

MEETING HELD MAY 21, 2012

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, May 21, 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 Saverio Terenzi, Bart Didden, Luis Marino and Joseph Kenner.

It should be noted that Trustee Daniel Brakewood arrived at 5:45 p.m., and Trustee John Branca was absent.

Also present were Village Manager, Christopher Russo; Village Clerk, Joan Mancuso; Village Attorney, Anthony Cerreto; Assistant to the Village Manager / Director of Code Enforcement, Christopher Steers and Director of Planning and Development, Christopher Gomez. Village Treasurer, Leonie Douglas arrived at 7:00 p.m.

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On motion of Trustee Didden, seconded by Trustee Kenner, the meeting was opened at 5:40 p.m.

ROLL CALL

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

Work Session: Comprehensive Plan Zoning Map and Text Amendments

A work session on the Comprehensive Plan Zoning Map and Text Amendments was held with staff and the consultants, Frank Fish of BFJ Planning and Vince Ferrandino of Ferrandino & Associates.

Christopher Steers, the Assistant Village Manager said that this work session is a follow up to the last two sessions regarding the Comprehensive Plan process. He said that at the last meeting held this past Wednesday the Board provided direction to us on the zoning of the MUR district and the United Hospital site which Mr. Fish will review.

Frank Fish summarized the changes that have been incorporated since the last work session noting that the first item was the discussion of keeping the MUR District except for one section on Purdy Avenue.

Trustee Terenzi spoke about a site that was in the MUR changed to DW and that the property owner would not lose its rights.

Mr. Steers spoke on that particular property.

Mr. Fish continued with the other change regarding the United Hospital site that doubles the floor area ratio (FAR) for assisted / senior living. He said that the Board has been provided tonight with the final plan and zoning amendments.

Trustee Kenner inquired if these documents are redlined with the changes.

Mr. Fish noted that these documents are the final copy for the public hearing and are redlined. He reviewed the two changes again that the MUR district is staying and the change to the FAR for the hospital site. Mr. Fish said that the Board also has a resolution on tonight's agenda to schedule the public hearing on the Plan and Zoning for June 18, 2012 noting that the Board is required to hold such public hearing within 90 days of receipt of the Plan from the Comprehensive Plan Advisory Committee (CPAC). He said that this public hearing will hear comments from the public and others and that Mr. Ferrandino will review for the required Draft Environmental Impact Statement at the hearing.

Trustee Didden questioned the FAR for the hospital site and the number of units that it would generate. There was further discussion on this topic and Mr. Fish advised the Board that it would provide for about 369 units that 3/5 of the units would be assisted / senior housing and 2/5 regular units and that this calculation does not include the 133 units at 999 High Street. The discussion on this topic continued between the Board and staff.

Trustee Terenzi noted that even after the adoption of the Plan a developer can come to the Board with an application and zoning can be changed by a Board if so determined.

Mr. Fish said that a Board could entertain that and that this plan provides the start.

Trustee Brakewood stated that this Plan is the best consideration of the Village and should not automatically be the best for developers.

Mr. Steers spoke about the table of the plan and that the matrix table has been removed.

Mr. Fish noted that the scoping document was also modified concerning alternatives.

Mayor Pilla said that representatives of Starwood, the hospital site property owners and a major stakeholder were invited to the table during this process and that they have a plan for their property.

Anthony Cerreto, the Village Attorney stated that Starwood submitted an application for their property today which needs to be reviewed by staff and that their application is not before the Board.

The Mayor asked the Starwood representatives to comment at this time.

Anthony Gioffre, Esq., attorney for Starwood Capital said that they were unable to attend the last work session that they were not aware until later but had sent someone from his office to take notes at that session. He asked for clarification if the matrix table was removed from the plan.

Mr. Steers said that was correct.

Mr. Gioffre said that there are concerns with them regarding flexibility within the Plan and wanted to make sure this was the case. He spoke further on their concerns regarding flexibility for their site.

Mayor Pilla asked Mr. Gioffre if conceptually does the removal of the matrix is acceptable to them.

Mr. Gioffre spoke on that and noted that they still take issue of the FARs and other language in the Plan. He said that he would like an opportunity to review the documentation before further comments.

The Mayor reviewed the summary of the table for the hospital site.

Mr. Gioffre said that the removal of the matrix is a good step but that they still have concerns of the FAR and language and reserves the right to review and comment.

