

MEETING HELD OCTOBER 1, 2012

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, October 1, 2012 at 6:45 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 Appointed Village Manager, Christopher Steers; Village Attorney, Anthony Cerreto; Village Clerk, Janusz R. Richards; Village Treasurer Leonie Douglas; Director of Planning and Development, Christopher Gomez and Police Chief Joseph Krzeminski.

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On motion of Trustee Brakewood, seconded by Trustee Didden, the meeting was declared opened at 6:45 p.m.

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

NOES:

ABSENT: Trustee Branca

MOTION FOR EXECUTIVE SESSION

At 6:45 p.m., on motion of Trustee Brakewood, seconded by Trustee Marino, the Board of Trustees adjourned to an executive session for consultation with Village Attorney and staff to discuss a proposed acquisition of real property.

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

NOES: None

ABSENT: Trustee Branca

No action was taken in executive session:

At 7:15 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the executive session was closed and the public portion of the meeting was reopened.

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AWARD PRESENTATION

Mayor Pilla and the Board recognized Mr. Tom Giorgi for receiving the Silver Star for service to our nation.

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

Public Hearing to consider the advisability of adopting a local law to amend Chapter 345 “Zoning” of the Village Code with regard to site plan review procedures and standards.

The following Public Notices were duly published in the Journal News and the Westmore News on August 31, 2012, certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Tuesday, September 18, 2012, at 7:00 P.M., in the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law to amend, Chapter 345 “Zoning” of the Village Code with regard to site plan review procedures and standards.

Interested persons will be afforded the opportunity to be heard at this time. The proposed law is available at the Village Clerk’s office or online at www.portchesterny.com

Christopher Russo
Village Manager
Village of Port Chester

Dated: August 31, 2012

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

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

NOES:

ABSENT: Trustee Branca

Mr. Gomez asked the Board that the public hearing be adjourned until November 5, 2012.

Mayor Pilla asked the public if there was anyone who would like to comment in favor or against amending local law, chapter 345, with regard to site plan review procedure and standards. Ms. Goldie Solomon commented regarding the proposed local law and the current financial conditions of the village.

On motion of Trustee Kenner, seconded by Trustee Brakewood, the public hearing was adjourned to November 5, 2012.

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

NOES:

ABSENT: Trustee Branca

PRESENTATIONS

Sewer Rent Project - Joe Dichter special counsel

Mr. Dichter spoke regarding the issues with the proposed sewer rent billing.

Add-on Resolution

Trustee Terenzi made a motion to add-on a resolution to retain Mr. Joe Dichter as special counsel for the sewer rent project. The motion was seconded by Trustee Kenner.

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

NOES:

ABSENT: Trustee Branca

RESOLUTION

RETAINING SPECIAL COUNSEL TO ADVANCE THE SEWER RENT PROJECT

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

WHEREAS, the Board of Trustees has made a policy priority the establishment of a multi-year, \$15 million capital program to comprehensively address the repair and replacement of the Village's sanitary sewer system; and

WHEREAS, Article 14F of the General Municipal Law authorizes municipalities to charge annual user fees, known as sewer rent, by enactment of a local law; and

WHEREAS, the proposed basis for the sewer rent is actual water consumption which is the most widely used formula across the nation; and

WHEREAS, The Village of Port Chester is served by a private water company, United Water Westchester; and

WHEREAS, formal approval of the New York Public Service Commission is required to enter into an agreement with the water company to provide water consumption data and bill property owners for the sewer rents on the Village's behalf. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into a retainer agreement with Dichter Law LLC, 488 Madison Avenue, 10th Floor, New York, New York 10022, based on a fee proposal dated September 27, 2012 to advance the sewer rent project, compensation to be a flat rate of \$15,000.

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

NOES: Trustee Didden

ABSENT: Trustee Branca

DATE: October 1, 2012

Port Chester Cares Community Coalition and Park Commission regarding the placement of signage in village parks.

Mr. Jerry Terranova, Chairman, Park Commission and Ms. Chelsea Bodansky of Port Chester Cares Community Coalition spoke about the redesign signage for village parks. There was further discussion with the Board and the Board asked Mr. Terranova and Ms. Bodansky to work with Mr. Steers in revising the signage and to come back to the Board when they have final draft.

Acceptance of completion and setting public hearing for comprehensive Plan and Draft Zoning Amendments/Map Draft Generic Environmental Impact Statement (DGEIS)

RESOLUTION

COMPREHENSIVE PLAN AND RELATED ZONING AMENDMENTS RESOLUTION

COMPREHENSIVE PLAN AND RELATED ZONING AMENDMENTS
ACCEPTANCE OF DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT AS
COMPLETE AND NOTICE OF PUBLIC HEARING THERETO

On motion of TRUSTEE KENNER seconded by TRUSTEE BRAKEWOOD, 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 of Trustees adopted a Scoping Document on May 7, 2012 for which a DGEIS was prepared for the Comprehensive Plan and related zoning amendments; and

WHEREAS, the DGEIS and appendices was prepared by Ferrandino & Associates Inc. and submitted to the Board of Trustees on September 26, 2012; and

WHEREAS, the Board of Trustees has reviewed the same.

NOW, THEREFORE, BE IT RESOLVED, that the said DGEIS is hereby accepted by the Board of Trustees as complete for public review and comment; and

BE IT FURTHER RESOLVED, that a public hearing on the DGEIS be scheduled for October 22, 2012 at 7:00 p.m. at the Port Chester Police Headquarters/Police Justice Court, second floor, 350 North Main Street.

