

**MEETING HELD MAY 7, 2012**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, May 7, 2012 at 5:30 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 and Joseph Kenner.

It should be noted that Trustee Luis Marino arrived at 6:07 p.m., and Trustee Branca was absent.

Also present were Village Manager, Christopher Russo; Village Clerk, Joan Mancuso; Village Attorney, Anthony Cerreto; Assistant Village Manager / Director of Code Enforcement, Christopher Steers; Director of Planning and Development, Christopher Gomez and Village Treasurer, Leonie Douglas.

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***Work Session: Comprehensive Plan/ Zoning Map and Text Amendments***

The Board of Trustees held a work session with Christopher Steers, the Assistant Village Manager / Director of Code Enforcement; Anthony Cerreto, the Village Attorney, Christopher Gomez, the Director of Planning and Development and the consultants Frank Fish and Michael Keane of Buckhurst Fish & Jacquemart, Inc. (BFJ Planning) and Vince Ferrandino of Ferrandino & Associates.

Mr. Fish said that they would be reviewing the zoning code amendments and the work schedule for the Comprehensive Plan, zoning amendments and the State Environmental Quality Review (SEQR). He said that at the next Board meeting scheduled for May 21<sup>st</sup> the Board will set a public hearing for the Plan to be held on June 18<sup>th</sup>. Mr. Fish said that the Comprehensive Plan Advisory Committee (CPAC) approved the Plan and provided it to the Board of Trustees on March 22<sup>nd</sup> and that the Board is required to hold a public hearing on the Plan within 90 days of the receipt from CPAC. Mr. Fish said that at the May 21<sup>st</sup> Board meeting there will be a resolution that will set the hearing date and that the Board needs to refer this to the Planning Commission and the County.

Mr. Cerreto said that the Board would refer the zoning to the Planning Commission and the Comprehensive Plan to the County.

Mr. Steers noted that the public hearing does not need to be closed on June 18<sup>th</sup>.

Mayor Pilla asked about proposed and/or considered changes and can we keep the public hearing open or would it require a formal re-notice.

Mr. Fish spoke on the Mayor's comment and Mr. Cerreto stated that it would not require the same technical process of re-noticing the hearing.

Trustee Didden inquired if the referral requires a public hearing by the Planning Commission or just a review by them because there are timing issues noting that the Planning Commission next meeting is at the end of May and if they need additional time would not be meeting in June until after the scheduled public hearing.

Mr. Fish said that the Board needs to officially refer the zoning to the Planning Commission but noted that some of the Planning Commission members have participated in the process of the Plan so are aware of what is being proposed.

Mayor Pilla asked staff to shepherd the process with the Planning Commission for their comments by the end of June.

Mr. Fish said that he will review the four items that will be discussed tonight regarding the zoning code amendments noting that representatives are here from Starwood Capital Group the owners of the former United Hospital site who will present later. He said that the second item regarding the amendments is the M1 district on Purdy Avenue near the Costco site that Trustee Brakewood recommended to be changed from a light industrial district which we are proposing to be a DW the Design Waterfront district.

Trustee Brakewood spoke more on why he made the recommendation to change from the M1.

There was further discussion regarding this proposed change of district between the Board, staff and the consultants.

Mayor Pilla asked the Board if they had any concerns with this change from a M1 to a DW district. The Board members present had no objections regarding this change of districts.

Mr. Fish continued with the next item of the zoning code amendments regarding a C5 Transitional district being proposed for around the train station area that is being recommended by Village staff.

Mr. Gomez provided the Board with a map that shows the proposed C5 Train Station Mixed Use District that would allow the maximum floor area ratio (FAR) as 4 with bonus to 4.5, lot area / du as 250 square feet, lot width as 40 feet, rear yard as 20 feet, the maximum height in stories as 8 with bonus to 10, maximum of height in feet as 90 feet with bonus to 120 feet and the minimum usable open space / du as 50 square feet. He said that the C5 District covers the area from Westchester Avenue to King Street between Lower King Street and Broad Street and Westchester Avenue to King Street between North Pearl Street and Broad Street. He said that what is being proposed is a transitional district for a C5 Downtown Mixed Use Transitional District that would allow the same maximum FAR, lot area / du, lot width, rear yard and minimum usable open space / du but the maximum heights per story would be 6 with no bonus and the maximum height in feet of 75 feet with no bonus. Mr. Gomez showed the Board the proposed locations of the transitional areas which is the block within North Pearl Street, Irving Avenue, Poningo Street and Westchester Avenue; the property where the parking lot of St. Peter's Church is located on the corner of Westchester Avenue and Pearl Street, the lots from Westchester Avenue between Pearl Street and New Broad Street to Neri Bakery and the properties on Westchester Avenue between South Main Street and East Broadway.

The Board asked questions regarding what type of businesses / buildings are part of these proposed transitional sites and if there are any conflicts regarding approved planning applications in these locations. Staff reviewed the questions raised by the Board. Other thoughts that were raised by the Board is the issue of parking for these transitional areas, the heights in these areas noting that along Main Street it is a C2 district and the comparable height of the G&S Development. It should be noted that Trustee Marino arrived at this time.

They spoke more about making the downtown area step up to the Train Station Development area with these transitional locations and concerns that the areas further up Westchester Avenue regarding the properties of St. Peter’s Church and the Simmons building should not be included in this proposal. Staff and the Consultants spoke further with the Board and the Board recommended going deeper with the transitional areas on along South Main Street to the G&S Fire House Retail location. There was further discussion about the height of the Neri Bakery buildings between Pearl Street and New Broad Street for comparison for the transitional areas.

Trustee Terenzi inquired about the former Coneyz property which is part of the G&S development at the corner of Westchester Avenue / North Main Street and Abendroth Avenue. Mr. Gomez said that there is the potential to cross all the corners of Westchester Avenue and Main Streets but noted right now this area is all in the C2 district. There was further discussion about this area also known as Liberty Square and what G&S is proposing with the lot that is being currently used for parking and would the C2 accommodate their use. Mr. Fish and Mr. Gomez said that the C2 designation would not allow for everything G&S is proposing because of the floor area ratio.

Trustee Didden asked if we created a parking requirement for the C2 district. Mr. Fish said that there was no discussion about parking yet regarding the zoning. There was further discussion on this topic between the Board, staff and the consultants.

Mr. Fish then reviewed the Comprehensive Plan guidelines for the former United Hospital site noting that it is being proposed as a Planned Mixed Use (PMU) District with no significant density increases, building heights lower than downtown, mixed-use development / minimize residential uses which would reduce impacts on the public school district. He said that the proposed zoning requirements for this district would be as follows:

<u>Dimensional Characteristics</u>	<u>Standards and Requirements</u>
Total Floor Area Ratio (FAR)	0.80
Maximum FAR for hotel/convention center	0.40
Maximum FAR for commercial uses	0.20
Maximum FAR for residential uses	0.20
Maximum FAR for senior housing/assisted living	0.15
Maximum FAR for community facility	0.10
Maximum site coverage	70%
Maximum building height for hotel/convention center	8 stories (85 feet)
Maximum building height for commercial/residential uses	5 stories (55 feet) (4 residential Floors over ground floor Commercial) 8 stories (85 feet) by special permit 10 stories (100 feet) w/ density bonus
Residential Apartments	Only efficiency (studio), One-bedroom and two-bedroom Dwelling units shall be permitted

Note: The proposed maximum FAR of 0.80 would be comprised of any combination of permitted uses, bonusable to an FAR of 1.0

Mr. Fish then reviewed the residential building alternatives for the United Hospital site, noting that the site is 15 acres (653,400 sf) and that the following potential buildout calculations assume 10% (65,340 sf) of site is allocated to site roads.