Trustee Terenzi asked that isn't the table just what is in the plan.

Mr. Gioffre spoke on this question from Trustee Terenzi.

Mr. Steers noted that it would require a change to plan not just zoning.

Mr. Fish spoke about flexibility.

Trustee Brakewood asked if the number of units spoken about earlier includes the bonus.

Mr. Fish said no that the bonus is not part of the units that were discussed earlier.

Mayor Pilla commented on the bonus options.

Mr. Gioffre expressed their concerns again and said that they look forward on moving both processes forward.

The Mayor made his final comments and that the Village is listening and is receptive of ideas.

Mr. Steers said yes the Village is listening and receptive as long as there is no hijacking.

On motion of Trustee Didden, seconded by Trustee Marino, the work session on the Comprehensive Plan Zoning Map and Text Amendments was closed at 6:15 p.m.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

The Board took a fifteen minute recess before the next agenda item scheduled to start at 6:30 p.m.

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Executive Session: Interview of Candidate for the Planning Commission

On motion of Trustee Didden, seconded by Trustee Kenner, the Board of Trustees at 6:30 p.m., adjourned to an executive session for an interview of a candidate for the Planning Commission. Also included in the executive session were the Village Manager, the Village Attorney, the Assistant Village Manager, the Director of Planning and Development and the Village Clerk.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

No action was taken in the executive session.

At 6:42 p.m., on motion of Trustee Didden, seconded by Trustee Kenner, the executive session was closed.

ROLL CALL

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

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Executive Session: Housing Code Prosecutor

On motion of Trustee Didden, seconded by Trustee Kenner, the Board of Trustees adjourned to an executive session at 6:43 p.m., regarding the Housing Code Prosecutor. Included in the executive session were the Village Manager, the Village Attorney, the Assistant Village Manager and the Director of Planning and Development.

ROLL CALL

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

No action was taken in the executive session.

At 7:04 p.m., on motion of Trustee Terenzi, 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, Kenner and Mayor Pilla
NOES: None
ABSENT: Trustee Branca

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Mayor Pilla noted that Joan Mancuso, the Village Clerk had provided notice to the Village last month and that May 31, 2012 will be her last day with the Village. He spoke about the fifteen years of service that Mrs. Mancuso has given to the community as the Deputy Village Clerk and for the last three years as Clerk. The Mayor and the Board of Trustees presented to Mrs. Mancuso a meritorious service award for her outstanding leadership, dedication and service to the Village and wished her the best in her future endeavors on her relocation down to North Carolina.

Mrs. Mancuso thanked Mayor Pilla and the Board of Trustees for this honor and said that it was a pleasure serving the Village, the residents and the community. She also thanked her staff for their hard work and dedication.

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Presentation: Annual Stormwater Report

Dolph Rotfeld of Rotfeld Engineering, the Village's Engineer made a presentation to the Board on the Village's Annual Stormwater Report. He said that this State Department of Environmental Conservation (DEC) MS4 report as noted needs to be completed annually and

that this report covers the period of March 10, 2011 to March 9, 2012. Mr. Rotfeld said that the work completed during this period is according to the New York State Environmental Protection Agency (EPA) of the work related to the MS4. He said that the only action required for this report is that the Mayor has to sign the certification within the report and send to the DEC. He explained all the aspects of the report to the Board and they discussed certain items with Mr. Rotfeld including the EPA order and the items listed regarding the marina which Mr. Rotfeld further explained.

Mayor Pilla noted that he attended a meeting with Christopher Russo, the Village Manager and Mr. Rotfeld with all the State agencies regarding our MS4 report and EPA Administrative Order which the State representatives were quite impressed with our progress.

Mr. Russo advised the Board that the Department of Public Works has cleaned out 80% of all our catch basins and that this department is doing a great job with complying with the necessary items of the report.

The Mayor and the Board thanked Mr. Rotfeld for giving this presentation on the Annual Stormwater Report and Mayor Pilla signed the required certification.

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Public Comments:

Goldie Solomon spoke about the Police/Fire communion mass and breakfast that was held this past weekend and that only Trustee Marino was in attendance as a volunteer firefighter.

Trustee Kenner noted that he was also in attendance at this event.

