

MEETING HELD JUNE 18, 2012

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, June 18, 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, Luis Marino and Joseph Kenner.

It should be noted that Trustee John Branca was absent.

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

* * * * *

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

ROLL CALL

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

NOES:

ABSENT: Trustee Branca

* * * * *

I. WORKSESSION

Zoning and Code Enforcement

A work session on the Zoning and Code Enforcement was held with staff.

Mr. Christopher Steers, Code Enforcement Director /Assistant Village Manager presented to the Board a power point presentation and said that this work session is a follow up from the February meeting regarding the amnesty process. Mr. Steers said that the issues surrounding the amnesty are the enforcement of certificate of occupancy ordinances, which have been in existence since 1927, the new method of doing the searches, and the surrounding complaints and issues that have come up because of enforcing the code. Mr. Steers stated that when a search request comes in; they do a complete search history of the property when there is an enforcement case involved. Mr. Steers also stated that they do this for all fire safety inspections to determine any open permits and any other violations that were issued in the past and not corrected. Mr. Steers stated that one of issues that the department has been battling is perception versus reality. The significant issues are zoning, area variances and use variances. The vast majority of instances involve open permits. 70% are old existing permits as far back as 1928 that were never closed out and certificate of occupancy were not obtained. For zoning violations, 13% are from use variances and 1% is from area variances. Mr. Steers asked the Board of Trustees for decisions regarding consistency on how to deal with old expired open permits. Mr. Steers stated that in a ten (10)

month period, there were a total of 257 searches by the end of February 2012. As of June 18, 2012, the total number of searches has increased to 329. Mr. Steers stated that most of the searched had non-use or non-area violations, which means that something else was wrong, such as open permits. Trustee Terenzi asked Mr. Steers his opinion on how many of the searches have been voluntary or have been forced into doing the search. Mr. Steers answered that he was not currently tracking the numbers and will make it part of his annual report, but he feels that less than 10% are voluntary and the vast majority is found out when home owners are trying to refinance or sell their home. There were additional questions and further discussion regarding the amnesty process with the Trustees and Mr. Steers. Mayor Pilla asked to have another work session regarding the amnesty process at the next Board of Trustees meeting.

On motion of Trustee Didden, seconded by Trustee Marino, the work session on the zoning and code enforcement amnesty process was closed at 6:04 p.m.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

* * * * *

II. MOTION FOR EXECUTIVE SESSION

Bulkhead Legal Strategy

On motion of Trustee Marino, seconded by Trustee Kenner, the Board of Trustees at 6:04 p.m., adjourned to an executive session to discuss the Bulkhead legal strategy. Trustee Didden recused himself from the 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.

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, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

Trustee Brakewood had to leave after the executive session but returned back to the public portion of the meeting at 9:15 p.m.

III. PRESENTATION

Certificate was issued to Na-Keen Mark in honor of receiving Student Advocacy's 2012 Overcoming Odds Award.

IV. AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

Public Hearing: Comprehensive Plan and Zoning Amendments

The following Public Notices were duly published in the Journal News and the Westmore News on June 1, 2012, certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

PUBLIC NOTICE Village of Port Chester Comprehensive Plan

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester, New York, will hold a public hearing on Monday, June 18, 2012, at 7:00 p.m. or as soon thereafter in the Village Justice Court Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of a adopting the Comprehensive Plan.

An electronic copy of the Comprehensive Plan can be downloaded from the Village's website www.portchesterny.com (located on the Home Page "Where do I go for?" section at the Comprehensive Plan Public Hearing June 18, 2012 link). Paper copies of the Comprehensive Plan are available for viewing at Village Hall, 222 Grace Church Street, Port Chester, N.Y. 10573 and the Port Chester-Rye Brook Library, 1 Haseco Avenue, Port Chester.

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

Dated: June 1, 2012

PUBLIC NOTICE Village of Port Chester Zoning Amendments and Amendments to the Village Official Zoning Map Implementing the Comprehensive Plan

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester, New York, will hold a public hearing on Monday, June 18, 2012, at 7:00 p.m. or as soon thereafter in the Village Justice Court Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of a local law amending the Code of the Village of Port Chester, Chapter 345, "Zoning", and the Official Zoning Map of the Village of Port Chester, implementing the Comprehensive Plan.

An electronic copy of the local law can be downloaded from the Village's website www.portchesterny.com (located on the Home Page "Where do I go for?" section at the Comprehensive Plan Public Hearing June 18, 2012 link). Paper copies of the local law are available for viewing at Village Hall, 222 Grace Church Street, Port Chester, N.Y. 10573 and the Port Chester-Rye Brook Library, 1 Haseco Avenue, Port Chester.

I. Highlights of the Zoning Text Amendments

A. Residential Zones:

- Makes strategic upzonings
- Reduces floor area ratio in all residential districts
- Reduces maximum allowable building height in the RA3 and RA4 Districts
- Renames the C2 Central Business District to the Main Street Business District
- Eliminates the PTD Planned Tower Development District

B. Non-residential Zones:

Commercial

- Renames the C2 from a Central Business District to a new C2 Main Street Business District
- Renames and modifies the C3 Design Office and Commercial District to an Office and Commercial District
- Modifies the C4 General Commercial District
- Establishes a new C5 Train Station Mixed use District
- Establishes a new C5T Downtown Mixed Use Transitional District

Eliminates the PRSP Planned Railroad Station Plaza Development District

Waterfront

Rezones portions of the waterfront area to DW Design Waterfront Development District

United Hospital Site

C. Other New Provisions:

Establishes a new PMU Planned Mixed Use District

Provides for a fee in lieu of open space per unit in the C2, C5 and C5T Districts

Establishes a Building Height and Floor Area Bonus Program

Deletes the provision for Cluster Development in the R2F District

Amends the Schedule of Regulations for Residence and Non-Residence Districts

II. Amendments to the Official Zoning Map

C2 to C5

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
101-111 Westchester Ave	142.30-2-24	C2	C5
12 King St	142.30-2-25	C2	C5
136 Irving Ave	142.22-2-3	C2	C5
139 Irving Ave	142.22-2-72	C2	C5
14 King St	142.30-2-26	C2	C5
143 Irving Ave	142.22-2-71	C2	C5
143 Westchester Ave	142.30-2-21	C2	C5
144 King St	142.22-2-67	C2	C5
145 Irving Ave	142.22-2-70	C2	C5
145 Westchester Ave	142.30-2-20	C2	C5
146-148 Irving Ave	142.22-2-5	C2	C5
147 Irving Ave	142.22-2-69	C2	C5
151 Westchester Ave	142.30-2-19	C2	C5
153-157 Westchester Ave	142.30-2-18	C2	C5
16-18 King St	142.30-2-27	C2	C5
20 Broad St	142.30-2-22	C2	C5
20-24 King St	142.30-2-28	C2	C5
30 Broad St	142.22-2-2	C2	C5
34-36 Broad St	142.22-2-73	C2	C5
38 Broad St	142.22-2-74	C2	C5
40 Broad St	142.22-2-75	C2	C5
46 Broad St	142.22-2-76	C2	C5
5 N Pearl St	142.30-2-2	C2	C5
50 Broad St	142.22-2-77	C2	C5
9 -11 N Pearl St	142.30-2-1	C2	C5
Broad St	142.22-2-1	C2	C5
Broad St	142.30-2-23	C2	C5
Broad St	142.30-2-23.1	C2	C5
Irving Ave	142.22-2-4	C2	C5
King St	142.30-2-29	C2	C5
King St	142.23-1-1	C2	C5
N Pearl St	142.22-2-68	C2	C5