*Existing R2F*

Dimensional Requirements			Buildout Potential	School Age Children*
FAR	Max. Bldg. Height	Minimum Lot Size	Site	
0.8	2 ½ Stories (35')	5,000 sf	- 120 two family houses - 240 units	154-155 students (240 x 0.64)

*Proposed Planned Mixed Use (PMU) District*

Dimensional Requirements		Buildout Potential	School Age Children*
FAR	Max. Bldg. Height	Site	
0.8	5 Stories (55') 8 Stories (85') by SP 10 Stories (100') w/ bonus		
Unrestricted Residential FAR 0.2		- 117 units (1)	18-20 (117 x 0.15)
Senior – Assisted Living FAR 0.15		- 126 units (2)	0
<b>Total</b>		<b>- 243 units</b>	<b>18-20 students</b>

(1) Assuming 1,000 sf / unit

(2) Assuming 700 sf / unit

*Starwood Proposal*

Dimensional Requirements			Buildout Potential	School Age Children*
FAR	Max. Bldg. Height	U.H. Site	Site	
1.6	8 Stories (85')	13.5 ac (588,060 sf)	- 940 units (1)	141-150 students (940 x 0.15)

(1) Assuming 1,000 sf / unit

\* Rutgers University Residential Demographic Multipliers (2006)

Trustee Terenzi asked about the existing housing complex on the hospital site at 999 High Street which has 133 units and if that stays how can they have more units.

Mr. Steers said that 999 High Street is a separate lot and would not be included in the calculation.

Mayor Pilla said that representatives are here on behalf of Starwood Capital Group to make a presentation regarding their property at the former United Hospital site.

Anthony Gioffre, Esq., from Cuddy & Feder, the attorneys for Starwood said that they have individuals from different companies that would like to make presentations regarding information on hotels and housing to the Board of Trustees. He said that they would after tonight's presentation would like to reconvene with the Board for a further work session. Mr. Gioffre said that with regard to the proposed district for their site they have concerns with the FARs for this district and that the FAR does not work for them to be a viable economic development. He said that a hotel use would not work on this property and that Mr. Cody Bradshaw, the Senior Vice President of Hotel Asset Management of Starwood Capital Group will present about hotels.

Mr. Bradshaw provided the Board with alternative use analysis dated April 25, 2012. He gave the following recap of Starwood Capital's current hotel portfolio:

- Over 70 hotels and resorts across North America and Europe, ranging from the legendary 5 star Sea Island resort to a small chain of extended-stay hotels on the West Coast.

- 50% interest in Hersha Hospitality Management, a leading hotel management company in the U.S., with over 80 hotels under management primarily within the limited-service segment.
- Acquisition underway of 70+ limited service hotels in secondary and tertiary markets across the U.S. This includes 14 market-leading, limited-service hotels (Courtyard, Residence Inn, Hampton Inn, etc.) in the Northeast region at **an average price per key of \$80,000, which represents roughly a 40% discount to replacement cost.**
- Louvre Hotels, the second largest hotel chain in Europe, with 1,000 hotels across 40 countries. Louvre Hotels consists of five brands ranging from 1-star to 5-star. SCG owns over 300 hotels within the Louvre Hotels.
- Concorde Hotels & Resorts, consists of 25 luxury hotels and resorts across Europe, including famous landmarks such as Hotel de Crillon, Hotel Martinez and Palais de la Méditerranée.
- Created Starwood Hotels & Resorts (no longer affiliated).

Mr. Bradshaw then spoke on the hotel investment climate and the everyday challenges with hotel investing that includes the following; a business of 24-hour leases; widely-considered one of the riskiest investment types due to the volatile nature of the operating component couples with the illiquid nature of the real estate component, consideration that for a 400-room hotel, it takes over 100,000 occupied rooms every single year just to achieve a “healthy” occupancy rate of 70% and that even for a tiny 150-room hotel, this equates to roughly 40,000 occupied rooms per year. Mr. Bradshaw continued with his presentation in reference to the challenges specific to today’s hotel environment which includes; new hotel room supply (i.e # of hotels being built) has dropped to historic lows in recent year and is expected to remain at these record low levels through 2014. He said that this is good for long-term operating fundamentals, but bad for medium-term development efforts. Mr. Bradshaw went on that the challenging operating fundamentals persists (particularly the recovery of hotel rates which are the main driver of profit), decreased cash flow and lack of financing resulting in product quality deterioration, global economic uncertainty impacting performance, transactions, financings and development; looming commercial real estate debt maturity crisis, particularly within the hotel sector, has left many banks afraid to lend (i.e. to a sector where they are already at risk of losing billions over the next several years) and all of the above resulting in lack of available debt and equity financing for new hotel developments.

Mr. Bradshaw continued on the topic of hotel investment climate and the challenges specific to the Port Chester site beginning with the sunk costs that the United Hospital site requires significant demolition prior to new construction requiring that any new development be sizable and unequivocally feasible in order to overcome these abnormal, upfront costs; that the hotel market is soft and one-dimensional noting that a healthy hotel market enjoys diversified demand from multiple segments, namely; group/convention, corporate and leisure. He said that the hotels in Westchester County area are over-reliant on midweek corporate business and therefore they struggle to produce returns that justify the original development cost and this is reflected in the fact that recent hotel transactions in the area are at levels well-below replacement cost. Mr. Bradshaw then spoke about inferior location noting that the Port Chester site lacks a surrounding office core, which is the main driver of demand in the surrounding area and this lack of nearby corporate demand is not off-set with any leisure or group/convention drivers and as such, the Port Chester site will be the “last to fill” during the midweek and weekend periods and will have to significantly reduce rate to drive occupancy. He noted that the recent sales of comparable hotels at well-below replacement cost do not justify new hotel developments and that lenders are hesitating to

provide Hotel Construction Loans stating that only for the best hotel developments, lenders are willing to provide 0-13% interest rate construction loans (vs. ~7% for multi-family) and of course, financing will be required in order to execute a large-scale development on this site.