Ms. Solomon said that she is glad that Trustee Didden will be appointed Deputy Mayor. She told the Board that our taxes are too high, that there is too much off of the tax rolls that our assessments are all wrong that the Town does not consider age, location and condition of property. Ms. Solomon said that the Board of Trustees should try to get city status for Port Chester then we can keep some of the sales taxes. She told the Board to do something to help the citizens and tax payers of Port Chester.

Gene Ceccarelli thanked Mrs. Mancuso for her service to the Village along with her staff. He said that they have always provided great service to him and wished her the best. Mr. Ceccarelli spoke on a newspaper article recently in the Journal News regarding municipal debt that several communities in the County have large debt and that their bond ratings have declined but this article was a great report on Port Chester where the Village has increased their bond rating so commended the Village Manager and the Village Treasurer for their work on this subject.

Mayor Pilla spoke further on the increase of the bond rating which was also caused by the actions of this Board to use short term debt.

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Resolutions: Appointments

The Clerk presented the first resolution on the agenda regarding the appointment of Trustee Didden as the President of the Board of Trustees (Deputy Mayor).

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

The Mayor stated that Trustee Terenzi had requested this item so would give him the floor to explain.

Trustee Terenzi said typically Boards had the tendency to rotate this position on an annual basis and since we did not have a reorganization meeting because there was no election this year this is a good time to make this appointment with the start of the new fiscal year on June 1st. He said that Trustees Brakewood and Kenner have served in this position noting that he has also done so in the past and would does not want to do so again so that leaves Trustees Didden and Marino for consideration and he put forth Trustee Didden to be appointed.

Trustee Brakewood said that in his thinking the function of the Deputy Mayor is to agree with the Mayor since he would be filling in for the Mayor at meetings and functions.

Trustee Terenzi said that he does not agree with Trustee Brakewood because the position of the Mayor is just one vote like all of us and the Deputy Mayor does not always agrees with the thoughts, actions and agenda of the Mayor. He said to Trustee Brakewood that a discussion was held when Trustee Brakewood was appointed Deputy Mayor which he agreed to rotate annually this appointment which he is now going back on. More discussion continued between Trustees Terenzi and Brakewood on this subject.

Mayor Pilla said that he and the Deputy Mayor should have a good working relationship stating that they are the face of Port Chester and that he cannot support this resolution for several reasons which he commented on.

Trustee Didden commented back on the Mayor's statement and further discussion ensued between the Board members and the Mayor. A call for the vote was made by Trustee Marino.

**APPOINTMENT OF
DEPUTY MAYOR**

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

RESOLVED, that TRUSTEE BART DIDDEN, be and he hereby is designated as President of the Board of Trustees with the power to act as Mayor of the Village of Port Chester, New York, in case of the Absence or sickness of the Mayor, in which event, he shall have all the powers, rights and privileges, and be subject to all the duties of the Mayor of the Village until recovery or return of said Mayor who shall have been absent or sick.

ROLL CALL

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

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Mayor Pilla noted that the Board had conducted interviews of two candidates for the alternate position of the Planning Commission over the last several months with one tonight and there is still another candidate for our consideration that was not available for tonight's interview so the Board in our deliberations have decided to table the resolutions on agenda.

Trustee Kenner made a motion to table with the date uncertain the two resolutions regarding the appointment of the alternate member of the Planning Commission, Trustee Brakewood seconded the motion.

ROLL CALL

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

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APPOINTMENT TO THE ARCHITECTURAL BOARD OF REVIEW

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

WHEREAS, currently there is one vacancy of a full member on the Architectural Board of Review; and

WHEREAS, Susan E. Plant is the alternate member of the Architectural Board of Review whose term expires on March 20, 2013; and

WHEREAS, it is the intention of the Board to elevate Ms. Plant as a full member. Now, therefore be it

RESOLVED, that SUSAN E. PLANT, residing at 104 Hawley Avenue, Port Chester, New York, be and she hereby is appointed as a full member of the Port Chester ARCHITECTURAL BOARD OF REVIEW, effective upon her resignation as the alternate member for the open position which term expires March 20, 2015.