C2 to C5T

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
10 S Main St	142.30-2-49	C2	C5T
106 Westchester Ave	142.30-2-54	C2	C5T
11 Pearl St	142.30-2-3	C2	C5T
110 Westchester Ave	142.30-2-55	C2	C5T
112 Westchester Ave	142.30-2-56	C2	C5T
114-122 Westchester Ave	142.30-2-63.1	C2	C5T
14 S Main St	142.30-2-48	C2	C5T

140 Westchester Ave	142.30-2-65	C2	C5T
148-150 Westchester Ave	142.30-2-17	C2	C5T
15 E Broadway	142.30-2-58	C2	C5T
16 S Main St	142.30-2-47	C2/C4	C5T/C2
18 S Main St	142.30-2-46	C2/C4	C5T/C2
2 S Main St	142.30-2-53	C2	C5T
20 S Main St	142.30-2-45	C2	C5T
21 E Broadway	142.30-2-59	C2	C5T
22 S Main St	142.30-2-44	C2	C5T
4 S Main St	142.30-2-52	C2	C5T
6 S Main St	142.30-2-51	C2	C5T
7 E Broadway	142.30-2-57	C2	C5T
8 S Main St	142.30-2-50	C2	C5T
9 New Broad St	142.30-2-63	C2/C4	C5T/C4

C2 to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
	142.23-2-8	C2	DW
	142.23-2-9	C2	DW
1 Mill St	142.23-2-7	C2	DW
10 Mill St	142.23-2-10	C2	DW
1-11 Willett Ave	142.23-2-16	C2	DW
13 Mill St	136.79-2-45	C2	DW
141 Abendroth	142.23-2-47	C2	DW
14-20 Willett Ave	142.23-2-17	C2	DW
15-17 Mill St	142.23-2-5	C2	DW
181-183 N Main St	142.23-2-1	C2	DW
183-195 N Main St	136.79-2-44	C2	DW
19 Mill St	142.23-2-3	C2	DW
2 Highland St	142.23-2-14	C2	DW
21 Abendroth Ave	142.23-2-11	C2	DW
21 Mill St	142.23-2-2	C2	DW
25 Abendroth Ave	142.23-2-12	C2	DW
Mill St	142.23-2-4	C2	DW
Mill St	142.23-2-6	C2	DW

C4 to C2

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
112 William St	142.38-1-37	C4	C2
113-115 William St	142.38-1-51	C4	C2
116 William St	142.38-1-38	C4	C2
118 William St	142.38-1-39	C4	C2
120 S Main St	142.38-1-32	C4	C2
122 S Main St	142.38-1-31	C4	C2
124 S Main St	142.38-1-30	C4	C2
136-138 S Main St	142.38-1-27	C4	C2
140 S Main St	142.38-1-26	C4	C2
194 1/2 S Main St	142.38-1-28	C4	C2
194 S Main St	142.38-1-29	C4	C2
25 E Broadway	142.30-2-60	C4	C2
43 E Broadway	142.30-2-61	C4	C2
47 E Broadway	142.38-1-45	C4	C2
50 S Main St	142.38-1-53	C4	C2
51 E Broadway	142.38-1-46	C4	C2
55 E Broadway	142.38-1-47	C4	C2

57-59 E Broadway	142.38-1-48	C4	C2
63 E Broadway	142.38-1-49	C4	C2
65 E Broadway	142.38-1-50	C4	C2
S Main St	142.38-1-25	C4	C2
Westchester Ave	142.30-2-62	C4/C2	C2
William St	142.38-1-40	C4	C2
William St	142.38-1-41	C4	C2

M1 to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
1 Martin Pl	142.39-1-61	M1	DW
15 Beech St	142.47-1-27	M1	DW
26 Martin Pl	142.39-1-52	M1	DW
30-32 Martin Pl	142.39-1-51	M1	DW
31 Purdy Ave	142.39-1-70	M1/DW	DW
36 Martin Pl	142.39-1-50	M1	DW
38 Beech St	142.47-1-22	M1	DW
38 Townsend St*	142.39-1-31	M1/MUR	DW
40 Beech St	142.47-1-23	M1	DW
40 Martin Pl	142.39-1-49	M1	DW
44 Beech St	142.47-1-21	M1	DW
44 Purdy Ave	142.47-1-28	M1	DW
45 Townsend St	142.39-1-43	M1	DW
45 Traverse Ave	142.39-1-12	M1	DW
47 Purdy Ave	142.39-1-63	M1	DW
47 Townsend St	142.39-1-44	M1	DW
48 Beech St	142.47-1-20	M1	DW
48 Purdy Ave	142.47-1-29	M1	DW
48 Townsend St	142.39-1-30	M1	DW
49 Townsend St	142.39-1-45	M1	DW
49-51 Beech St	142.47-1-25	M1	DW
5 Dock St	142.39-1-48	M1	DW
51 Purdy Ave	142.39-1-69	M1	DW
52-54 Beech St	142.47-1-19	M1	DW
55 Purdy Ave	142.39-1-68	M1	DW
58 Townsend St	142.39-1-29	M1	DW
60 Townsend St	142.39-1-28	M1	DW
62 Townsend St	142.39-1-27	M1	DW
63 Purdy Ave	142.39-1-20	M1	DW
63 Townsend St	142.39-1-64	M1	DW
63 Traverse Ave	142.39-1-13	M1	DW
65 Traverse Ave	142.39-1-14	M1	DW
66 Townsend St	142.39-1-26	M1	DW
67 Purdy Ave	142.39-1-19	M1	DW
67-71 Townsend St	142.39-1-65	M1	DW
68 Townsend St	142.39-1-25	M1	DW
69 Traverse Ave	142.39-1-15	M1	DW
70 Purdy Ave	142.39-1-2	M1/R2F	DW/R2F
71 Purdy Ave	142.39-1-18	M1	DW
72 Townsend St	142.39-1-24	M1	DW
73 Traverse Ave	142.39-1-16	M1	DW
74 Townsend St	142.39-1-23	M1	DW
75 Traverse Ave	142.39-1-17	M1	DW
78 Townsend St	142.39-1-22	M1	DW
82 Townsend St	142.39-1-21	M1	DW
9 Beech St	142.47-1-18	M1/R2F	DW/R2F
Beech St	142.47-1-26	M1	DW
Martin Pl	142.39-1-62	M1	DW