Mr. Bradshaw then reviewed the hotel market in Westchester County and Greenwich and Stamford, Connecticut for full service hotels and limited service hotels over the last six years with the percentages of occupancy, rate and revenue per available room as follows:

**Full Service Hotel Market**

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Occupancy	68.0%	68.9%	60.6%	54.4%	61.5%	67.3%
Rate	\$158.61	\$166.79	\$161.84	\$136.10	\$132.73	\$133.68
Revenue Per Avail Room	\$107.91	\$114.89	\$98.12	\$74.07	\$81.60	\$89.98

<u>Market Includes:</u>	<u># of Rooms</u>
Hilton Rye Town	447
Hyatt Greenwich Regency	373
Hilton Stamford Hotel & Exec Mtg Ctr.	484
Crowne Plaza White Plains Downtown	402
Marriott Stamford	508
Marriott Westchester	444
Doubletree Tarrytown	247
Renasissance Westchester Hotel	347

**Limited Service Hotel Market**

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Occupancy	80.2%	78.1%	71.2%	69.1%	75.6%	77.5%
Rate	\$48.39	\$160.00	\$161.22	\$136.43	\$131.40	\$136.15
Revenue Per Avail Room	\$119.03	\$124.96	\$114.80	\$94.31	\$99.37	\$105.47

<u>Market Includes:</u>	<u># of Rooms</u>
LaQuinta Inns & Suites Stamford	158
Hampton Inn White Plains Tarrytown	156
Courtyard Rye	145
Residence Inn White Plains Westchester County	133
Hyatt House White Plains	159
Residence Inn New Rochelle	124
Radisson Hotel New Rochelle	129

Mr. Bradshaw explained further the market demand drivers of the hotel industry and that the hotels that he has provided have corporate sites in their areas and that they are used more during the week because of these corporations. He also spoke about comparative hotels sales and that in the weak market fundamentals results in hotels being sold for less than development cost even during the record boom year of 2007 when hotel transaction volume and prices reached historic levels. Mr. Bradshaw said that it is important to reiterate that weak market fundamentals also drive deteriorating product quality because cash flow levels are insufficient to fund renovation needs and restrict refinancing as a funding mechanism. He concluded the presentation with an update regarding hotel financing compared to multifamily as follows:

Senior Mortgage – Multifamily	4.0% to 7.0%
Senior Mortgage – Hotel	5.5% to 9.0%
Construction Loan –Multifamily	7.0% to 10.0%
Construction Loan – Hotel	8.5% to 12.0%

Mr. Bradshaw said that new hotel construction on the United Hospital site is not economically feasible because development costs far outweigh the value of a hotel operating on the site and gave the following information regarding cost vs. value:

General Information: Rooms – 150 Development Cost - \$23,500,000 Cost per Key - \$156,667

Stabilized Performance

	<u>Base Case</u>	<u>Upside</u>
Occupancy	65.88%	71.30%
ADR	\$115.73	\$122.54
RevPar	\$76.24	\$87.37
Revenue	\$4,534,559	\$5,173,736
Expenses	\$3,590,684	\$3,903,880
Net Operating Income	\$943,875	\$1,269,855

Value

Cap Rate	9.0%	9.0%
Value	\$10,487,500	\$14,109,502
Value per Key	\$69,917	\$94,063

Value Creation / (Destruction)

Value – Development Cost	(\$13,012,500)	(\$9,390,498)
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Trustee Terenzi said to Mr. Bradshaw that Starwood paid a large amount for the hospital property and that is why they would rather build residential housing and that his reasoning of why a hotel use at this site would not be beneficial is questionable because there are proposals for two hotels one in Rye and one in Harrison. He said that this site provides easy access to highways which it is at the cross roads of both I95 and I-287 with train stations nearby and within close proximity of all of the corporate offices along Westchester Avenue.

Mr. Bradshaw spoke again on the reasons why hotel use would not be economically for Starwood. Mr. Gioffre introduced Maria Rigopoulos the Managing Director for Connecticut and New York of Mill Creek Residential Trust, LLC to speak about mixed-used development.

Ms. Rigopoulos started her presentation that developing large, successful mixed-use projects is complex and does not lend itself to the formulaic approach of most single-use project that each mixed-use development is different depending on factors such as; market fundamentals, supply and demand drivers, site constraints and availability of financing. She said that therefore, in order to ensure a successful mixed-use development, a collaborative public/private partnership and flexible approach to planning are needed. Ms. Rigopoulos said that mixed-use developments incorporate a mix of uses/asset types which have different supply and demand drivers, necessitating a flexible approach to planning in order to meet market, economic and financing feasibility noting that property cycles vary for office, retail and multifamily. She said that there are two broad categories of demand drivers, household and firms/companies. Ms. Rigopoulos said that employment links the two with generating income for households and profits for firms thus creating demand for space (housing, retail, office).

Ms. Rigopoulos stated that the ultimate feasibility of a development depends on whether it can be financed. She said that large mixed-use developments are more difficult to finance than most single-use projects due to; larger capital requirements, the need for numerous financing sources, longer development period, more complicated underwriting due to mix uses and varying demand drivers and lenders required higher returns for higher risk. Ms. Rigopoulos continued with the site conditions aspect such as soil conditions, topography and existing building or uses on the site are fundamental in shaping design and that the

United Hospital site has all three unique conditions. She said that the soil at this site is generally made up of poorly graded fill and silt with bedrock encountered at depths of 0 to 16 feet that the site ranges approximately 39 feet in elevation, from around 70 to 109 with the elevation at the front entrance of the site (Post Road) is about 75 and quickly elevates almost 20 feet to 94. Ms. Rigopoulos said that this steep condition at the entrance of the site adds site planning constraints and creates significant excavation costs. She concluded with the site conditions that the existing, vacant hospital compound totals north of 425,000 square feet and the cost to abate and demolish these buildings adds significant cost to any redevelopment program.

Ms. Rigopoulos continued with her presentation regarding office demand which is directly related to the expansion or relocation of businesses and companies. She said that Westchester County office market was tepid in 2011, that technology is influencing office space needs, mainly due to personal computers/internet, which permits employees to function in their homes and non-office environments. Ms. Rigopoulos said that during the 1990's there was an over-supply of office space delivered to the market and that office hangover remains with the vacancy rate currently at 17.83% (REIS 4<sup>th</sup> Quarter 2011), that the average time on the market is 33 months and that many office buildings are being repositioned into uses (lifestyle, multifamily, healthcare) along the Platinum Mile on 1-287.

Ms. Rigopoulos then spoke about retail demand which is largely supported by household population, demographics and consumer spending. She said that Westchester County community/neighborhood shopping center market remained weak in 2011, that vacancy increased to 7.9% in the 4<sup>th</sup> quarter of 2011 (REIS), no new community/neighborhood centers were built between 2008 and 2010, that retail can often be a defining element of mixed-used development but also the most difficult to program successfully. Ms. Rigopoulos said that on-site and local markets are basic generators of shoppers for commercial space in mixed-use projects, that retail configurations must be large enough to accommodate tenant space, service facilities, access/road systems and roughly 4 to 5 parking spaces per 1000 square feet of GLA and that retailers demand surface parking located within immediate proximity to the retail storefront entrance.

