signs which he is against and that most of the neighbors were not aware that these signs were going in until they were put up.

The Board further discussed the situation regarding the stop signs on Quintard Drive with Mr. Karas and that they have received positive comments from neighbors that they were installed. It was noted by the Board that they are not in favor of paying a traffic consultant to review this situation.

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**Resolution: Police**

The Clerk presented a resolution for setting a public hearing for a local law regarding enhanced Parking Ticket Scofflaw Program.

Trustee Didden made a motion for discussion, Trustee Branca seconded the motion.

The Board discussed this proposal amongst themselves and with staff which would allow for the booting and/or towing of vehicles that the registered owner had a combined total of three or more outstanding tickets on any of the vehicles that are registered to the owner.

Mayor Pilla and Trustee Didden spoke about the unintended consequences of this proposal for example parents who have vehicles registered in their names which their children drive.

The Mayor asked what other municipalities does this in New York.

Mr. Cerreto said the City of Syracuse.

Mayor Pilla said that he is not in support of this proposal.

Trustee Didden said that this proposal came from a discussion from the Police Department where they advised that vehicle owners are dropping the plates on cars that have outstanding tickets and then they get different plates bypassing the current law. He said that the proposed law also has a provision that notice would be sent to anyone who may be affected by the new law.

There was further discussion on the proposed parking scofflaw program.

The Clerk noted that a date for the hearing was not included in the resolution.

Trustee Didden made a motion to amend the resolution that the hearing date would be March 19, 2012, Trustee Branca seconded the motion.

**ROLL CALL**

AYES: Trustees Brakewood, Didden, Marino, Branca, Kenner and Mayor Pilla

NOES: Trustee Terenzi

ABSENT: None

**RESOLUTION TO SET PUBLIC HEARING ON A LOCAL LAW  
AMENDING CHAPTER 319 OF THE CODE OF THE VILLAGE  
OF PORT CHESTER WITH REGARD TO THE  
PARKING SCOFFLAW PROGRAM**



On motion of TRUSTEE DIDDEN, seconded by TRUSTEE BRANCA, 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 March 19, 2012 to consider the advisability of adopting a local law amending Chapter 319 of the Village of Port Chester, "Vehicles and Traffic", with regard to the parking scofflaw program.

ROLL CALL

AYES: Trustees Brakewood, Didden, Branca, Marino and Kenner  
NOES: Trustee Terenzi and Mayor Pilla  
ABSENT: None

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**Resolution: Community Development**

The Clerk presented the next resolution to establish a subcommittee in regards to the community residences by the New York State Padavan Law.

Trustee Didden made a motion for discussion, Trustee Marino seconded the motion.

The Board discussed this proposal noting that at a prior meeting regarding the subject of community residences it was recommended that a subcommittee be formed in order to bring forth an approach that can be provided to our State Senator and Assemblyman to propose reform legislation on the Padavan Law. Further discussion was held to include a time frame for the subcommittee and who on the Board would be members.

Trustee Kenner made a motion to amend the resolution that the subcommittee would come back to the Board of Trustees within ninety (90) days and that the members would be Trustees Didden and Branca and Mayor Pilla, Trustee Didden seconded the motion.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

RESOLUTION ESTABLISHING A SUBCOMMITTEE OF THE BOARD OF TRUSTEES TO DEVELOP AN ADVOCACY POSITION FOR A LEGISLATIVE REMEDY WITH REGARD TO COMMUNITY RESIDENTIAL FACILITIES

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

WHEREAS, in 1978, the New York State Legislature enacted legislation with regard to the location of community residential facilities, contained in Mental Hygiene Law, Section 41.34, and popularly known as the Padavan Law, named after its sponsor, Assemblyman Frank S. Padavan of Queens; and

WHEREAS, pursuant to this statute a sponsor of a community residential facility must notify the municipality where the facility is to be established which then has forty days to either approve the site, suggest one or more suitable sites within its jurisdiction which could accommodate such facility, or object to the proposed facility; and

WHEREAS, the sole ground that a municipality can base an objection is that the proposed community residential facility would result in such a concentration of such facilities in the municipality or in the area in proximity to the site or a combination of such facilities