*38 Townsend Street (TMID142.39-1-3) also includes Parcel 4 – comprised of approximately 5,000 sf of real estate located

adjacent to TMID No. 142.39-1-31 and being a portion of former TMID No. 2-100-10, all as more particularly described as follows: All that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, being more particularly bounded and described as follows:

Beginning at a point being the intersection of the northerly line of lands now or formerly of Maria Sanellez and the westerly line of the premises herein, distant north 89° 30' 24" east 167.32 feet from the intersection of said northerly line and the easterly side of Traverse Avenue, a public way; running thence north 02° 39' 35" east, 17.39 feet; thence north 67° 45' 46" east, 20.46 feet; thence south 89° 03' 58" east, 20.21 feet; thence north 00° 00' 47" east, 6.06 feet; thence north 89° 26' 12" east, 56.41 feet to a point of curvature: thence along an arc of a circle bearing to the right, having a radius of 42.81 feet, a length of 59.84 feet to a point of tangency along the westerly line of Townsend Street; thence south 01° 19' 00" west 11.71 feet; thence leaving the westerly line of Townsend Street Extension, south 89° 23' 34" west 105.03 feet; thence north 03° 33' 24" east, 4.03 feet; thence north 06° 16' 36" west 12.76 feet; south 89° 30' 24" west 32.45 feet to the point or place of beginning.

M1 to R2F

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
10 Bulkley Ave	142.22-1-49	M1	R2F
10-12 Bush Ave	136.78-2-24	M1	R2F
11 Bulkley Ave	142.22-1-43	M1	R2F
11-13 Bush Ave	142.22-1-60	M1	R2F
12 Bulkley Ave	142.22-1-48	M1	R2F
14 Bush Ave	136.78-2-23	M1	R2F
15 Bulkley Ave	142.22-1-44	M1	R2F
15-17 Bush Ave	136.78-1-1	M1	R2F
16-18 Bulkley Ave	142.22-1-47	M1	R2F
18 Bush Ave	136.78-2-22	M1	R2F
19 Bush Ave	136.78-1-2	M1	R2F
20 Bulkley Ave	142.22-1-46	M1	R2F
20 Bush Ave	136.78-2-21	M1	R2F
21 Bush Ave	136.78-1-3	M1	R2F
227 Irving Ave	142.22-1-35	M1/C1	R2F/C1
24 Bush Ave	136.78-2-20	M1	R2F
26 Bush Ave	136.78-2-19	M1	R2F
28 Bulkley Ave	142.22-1-45	M1	R2F
30 Bush Ave	136.78-2-18	M1	R2F
31 Bush Ave	136.78-1-5	M1	R2F
32 Bulkley Ave	136.78-1-12	M1	R2F
34 Bulkley Ave	136.78-1-11	M1	R2F
34 Bush Ave	136.78-2-17	M1	R2F
35 Bush Ave	136.78-1-6	M1	R2F
36 Bush Ave	136.78-2-16	M1	R2F
38 Bulkley Ave	136.78-1-10	M1	R2F
39 Bush Ave	136.78-1-7	M1	R2F
5 Bush Ave	142.22-1-58.1	M1	R2F
57 Haseco Ave	136.78-1-9	M1	R2F
6 Bulkley Ave	142.22-1-51	M1	R2F
61 Haseco Ave	136.78-1-8	M1	R2F
7 Bulkley Ave	142.22-1-42	M1	R2F
7 Bush Ave	142.22-1-58	M1	R2F
8 Bulkley Ave	142.22-1-50	M1	R2F
8 Bush Ave	136.78-2-25	M1	R2F
9 Bush Ave	142.22-1-59	M1	R2F
Bush Ave	136.78-1-4	M1	R2F

MUR to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
3 Dock St	142.39-1-47	MUR	DW
51 Townsend St	142.39-1-46	MUR	DW
73-75 Townsend St	142.39-1-66	MUR	DW
77 Townsend St	142.39-1-67	MUR	DW

R2F to PMU

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
406 Boston Post Rd	141.52-1-2	R2F	PMU
406 Boston Post Rd	141.52-1-2.4	R2F	PMU
999 High St	141.52-1-2.1	R2F	PMU

R2F to R5

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
Putnam Ave	136.56-1-50	R2F/C4	R5/C4
15 Riverdale Ave	136.56-1-47	R2F	R5
17 Riverdale Ave	136.56-1-46	R2F	R5
18 Riverdale Ave	136.56-1-18	R2F	R5
19 Riverdale Ave	136.56-1-45	R2F	R5
20 Riverdale Ave	136.56-1-19	R2F	R5
21 Riverdale Ave	136.56-1-44	R2F	R5
210 Madison Ave	136.64-1-17	R2F	R5
211 Madison Ave	136.64-1-18	R2F	R5
213 Madison Ave	136.56-1-17	R2F	R5
215 Madison Ave	136.56-1-16	R2F	R5
216 Madison Ave	136.55-2-19	R2F	R5
217 Madison Ave	136.56-1-15	R2F	R5
217 Mortimer St	136.63-1-71	R2F	R5
218 Madison Ave	136.55-2-20	R2F	R5
219 Mortimer St	136.63-1-70	R2F	R5
22 Riverdale Ave	136.56-1-20	R2F	R5
221 1/2 Mortimer St	136.63-1-69	R2F	R5
221 Mortimer St	136.63-1-68	R2F	R5
222 Madison Ave	136.55-2-21	R2F	R5
223 Madison Ave	136.56-1-14	R2F	R5
223 Mortimer St	136.63-1-67	R2F	R5
225 Madison Ave	136.56-1-13	R2F	R5
226 Madison Ave	136.55-2-22	R2F	R5
229 Madison Ave	136.56-1-12	R2F	R5
23 Riverdale Ave	136.56-1-43	R2F	R5
23 Riverdale Ave	136.56-1-48	R2F	R5
230 Madison Ave	136.55-2-23	R2F	R5
231 Madison Ave	136.56-1-11	R2F	R5
232 Madison Ave	136.55-2-24	R2F	R5
233 Madison Ave	136.56-1-10	R2F	R5
233 Mortimer St	136.63-1-66	R2F	R5
234 Madison Ave	136.55-2-25	R2F	R5
235 Husted St	136.63-1-47	R2F	R5
235 Mortimer St	136.63-1-65	R2F	R5
236 Madison Ave	136.55-2-26	R2F	R5
237 Mortimer St	136.63-1-64	R2F	R5
238 Madison Ave	136.55-2-27	R2F	R5
239 Husted St	136.63-1-46	R2F	R5
239 Madison Ave	136.56-1-9	R2F	R5
239 Mortimer St	136.63-1-63	R2F	R5
240 Madison Ave	136.55-2-28	R2F	R5
241 Mortimer St	136.63-1-63.1	R2F	R5
242 Madison Ave	136.55-2-29	R2F	R5
245 Madison Ave	136.56-1-8	R2F	R5
247 Madison Ave	136.56-1-7	R2F	R5
249 Madison Ave	136.56-1-6	R2F	R5
25 Riverdale Ave	136.56-1-42	R2F	R5
250 Madison Ave	136.55-2-30	R2F	R5
252 Madison Ave	136.55-2-32	R2F	R5

