

MEETING HELD JANUARY 3, 2011

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, January 3, 2011 at 6:00 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 Bart Didden, Saverio Terenzi, Joseph Kenner, John Branca, Luis Marino and Daniel Brakewood,

Also present were Village Manager, Christopher Russo; Village Clerk, Joan Mancuso; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Code Enforcement Director, Christopher Steers and Assistant to the Village Manager, Elisa Sciarabba.

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On motion of Trustee Didden, seconded by Trustee Marino, the meeting was opened at 6:03 p.m.

ROLL CALL

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

At 6:03 p.m., on motion of Trustee Didden, seconded by Trustee Kenner, the Board of Trustees adjourned to an executive session for the purpose of interviewing members of the Zoning Board of Appeals for reappointment consideration.

ROLL CALL

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

No action was taken in executive session

At 6:43 p.m., on motion of Trustee Branca, seconded by Trustee Didden, the Board closed the executive session and re-opened the public portion of the meeting.

ROLL CALL

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

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Mayor Pilla asked for a moment of silence for Past Fire Chief Harry Hayes whose wake is being held this evening. After the moment of silence the Mayor noted that the Fire Chiefs have asked the Board to join the Department at the wake this evening so since the meeting was noticed for 6:00 p.m., and the Board has completed the executive session earlier than anticipated he would start the agenda now.

The Mayor asked if there was anyone from the audience who would like to comment at this time. He recognized Goldie Solomon.

Ms. Solomon wished the Mayor, Board and the staff a healthy and happy New Year. She spoke about the bulkhead conditions and said that there is an agreement with G&S and Westchester County for the promenade and that they should pay for the repairs not the taxpayers of this Village. Ms. Solomon also told the Board that they should go forward with the police contract.

Mayor Pilla recognized Bea Conetta.

Mrs. Conetta also wished everyone a happy New Year. She said that she received an anonymous letter that said from a taxpayer about a store in the Village that may be selling adult material that they are concerned about. Ms. Conetta said that she has notified the Village about this possible issue and has been told that if that is correct a permit is required so it will be looked into. She said that she has written another letter to Judge Preska asking that the Village be granted at large voting again instead of cumulative voting. Mrs. Conetta also spoke about the Fox Island Development which someone at the last meeting said that this area is designated parkland and if that is the case it can not be built on. Mrs. Conetta's final comment is that she proposed changing the term for the office of mayor from 2 years to 3 years noting that most communities have longer terms for mayor.

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The Mayor stated that the first two resolutions on the agenda this evening are reappointments of members of the Zoning Board of Appeals which was tabled from the last Board meeting so the Board could conduct interviews with these members. He said that the Board met with the two members in an executive session this evening and another name has been provided to the Board for consideration so will ask that these resolutions be tabled to

January 18th so the Board can interview the other candidate. Mayor Pilla asked for a motion to table.

Trustee Kenner made a motion to table the resolutions of reappointment of Art D'Estrada and Gerardo Espinoza to the Zoning Board of Appeals to January 18, 2011, Trustee Marino seconded the motion.

ROLL CALL

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

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The Mayor stated that the next resolution is for appointments to the Safe Housing Advisory Committee. He said that the resolution was prepared in blank and believes that it would be appropriate for the Board to deliberate about the specific individuals also in executive session. The Mayor asked the Chairman of this Commission, Trustee Didden if there is a meeting for this committee and when is it scheduled for.

Trustee Didden said that the meeting is scheduled for January 12th and he would rather than deliberate would ask the Board to take the recommendations that Trustee Marino and he have put forward naming Doris Bailey-Reavis, Rev. Bruce Baker, Blanca Lopez, Rev. Natalie Wimberly and Father Steve Schanch as the five members to be added to the Committee so we can start our work on Wednesday, the 12th.

The Mayor asked for a motion to introduce the resolution. Trustee Kenner made a motion for discussion, Trustee Didden seconded the motion.

Trustee Kenner made a motion to amend the resolution to include the names of Doris Bailey-Reavis, Rev. Bruce Baker, Blanca Lopez, Rev. Natalie Wimberly and Father Steve Schanch for appointment to the Safe Housing Advisory Committee.