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with other community residences or similar facilities licensed by other agencies such that the nature and character of the areas within the municipality would be substantially altered; and

WHEREAS, the statutory standard for opposition to such a facility is so elastic that it defies interpretation in favor of a municipality's legitimate concerns; and

WHEREAS, the statute does not allow for any consideration of the financial impact of the facility, which real property is tax-exempt; and

WHEREAS, the statute does take into account the often not-insignificant financial resources of the operators of such facilities; and

WHEREAS, the Village of Port Chester, already the second most-dense municipality in Westchester County, has a disproportionate number of all such community residential facilities compared to its more affluent neighbors whose relative high property values works against the establishment of such facilities in their communities; and

WHEREAS, given severe fiscal constraints, there is even less incentive for the State to provide assistance to prospective operators of community residential facilities in these wealthier municipalities thereby exacerbating the already inequitable distribution of facilities within the County and further depriving persons who are developmentally disabled from residing in the communities of their choice; and

WHEREAS, the Board has opposed the location of further community residential facilities and last litigated a matter at significant expense through the appellate courts without success; and

WHEREAS, in the 34 years that the Padavan Law has been in effect, the Board has been advised that no municipality has successfully opposed the location of a community residential facility in New York State; and

WHEREAS, a public hearing was held on February 21, 2012 where the public provided comment to the Board of Trustees; and

WHEREAS, following such hearing, and on due deliberation, it is evident that while the subject of community residential facilities may be a complex subject, a legislative remedy is the appropriate approach. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby establishes a sub-committee, consisting of TRUSTEE DIDDEN, TRUSTEE BRANCA and MAYOR PILLA, to deliberate and formulate a recommended approach within ninety (90) days for the Board's consideration to forward to State Senator Suzi Oppenheimer and State Assemblyman George Latimer in their efforts to propose reform legislation; and be it further

RESOLVED, that such sub-committee's meetings shall be open to the public.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla

NOES: None

ABSENT: None

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**Resolution: Redevelopment**

RESOLUTION AUTHORIZING A REVOCABLE LICENSE AGREEMENT WITH THE PORT CHESTER INDUSTRIAL DEVELOPMENT AGENCY

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

WHEREAS, pursuant to General Municipal Law, Section 900-a, the Village of Port Chester Industrial Development Agency (“IDA”) is established for the accomplishment of the purposes specified in Article 18-A of the General Municipal Law; and

WHEREAS, the IDA has recently been highly active in promoting economic development activity in the Village; and

WHEREAS, with the Village’s appointment of a full-time Planning Director, the Village and the IDA have the opportunity to work cooperatively and synergize their efforts; and

WHEREAS, as part of an internal restructuring process, the Village and IDA wish to formalize the IDA’s use of space and equipment at Village Hall.

Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to execute a revocable License Agreement with the Village of Port Chester Industrial Development Agency (in substantially the form attached hereto) with regard to the use of space in the Village Hall for a term of five years, compensation to be \$15,000 payable in advance.

ROLL CALL

- AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla
- NOES: None
- ABSENT: None

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**Resolution: Recreation**

The Clerk presented the next resolution to grant permission to the Port Chester Youth Baseball League for the use of Lyon Park for T-Ball and Rookie play for the 2012 Season.

Trustee Didden made a motion for discussion, Trustee Terenzi seconded the motion.

The Board discussed this proposal regarding the location of this field and raised some concerns that rookie play will be held at this location. Also discussed was why the ball field at Edgewood Park is not being considered.

Mr. Russo said that discussions were held with the League on these issues and it was emphasized to them of the consideration to use Edgewood Park but the League indicated that they want to contain all their programs at Lyon Park and that Edgewood Park was not acceptable due to its condition, location and lack of parking.

Peter Pascale from the League was in the audience and the Board discussed Edgewood Park and their concerns regarding the rookie play at the proposed location in Lyon Park. Mr. Pascale expressed the reasoning of the League that the past t-ball area that had been used in Lyon Park had issues with drainage so this alternate site was proposed and that the

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League would like to also use this area for the rookie play that has been held at King Street School. More discussion continued regarding the level of play at Lyon Park and the Board recommended that the League consider using Edgewood Park for the rookie play which may increase participation in the League from the area of the Village closer to Edgewood Park. Mr. Pascale said that if the rookie play would not be allowed at the proposed new area in Lyon Park along with the t-ball then they would most likely continue holding the rookie play at King Street School.