254 Madison Ave	136.55-2-31	R2F	R5
258 Madison Ave	136.55-2-33	R2F	R5
26 Riverdale Ave	136.56-1-21	R2F	R5
260 Madison Ave	136.55-2-34	R2F	R5
261 Madison Ave	136.56-1-5	R2F	R5
262 Madison Ave	136.55-2-35	R2F	R5
263 Madison Ave	136.56-1-4	R2F	R5
265 Madison Ave	136.56-1-3	R2F	R5
267 Madison Ave	136.56-1-2	R2F	R5
27 Riverdale Ave	136.56-1-41	R2F	R5
28 Riverdale Ave	136.56-1-22	R2F	R5
29 Riverdale Ave	136.56-1-40	R2F	R5
31 Riverdale Ave	136.56-1-39	R2F	R5
33 Riverdale Ave	136.56-1-38	R2F	R5
35 Riverdale Ave	136.56-1-37	R2F	R5
36 Riverdale Ave	136.56-1-23	R2F	R5
37 Riverdale Ave	136.56-1-36	R2F	R5
38 Riverdale Ave	136.56-1-24	R2F	R5
40 Riverdale Ave	136.56-1-25	R2F	R5
44 Riverdale Ave	136.56-1-26	R2F	R5
46 Riverdale Ave	136.56-1-27	R2F	R5
47 Riverdale Ave	136.56-1-35	R2F	R5
48 Riverdale Ave	136.56-1-28	R2F	R5
52 Riverdale Ave	136.56-1-29	R2F	R5
54 Riverdale Ave	136.56-1-30	R2F	R5
549 Willett Ave	136.55-1-59	R2F	R5
551 Willett Ave	136.55-1-58	R2F	R5
557 Locust Ave	136.55-2-16	R2F	R5
557 Willett Ave	136.55-1-57	R2F	R5
558 Locust Ave	136.55-1-64	R2F	R5
559 Locust Ave	136.55-2-15	R2F	R5
56 Riverdale Ave	136.56-1-31	R2F	R5
560 Locust Ave	136.55-1-65	R2F	R5
561 Locust Ave	136.55-2-14	R2F	R5
561 Willett Ave	136.55-1-56	R2F	R5
562 Locust Ave	136.55-1-66	R2F	R5
563 Locust Ave	136.55-2-13	R2F	R5
565 Locust Ave	136.55-2-12	R2F	R5
565 Willett Ave	136.55-1-55	R2F	R5
566 Locust Ave	136.55-1-67	R2F	R5
568 Locust Ave	136.55-1-68	R2F	R5
569 Locust Ave	136.55-2-11	R2F	R5
569 Willett Ave	136.55-1-54	R2F	R5
570 Locust Ave	136.55-1-69	R2F	R5
571 Locust Ave	136.55-2-10	R2F	R5
572 Locust Ave	136.55-1-70	R2F	R5
573 Locust Ave	136.55-2-9	R2F	R5
574 Locust Ave	136.55-1-71	R2F	R5
576 Locust Ave	136.55-1-72	R2F	R5
579 Locust Ave	136.55-2-7	R2F	R5
58 Riverdale Ave	136.56-1-32	R2F	R5
6 Riverdale Ave	136.64-1-20	R2F	R5
62 Riverdale Ave	136.56-1-33	R2F	R5
8 Riverdale Ave	136.64-1-19	R2F	R5
Locust Ave	136.55-2-8	R2F	R5
Mortimer St	136.63-1-63.2	R2F	R5

R7 to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
82-84 Fox Island Rd	142.55-1-3	R7	DW

RA3 to R2F

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
1 Drew St	141.44-3-61	RA3	R2F
10 Parker St	141.44-3-61	RA3	R2F
106 Poningo St	136.78-2-30	RA3	R2F
11 Parker St	136.78-2-26	RA3	R2F
110 Poningo St	136.78-3-11	RA3	R2F
114 Poningo St	136.78-2-27	RA3	R2F
118 Poningo St	136.78-2-28	RA3	R2F
12-14 Parker St	136.78-2-29	RA3	R2F
124 Poningo St	136.78-2-31	RA3	R2F
128 Poningo St	136.78-3-12	RA3	R2F
130 Poningo St	136.78-3-13	RA3	R2F
134 Poningo St	136.78-3-14	RA3	R2F
136 Poningo St	136.78-3-15	RA3	R2F
140 Poningo St	136.78-3-16	RA3	R2F
146 Poningo St	136.78-3-17	RA3	R2F
148 Poningo St	136.78-3-18	RA3	R2F
15-17 Parker St	136.78-3-19	RA3	R2F
152 Poningo St	136.78-3-10	RA3	R2F
156 Poningo St	136.78-3-20	RA3	R2F
16 Palace Pl	136.78-3-21	RA3	R2F
160 Poningo St	142.22-2-28.1	RA3	R2F
164 Poningo St	136.78-3-22	RA3	R2F
166 Poningo St	136.70-1-1	RA3	R2F
168 Poningo St	136.70-1-2	RA3	R2F
17 Palace Pl	136.70-1-3	RA3	R2F
18 Palace Pl	142.22-2-56	RA3	R2F
18 Parker St	142.22-2-28	RA3	R2F
19-21 Parker St	136.78-2-32	RA3	R2F
2 Drew St	136.78-3-9	RA3	R2F
20 Palace Pl	141.44-3-62	RA3	R2F
204 King St	142.22-2-29	RA3	R2F
208 King St	142.22-2-64	RA3	R2F
21 Poningo St	142.22-2-65	RA3	R2F
210-212 Seymour Rd	142.22-2-22	RA3	R2F
214 Seymour Rd	136.78-2-5	RA3	R2F
216 King St	136.78-2-6	RA3	R2F
217 Seymour Rd	142.22-2-45	RA3	R2F
218 King St	136.78-2-52	RA3	R2F
22 Parker St	142.22-2-44	RA3	R2F
220-222 Seymour Rd	136.78-2-33	RA3	R2F
221 Seymour Rd	136.78-2-7	RA3	R2F
224-226 Seymour Rd	136.78-2-51	RA3	R2F
228 King St	136.78-2-8	RA3	R2F
229 S Regent St	136.78-3-37	RA3	R2F
229 Seymour Rd	141.44-3-59	RA3	R2F
23 Palace Pl	136.78-2-50	RA3	R2F
23 Poningo St	142.22-2-54	RA3	R2F
231 S Regent St	142.22-2-21	RA3	R2F
232 King St	141.44-3-60	RA3	R2F
232 Seymour Rd	136.78-3-38	RA3	R2F
23-25 Parker St	136.78-2-9	RA3	R2F
233 Seymour Rd	136.78-2-67	RA3	R2F
234 Seymour Rd	136.78-2-49	RA3	R2F
235 S Regent St	136.78-2-10	RA3	R2F
235 Seymour Rd	141.44-3-68	RA3	R2F
235-241 S Regent St	136.78-2-48	RA3	R2F
237 Seymour Rd	141.44-3-69	RA3	R2F
239 Seymour Rd	136.78-2-47	RA3	R2F