Ms. Rigopoulos spoke about apartment demand and that the changes in household growth and demographic profiles drives demand for housing. She said that the composition of U.S. Households is going through a massive change, vacancy rate of 3.0% compared to 3.6% in the Northeast and 5.2% for the Nation (REIS 4<sup>th</sup> Quarter 2011), that the home ownership rate has fallen from 69.4% in 2004 to about 66% in 2011 resulting in 2 million more households that are renting, the high cost of home ownership has priced many Westchester residents out of the market which results in a higher demand for rental housing. Ms. Rigopoulos stated as the economy improves, plenty of underemployed 20-somethings that are living with their parents will start to rent their own space, that nearly 50% of job gains in the last 2 years have gone to the 20 to 34 age bracket, a crucial renter group and that Port Chester's existing housing stock does not meet the needs of the changing demographics. She said that the United Hospital site will be extremely desirable to the renter demographic due to its proximity to employment, transportation and highways and downtown restaurants and cultural amenities.



Trustee Terenzi commented that Ms. Rigopoulos last statement could be changed instead that the site would be extremely desirable to the hotel demographics for the same reasons.

Ms. Rigopoulos continued on the subject of changing demographics and that Ozzie and Harriet are long gone, replaced with a diverse, multi-lifestyle mix on non-traditional households noting that the U.S. birthrate is at an all-time low, that men and women are waiting longer to get married, the aging baby boomer population, baby boomer’s children (Generation Y / Echo Boomers / Millenials) are entering workforce and creating new households and that the increasing divorce rate (the gray divorce revolution – the divorce rate has doubled over the past 2 decades for people over 50) with 1 in 3 now divorces. She noted that today’s fastest growing households are young professionals, empty nesters, single parents, couples without children and senior citizens that households in 1990 had 4.76 persons compared to 2010 with 2.59 persons. Ms. Rigopoulos provided the following graphic regarding the changing demographics that households in 2000 were 33% with children, 67% without children and singles were 26% and what is being forecasted by 2025 is that households will be 28% with children, 72% without children and 28% singles. She stated that without children and single households create a demand for the live/work/walk experience of multifamily housing.

Ms. Rigopoulos told the Board about the profile of the WINKS – women with incomes and no kids that are in the 26-29 years of age, not married, professional, well-educated working woman with no children, earning over \$50,000 a year that largely are renters living alone who are purchasing homes in advance of marriage or children and prefer urban or walkable environment who will pay a premium. She said that the WINKS desire the ability to walk to work, dining and shopping and expect amenities such as fitness facilities, trails, running groups, libraries and yoga instruction and that these women will impact product types, floor plans, amenities and will have the most effect on urban and urban-lite locations. Ms. Rigopoulos said that there is also a growing population of “renters by choice” and that millions of established and affluent people are increasingly drawn to apartment communities due to their superior locations near work, shop and play areas; lack of home-owner chores and responsibilities; freedom to respond to job changes; ability to adjust their housing without a financial penalty and risk and access to new amenities and new technologies.

Ms. Rigopoulos showed a graphic of the existing Port Chester housing stock which 35% is single family, 34% are duplex / 3-4 family units. 11% are multifamily (5-19 Units) and 20% are multi units of 20 or more. She then showed a graphic regarding the building of housing in Port Chester compared to Westchester County for several periods starting before 1970 up to and after 2000 as follows:

<u>Period</u>	<u>Port Chester</u>	<u>Westchester County</u>
Before 1970	over 80%	over 40%
1970-1979	about 5%	less than 10%
1980-1989	over 5%	1%
1990-1999	less than 5%	1%
After 2000	0%	over 45%

The Board told Ms. Rigopoulos that the Village of Port Chester has had housing projects that have been built or are in the process since 2000.

Ms. Rigopoulos concluded her presentation with the anticipated development unit mix for the former United Hospital site by Starwood Capital Group would be 5% studios, 47% 1 bedroom and 48% 2 bedrooms.

Mr. Gioffre thanked the Board for allowing them to present this evening and that they would like to continue to meet with the Board regarding the United Hospital site.

Mayor Pilla asked Mr. Steers what are the next steps regarding the Comprehensive Plan and the Zoning amendments.

Mr. Steers said that there will be a follow up session at the May 21<sup>st</sup> Board meeting. He said that staff and the consultants will review the items discussed tonight and if the Board has any additional concerns / comments requested that they contact staff.

Mr. Cerreto asked for clarification regarding the meeting for review at the May 21<sup>st</sup> meeting.

Mr. Steers and he and the consultants recommend that a special meeting of the Board be held before the May 21<sup>st</sup> Board meeting to review what has been discussed this evening and that on May 21<sup>st</sup> a work session be held prior to the regularly scheduled Board meeting that evening same as what we had done tonight starting at 5:30 p.m.

Trustee Kenner also asked for clarification regarding comments on the Plan and the zoning aspects.

Mr. Steers noted that except for tonight's comments all previous comments that have been provided has been fully reviewed and have either been included in the plan / zoning or if not have been addressed.

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Mayor Pilla noted at the last Board meeting held on April 30<sup>th</sup>, the Board approved a 2.5% tax levy decrease for the 2012-2013 Budget. He spoke more on this approved budget.

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***Executive Session:***

Mayor Pilla noted that due to the length of the Comprehensive Plan Work Session the proposed executive session for an interview of a candidate for the Planning Commission will not be held this evening but instead be rescheduled for the next Board meeting on May 21<sup>st</sup> along with an interview of an additional candidate that Trustee Kenner has indicated.

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**Public Hearing: Apportionment and Assessment regarding 600 King Street in reference to Phase II of the Sidewalk Betterment Project.**

The Clerk read Affidavits of Publication stating that the following Public Notice was duly published in the Journal News and the Westmore News on April 27, 2012, certified by Florence Bonilla, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

NOTICE OF PUBLIC HEARING  
 May 7, 2012  
 SIDEWALK BETTERMENT PROJECT PHASE II  
 600 KING STREET

On January 3, 2012, the Board of Trustees adopted a resolution that appropriated and assessed a portion of the costs of the Sidewalk Betterment Project Phase II to be raised by local assessments upon the benefited lands subject to real property taxation in the Village and to determine the actual amount to be expended for the project. In such resolution, the assessments for 600 King Street and 620 King Street were transposed. The property owners were notified of same and advised of the correct amounts and their payment options. The property owner of 600 King Street has an increased assessment and is therefore entitled to a public hearing on such increased amount.

The Village Board has scheduled and will conduct a public hearing on Monday, May 7, 2012 at 7:00 pm at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York to consider the corrected apportionment and assessment for 600 King Street with regard to the Sidewalk Betterment Project Phase II as described below.

Schedule A  
 Description  
 Sidewalk Improvement Area (The Project – Phase II)  
 Village of Port Chester, County of Westchester, State of New York

House #	Street	SBL	Total S.F. Installed	50% of Total S.F.	50% of S.F.Total x(\$10.5034SF)
600	King St	136.45-1-53	1238	619.00	\$6,501.60

Interested persons will be afforded the opportunity to be heard at this time.

A copy of this notice and the attached schedule is available for review by any interested person in the office of the Village Clerk during business hours or online at [www.portchesterny.com](http://www.portchesterny.com)

BY ORDER OF THE BOARD OF TRUSTEES

By: Joan Mancuso  
 Village Clerk

Dated: April 27, 2012

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

**ROLL CALL**

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

NOES: None

ABSENT: Trustees Brakewood and Branca

Anthony Cerreto, the Village Attorney said that this public hearing was scheduled because there was a transposition between two properties on King Street numbers 600 and 620 and that we scheduled the public hearing on the 600 King Street property because their corrected appropriation / assessment was increasing so they have the right for a hearing on the new amount. He said that the property owner was notified and have waived their right for this hearing and has provided payment to the Treasurer's office.