Trustee Brakewood said that he has concerns noting that this is very important committee which is one that is fraught with danger in some respects stating that he has said all along that we will know when we are making traction with our code enforcement efforts when someone sues the Village and this committee is an area where you have non-professional people providing input and making comments. He said that the concern that he has stated is that he thinks this committee it is a good idea noting that he voted for it but does not want to rush it. Trustee Brakewood said that he would like a written legal opinion from

our legal staff about if we have good geographical representation, good ethnic, good strong skill set on the committee, and do we have the right people on this committee because we have formed these kinds of committees and in retrospect looked at it and realized that this is not a representative committee.

Trustee Kenner said that the committee was set up based upon the input of Mr. Steers and Mr. Cerreto so can Mr. Steers comment on this.

Trustee Brakewood said to follow up on that this is basically everybody that applied.

Trustee Didden said that it is not actually everyone who applied and what they did was noting that this is an advisory committee where we are trying to develop a message and that it is not an enforcement vehicle. He said that it is not people going out with id's or something to visit locations but that it is a committee to develop an educational message, a public service to educate people as to what is safe housing and what is not safe housing and how to recognize safe housing and recognize unsafe housing. Trustee Didden said that he does not see where especially with the people that Trustee Marino and he has recommended not seeing anyone that is fraught with danger about developing a message and hopefully once it is approved and that this Board see what that message is that they become part of the effort to deliver that message.

Mayor Pilla said that before he recognized Mr. Steers that he respectfully stated that neither Trustees Didden, Marino or Mr. Steers are lawyers and Trustee Brakewood asked Mr. Cerreto who is a lawyer for a legal opinion. He said that there are outside governmental agencies and advocacy groups that are watching us. Mayor Pilla said that the Village of Port Chester has been under a microscope for many things and this in particular. He spoke about a tell tale sign that the Voting Rights case that the Village litigated for three years that everywhere else in the United States those are fought by the Voting Rights Section of the Department of Justice in Washington but our case was tried from the Southern District of New York so these people are looking at other things he personally believes stating that he does not believe the racist flyer did not help it and believes that this is a slippery slope.

Trustee Didden said that he does not know anything about a racist flyer and that might be the Mayor's opinion.

Mayor Pilla said that Trustee Didden was not recognized like our Rules of Procedures says. He said that he thinks it is a smart idea to get a legal opinion not saying that to stall this

but this is a slippery slope for the Village noting that this is education not enforcement so it is secondary not the primary mission so would support what Trustee Brakewood is requesting.

The Mayor asked for comments from Mr. Steers now.

Mr. Steers asked that the question be repeated.

Trustee Brakewood said that his question was to Mr. Cerreto, the legal staff. He said that he has already articulated in other areas with regard to code enforcement that we should have special counsel just related to code enforcement issues and this is in his mind related to our code enforcement efforts.

Trustee Didden said that is why our Director of Code Enforcement was endorsing this direction along with the Village Attorney.

Trustee Brakewood said that he is not questioning at all the formation of such a committee.

Trustee Didden said that there are residents here in this Village that are in jeopardy stating that there has been three structure fires in the last calendar year that had illegal residences in them.

Trustee Brakewood said that he agrees that we should be moving forward with this but wants to make sure that we do not fall into a trap that Mamaroneck did when they tried to enforce the day laborers pick up laws then they were sued and lost for one million dollars and they have no enforcement ability now in that area. He said that it is his concern about rushing too quickly without the appropriate legal support in place which is just his opinion and would like to get a legal opinion to make sure so we do not fall into any traps or mines.

Trustee Marino said nothing is going to get done if we keep doing this. He said that this is just a committee to meet not to make any decisions or laws but work together.

Trustee Terenzi said that this is just an advisory committee and they will come up with some report with their recommendations after a couple of meetings of what their idea is that safe housing is. He said that there are three people on the recommended list that he will vote for even though he probably does not agreed with anything over the years that they have stood for as it relates to their feelings about certain housing but he will vote for them because he thinks that this is a cross section and that these people have been involved in the community and knows it just as well as anyone else. Trustee Terenzi said that he agrees with Trustee Marino that he does not know what the big problem is.

Trustee Marino said that this is what they keep doing back and forth, back and forth just to get together a committee to work together to discuss issues in housing stating that this committee is not making any laws or any decisions.