Trustee Terenzi made a motion to amend the resolution to removal the language regarding limited rookie play from the resolution, Trustee Kenner seconded the motion.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla

NOES: None

ABSENT: None

RESOLUTION DESIGNATING AREA FOR THE PORT CHESTER YOUTH BASEBALL LEAGUE TO CONDUCT T-BALL IN LYON PARK FOR THE 2012 SEASON AS PART OF THE RECREATION DEPARTMENT'S YOUTH ATHLETIC PROGRAM

On motion of TRUSTEE DIDDEN, seconded by TRUSTEE TERENZI, 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 Youth Baseball League's agreement for the use of Lyon Park is a notable example of a successful public-private partnership in the area of youth athletic programs for the benefit of Village residents; and

WHEREAS, the agreement anticipated the additional use of Lyon Park for T-Ball for younger players; and

WHEREAS, the League has petitioned the Village for permission to conduct such play at a designated location near the existing ball field; and

WHEREAS, this matter has been reviewed by the Park Commission and Recreation Commission who are generally supportive of such request; and

WHEREAS, the agreement between the Village and the League will be expiring at the end of this year. Now, therefore; be it

RESOLVED, that the Board of Trustees hereby grants permission to the Port Chester Youth Baseball League to conduct T-Ball at the requested designated location in Lyon Park for the 2012 Season as part of the Recreation Department's Youth Athletic Program.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla

NOES: None

ABSENT: None

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**Add-On Resolution: Senior Center**

Mayor Pilla said that he has a resolution for the Board’s consideration to add to the agenda at this time. He said that the Port Chester Council for the Arts has requested to hold their spring production in our Senior Center and this resolution would allow for the waiving of the rental fee for the facility.

There being no objections, on motion of Trustee Didden, seconded by Trustee Marino the indicated resolution was added to the agenda for discussion.

**ROLL CALL**

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

Mayor Pilla spoke about the programs that the Art Council does for the Village and the community and that they would pay the cost for the janitorial services for the dates that they would use the facility.

Trustee Brakewood also spoke on this proposal and that the Council has been working with the Senior Director on their request for this use.

The Board discussed the proposal of waiving the rental fee and has this been done in the past and the effect this would have on future requests.

The Mayor said that he is in favor of waiving the fee for this organization and asked that the current policy for the Senior Center be reviewed by staff regarding not for profits requests.

**PORT CHESTER COUNCIL FOR THE ARTS  
SPRING PRODUCTION**

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

WHEREAS, the Port Chester Council for the Arts (the “Council”) is very active in the community, and works closely with the Village and schools in many areas, including day camp and after school programs, visual and performing arts education and productions; and

WHEREAS, the Council’s production of “Almost Maine” will provide the community with several benefits, including the recreational enjoyment of participating in the production, and the broader and more passive enjoyment for the community at large to come enjoy the performance; and

WHEREAS, the Council has requested the use of the Village’s Senior Center and will pay for the janitor, thereby no significant external costs for the Village. Now, therefore be it

RESOLVED, that in consideration of the above benefits, the Board hereby waives the rental fee for the Port Chester Council for the Arts to use the Senior Center for its production of “Almost Maine”.

**ROLL CALL**

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

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**Correspondence:**

The Clerk presented correspondence from the Churches of Our Lady of the Rosary and Corpus Christi requesting permission for a procession from Corpus Christi Church on Good Friday, April 6<sup>th</sup> to Don Bosco Place along with the closing of Don Bosco Place from Purdy Avenue to Beech Street for their closing service.

The Board of Trustees referred this correspondence to staff subject to any conditions.

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**Discussion: Mandate Relief Commission**

Mayor Pilla said that he had placed this matter on the agenda as a discussion because Governor Cuomo has established a Mandate Relief Commission to look at ways to reduce property taxes and school taxes. He said that this Commission wants to hear from communities by resolution and that he has two items that he would like to be considered with the first item being payment for services from non-profits and consideration of electronic auctions. The Mayor asked the Board to put forth any ideas for consideration that could also be included.