ROLL CALL

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

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Resolutions: Comprehensive Plan

**PUBLIC HEARING ON PROPOSED VILLAGE OF PORT CHESTER
COMPREHENSIVE PLAN AND RELATED ZONING REGULATION TEXT AND
MAP AMENDMENTS**

On motion of TRUSTEE KENNER, 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 is in the process of adopting its first-ever Comprehensive Plan (“Plan) to guide future growth and preservation patterns for the protection of the public health, safety and general welfare of its citizens; and

WHEREAS, the Village Board of Trustees established the Comprehensive Plan Advisory Committee (CPAC) to assist the Board in developing the Plan; and

WHEREAS, the CPAC held a public hearing on March 21, 2012 and unanimously approved the referral of the Draft Comprehensive Plan to the Village Board of Trustees; and

WHEREAS, pursuant to New York State Village Law §7-722 (6), the Village Board of Trustees must, within ninety (90) days of receiving a recommended comprehensive plan submitted to them by a planning board or special board assigned to prepare the comprehensive plan, hold a public hearing on such proposed plan; and

WHEREAS, the Village’s consulting planner, BFJ Planning, submitted a preliminary Draft Zoning Regulation text amendments and Map to the Village Board of Trustees on March 22, 2012 and held a work session with the Board of Trustees on this date as well as on May 16, 2012; and

WHEREAS, pursuant to Village Law §7-722 (5), any proposed comprehensive plan may be referred to the village planning board, in this case, the Planning Commission, for review and recommendation before action by the Board of Trustees; and

WHEREAS, pursuant to Village Law §7-722 (5), the Village Board of Trustees shall, prior to adoption, refer the proposed Comprehensive Plan to the Westchester County Planning Board for review and recommendation as required by the County Administrative Code; and

WHEREAS, pursuant to the Zoning Regulation, proposed zoning amendments shall be referred by the Board of Trustees to the Planning Commission for its recommendation. Now, therefore, be it

RESOLVED, that the Village Board of Trustees, pursuant to §7-722 (6), hereby schedules a public hearing on the Draft Comprehensive Plan, to be held at the Port Chester Village Court, 350 N. Main Street, Port Chester, NY 10573, on June 18, 2012 at 7:00 p.m.; and be it further

RESOLVED, that the Board refers the Draft Comprehensive Plan and Draft Zoning Regulations text amendments and Map to the Village Planning Board and the Westchester County Planning Board for review and recommendation.

ROLL CALL

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

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**COMPREHENSIVE PLAN BUDGET MODIFICATION TO
REFLECT THE USE OF KINSPORT APT. IMPACT FEE**

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

WHEREAS, on July 18, 2011, Village Board appropriated \$62,273.42 from General Fund Contingency for planning consulting services to assist in the development of the Comprehensive Plan with regard to a Route 1 Corridor/Downtown Plan and a GEIS while awaiting the receipt of the Kingsport Apartment Impact Fee funds; and

WHEREAS, the Kingsport Apartment Impact Fee funds has been received by the Village. Now, therefore, be it

RESOLVED, that the Capital Fund Comprehensive Plan Budget 5.8020.400.2006.40 be modify to reflect the return of the \$62,273.42 to General Fund and to appropriate instead \$62,273.42 from the Kingsport Apartment Impact Fee Deferred Revenue.

ROLL CALL

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

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Resolution: Legal

Trustee Didden stated that he will recuse himself from this resolution noting that he is part of this litigation.

DOMENICK BOLOGNA ET AL.
v. VILLAGE OF PORT CHESTER
AUTHORIZATION OF FURTHER PROCEEDINGS

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

WHEREAS, the Appellate Division, Second Department, of the Supreme Court of the State of New York, rendered a decision dated May 1, 2012, affirming the Decision/Order/Judgment of the Honorable John R. La Cava, Justice of the Supreme Court, Westchester County, in the matter of Bologna et al. v. Village of Port Chester with regard to the judicial valuation of certain properties acquired through eminent domain in furtherance of the Village’s Modified Marina Redevelopment Project; and

WHEREAS, Notice of Entry of such decision was served upon the Village’s special counsel on or about May 3, 2012; and

WHEREAS, special counsel has consulted with the Board of Trustees with regard to the decision. Now, therefore, be it

RESOLVED, that the firm of Watkins & Watkins, LLP, special counsel with regard to the Modified Marina Redevelopment Project, is hereby authorized to make a motion for reargument in the Appellate Division and/or seek leave to take an appeal to the Court of Appeals in the matter of Bologna, et al. v. Village of Port Chester.

ROLL CALL

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

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Resolution: Licensing

The Clerk presented the next resolution regarding the approval of Taxi Company Dispatch licenses.