Trustee Didden said that the State of New York has a lot of material available that we can bring to create a message about what safe housing is and where people can identify it. He respectfully asked his fellow members of the Board of Trustees to pass the amendment that is before us for these five individuals and let the committee move on with the oversight of the Village Attorney and other interested parties. Trustee Didden asked the Mayor to call the question.

Mayor Pilla said that he wants to recognize Trustee Branca.

Trustee Branca said that he agrees with Trustee Brakewood and Mayor Pilla about this Board protecting the Village of Port Chester, that he totally agrees with that but the Board already approved the establishment of this committee and if there were questions about the legality of this it should have been done at that time not now when you are appointing members and that is the problem he is having. He said that we approved the establishment of this committee the legality of that committee and the purpose of that committee should have been look at that point in time noting that we are pass that and the point is that some are saying that you do not like the appointments and you are challenging the legality of the committee we have already done that and are pass that point.

Trustee Brakewood said that what he is asked for is an opinion to have the attorney vet the members in terms of their geographic background, in terms of their overall qualifications and making sure that we are not running a foul of any particular laws or that any of these appointments would be perceived to be discriminatory in any way.

Trustee Branca questioned for an advisory committee.

Trustee Kenner said that this is the most diverse group he has ever seen so does not know what Trustee Brakewood is talking about.

Trustee Brakewood said that he is asking for a legal opinion.

Trustee Branca said that we are not bound by this committee in any way shape or form and Mr. Steers by performing his duties is not bound by this committee that it is supposed to be a helpful committee to present possible information for him to make a decision.

Trustee Brakewood said that most of the people he likes and supports and are good friends of him so that has nothing to do with it.

Trustee Kenner made a motion to amend the resolution as recommended by Trustee Marino and Trustee Didden. Trustee Didden seconded the motion.

The Mayor asked if there is discussion on the amendment. He said that this is not to belabor this but three of the five people are clergy whether or not that is a problem and what he seen with the other committee the Board formed recently being the Audit Committee is this notion of mission creek and he just needs to make sure that we are not running a foul because this is something that we are being looked at.

Trustee Kenner said that we are not taking an opinion on churches this is housing.

Trustee Didden said that his opinion is that the clergy in this Village is some of the best communicators in the community so if you are trying to come up with a piece that communicates to people what better than people who communicate every week.

Mayor Pilla asked for a comment from the Village Attorney, Anthony Cerreto noting that we want to make sure we get to people who do not go to church also .

Mr. Cerreto said that the most appropriate person to make comments on this resolution is the Director of Code Enforcement, Mr. Steers and perhaps he can put this whole issue into context and make a good record for whatever action the Board decides tonight.

Mr. Steers clarified a couple of key points that this is an advisory committee which was previously approved by the Board, notices did go out stating that they issued about 62 notices and also sent out requests to each Trustee if they had recommendations to make them. He said that nine people responded and apparently there is a choice between those nine and that is what is being debated.

Trustee Kenner said that these are all of the people who did apply.

Mr. Steers said that is correct.

Trustee Kenner clarified with Mr. Steers that he sent the Board the listing out at the end of December.

Mr. Steers said that is correct.

Trustee Kenner said that the Board has had enough time to comment on this recommendation.

Mayor Pilla said that what was done that Mr. Steers sent direct mail to specific persons, members of non-profits.

Trustee Kenner said that it was also in the Westmore News.

The Mayor continued saying that he asked that we do a press release which Trustee Didden did not like, so we did do a press release subsequent to that and asked how long the press release was for asking if it was a wide enough window.

Mr. Steers said that it was out for about two weeks.

Mayor Pilla asked if that is problematic to anybody asking Mr. Cerreto if the two week press release is problematic against this list and this concern.

Mr. Cerreto said no that he thinks that we are relying upon the recommendation of the Director of Code Enforcement and that we did a very public process in soliciting members for this committee.

Mayor Pilla said that this was not necessarily the Director of Code Enforcement recommendation that he wrote that it was the co-chairmen recommendation.

Trustee Kenner asked Mr. Steers if he has a problem with these recommendations.