241 S Regent St	136.78-2-46	RA3	R2F
243 Seymour Rd	141.44-3-70	RA3	R2F
246 Seymour Rd	136.78-2-45	RA3	R2F
247 Seymour Rd	136.78-2-11	RA3	R2F
248 Seymour Rd	136.78-2-44	RA3	R2F
25 Poningo St	136.78-2-12	RA3	R2F
251 Seymour Rd	142.22-2-20	RA3	R2F
252 Seymour Rd	136.78-2-43	RA3	R2F
26 Palace Pl	136.78-2-13	RA3	R2F
26 Parker St	142.22-2-30	RA3	R2F
27 Palace Pl	136.78-2-34	RA3	R2F
27 Poningo St	142.22-2-53	RA3	R2F
27-29 Parker St	142.22-2-19	RA3	R2F
29 Palace Pl	136.78-2-66	RA3	R2F
30 Palace Pl	142.22-2-52	RA3	R2F
30 Parker St	142.22-2-31	RA3	R2F
31 Poningo St	136.78-2-35	RA3	R2F
31-33 Parker St	142.22-2-18	RA3	R2F
32 Palace Pl	136.78-2-65	RA3	R2F
32 Parker St	142.22-2-32	RA3	R2F
32 Poningo St	136.78-2-36	RA3	R2F
33 Palace Pl	142.22-1-40	RA3	R2F
34 Palace Pl	142.22-2-51	RA3	R2F
35 Palace Pl	142.22-2-33	RA3	R2F
36 Poningo St	142.22-2-50	RA3	R2F
36-38 Parker St	142.22-1-41	RA3	R2F
37 Parker St	136.78-2-37	RA3	R2F
37 Poningo St	136.78-2-64	RA3	R2F
38-40 Palace Pl	142.22-2-17	RA3	R2F
39 Palace Pl	142.22-2-34	RA3	R2F
39 Parker St	142.22-2-49	RA3	R2F
39 Poningo St	136.78-2-63	RA3	R2F
4 Drew St	142.22-2-16	RA3	R2F
40-42 Parker St	141.44-3-63	RA3	R2F
42 Palace Pl	136.78-2-38	RA3	R2F
43 Poningo St	142.22-2-35	RA3	R2F
44/48 Poningo St	142.22-2-15	RA3	R2F
44-46 Parker St	142.22-1-52	RA3	R2F
45 Poningo St	136.78-2-39	RA3	R2F
46 Palace Pl	142.22-2-14	RA3	R2F
49 Poningo St	142.22-2-36	RA3	R2F
5 Drew St	142.22-2-13	RA3	R2F
50 Palace Pl	141.44-3-67	RA3	R2F
50 Poningo St	142.22-2-37	RA3	R2F
51 Poningo St	142.22-1-53	RA3	R2F
52 Palace Pl	142.22-2-12	RA3	R2F
54 Poningo St	142.22-2-38	RA3	R2F
54-56 Palace Pl	142.22-1-54	RA3	R2F
55 Poningo St	142.22-2-39	RA3	R2F
56 Poningo St	142.22-2-11.1	RA3	R2F
57 Palace Pl	142.22-1-55	RA3	R2F
57 Poningo St	136.78-3-34	RA3	R2F
58 Palace Pl	142.22-2-11	RA3	R2F
58 Palace Pl	136.78-3-35	RA3	R2F
58 Poningo St	136.78-3-36	RA3	R2F
59 Summerfield Pl	142.22-1-56	RA3	R2F
6 Drew St	142.22-2-48	RA3	R2F
60 Summerfield Pl	141.44-3-64	RA3	R2F
61 Poningo St	142.22-2-40	RA3	R2F
62 Summerfield Pl	142.22-2-10	RA3	R2F
63 Poningo St	142.22-2-41	RA3	R2F
63 Summerfield Pl	142.22-2-9	RA3	R2F

64 1/2 Summerfield Pl	142.22-2-47	RA3	R2F
64 Summerfield Pl	142.22-2-41.1	RA3	R2F
65 1/2 Poningo St	142.22-2-42	RA3	R2F
65 Poningo St	142.22-2-7	RA3	R2F
65 Summerfield Pl	142.22-2-8	RA3	R2F
66 Poningo St	142.22-2-46	RA3	R2F
67 Poningo St	136.78-2-1	RA3	R2F
7 Drew St	136.78-3-33	RA3	R2F
70 Poningo St	141.44-3-66	RA3	R2F
70 Summerfield Pl	136.78-2-2	RA3	R2F
73 Poningo St	142.22-2-43	RA3	R2F
74 Poningo St	136.78-3-32	RA3	R2F
75 Poningo St	136.78-2-3	RA3	R2F
78 Poningo St	136.78-3-31	RA3	R2F
7-9 Maple Pl	136.78-2-4	RA3	R2F
9 Drew St	136.78-3-8	RA3	R2F
Bush Ave	141.44-3-65	RA3	R2F
Palace Pl	142.22-1-57	RA3	R2F
Palace Pl	142.22-2-55	RA3	R2F
	142.22-2-57	RA3	R2F

RA4 to RA2

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
356 Irving Ave	136.77-1-41	RA4	RA2
378 Irving Ave	136.77-1-42	RA4	RA2
380 Irving Ave	136.77-1-43	RA4	RA2
384 Irving Ave	136.77-1-44	RA4	RA2
388 Irving Ave	136.77-1-45	RA4	RA2
392 Irving Ave	136.77-1-46	RA4	RA2
394 Irving Ave	136.77-1-47	RA4	RA2
398 Irving Ave	136.77-1-48	RA4	RA2
402 Irving Ave	136.77-1-49	RA4	RA2

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

Dated: June 1, 2012

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

Mayor Pilla stated the purpose of the Comprehensive Master Plan and asked everyone on the Comprehensive Plan Advisory Committee (CPAC) to stand up. Mr. Frank Fish and Mr. Mike Keenan from BFJ Planning spoke regarding Comprehensive Plan committee and the changes for the zoning text amendments and zoning map. Mr. Steers stated for the record, as part of the comprehensive master plan process, they have to refer to interested agencies. One referral was from Mr. Edward Buroughs, from the Westchester County Planning Board (**Attachment A**) which states that the County is in support of the Village's vision.