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

ROLL CALL

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

NOES: None

ABSENT: Trustees Brakewood and Branca

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**Public Comments:**

Goldie Solomon told the Board that we cannot be compared to cities and that our Village needs a hotel, that there is retail across from the hospital property and that what Starwood’s wants to put there is not good for the Village because we cannot take any more residential, our School District cannot take more children from residential development and the property owners cannot take any increases to our taxes. She spoke about the lack of sidewalks on New Broad Street adjacent to the MTA property which are needed there and also a handicapped parking location for Bethel Church in that area. Ms. Solomon said that our taxes are too high, property assessments are all wrong, that no other community has twelve group homes and we have a County Sewer Treatment Plant in our Village which we have to support. She called for the need of sidewalks on Locust Avenue adjacent to Recreation Park. Ms. Solomon told the Board that we do not need any more residential development and that they can lower our Village taxes but not for the schools that there is too much off the tax rolls with non-profits and that the citizens and taxpayers need the Board’s help.

Bea Conetta said that she does not come to every meeting because the Board is doing a good job but she has been asked by the seniors and other residents what is happening about the missing parking meter money. She spoke about a case in Hoboken New Jersey where an outside company was doing the collecting and not reporting all the money which this company was convicted and the parking director for the community was also jailed.

Mayor Pilla suggested to Mrs. Conetta and any others that are concerned on the progress of this case that if they are interested in moving this forward that they write to the County District Attorney whose office is handling this case.

Mrs. Conetta said that a while back she had proposed that the term for the mayor’s seat be extended.

Trustee Terenzi asked Mrs. Conetta what her position is about term limits.

Mrs. Conetta said that she agrees with term limits and said that last time she brought this up it was too late to be on the ballot so is asking that the Board put an extension of the term of mayor’s seat on the ballot for the next election. She spoke about the School Board of Education forum and said that people should stop complaining about the school budget and the ramifications of it and instead get out and vote next week. Mrs. Conetta said that the School Board has done very hard work for the School District.

Richard Abel said that the resolution on the agenda regarding the taxi dispatch companies have listed five companies and asked if our law allows the fifth company and the focus of the law.

The Village Attorney commented on the taxi litigation against the Village regarding the fifth dispatch company and the cap of the number of taxicabs.

Mr. Abel said that the Board should be proactive to remove the caps on taxis.

Mayor Pilla noted that Trustee Branca is still ill and that our prayers are with him.

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**Resolution: Comprehensive Plan**

The Clerk presented the first resolution on the agenda for the adoption of the final Scoping Document of the Draft Environmental Impact Statement regarding the 2012 Comprehensive Plan and Zoning Code and Map Amendments.

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

Vince Ferrandino of Ferrandino & Associates, the Village’s consultant for the Environmental Impact of the Comprehensive Plan spoke on the final scoping document dated today, May 7, 2012 and noted that from the original document there has been one change on page 5 for Chapter 3 of the inclusion of one sentence regarding alternatives. He said that this sentence reads as follows: “This chapter may also discuss additional potential alternatives for key development areas in the Village”. He said that once the scoping document is adopted his firm will move forward with the Draft Environmental Impact Statement.

Staff noted that the resolution inadvertently listed the date of April 2<sup>nd</sup> for the scoping document which was the original document so the resolution needs to be amended with the correct date of May 7, 2012.

Trustee Kenner made a motion to amend the resolution to change the date in the resolved paragraph to May 7, 2012.

**ROLL CALL**

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

**COMPREHENSIVE PLAN AND RELATED ZONING AMENDMENTS  
ADOPTION OF SCOPING DOCUMENT FOR DRAFT GENERIC ENVIRONMENTAL  
IMPACT STATEMENT**

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

WHEREAS, the Board of Trustees adopted a Positive Declaration directing that a Draft Generic Environmental Impact Statement (DGEIS) be prepared with regard to the Village’s comprehensive plan and related zoning amendments; and

WHEREAS, the Board approved a Draft Scoping Document in the form accompanying the Positive Declaration and scheduled a public scoping session on April 16, 2012 at 7:00 p.m. on notice to the public and interested agencies; and

WHEREAS, the record has since been closed for comment. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby adopts the annexed Scoping Document dated May 7, 2012 for which the Draft Generic Environmental Impact Statement (DGEIS) will be prepared for the Comprehensive Plan and related zoning amendments.

**ROLL CALL**

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

\*\* The annexed Scoping Document dated May 7, 2012 is on file with this resolution in the Clerk’s Office.

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**Resolution: Appointments**

Trustee Brakewood said that he had requested this appointment resolution for Timothy Murphy to be appointed as the alternate of the Planning Commission but since the Board could not conduct the interview this evening as stated earlier that he will make a motion to table the resolution to the May 21, 2012 Board meeting, Trustee Didden seconded the motion.

ROLL CALL

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

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**Resolution: Budget Amendment**

The Clerk presented the next resolution on the agenda authorizing a budget amendment regarding receipt of funds from G&S Developers representing condemnation court orders for Megamat Laundromat, Inc., and G&T Restaurant (DBA Coneyz).

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

The Board discussed the process of the receipt of these funds from G&S on these condemnation court orders noting that these funds only go through us to the recipient.

Leonie Douglas, the Village Treasurer spoke further on this matter stating that Trustee Terenzi discussed this process with her and agrees that these are not Capital funds so even though in the past a resolution was approved by the Board for the receipt of these funds for the Board's knowledge and that a resolution is not required.

The Board discussed this further with Ms. Douglas and advised her that they would still like acknowledgment of these payments but there is no need for resolutions.

Trustee Terenzi made a motion to withdraw the resolution authorizing a budget amendment regarding the receipt of these funds in the condemnation matter of G&S Developers for Megamat Laundromat, Inc., and G&T Restaurant (DBA Coneyz), Trustee Marino seconded the motion.

ROLL CALL

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

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**Resolution: Capital Projects**

The Clerk presented the next resolution for the closing out of Capital Projects.

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

Christopher Russo, the Village Manager asked if the Board could table this resolution because he needs to further review these close out of projects before the Board acts on this resolution.

Trustee Marino made a motion to table the resolution for the closing out of Capital Projects to the Board of Trustees meeting scheduled for May 21, 2012, Trustee Didden seconded the motion.

ROLL CALL

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

NOES: None

ABSENT: Trustees Branca and Kenner

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**Resolution: Licensing**

The Clerk presented the resolution under licensing regarding the approval of the Taxi Company Dispatch licenses for Coqui Taxi, Luso American Taxi, P.C. Taxi, RC Taxi and Village Taxi.

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

Mayor Pilla spoke about the regulations in the Code especially concerning the provision that each dispatch company has a different color for their taxis and the lack of enforcement on this subject and others regarding taxis. He noted that the Village has given over the licensing of taxi drivers to the County’s Taxi and Limousine Commission who provides background checks and drug testing which was also in our code but not enforced.