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

Mayor Pilla noted that this resolution had been tabled from the last meeting for the Village Attorney to provide an opinion regarding the regulation of color designation of the cars in the current law and a report from the Clerk.

There was further discussion regarding the regulation of the color designation that came into effect in 1999 which in the Code the Clerk was to designate a color for each company within a certain time period which never occur and the Village Attorney's opinion on this subject.

The Clerk noted that most of the licensed taxis are owned by individuals and not the companies and owners do change the dispatch companies that they work for and that there are even taxis that currently work for two different dispatch companies at the same time. There was further discussion on the subject of the color designation and the lack of the enforcement of this regulation. Trustee Brakewood recommended that the law be reviewed and consideration of change suggesting that instead of designating different colors for the companies that there should be a uniformed color for all taxis. Trustee Didden commented on certain aspects of the dispatch companies' applications which concern him.

Mayor Pilla commented further on the path the Village had taken over the last several years regarding the licensing of taxis noting that the taxi drivers licensing process is now done by the Westchester County Taxi and Limousine Commission because we could not enforce our laws regarding background checks and drug testing. He said that we do not enforce our laws and is in favor of giving up the licensing process for the rest of the taxi industry.

The Clerk advised the Board that when packages were sent to them last Friday that within the resolution there are blanks in the 3rd whereas paragraph of the number of companies and in the resolved paragraph for two of the companies because PC Taxi and Village Taxi had to provide updated documents which she received today so at this time their applications are complete.

Trustee Brakewood made a motion to amend the resolution regarding the Taxi Dispatch licenses to add in the 3rd whereas paragraph the number of applicants as five (5) and in the resolved paragraph to add to the list of applications to include PC Taxi and Village Taxi, Trustee Kenner seconded the motion to amend.

ROLL CALL

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

NOES: Trustee Didden

ABSENT: Trustee Branca

TAXI DISPATCHING LICENSES

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

WHEREAS, Section 295-20, "Taxicabs", of the Village Code provides for the "Licensing of company dispatching", subject to the approval of the Village Board of Trustees; and

WHEREAS, Coqui Taxi, Luso American Taxi, P.C. Taxi, RC Taxi and Village Taxi have submitted applications for a dispatching license to the Village Clerk's Office for the approval by the Board of Trustees as provided by in Section 295-20 (C); and

WHEREAS, these applications have been reviewed by the Village Clerk, who makes a favorable recommendation of approval for the five (5) applicants. Now, therefore be it,

RESOLVED, that the Board of Trustees hereby approves the applications submitted by Coqui Taxi, Luso American Taxi, RC Taxi, PC Taxi and Village Taxi and directs the Village Clerk to issue a license for dispatching to each respective applicant, with said license to expire on March 31, 2013.

ROLL CALL

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

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Resolution: Video

VIDEO CONSULTANT AGREEMENT

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

WHEREAS, Thomas J. Lorenzo since 2004 has served as the Village of Port Chester's video consultant; and

WHEREAS, by resolution dated July 20, 2009, the Board of Trustees accepted the proposal of Mr. Lorenzo with regard to his rate of compensation; and

WHEREAS, since 2009 the Board of Trustees has directed that Mr. Lorenzo also video tape the meetings of the Planning Commission and Zoning Board of Appeals; and

WHEREAS, as of June 1, 2012, his hourly rate will increase from \$32.00 an hour to \$35.00 an hour. Now, therefore be it

RESOLVED, that the Village Manager be authorized to accept the hourly rate proposal of Thomas J. Lorenzo, 15433 12th Road, Whitestone, New York dated May 1, 2012 confirming his new hourly rate of compensation for video consulting services.

ROLL CALL

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

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Discussion: Sewer Rent Project

Mayor Pilla said that at the last meeting the subject of the collection process for this project was brought up so placed this discussion on for tonight so staff can update the Board further regarding this topic.

Anthony Cerreto, the Village Attorney said that he provided the Board with information that explains by State Law sewer rent is a lien and will be enforced.

Trustee Terenzi questioned the process regarding the collection process and how that would be accomplished with the Town's Receiver of Taxes. There was further discussion on this topic regarding the billing and any collection process on pass due billing.