Mayor Pilla asked if there was anyone who would like to speak in favor or against this proposed local law. Mr. John Reavis commented that the Board should allow the members of the Comprehensive Plan Advisory Committee come up first with their comments. Also Mr. Reavis commented about the cost of the plan and asked that the Board come up with a simplified booklet because many residents do not have computers. Ms. Bea Conetta commented that most residents do not know what the zoning codes are. Ms. Goldie Solomon commented that as a historian for the Village of Port Chester, we need to remember that Port Chester is an antique community and to keep our waterfront parks available to the community. Also, Ms. Solomon commented that the Village is in need of a hotel, but they should not build tall buildings. Mr. Ravikoff said that there were some address errors in the mailing, but complemented the Board and everyone involved in doing a great job with the detailed pamphlet. Mayor Pilla thanked Mr. Ravikoff for the complement and said that they will do another notice with the address corrections. Ms. Dorothy Bailey-Reavis, commented that she is proud to be on the Comprehensive Plan Advisory Committee for five years and has worked to improve the Village of Port Chester.

Further questions and comments were heard from the following people as well as other residents:

Mr. Terranova , Mr. Anthony Gioffre, Esq., attorney for Starwood Capital, Mr. Sal Morlina, , Mr. Charles Montoya, Mr. Richard Hyman, Reverend Bruce Baker, and Mr. Dave West

Ms. Maria Rigopoulos, consultant for Starwood Capital and Mr. Anthony Gioffre, Esq., attorney for Starwood Capital commented to the Board their recommendation for the old United Hospital site. Mr. Richard Able, Mr. Ceccarelli, Mr. Hyman and Mr. Reavis commented regarding the Starwood Capital proposal.

Trustee Brakewood apologized for missing the public comments, but commented that the proposed Master Plan will move the Village forward. Trustee Terenzi commented that his main concern is the United Hospital property. Trustee Didden commented that he agrees with Trustee Terenzi's comments. Trustee Kenner thanked everyone for coming out and that the overall vision is good. Mayor Pilla thanked everyone for coming out and thanked the Comprehensive Plan Advisory Committee.

On motion of Trustee Didden, seconded by Trustee Kenner, the public hearing was adjourned to July 16, 2012.

* * * * *

V. PUBLIC COMMENTS

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

Mr. Terranova, Chairman of Parks Commission commented that Port Chester parks are in great condition and wanted to thank the workers who are keeping the parks well maintained. Also, he recommended that the Village should purchase the property for sell on 201 Grace Church Street for Edgewood Park and also about replacing the plaques for deceased veterans. Sia Tofana of 171 Grace Church Street commented to the Board about considering purchasing the property on 201 Grace Church Street. Ms. Bea Conetta commented on the proposed sewer rent law. Ms. Goldie Solomon commented regarding resident and sewer

taxes. Mr. Abel commented about the Library resolution, the electronic bidding pilot resolution and the sewer rent law resolution. Mr. Gioffre commented on behalf of Starwood Capital that he submitted a petition on May 18, 2012, and asked the Board if Starwood Capital could be added on the agenda this evening or the next agenda. Mayor Pilla answered Mr. Gioffre that he would like to set up a workshop with Starwood Capital. Mr. Tirone commented on setting public hearing of amending Chapter 165 “Dance Halls & Cabarets” regarding employee licensing.

VI. RESOLUTIONS

**RESOLUTION
APPOINTMENT OF REGISTRAR OF VITAL STATISTICS**

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

RESOLVED, that VITA SILEO, be and she hereby is appointed REGISTRAR OF VITAL STATISTICS of the Village of Port Chester, New York, for a term effective immediately and to expire April 1, 2013.

ROLL CALL

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

**RESOLUTION
BUDGET AMENDMENT
APPROPRIATION OF CONTINGENCY FUNDS
FOR POLICE ENTERTAINMENT ENFORCEMENT**

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the following resolution was withdrawn at the request of Police Chief by the Board of Trustees of the Village of Port Chester,
New York:

WHEREAS, the Board of Trustees through the 2012-2013 Budget process authorize \$85,000.00 to the Contingency Account #001-1990-0400; and

WHEREAS, the Board has determined that \$10,765.00 from the Contingency Account should be allotted \$10,000 for use by the Police Department for Enforcement of Entertainment and \$765 for social security costs. 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 2012-13 General Fund Budget as follows:

GENERAL FUND

Transfer From:

Contingency		
001-1990-0400	Contingency	\$10,765

Transfer To:

Police Department		
001.3120.196	Dedicated Entertainment Enf.	\$10,000
Social Security		
1.9030.802	Social Security (6.2%)	\$620
1.9030.810	Medicare (1.45%)	\$145

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

RESOLUTION
BUDGET AMENDMENT
APPROPRIATION OF CONTINGENCY FUNDS
FOR ADMINISTRATIVE INTERN POSITION
FOR THE VILLAGE MANGER’S OFFICE

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

WHEREAS, during the 2012-2013 Budget the position of Assistant to the Village Manager was eliminated; and

WHEREAS, the Board of Trustees when adopting the 2012-2013 Budget authorized \$85,000.00 to the Contingency Account #001-1990-0400 for consideration of another position for the Village Manager’s office; and

WHEREAS, a position for Administrative Intern for the Village Manager’s office is being sought in the amount of \$45,000.00 plus Social Security costs of \$3,443. 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 2012-13 General Fund Budget as follows:

GENERAL FUND

Transfer From:

Contingency		
001-1990-0400	Contingency	\$48,443

Transfer To:

Village Manager Department		
1.1230.100	Personnel Services	\$45,000
Social Security		
1.9030.802	Social Security (6.2%)	\$2,790
1.9030.802	Medicare (1.45%)	\$653

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

Trustee Brakewood commented for the record that when the Village Manager, Chris Russo comes back with the person; he would like to know what exactly what that person will be working on and why it requires a Master’s Degree. The Board asked the Village Manager, Chris Russo to come back with the resolution when he has the exact dollar amount for contingency funds and exactly what the job description will be for the Administrative Intern.

RESOLUTION
BUDGET AMENDMENT
APPROPRIATION OF CONTINGENCY FUNDS
FOR THE PORT CHESTER – RYE BROOK PUBLIC LIBRARY

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

WHEREAS, during the 2012-2013 Budget process the Port Chester – Rye Brook Public Library requested additional funding for the Library with the amendment subject to program hours; and

WHEREAS, the Board of Trustees when adopting the 2012-2013 Budget authorized \$85,000.00 to the Contingency Account #001-1990-0400; and

WHEREAS, the Library is requesting an additional \$23,000.00 for their budget line from the Village of Port Chester. 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 2012-13 General Fund Budget as follows:

GENERAL FUND

Transfer From:

Contingency

001-1990-0400	Contingency	\$23,000
---------------	-------------	----------

Transfer To:

Library Department

1.7410.400	Library Contractual	\$23,000
------------	---------------------	----------

ROLL CALL

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

NOES: Terenzi

ABSENT: Trustee Branca

DATE: June 18, 2012

Resolution was amended that the Library will reinstate the hours that were originally cut.