Trustee Didden asked if there is a list of the current mandates.

Mayor Pilla said that the current mandates are a large number and that the New York Conference of Mayors (NYCOM) has the list.

Trustee Kenner asked what is NYCOM's position regarding a new tier 6 for employees.

The Mayor said that NYCOM is in favor of that proposal.

Trustee Kenner said that he is in favor of this new tier also.

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**Discussion: Board Sub-Committees**

Mayor Pilla said that there has been a number of Board Subcommittees like the School Liaison and Library Subcommittees and that he is looking for Board members for the Police Subcommittee which could meet on a monthly basis. The Mayor suggested Trustees Terenzi and Didden for the Police Subcommittee since they work locally.

The Board briefly discussed the Police Subcommittee and it was noted that Trustee Didden and Mayor Pilla are members of the School Liaison Subcommittee and that Trustees Brakewood and Marino and Mayor Pilla are the members of the Library Subcommittee.

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**Public Comments:**

Jennifer Nates of Quintard Drive spoke about the stop signs on this road. She said that she had spoken to Trustee Didden and exchanged emails with the Mayor and asked why is this still going on. Ms. Nates said that she wants the safest response and thought a traffic consultant was going to review this situation noting that cars are not stopping.

There was discussion on this matter between Ms. Nates and the Board.

Police Chief Krzeminski stated that the Police Department did not recommend the installation of stop signs but had suggested the placement of the flashing speed signal.

Trustee Branca noted that the Board received a petition of the neighbors on Quintard Drive requesting the stop signs. He said that the Board enacted the law and that it needs to be enforced by the Police Department.

Ms. Nates said that she is asking for an objective review of what is the safest situation because she is not an expert and neither is the Board.

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Gene Ceccarelli spoke about a sign located on a fence of someone's property across from Village Hall.

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**Board Comments:**

Trustee Brakewood expressed his condolences to the Capeci family on the passing of Amil Capeci the son of Anne Capeci who is a long time member of the Port Chester School Board and the Rye Town Court Clerk. He said that her son Amil was highly regarded in the magazine industry and his passing was tragic for their family.

Trustee Brakewood asked the Mayor if more data is coming from Complus so he could prepare an additional analysis regarding parking tickets.

The Mayor said that they will provide the data requested.

Trustee Brakewood noted that the Board received in their packages a depiction of an updated street sign for the downtown area that includes the Village logo. He asked when these signs would be going in.

Mr. Russo said that if the Board is of a consensus to go forward with these proposed street signs which will be white with black lettering and the logo would be in color then it can move forward.

The Board discussed these signs with Mr. Russo and all agreed to move forward on this concept. There was further discussion about the Sign Committee and that their recommendations were put on hold because SUNY Purchase was going collaborate but that did not move forward. Mr. Russo advised the Board that they have a design for the Senior Center sign but funding for this sign has to be determined either by fund raising or be paid by the Village. The Board indicated that they want the cost of the sign to be paid by the Village.

Trustee Brakewood concluded his comments that the Board received information regarding a property on Grace Church Street and would be interested to discuss this further. It was recommended that the Board hold an executive session regarding real property negotiation on this subject.

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Trustee Terenzi said that we are nine months in the budget cycle and asked that the Village Treasurer provide the Board with the nine month figures by the end of the month. He noted that the property assessments are down about 3% which equates to about \$750,000 less for the upcoming budget.

Trustee Terenzi spoke about former Mayor Peter Iasillo and what he had done for the Village and wanted to see if there was a way that the Village could honor him. He asked if the gazebo in Lyon Park is named after him. Trustee Branca said that yes that when he was Mayor the gazebo was name in honor of Peter Iasillo.

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Trustee Didden also expressed his condolences to the Capeci family and noted that he attended the funeral mass for Andrew Fox who was a member of the Fire Patrol & Rescue Co. and expressed his condolences to the Fox family.

Trustee Didden told the Board that the request for proposals regarding billboards is out and looks forward to these proposals. He asked if at the next meeting there will be code changes regard school zones noting that some of the schools in the Village do not have this zone indication. Mr. Cerreto said that he will meet with the Traffic Sergeant on this matter.