Mr. Russo spoke on the tax collection and billing approaches. He told the Board that the State Public Service Commission (PSC) who has approval over this project is still working on accommodating us because they have not dealt with this type of project because it is a private/public project but noted that the PSC is favorable. Mr. Russo told the Board that staff is working on two plans regarding billing in order to move forward with a Plan A to be billed by consumption which is what the Village wants to accomplish and a Plan B which would be a flat fee billing. He said that United Water Company is working on the cost and process for billing and that what is required to cover the budget for this project is 20% of the water bill.

Trustee Terenzi questioned if this is done by a flat rate how would we do that.

Mr. Russo said that we have this year's consummation information and the flat rate would be completed by property categories.

Trustee Terenzi said that he has concerns with going with a flat rate vs. consummation because it could be a big difference.

Mr. Russo and the Mayor spoke further about the use of a flat rate on a temporary basis if we are delayed with going on the billing by consummation and the differences between property categories.

Trustee Didden expressed his frustration that the Board passed the Village budget with this project which has all these holes. There was further discussion about Sewer Rent Project.

The Mayor requested that staff provide the Board with a timeline of the major milestones for this project and analysis regarding the Plan B option. There was discussion about the billing cycle whether it would be on quarterly basis and Mr. Russo said that it may be monthly but this subject needs further discussion with the Water Company.

Trustee Brakewood expressed how important it is that the proper communication is made to the residents and property owners regarding this project because this will be a new billing to them. He said that we should use the website, cable and send letters directly. Mayor Pilla said that on the next Board meeting agenda there will be a discussion item for further update of this project.

Trustee Terenzi spoke about the tax billing cycle and the yearly cycle so need to end the billing cycle one month prior to have enough time to give the bills to the Tax Receiver.

There was further discussion on the topic of billing and timing with the Receiver of Taxes. Trustee Brakewood noted that this project is part of the Village Budget that begins June 1st so wants to make sure that the first quarter billing does not happen six months later which could cause doubling the billed amount. He also expressed concerns if billing is going to the owner or tenant. Leonie Douglas, the Village Treasurer said that property owners are always the responsible party in these types of matters.

The Board and staff spoke further about the Plan B option of a flat rate and it was stated that it would be basically be about \$100.00 a year.

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Correspondence: Church of Our Lady of the Rosary

The Clerk presented correspondence from the Church of Our Lady of the Rosary requesting permission for a procession from Corpus Christi Church to Holy Rosary Church on June 10, 2012 beginning at approximately 12:15 p.m., in celebration of the Feast of Corpus Christi.

The Board of Trustees referred the correspondence from the Church of Our Lady of the Rosary to staff subject to any conditions.

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Correspondence: Park Avenue Elementary School

The Clerk presented correspondence from Park Avenue Elementary School requesting that Park Avenue from Columbus Avenue to College Avenue be closed on June 8, 2012 from 9:00 a.m. to 2:00 p.m. for their Annual Fun Day.

The Board of Trustees referred the correspondence from Park Avenue Elementary School to staff subject to any conditions.

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Correspondence: Corpus Christi Church

The Clerk presented correspondence from Corpus Christi Church requesting permission to place a banner across Westchester Avenue to promote their carnival to be held on August 13th through August 18th, 2012.

The Board of Trustees referred the correspondence from Corpus Christi Church to staff subject to any conditions.

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Correspondence: Clay Art Center

The Clerk presented correspondence from the Clay Art Center requesting permission for the use of the area of the Beech Street parking lot in front of the Clay Art Center for their annual Seconds Sale on June 2, 2012 from 10:00 a.m. to 4:00 p.m.

The Board of Trustees referred the correspondence from the Clay Art Center to staff subject to any conditions.

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Reports: Reliance Engine & Hose Co. #1

The Clerk presented a report from Reliance Engine & Hose Co. #1 on the resignation of William Fox and the expulsion of Thomas Finn, Jr.

The Board of Trustees noted the report from Reliance Engine & Hose Co. #1.

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Public Comments:

Gene Ceccarelli stated that he was on the Taxi Strategic Advisory Committee and that he recommended oversight of the taxis with a taxi inspector. He noted that he has not had any problems regarding taxis. Mr. Ceccarelli said that Mr. Lorenzo the video consultant does a great job and deserves the increase. He said that it is more difficult to scroll back while reviewing the videos online on the Village website. Mr. Ceccarelli asked about Trustee Branca and how he is doing. The Mayor said that Trustee Branca is still out ill.