RESOLUTION

AUTHORIZING THE SUBMISSION OF A HOME RULE REQUEST FOR A PILOT PROGRAM THAT WOULD AUTHORIZE FOR COMMODITY, SERVICE AND TECHNOLOGY CONTRACTS THE REQUIREMENT OF ELECTRONIC SUBMISSION AS THE SOLE METHOD FOR THE SUBMISSION OF BIDS AND REVERSE AUCTIONS

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 private sector successfully uses electronic submissions and electronic reverse auctions as a means to attract qualified vendors and control procurement costs; and

WHEREAS, the State of New York has initiated such use in this year's Executive Budget; and

WHEREAS, the City of New Rochelle and the Village of Port Chester have discussed jointly conducting a pilot project upon receipt of the requisite home rule authority; and

WHEREAS, upon request of the City and Village's respective governing boards, New York Assemblyman George Latimer introduced legislation in the Assembly with bill

number A. 10528 and New York Senator Suzi Oppenheimer has introduced legislation in the Senate with bill number S 07511 that would authorize such a pilot project. Now, therefore, be it

RESOLVED, that the Board of Trustees of the Village of Port Chester hereby approves the submission of a Home Rule Request to the New York State Assembly and Senate for bill numbers A. 07843 and S 05571; and be it further

RESOLVED, that the Clerk is hereby authorized to execute all necessary documents with regard to the Home Rule Request and the Mayor to cause their delivery to the New York State Legislature on behalf of the Board.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

DATE: June 18, 2012

RESOLUTION SETTING PUBLIC HEARING CHAPTER 165 "DANCE HALLS AND CABARETS" REGARDING PROVISION FOR NOISE VIOLATIONS

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the

following resolution was amended to August 20, 2012 by the Board of Trustees of the Village of Port Chester,

New York:

RESOLVED, that a public hearing be held on August 20, 2012 at 7:00 p.m. at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 165 entitled "Dance Halls and Cabarets" regarding provision for noise violations.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

DATE: June 18, 2012

RESOLUTION SETTING PUBLIC HEARING CHAPTER 165 "DANCE HALLS AND CABARETS" REGARDING EMPLOYEE LICENSING

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE KENNER, the

following resolution was amended to remove "Employee Licensing" by the Board of Trustees of the Village of Port Chester,

New York:

RESOLVED, that a public hearing be held on August 20, 2012 at 7:00 p.m. at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to

consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 165 entitled "Dance Halls and Cabarets" regarding employee licensing.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

DATE: June 18, 2012

Mayor Pilla asked that a workshop be scheduled with the Police Chief regarding Chapter 165.

RESOLUTION
SETTING PUBLIC HEARING
SEWER RENT LAW

On motion of TRUSTEE MARINO, seconded by TRUSTEE DIDDEN, the

following resolution was tabled to July 2, 2012 by the Board of Trustees of the Village of Port Chester,

New York:

RESOLVED, that a public hearing be held on August 6, 2012 at 7:00 p.m. at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, establishing a new chapter, Chapter 267, entitled "Sewer Rent".

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

DATE: June 18, 2012

RESOLUTION
RETAINER FOR PLANNING CONSULTING SERVICES

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 of Port Chester has re-staffed the Office of Planning and Development with a full-time Director of Planning and Development; and

WHEREAS, Patrick Cleary, AICP, has a long history providing planning services to the Village, both as an employee and consultant; and

WJHEREAS, on the recommendation of the Director of Planning and Development, the Village Manager has requested that Mr. Cleary's retainer for planning consulting services be continued.

RESOLVED, the Village Manager is hereby authorized to enter into a retainer agreement with Patrick Cleary, AICP, d/b/a Cleary Consulting, 529 Asharoken Avenue, Northport, New York 11768, for planning consulting services, with a term June 1, 2012 to May 31, 2014, compensation to be \$125/hour, subject to termination on thirty (30) days notice.

ROLL CALL

AYES: Trustees Didden, Terenzi, Kenner and Mayor Pilla
 NOES: Brakewood, Marino
 ABSENT: Trustee Branca
 DATE: June 18, 2012

RESOLUTION
 MESSINA & BRIANTE, INC.
 TAX CERTIORARI SETTLEMENT

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, Messina & Briante, Inc. filed certiorari proceedings for review of tax assessments fixed by the Village of Port Chester upon property located at: (1) 285 Boston Post Road, designated as Section 142.38, Block 1, Lot 1, formerly known as Section 2, Block 137, Lot 9D on the Tax Assessment Map of the Town of Rye; (2) 303 Boston Post Road, designated as Section 142.45, Block 1, Lot 8, formerly known as Section 2, Block 137, Lot 9C, on the Tax Map; (3) 303 Boston Post Road, Section 142.45, Block 1, Lot 10, formerly known as Section 2, Block 137, Lot 9E on the Tax Map; and (4) __ Boston Post Road, designated Section 142.45, Block 1, Lot 12 , formerly Section 2, Block 137, Lot 9F on the Tax Map, for the tax assessment years 2002 through 2004; and

WHEREAS, filings were also made against the Town of Rye for these and for subsequent tax assessment years; and

WHEREAS, these proceedings are on the trial calendar in the Westchester Supreme Court; and

WHEREAS, after conferences with the Court, the parties have agreed to settle these proceedings, and, with regard to the Village of Port Chester, by the Village accepting a reduction in the assessment for the tax assessment years 2002 through 2004 with a total refund due of \$9,976.72, statutory interest being waived, as follows:

Section 142.38, Block 1, Lot 1

Year	Original Assessment.	New Assessment.	Amount of Reduction	Tax Rate	Tax Refund
2002	\$35,000	\$33,192	\$1,808	\$219.3600	\$396.60
2003	\$28,900	\$27,976	\$924	\$249.5368	\$230.57
2004	\$28,900	\$17,718	\$11,182	\$284.1057	\$3,176.87

Section 142.45, Block 1, Lot 8

Year	Original Assessment	New Assessment	Amount of Reduction
2002	\$176,600	\$176,600	\$0
2003	\$176,600	\$176,600	\$0
2004	\$176,600	\$176,600	\$0

Section 142.45, Block 1, Lot 10

Year	Original Assessment	New Assessment	Amount of Reduction	Tax Rate	Tax Refund
2002	\$31,700	\$26,945	\$4,755	\$219.3600	\$1,043.06
2003	\$31,700	\$22,950	\$8,750	\$249.5368	\$2,183.45
2004	\$31,700	\$21,330	\$10,370	\$284.1057	\$2,946.18

Section 142.45, Block 1, Lot 12

Year	Original Assessment	New Assessment	Amount of Reduction
2002	\$14,600	\$14,600	\$0
2003	\$14,600	\$14,600	\$0
2004	\$14,600	\$14,600	\$0, now be it

RESOLVED, that the Village Attorney is authorized to sign the Consent Judgment with Griffin, Coogan, Blose & Sultzer, P.C., attorneys for petitioner, Messina & Briante Inc., settling the above matter in the amount of \$9,976.73, charged to General Fund FY 2011-12 Budget A/C 1960.0480.