Trustee Didden said that he has been in touch with a company in the Midwest that has a piece of equipment that is mobile that records vehicles and any that are speeding takes a picture for ticketing purposes. Trustee Brakewood asked if this is allowed in New York State. Police Chief Krzeminski said that he believes it would require special State Legislation.

Trustee Didden said that the Board had a special meeting last week regarding code enforcement and discussion regarding an amnesty program. He said that there was supposed to be a follow up meeting on this subject but has not been advised of any dates. Mayor Pilla said that the Clerk will poll the Board on dates for this follow up meeting.

Trustee Didden concluded his comments stating that there have been complaints about neighborhood bars and said that he would like to revisit the last efforts by the past Board when they established the four different entertainment licenses and that the activity of these types of bars are providing regarding dance girls should be limited. There was a brief discussion on this subject.

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Trustee Branca notified the Board that a meeting was held this afternoon that he participated in regarding the bulkhead and things are moving forward and that the engineers will be reporting in the next few weeks.

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Trustee Marino further spoke on Trustee Didden's comments regarding cabaret entertainment licenses and said that establishments that are renewing these licenses that there needs to be a close look of how they are operating.

\* \* \* \* \*

Trustee Kenner expressed his condolences to the Capeci family. He said that he went to the CPAC public hearing on the Comprehensive Plan and noted that it was not well attended and not widely viewed but there was good dialogue from the members of CPAC, staff and the consultants.

Trustee Kenner said that it was mentioned to him that the entire Board of Trustees and the School Board would be scheduling a meeting which he is in favor of.

\* \* \* \* \*



Mayor Pilla spoke about the positive results that have come from this Board and even if we do not all agreed on certain matters we have the same core objectives that we want to accomplish. He said that one executive session was not held at the beginning of the meeting regarding taxi litigation, that the Board would like to debrief on the Planning Commission interview that they held earlier and that Trustee Brakewood has requested an executive session regarding a real property negotiation so would ask for a motion to hold these sessions.

\* \* \* \* \*

**Executive Session:**

At 9:25 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the Board of Trustees adjourned to an executive session for the following purposes; consultation with the Village Attorney regarding taxi litigation; debriefing of interview of candidate for Planning Commission and real property negotiations. Also included in the executive session were the Village Manager and Village Clerk.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

No action was taken in executive session.

At 9:35 p.m., on motion of Trustee Kenner, seconded by Trustee Marino, the executive session was closed and the public portion of the meeting was re-opened.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

Mayor Pilla noted that one of the purposes of the executive session was regarding taxi litigation and that the Board will consider adding a resolution on this matter.

There being no objections, on motion of Trustee Didden, seconded by Trustee Terenzi, the following resolution was added to the agenda.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Branca, Kenner and Mayor Pilla  
NOES: None  
ABSENT: None

RETAINER OF COUNSEL TO APPEAL MATTER OF DOLORES GONZALEZ VS. THE VILLAGE OF PORT CHESTER

On motion of TRUSTEE TERENCE, seconded by TRUSTEE MARINO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester,

New York:

March 5, '12

RESOLVED, that the Board of Trustees authorizes the retainer of Sokoloff Stern, New York to notice and perfect the appeal in the matter of Dolores Gonzalez vs. the Village of Port Chester to the Appellate Division of the Supreme Court, Second Department, with a cap of compensation in the amount of \$5,000.00; and be it further

RESOLVED, in the event of the plaintiff litigates the issue of the Village's automatic stay of the decision appealed from, the firm would be entitled to additional compensation in an amount not to exceed \$1,000.00.

ROLL CALL

AYES: Trustees Brakewood, Didden, Marino and Branca  
NOES: Trustees Terenzi, Kenner and Mayor Pilla  
ABSENT: None

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There being no further business, on motion of Trustee Didden, seconded by Trustee Kenner the meeting was closed at 9:45 p.m.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner, Branca  
and Mayor Pilla  
NOES: None  
ABSENT: None

Respectfully submitted,



Joan Mancuso  
Village Clerk