There was further discussion between the Board and staff regarding the licensing of dispatching companies, the current regulations and the provided applications of the five companies. The Village Attorney was requested to provide a legal opinion and that the Clerk provide a report on the applications.

Trustee Didden made a motion to table the resolution regarding the Taxi Company Dispatch licenses to the Board meeting of May 21, 2012 for the Village Attorney to provide a legal opinion and a report from the Village Clerk.

ROLL CALL

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

NOES: None

ABSENT: Trustees Branca and Kenner

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**Resolution: Police**

**BUDGET AMENDMENT  
AMMUNITION FOR POLICE DEPT.**

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, the Port Chester Police Department purchases ammunition from the New York State Procurement Program and has been notified that the cost for their required ammunition is increasing in June 2012; and

WHEREAS, Police Department personnel is recommending making a bulk purchase of the .40 caliber pistol ammunition, which the Police Chief confirms; and

WHEREAS, the New York State Contract #PC 63287 provides for purchase of this ammunition from Eagle Point Gun at 1707 3<sup>rd</sup> Street, Thorofare, New Jersey, 08086 at \$154.80 per case; and

WHEREAS, the Police Department is requesting the purchase of 130 cases in the amount of \$20,124, and

WHEREAS, the Service Supplies line 1.3120.409 only has \$3,322 remaining in its' budget line and an additional \$17,000 is needed to complete the above purchase. 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 2011-12 General Fund Budget as follows:

GENERAL FUND

**Police Department Budget Transfer**

From:		
1.3120.442	Contractual Expense	\$2,000
1.3120.403	Education & Training	\$2,500
1.3120.432	Collision & Painting	\$10,000
1.3120.435	Vehicle Town Charges	\$500
1.3120.441	Police Schooling	\$2,000

To:		
1.3120.409	Service Supplies	\$17,000

ROLL CALL

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

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***Resolutions: Recreation / Senior Programs***

**BID BUSES FOR VARIOUS TRIPS  
(COACH BUSES OR EQUIVALENT)**

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, the Village has advertised for bids for “Buses for Various Trips (Coach Buses or Equivalent)” with said bid opening held on April 17, 2012; and

WHEREAS, the Village received and opened four bids; and

WHEREAS, County Coach, Inc., PO Box 261, Rye, New York 10580, has submitted the lowest bid in the amount of \$28,350.00 for the said service; and

WHEREAS, the Recreation Department and Senior Program Director have reviewed these bids and recommends that the bid submitted by County Coach, Inc., be accepted, which amount has been appropriated in the 2012-2013 adopted Village Budget. Now, therefore, be it

RESOLVED, that the bid of County Coach, Inc. for bus transportation services in the amount of \$28,350.00 be and hereby is accepted.

ROLL CALL

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



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BID BUSES FOR VARIOUS TRIPS  
(SCHOOL BUSES OR EQUIVALENT)

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, the Village has advertised for bids for “Buses for Various Trips (School Buses or Equivalent)” with said bid opening held on April 17, 2012; and

WHEREAS, the Village received and opened four bids; and

WHEREAS, County Coach, Inc., PO Box 261, Rye, New York 10580, has submitted the lowest bid in the amount of \$28,010.00 for the said service; and

WHEREAS, the Recreation Department and Senior Program Director have reviewed these bids and recommends that the bid submitted by County Coach, Inc., be accepted, which amount has been appropriated in the 2012-2013 adopted Village Budget. Now, therefore, be it

RESOLVED, that the bid of County Coach, Inc. for bus transportation services in the amount of \$28,010.00 be and hereby is accepted.

ROLL CALL

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

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***Discussion: Home Rule Request for an E-Procurement Project***

Mayor Pilla said that he has been pursuing with the State making electronic reverse auctions available for municipalities. He spoke about the current bidding and procurement process verses a reverse electronic process which would be similar to E-Bay where a notice for a procurement item would be on an electronic site where contractors, companies, etc., would submit their proposals and there would be a time period that these bidders could then counter with lower bids. The Mayor said that recently he and the Village Manager met with the Mayor and City Manager of New Rochelle to discuss the possibility to jointly conduct an Electronic Reverse Auction pilot project which they are extremely interested in the idea. He said that combining with New Rochelle might accord additional benefits from combining the scale of select purchases, and would enable Port Chester to leverage New Rochelle’s purchasing staff. Mayor Pilla noted that the State’s Home Rule message window has closed but our representatives can put forth ten other items, so he is asking for an add-on resolution for Home Rule legislation for an E-Procurement Pilot program across several categories.

The Board discussed this subject and the consideration of an add-on resolution.

There being no objections, Trustee Didden made a motion to add on a resolution requesting a Home Rule Request regarding an electronic reverse auction pilot program for two years, Trustee Marino seconded the motion.

ROLL CALL

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

REQUEST FOR SPECIAL STATE LEGISLATION  
REGARDING ELECTRONIC REVERSE AUCTION PILOT PROGRAM

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

WHEREAS, Mayor Pilla has been lobbying for changes to our State’s procurement laws to reduce the public sector purchasing costs for goods and services through the use of Electronic Reverse Auctions; and

WHEREAS, progress has recently been made in this year’s New York State Executive Budget, with a provision in the State Procurement Laws for (only) State Agencies to pilot such Electronic Reverse Auctions; and

WHEREAS, discussions have been held with the City of New Rochelle and the Village of Port Chester for the consideration of jointly conducting such a pilot project; and

WHEREAS, the establishing of a pilot program requires home rule legislation by the State.

Now, therefore, be it

RESOLVED, that the Board of Trustees hereby authorizes the Mayor to send correspondence on behalf of the Village of Port Chester supporting Home Rule legislation to pilot for two (2) years an Electronic Reverse Auction Program.

ROLL CALL

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

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***Discussion: Mandate Relief Requests to New York State***

Mayor Pilla noted that Governor Cuomo has commissioned a committee regarding mandates. He said that the Governor and the State passed the 2% tax cap without any mandate relief so this committee has been assigned the task to review / identify mandates. The Mayor said that he had provided the Board with the 2012 New York Conference of Mayors (NYCOM) Legislative Program regarding mandates and that he is recommending a resolution on the following three mandates; Electronic Purchasing, the Triborough Amendment and Pension Reform.

Trustee Brakewood said that quantifying the dollar amount of the cost of these mandates would be helpful.

The Mayor said that quantifying would be difficult on some of these items.

Trustee Didden recommended adding the Wicks Law to the resolution noting that this would reduce the costs of the construction on public / private projects. He said that the Board had established a committee regarding group homes and said that should also be included.

Mayor Pilla spoke about the ability to tax exempt properties other ways noting the Sewer Rent Project that the Village is establishing. There was further discussion between Trustee Didden and the Mayor on this subject.

Mr. Russo said that the Board needs to customize their requests to the NYCOM listed mandates.

The Board directed that a resolution(s) on the proposed mandates be drafted for the May 21<sup>st</sup> Board meeting.