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Board Comments:

Trustee Brakewood said that he and Mr. Ceccarelli are working with others to arrange a Port Chester Clean-up Day and that June 16th is a potential date. He said that the taxi conversation tonight was unproductive. Trustee Brakewood said that there is a need for improvement regarding the taxis and the conversation should be what can we do here to make it better. He said that our downtown is very exciting with restaurants, stores and activities. Trustee Brakewood said that the Village needs to be proactive in reference to the opening of the Mariner rental development and the level of noise from Bartaco which is next to the Mariner regarding complaints and that there should be a workable arrangement with Code Enforcement, the Police and the owners of Bartaco and the Mariner. Trustee Didden stated that he and staff have spoken to a New Rochelle firm regarding noise standards. There was further discussion on the topic of noise and Trustee Brakewood's comments. Trustee Brakewood concluded his comments that he is very excited that the Master Plan is moving forward noting that staff and the consultants have had several workshops with the Board and that this plan is the best for Port Chester.

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Trustee Terenzi said that the Board has been working well together and was disappointed with the vote on the Deputy Mayor resolution. He said that this position is really ceremonial. Trustee Terenzi asked the Mayor that if he cannot attend the Rye Town Park meetings to please inform Deputy Mayor Kenner with enough notice because we need representation at these meetings for Port Chester.

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Trustee Didden commended the Clerk on all her efforts and dedication to the Village and wished her the very best. He spoke about the lack of planning of bringing in a new clerk before Mrs. Mancuso leaves which is short sighted and if the Clerk's office is not properly staffed it looks bad on the Village. Trustee Didden spoke about the lack of a formal property amnesty program and that he is still getting contacted by property owners that have very old permits outstanding that were opened by previous owners. He said that staff is making a program regarding amnesty without Board approval. Trustee Didden said that there needs be guidelines for the prosecutors and spoke about illegal construction work being done so there needs be guidelines and priorities on this issue. He spoke about our noise regulations and wants a follow up with staff on this topic. Mr. Russo noted that he was not involved with the meeting that Trustee Didden had noted earlier and that he needs to prioritize what staff is involved with. Trustee Didden then spoke on the last meeting discussion regarding a parking consultant and that he checked with several municipalities who have the same machines as we do and that they do not have full service contracts with a vendor but instead contract for parts and supplies with an hourly rate for maintenance. He spoke further about parking and transactional rates of fees for parking tickets by our contractor versus other municipalities. Trustee Didden said that the Village does not need a consultant to negotiate these parking related contracts. He concluded his comments regarding the prior discussion between the Trustees to rotate the Deputy Mayor position and made a motion for an add-on resolution to appoint Trustee Marino to this position. Trustee Marino indicated that he would vote no for the add-on.

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Trustee Marino wished good luck to the Clerk and inquired when interviews for the candidates for this position will be conducted.

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Trustee Kenner also wished the best of luck to the Clerk and said that he wants a follow up about the process to fill this position and what will happen with the Clerk's office in the interim. Trustee Kenner noted that the Comprehensive Plan process started in 2007 and that he was part of the Comprehensive Plan Advisory Committee (CPAC) until he became a Trustee. He thanked all the members of CPAC for all their hard work and that he looks forward to this being completed. Trustee Kenner noted that a meeting with held with the County Board of Elections with the Mayor and staff and a question has been raised by the County does their optical scanning election machines have to be certified by the State for the cumulative voting process.

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Executive Session:

Mayor Pilla said that he would ask for an executive session regarding the position of Village Clerk. He asked for an add-on for this executive session.

There being no objections, Trustee Terenzi made a motion for an add-on, Trustee Marino seconded the motion.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

The Mayor stated that he does not except any action after the executive session.

At 9:08 p.m., on motion of Trustee Brakewood, seconded by Trustee Marino, the Board of Trustees adjourned to an executive session regarding the approach involving a particular person for appointment or an interim appointment for the position of the Village Clerk. The Village Manager, the Village Clerk, the Village Attorney, the Assistant Village Manager and Village Treasurer were included in this executive session.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

No action was taken in the executive session.

There being no further business, on motion of Trustee Marino, seconded by Trustee Kenner, the executive session and the meeting was closed at 9:17 p.m.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

Respectfully submitted,

Joan Mancuso
Village Clerk