

**SPECIAL MEETING HELD OCTOBER 17, 2012**

A special meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Wednesday, October 17, 2012 at 6:00 P.M., in the Village Hall Conference, 222 Grace Church Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla, were Trustees, Daniel Brakewood, Saverio Terenzi, Bart Didden, and Luis Marino.

It should be noted that Trustees Joseph Kenner and John Branca were absent.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto and Director of Planning and Development, Christopher Gomez.

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On motion of Trustee Didden, seconded by Trustee Marino, the meeting was declared opened at 6:17 p.m.

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

NOES:

ABSENT: Trustees Kenner and Branca

**MOTION FOR EXECUTIVE SESSION**

At 6:19 p.m., on motion of Trustee Didden, seconded by Trustee Brakewood, the Board of Trustees adjourned to an executive session for consultation with staff and Mr. Finkel from Bond, Shoeneck & King for Temporary Certificate of Permitted Use.

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

NOES: None

ABSENT: Trustees Kenner and Branca

No action was taken in executive session.

At 7:10 p.m., on motion of Trustee Didden, seconded by Trustee Terenzi, the executive session was closed and the public portion of the meeting was reopened.

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

NOES: None

ABSENT: Trustees Kenner and Branca

**WORKSESSION**

***Workshop with Starwood Capital.***

Mr. Anthony Gioffre and Mr. David Smith spoke on behalf of Starwood Capital and presented to the Board Starwood Capital’s social impact assessment report. There was further discussion with Starwood Capital and the Board and the Mayor asked for further discussion with Starwood Capital at the next Board meeting.

**RESOLUTION**

RESOLUTION  
VILLAGE OF RYE BROOK, AFFORDABLE HOUSING  
SUBDIVISION, SITE PLAN AND REZONING PETITION FOR 80 BOWMAN AVENUE

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE DIDDEN

, the following amended resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Board of Trustees is in receipt of a subdivision, site plan and rezoning petition submitted by Bowridge Commons, LLC. to rezone property located at 80 Bowman Avenue, designated Section 141.27, Block 1, Lots 26, 31 and 32 in the Village of Rye Brook from C-1 Zoning District to the Fair and Affordable Housing (“FAH”) Zoning District; and

WHEREAS, the application entails the construction of 16 units of Fair and Affordable Housing approximately 550 feet west of the Village of Port Chester border; and

WHEREAS, the Board has taken a consistent position that the construction of Fair and Affordable housing so proximate to the Village of Port Chester border does not meet the spirit of the affordable housing agreement to provide for more integrated neighborhoods within the Settlement’s 31 eligible communities; and

WHEREAS, the submission made by the Village of Rye Brook to Port Chester does not appear to have sufficiently addressed nor analyzed all potential environmental impacts presented by the application; and

WHEREAS, it would appear that such analysis would be critical in making a fully informed and reasoned determination, much less for the Village of Port Chester t take a position with respect to same; and

WHEREAS, on October 30, 2012, the Village of Rye Brook Board of Trustees is holding a public hearing to accept oral and written comments on this matter. Now, therefore, be it

RESOLVED, that the Village of Port Chester authorizes the Mayor to submit written comments to the Village of Rye Brook; Hon. Robert Astorino, Westchester County Executive; Sean Donovan, Secretary of HUD; and James Johnson, Federal Housing Monitor, withholding a position on this matter pending addition information until such time that documentation is provided.

Approved as to Form:

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Village Attorney, Anthony Cerreto

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

NOES:

ABSENT: Trustees Kenner and Branca

DATE: October 17, 2012

### **CORRESPONDENCES**

#### ***Acceptance of zoning map amendment petition and designation of Lead Agency under SEQRA for 2 Osborne Place.***

Mr. Gomez spoke regarding the acceptance of the zoning map amendment petition and designation of Lead Agency under SEQRA for 2 Osborne Place. The Board asked Mr. Cerreto to draft a resolution for the next Board meeting.

#### ***Planning Commission recommendation resolution to Board of Trustees regarding downtown parking.***

Mr. Gomez spoke regarding the Planning Commission's recommendation regarding downtown parking. The Board asked staff to come back with more details at the next meeting.

#### ***Notice of Planning Commission's intent to serve as Lead Agency under SEQRA for 110 Midland Avenue zoning text amendment petition.***

Mr. Gomez spoke regarding 110 Midland Avenue zoning text amendment petition. The Board accepted recommendation for the Planning Commission to serve as Lead Agency.

**MOTION FOR EXECUTIVE SESSION**

At 9:165 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the Board of Trustees adjourned to a second executive session with Mr. Steers and Mr. Cerreto for consultation regarding policy with regard to requests for all-night permits.

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

No action was taken in executive session.

At 9:24 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.

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

**RESOLUTION**

RESOLUTION  
POLICY WITH REGARD TO REQUESTS FOR “ALL-NIGHT PERMITS”  
ISSUED BY THE STATE LIQUOR AUTHORITY

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE TEREZI

, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, by correspondence dated October 5, 2012, requests have been made to the Police Department for an “all-night permit” to be issued by the State Liquor Authority to serve liquor on January 1, 2013 beyond the usual hours for same; and

WHEREAS, the Board of Trustees has been advised that the grant of such permits is within the discretion of the State Liquor Authority; and

WHEREAS, the Board desires to assure a consistent position with regard to such requests. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby declares that it is opposed to the State Liquor Authority's issuance of "all night permits" to licensed establishments within the Village and that the Mayor be authorized, on behalf of the Board to notify the Liquor Authority of same with regard to individual requests for such permits.

Approved as to Form:

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Village Attorney, Anthony Cerreto

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

NOES:

ABSENT: Trustees Kenner and Branca

DATE: October 17, 2012

Trustee Didden made a motion to close the meeting at 9:26 p.m. The motion was seconded by Trustee Marino.

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

NOES: None

ABSENT: Trustees Kenner and Branca

Respectfully submitted,

Jacqueline Johnson  
Deputy Village Clerk