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***Discussion: Library Funding***

Mayor Pilla said that at the April 30<sup>th</sup> meeting at the adoption of the Budget the Board of Trustees did not authorize the same 2.7% increase that the Village of Rye Brook authorized for the Library. He noted that the Board did authorize an additional \$60,000 in the contingency account. The Mayor said that the Library has asked if we will be going forward with the additional funding for them because they are planning the summer reading program which may be in jeopardy without the extra money.

The Board discussed the subject of the additional funding for the Library further and it was a consensus of the Board to wait to see how the current fiscal year ends before committing extra for the Library.

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***Discussion: Parking Strategy***

Mayor Pilla stated that the Village is conducting a parking survey and that the Costco and 2<sup>nd</sup> deck of the G&S parking garage has availability at off times. He said that there needs to be a strategic agenda on parking and that the Village Manager has two contracts to rebid out and he does not have the staff to complete these tasks and that the Finance Office has had to take over some items that would be done through the Manager's office, the Sewer Rent Project for example. The Mayor said that the former Parking Commissioner of the City of White Plains, Al Moroni has provided a proposal to help the Village Manager write up a proposal and analysis with his compensation to be \$95.00 per hour.

Trustee Didden asked if there are any other communities doing this type of request for proposal (RFP).

The Mayor said the City of White Plains.

Trustees Didden and Terenzi said that instead of retaining Mr. Moroni why do we not just request the RFP and/or bid from White Plains. Trustee Didden stated that he had provided a draft proposal on this matter to staff and the Mayor noted that Trustee Didden did not list any amounts. There was a brief discussion between the Mayor and Trustee Didden on this topic.

Mr. Russo said that he does not have the staff for this process of drafting a proposal along with an analysis of proposals and will accept any help to move this forward. He said that the structure of parking management is greatly needed and that we can get information from White Plains but that will not provide all the pieces that we need. Mr. Russo also spoke about the maintenance contract for the multi-space parking machines and that Mr. Moroni

will provide his knowledge regarding this type of contract for the service and functions of the machines.

Trustee Didden said that Police Department staff has already provided their input regarding the functions of the machines and how they can be better utilized by hardwiring some machines compared to battery life and sleep mode which delays information.

Mayor Pilla said that we do not have the expertise on this subject and Mr. Moroni has even offered some free hours of consulting. There was further discussion about the operation of the multi-space parking machines and the maintenance contract for this equipment.

Trustee Marino asked how much would the consulting services of Mr. Moroni cost the Village.

Mr. Russo said that his proposal is \$95 per hour with a maximum of 40 hours.

There was further discussion on the Mr. Moroni's proposal and Trustee Didden spoke about Complus the contractor of the parking ticket collection which continued the discussion.

Trustee Brakewood asked how much revenue the Village received in parking and the Village Treasurer said \$850,000 and then Trustee Brakewood asked how much is paid to Complus which the Treasurer said is \$145,000. Trustee Brakewood said that with the cost for Complus and new parking machines the Board has spent more time arguing on this proposal stating that he agrees that the Manager should get this help. He again spoke on looking to providing more online transactions for parking tickets instead of personnel taking payments.

Mr. Russo suggested that Mr. Moroni compensation could be capped at \$3,000 for putting together an RFP regarding the parking ticket collection, the two contracts and review of the parking management program.

Trustee Marino said that he agrees to go forward with Mr. Moroni proposal and expressed that he has concerns that we are having problems with the new machines which need to be corrected quickly.

The Mayor said to Mr. Russo that when he is ready bring forth a resolution regarding Mr. Moroni's proposal for the Board's consideration.

Trustee Brakewood spoke further about parking in the downtown and noted that there are quite a few of private properties along Main Street that lock up their parking areas after their business hours. He said that he thinks that we need a local law in order to enact a preferred company to come in as a valet service to make arrangements / payments to encourage this process. The Board discussed Trustee Brakewood's comments further and noted that the greatest concern on all ends is liability issues.

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***Discussion: Downtown Business Improvement District Consideration***

Mayor Pilla spoke about a downtown business improvement district (BID) which could provide enhanced services, including streetscape improvement, snow removal, street cleaning and even a trolley – shuttle for the downtown. He said that this works best when it comes from the business community stating that back in the 90's such a district was being considered by the businesses and noted that Trustee Didden as a downtown property/business owner was involved with those discussions. The Mayor stated that the Village's Industrial Development Agency (IDA) has put money in their budget for the planning of economic

development projects and asked if the Board would be agreeable for the IDA to put money in for a study of a Downtown BID.

Trustee Didden said that without a plan it will not get the support of the business owners.

Mayor Pilla asked if the Board would want to put forward a resolution to the IDA for them to fund for the planning of this. The Board members present were agreeable with this approach. There was further discussion about the need of support from the business community on this subject. The Mayor said that G&S as the largest stakeholder downtown has indicated that they are supportive of a BID.

Trustee Didden asked the Village Manager what is the status of the decorative poles for the downtown that will match the light poles and be used over poles such as signage poles. He said that we received grant money a year ago for this project.

Mr. Russo advised the Board that these decorative poles have been received and will be installed.

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***Discussion: Bulkhead Status***

Mayor Pilla said that Trustee Branca was on the committee regarding the bulkhead and due to his illness he has been unable to attend the committee meetings and is proposing instead that the entire Board be this committee. He said that an interim meeting of the Board needs to be scheduled to discuss this matter and that he is also withdrawing the executive session on the agenda regarding consultation with the Village Attorney regarding bulkhead repair legal strategy.

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***Correspondence: Independence Committee for 4<sup>th</sup> of July Festivities***

The Clerk presented correspondence from the Town of Rye-Port Chester-Rye Brook Independence Day Committee regarding the 4<sup>th</sup> of July Festivities to be held on July 4, 2012 and the appropriation for the event.

The Board of Trustees referred the correspondence from the Independence Day Committee to staff for implementation.

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***Correspondence: Tamarack Tower Foundation – Taste of Port Chester***

The Clerk presented correspondence from the Tamarack Tower Foundation regarding placement of signage to promote their “Taste of Port Chester Restaurant Tour” to be held on June 30, 2012.

The Board of Trustees referred the correspondence from the Tamarack Tower Foundation to staff for authorization and implementation.

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***Correspondence: Reliance Engine & Hose Co. #1 - 190<sup>th</sup> Anniversary***

The Clerk presented correspondence from Reliance Engine & Hose Co. #1 to arrange a meeting with the Board and staff regarding their plans for the celebration of the 190<sup>th</sup> Anniversary of their organization to be held in 2013.

The Board of Trustees referred the correspondence from Reliance Engine & Hose Co. #1 to staff for scheduling of the meeting.

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***Correspondence: Chamber of Commerce – Annual Banner Program***

The Clerk presented correspondence from the Port Chester-Rye Brook-Rye Town Chamber of Commerce of their annual request for approval of their Annual Banner Program.

The Board of Trustees referred to staff the correspondence from the Chamber of Commerce subject to any conditions.

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***Correspondence: Fire Patrol & Rescue Co. #1 – Car Show***

The Clerk presented correspondence from Fire Patrol & Rescue Co. #1 requesting the use of North Main Street for their Car Show to be held on October 14, 2012 with a rain date of October 21<sup>st</sup>.