Approved as to Form:

Village Attorney, Anthony Cerreto

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

NOES: Trustee Didden

ABSENT: Trustee Branca

DATE: October 1, 2012

PUBLIC COMMENTS

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

Ms. Goldie Solomon commented regarding property taxes and the Police Department. Ms. Heather Paul commented regarding signage in the parks, school taxes and the Town of Rye. Mr. John Reavis commented about the traffic congestion in downtown Port Chester. Mr. Abel commented regarding the proposed sewer rent program. Mr. Anthony Morando of Cuddy & Feder commented on behalf of Starwood Capital and requested to have a one hour work session with the Board. Mayor Pilla asked Mr. Steers to set up a date and time with Mr. Morando.

RESOLUTIONS

RESOLUTION

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

WHEREAS, Peter Miley has accepted an offer by the Village Manager to become Building Inspector at an annual salary of \$110,000; and

WHEREAS, Mr. Miley will have additional administrative authority over the Department of Code Enforcement; and

WHEREAS, pursuant to Section 77-5 of the Village Code, such appointment is subject to the confirmation and approval of the Board of Trustees. Now, therefore, be it

RESOLVED, that under the conditions aforesaid, the appointment of Peter Miley for the position of Building Inspector is hereby confirmed and approved by the Board of Trustees.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla
NOES: None
ABSENT: Trustees Branca
DATE: October 1, 2012

DISCUSSION

Finance Department Manuel Journal Entry Procedures.

Ms. Douglas spoke regarding the journal entry procedures and presented to the Board the final draft.

Add-on Resolution

Trustee Kenner made a motion to add-on a resolution for the Justice Court Finance Department Manuel Journal Entry Procedures. The motion was seconded by Trustee Terenzi.

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

NOES:

ABSENT: Trustee Branca

DATE: October 1, 2012

RESOLUTION JOURNAL ENTRY POLICY

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 the Village of Port Chester does hereby adopts the annexed Journal Entry Policy, which is intended for the internal controls for the post of journal entries:

VILLAGE OF PORT CHESTER FINANCE DEPARTMENT MANUAL JOURNAL ENTRY PROCEDURES

The Village of Port Chester recognizes that manual journal entries are needed and made for various reasons including but not limited to: record revenues and expenditures, to transfer funds, or to record balance sheet accruals. These procedures are being established in order to create proper segregation of duties. (i.e. there should always be an approval by a person other than the preparer of the journal entry.) Based on the need for manual journal entries, the following policy is being established to document procedures on how journal entries are expected to be processed:

1. Journal entries for all funds/departments will be entered by the Jr. Accountant or another qualified person in the Finance Department. The individual entering the journal entry should pay close attention that the correct posting date and fiscal period are used.

2. Appropriate documentation/support shall be included with the journal entry.
3. The Treasurer will review all journal entries deemed to be of a nonrecurring nature. If a journal entry is determined to be appropriate, the Treasurer or Jr. Accountant will ensure each entry is properly coded, in balance and entered for the correct period. In the event that a journal entry is prepared by the Treasurer, it will be reviewed and approved by the Jr. Accountant.
4. The Treasurer after completing this review and determining the journal entry is correct will then approve and post the journal entry.
5. The person responsible for cash receipts, whom is independent of the month-end bank reconciliation, shall not prepare, review or post any journal entries to cash accounts.
6. The person responsible for preparing payroll journal entry, who is independent of the month-end bank reconciliations for any bank account affected by payroll, shall not prepare, review or post any journal entries to the payroll cash account or trust & agency accounts.
7. These procedures are being established in order to create proper segregation of duties (i.e. there should always be an approval being done by a person other than the preparer of the journal entry.)

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

NOES: None

ABSENT: Trustee Branca

DATE: October 1, 2012

REPORTS

The Deputy Clerk presented a report from Washington Engine & Hose Co. No. 4 on the election of new member Craig Sweet. The Board congratulated Mr. Sweet on his election and referred the report to staff.

The Deputy Clerk presented a report from Reliance Engine & Hose Co. No.1 on the election of new member John Thompson and the removal of members Kevin Brainard and Steven Charles. The Board congratulated Mr. Thompson on his election and referred all reports to staff.

PUBLIC COMMENTS AND BOARD COMMENTS

Public Comments:

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

Mr. Abel commented regarding property assessments and taxes.

Board Comments:

Trustee Brakewood thanked Mr. Dolph Rotfeld for his work on the proposed road restriping on Putnam Avenue and commented about the Town Hall Meeting on September 27th, village property taxes and the positive changes that are happening in the village.

Trustee Terenzi commented about the property tax assessments and the proposed sewer rent program.

Trustee Didden also thanked Mr. Dolph Rotfeld for his work on the proposed road restriping on Putnam Avenue and commented regarding the Rye Brook fire contract, traffic congestion in downtown Port Chester, property tax assessments and caberet issues at 451 North Main Street.

Trustee Marino commented about the Marshalls for the court, Rye Brook fire contract and caberet licenses.

Trustee Kenner commented regarding the amnesty program.

Mayor Pilla commented regarding the Town Hall meeting on September 27th at the Senior Center and early voting for the March 2013 elections.

At 10:55 p.m., on motion of Trustee Brakewood, seconded by Trustee Marino, the Board of Trustees adjourned to an executive session to discuss Rye Brook fire contract negotiations.

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

No action was taken in executive session.

At 11:30 p.m., on motion of Trustee Terenzi, seconded by Trustee Marino, the executive session was closed.

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

NOES: None

ABSENT: Trustee Branca

Respectfully submitted,

Jacqueline Johnson
Deputy Village Clerk