ROLL CALL

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

NOES:

ABSENT: Trustee Branca

DATE: June 18, 2012

RESOLUTION
WACHOVIA CORP.
TAX CERTIORARI SETTLEMENT

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, Wachovia Corporation, Inc. filed certiorari proceedings for review of tax assessments fixed by the Village of Port Chester for the 2004 tax assessment year upon property located at 133 North Main Street, also designated as Section 142.23, Block 2, Lot 2-20, formerly known as Section 2, Block 58 and Lots 6 and 7 on the Tax Assessment Map of the Town of Rye; and

WHEREAS, filings were also made against the Town of Rye for this and for subsequent tax assessment years; and

WHEREAS, these proceedings are on the trial calendar in the Westchester Supreme Court; and

WHEREAS, after conferences with the Court, the parties have agreed to settle these proceedings, and, with regard to the Village of Port Chester, by the Village accepting a reduction in the assessment for 2004 with a total refund due of \$2,233.07, statutory interest being waived, as follows:

Original Assessment.	New Assessment.	Amount of Reduction	Tax Rate	Tax Refund
\$46,100	\$38,240	\$7,860	\$284.1057	\$2,233.07

Now, therefore, be it

RESOLVED, that the Village Attorney is authorized to sign the Consent Judgment with Cronin, Cronin & Harris P.C. attorneys for petitioner, Wachovia Corporation., settling the above matter in the amount of \$2,233.07, charged to General Fund FY 2011-12 Budget A/C 1960.0480.

ROLL CALL

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

NOES:

ABSENT: Trustee Branca

DATE: June 18, 2012

RESOLUTION

RESOLUTION AUTHORIZING NEGOTIATION OF A MARINA LICENSE AGREEMENT WITH THE VILLAGE OF PORT CHESTER INDUSTRIAL DEVELOPMENT AGENCY

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

WHEREAS, the Village and the Village of Port Chester Industrial Development Agency (the "Agency") previously undertook certain projects and actions in furtherance of a certain Modified Marina Redevelopment Project, which involved the development of certain marina and promenade improvements within the Village (the "Marina"); and

WHEREAS, the Village is tasked with the responsibility and burden to promote the health, safety and general welfare of the residents of the Village by among other things preventing unemployment and economic deterioration including by increasing and maintaining employment opportunities and attracting and sustaining economically sound commerce; and

WHEREAS, the Agency desires to assist the Village with stimulating economic development activities and opportunities, including the continued redevelopment of the Marina to its highest and best use and lessening the governmental burdens of the Village by enhancing operations and Marina revenue opportunities for the benefit of the Village; and

WHEREAS, the Village desires to establish guidelines and proposed license terms pursuant to which the Agency may undertake programs for redevelopment and revenue generation associated with the Marina that would further bolster the Village's health, safety, general welfare and economic development abilities. Now, therefore, be it

RESOLVED, that Village Board of Trustees hereby authorizes and directs Village Staff to undertake negotiations with the Agency to establish recommended terms and conditions of a proposed long-term license arrangement relating to the Marina that includes the following general concepts:

- a) Establishing a long-range plan for marketing, development and maintenance of the Marina for its highest and best use consistent with the applicable Comprehensive Plans and Local Waterfront Redevelopment Programs;
- b) Undertaking administrative and improvement responsibilities that will lessen the burdens of the Village, including Marina permitting responsibilities, establishing harbor master oversight, and enhancing Marina infrastructure, amenities and improvements without cost to the Village;
- c) Identifying and maximizing revenue opportunities for the Village through public-private partnerships, sub-licenses and kiosk development; and
- d) Undertaking economic development programs that will enhance the Marina and adjacent downtown areas for the betterment of the Village, its residents and businesses.

ROLL CALL

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

NOES:

ABSENT: Trustee Branca

DATE: June 18, 2012

Mr. Neil Pagano, Chairman of the Industrial Development Agency (I.D.A.) read a letter of remarks to the Board in regarding the negotiation of marina license agreement with the Village of Port Chester Industrial Development Agency.

VII. CORRESPONDENCES

The Deputy Clerk presented correspondence from Peter G. Pascale resigning as the Chairman and member of the Waterfront Commission. Mayor Pilla recognized the regret of Peter G. Pascale resigning as Chairman and member of the Waterfront Commission.

The Deputy Clerk presented correspondence from Braking the Cycle regarding their request for the use of the Village streets for their event to be held on September 30, 2012. The Board referred the correspondence to staff subject to any conditions by the Police.

The Deputy Clerk presented correspondence from the Port Chester – Rye Brook Library regarding budget request. The budget request was adopted earlier as a resolution.

The Deputy Clerk presented correspondence from Corpus Christi – Holy Rosary School requesting permission to place banner(s) announcing the school and its open enrollment school tours. The Board referred the correspondence to staff for recommendation.

The Deputy Clerk presented correspondence from John Ferraro requesting permission to park 25 motorcycles from law enforcement officers in front of the T & J Villagio, or in Oak and Grove parking lot on June 30, 2012 from 7:30 pm until the concert is over. The Board referred the correspondence to staff for recommendation.

VIII. REPORTS

The Deputy Clerk presented a report from Harry Hook & Ladder Co. No. 1 on the removal of member Ed Ianarelli. The Board referred the report to staff.

The Deputy Clerk presented a report from Reliance Engine & Hose Co. No. 1 on the election of new member Yang Yue and noting the passing of member Joseph Volker. The Board congratulated Mr. Yue on his election and Mayor Pilla congratulated Mr. Yue and recognized the passing of Mr. Volker.

IX. MINUTES

The Deputy Clerk presented the Board of Trustees minutes of June 4, 2012. Trustee Didden made a motion to approve the minutes. Trustee Marino seconded the motion.

ROLL CALL

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

NOES:

ABSENT: Trustee Branca

X. PUBLIC COMMENTS AND BOARD COMMENTS

Mayor Pilla asked if there was anyone from the audience who would like to make any comments. There were no comments from the public.

Trustee Brakewood thanked the staff and volunteers for Port Chester Pride Day and also thanked the Park Commission for following up on the property that is for sale at 201 Grace Church Street.

Trustee Kenner made a motion to adjourn the meeting at 12:54 a.m. Trustee Didden seconded the motion.

ROLL CALL

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

NOES:

ABSENT: Trustee Branca

Respectfully submitted,

Jacqueline Johnson
Deputy Village Clerk