The Board of Trustees referred to staff the correspondence from Fire Patrol & Rescue Co. #1 subject to any conditions.

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***Minutes:***

The Clerk presented the Board of Trustees minutes of April 2, 2012, April 11, 2012, April 16, 2012, April 18, 2012, April 23, 2012 and April 26, 2012.

Trustee Didden made a motion to approve the minutes, Trustee Marino seconded the motion with the following notations due to absences:

Trustee Didden recused himself from the minutes of April 26, 2012; Trustee Brakewood recused himself from the minutes of April 11, 2012 and Trustee Terenzi recused himself from the minutes of April 16, 2012.

**ROLL CALL**

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

NOES: None

ABSENT: Trustees Branca and Kenner

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***Public Comments:***

Bea Conetta talked about the public comment sections of the meeting and that the Board should not interpret residents during their five minutes but speak after. She said that the seniors express their good wishes and prayers to Trustee Branca. Mrs. Conetta spoke about the upcoming School Board Election and budget vote which is May 15<sup>th</sup> and every one should go out and use their right to vote. She commented on the discussion regarding hiring a consultant regarding review of parking matters which she thinks is a great idea and that the old expression is you have to spend money to save money noting that three thousand dollars

is nothing and that the Board should go forward with this proposal. Mrs. Conetta said that it was great that Trustee Terenzi challenged the representatives from Starwood about their project that we need not to let developers dictate what should be done in our Village and at this site. She spoke about the Library and noted that for years she fought against the name change to include Rye Brook but with that additional it provided more financial overview and the Library has spent their money renovating the facility which is beautiful. Mrs. Conetta's final comment is that she has heard that Joan Mancuso, the Village Clerk is leaving the Village at the end of this month to make a move down south. She said that Ms. Mancuso has been a hardworking Clerk for the Village, commended her for service to our community and wished her the best in the future because she will miss her at the Village.

Richard Abel asked a question about the Sewer Rent District which was a collection question. He asked if property owners would be receiving a bill from the Water Company.

The Village Manager and Village Attorney said that property owners will receive a separate bill from the Water Company for the Village of Port Chester to our account through a lock box.

Mr. Abel asked what if a property owner does not pay how would the money be collected.

Trustee Terenzi said that he will not vote on this project if we cannot put a lien for non-payment. He questioned if unpaid invoices will go to the Tax Receiver.

The Village Attorney said that liens were not part of the plan but that State Law authorizes to levy on taxes. There was further discussion on this subject.

Mr. Abel said that his question is what will be the mechanism to collect unpaid bills.

The Mayor said that is part of the discussion with the Water Company and asked that a further discussion regarding the Sewer Rent Project be made part of the May 21<sup>st</sup> Board agenda

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***Board Comments:***

Trustee Brakewood spoke further about possible delinquent payments in regard to the Sewer Rent Project and equated that with outstanding parking tickets. He said that we should provide the easiest methods of payments for all matters within the Village which is payments on-line with no additional service fees. He asked when Rose Noonan of the Housing Action Council would be back regarding the framework of a Housing Rehabilitation Program for the Village. The Village Manager said that they had contacted Ms. Noonan but his office has not heard back so will follow up again.

Trustee Brakewood said that it is convenient that we live in such a small distance community that he was able to leave tonight's Board meeting so he could attend his daughter's elementary school spring concert and drive by to see his son in a baseball game at the park. He said that he was sorry that he missed the Starwood's presentation and offered to fill in for Trustee Branca on the Starwood's and G&S committees.

Mayor Pilla thanked Trustee Brakewood for volunteering for these committees which he agrees with and that Trustee Brakewood could bring a lot to these meetings.

Trustee Didden noted that Trustee Branca was also a member of the group home subcommittee and asked if Trustee Brakewood would also join that committee too. Trustee Brakewood said that he would.

Trustee Brakewood continued his comments noting that the Port Chester Council for the Arts celebrated their 30<sup>th</sup> Anniversary with a production that our Senior Center was used. He said that they are very thankful for the use of the center and the cooperation of the staff and the seniors of any disruptions to their programs because of their use. Trustee Brakewood said that the Art Council is interested in the empty portion at Village Hall which was the old gym and that they have been given a tour of this space and they are predicting that it could cost \$750,000 to convert. There was further discussion on this topic. Trustee Didden noted that the community funded the auditoriums at the Middle School and at the High School and why doesn't the Art Council use these facilities. Trustee Brakewood said that there is difficulty of holding productions of other organizations at the school facilities because of the needs of the school programs. There was further discussion regarding the Village Hall old gym space. Trustee Brakewood noted that the Port Chester Middle School this past weekend had their production of the "Little Shop of Horrors".

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Trustee Terenzi noted that he participated in a walk-thru of the old gym space at Village Hall with Assemblyman Latimer with members of the Recreation Commission and the Recreation staff for funding for a multi-purpose room for recreation use. He said that it was in the range of one million for that use and the biggest question is how it will be used which the Recreation staff and Commissioners said that it would be because there is less availability at other facilities like the Don Bosco Center and the schools.

Trustee Terenzi said that the next six months there will have to be hard decisions made regarding the United Hospital site. He said the Master Plan is good and with the United Hospital site that the developer's strongest talking point is that they want to go forward with their plan. Trustee Terenzi said that more discussion is needed on G&S proposal regarding the property at the corner of Westchester/Main Street/Abendroth Avenue.

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Trustee Didden joined Mrs. Conetta with their hopes that Trustee Branca is doing well. He said that he is glad that Trustee Brakewood will be joining in the committee on group homes.

Trustee Didden said that there needs to be further review of different scofflaw programs and that the Village could go forward on this issue with more notices / safeguards. He also renewed his call for a meeting regarding the Code Enforcement Amnesty issue. Trustee Didden spoke about other code enforcement items including signage which he spoke briefly about and that we need priorities of activities regarding code.

Trustee Brakewood said that the number one issue regarding code enforcement has been overcrowding and will always be. He said that after that first priority we can look at what the number two, three and four items are.



Trustee Marino said that if we have a policy / code regarding signage then everyone needs to follow the rules.

Trustee Didden said that he agrees with Trustee Marino and noted that when this Board came in it was all about health and safety on housing which the Code Enforcement Department put all their efforts on that and other items have been put to the side. There was further discussion on the topic of items related to code enforcement between the Board members.

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Trustee Marino said that the Village Clerk provided notice to the Board a month ago that she is leaving at the end of this month and asked the Village Manager if he has advertised the position.

Mr. Russo said that the position was advertised in several ways and that he has received multiple applications. He said that the Board needs to meet to consider who to interview.

\* \* \* \* \*

Mayor Pilla said that there are a lot of things going on in the Village with fewer resources noting that we have the election next year for the entire Board, so we need to go through a strategic plan exercise. He said that Mr. Russo has information on this exercise process for all the departments that he can talk separately with the Board on this subject.

\* \* \* \* \*

There being no further business, on motion of Trustee Kenner, seconded by Trustee Didden the meeting was closed at 10:25 p.m.

ROLL CALL

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

Respectfully submitted,

Joan Mancuso  
Village Clerk