Mr. Steers said not specifically nor should he make a recommendation that it is up to the Board. He said that he thinks honestly this is important enough to the Village and an important issue that has a potential to have some broad positive impacts and he personally and professionally that it is something he would like to have kicked off on the right foot and have consensus of the Board but it is up to the Board to make the decision.

Trustee Didden said that consensus is four but he also wants to state that in speaking with Trustee Marino and Mr. Steers that the four people that were not selected that it was not easy not to select them and that he had said to Mr. Steers that they would send them a letter inviting them to participate because just because they may not be appointed by this Board or accepted by this Board as a member of this committee does not mean they are not welcomed noting that everyone is welcomed to come and participate for their input that it is a public meeting as all of our meetings are and he is sure Trustee Marino and he would like to have as many participants of whoever wants to come out and work with us. He said that this is really just a formality that we created a committee of five to seven people that we are filling the slots and we have a responsibility to life and safety of the residents of our Village and if we

can develop a deliverable message that passes the mustard of the Attorney and this Board before it goes out well good for us and good for our residents.

Trustee Brakewood asked why wouldn't you just have all nine members then.

Trustee Kenner said that the committee calls for seven.

Trustee Didden said that the committee structure was called for seven, Trustee Marino and he was one and two and we filled as many slots as we had. He said that if the Board wants to amend it to make it eleven that is great too.

Trustee Brakewood said that he is curious why Mr. Colangelo of the Port Chester Housing Authority was not selected.

Trustee Didden told Trustee Brakewood that we want him to participate but we are looking for communicators.

Mayor Pilla said that before the meeting he did his homework and he considered the candidates and it is a tough choice and honestly he had not considered the legal risk that Trustee Brakewood has brought up which he thinks are relative concerns but has to say that none of this is intended to besmirch anybody who applied or anybody whose name has been on the amendment. He said that in fact he would have picked Goldie Solomon as one of the people but the amendment that we have on the table is for Doris Bailey-Reavis who is a member of the NAACP and who is a member of our Comprehensive Plan Advisory Committee and who is well known throughout the Village, Rev. Bruce Baker from All Souls Parish who chairs an interfaith and is the Chairman of the Council of Community Services who advocates safe housing, Blanca Lopez from the Neighborhood Preservation Corp that her job in life is all about housing, Rev. Natalie Wimberly from Saint Francis AME Zion Church also a very outspoken visible and strong communicator in the Village and Father Schanch from Holy Rosary Church were they have a strong Hispanic present with the Don Bosco Community Center so recognizing the names that have been picked noting that he would had made one difference which is insignificant he does not want to besmirch anybody who applied or anybody that is on the amendment that Trustee Kenner put on the table as the result of Mr. Steers letter and Trustees Marino and Didden recommendations so the record is straight. The Mayor said that these are fine people who have appropriate background and outreach capabilities so he thinks that moving forward with this what is important for us to do is to make sure noting that the ball will fall on the lawyer and the Code Enforcement

Director to make sure that we do this and do not drive off a cliff and trying to do this outreach and not doing a press release is the wrong way to play it he thinks. He asked that staff catch that before it falls off the cliff going forward just like our Audit Committee is for the audit and not for ten other things so you have to watch the mission creek and have to make sure that the Village stays safe with all of this so that is the guidance that he would give.

Trustee Branca said that the point is the statement that Trustee Didden made about communicators not knowing what his criteria for a communicator is, is it someone that has a following, it is someone that has weekly, monthly meetings with groups of people he does not know but Mr. Ceccarelli's name is on there too and that he is constantly communicating to the entire Village via our broadcast here to profess his feelings and he is not being looked at. He said that everybody that he sees on this list he feels is more than qualified and his position of what he would like to do if we have nine respondents and it is cleared by our attorney he would like to expand the committee to nine.

Trustee Didden told Trustee Branca that is why he said that we are extending an invitation to the other four to please come and please participate and does not see the big social difference between a member that's of the committee of the five and not because once we are in that room we will all pull together noting that we are one community we are all trying to do the best for our residents and would impose upon Mr. Ceccarelli that later in the comments he will get up and say that whether he is member of the committee or not if he could participate he will and he would do it freely.

Mayor Pilla asked Trustee Branca if that was a motion to amend the resolution.

Trustee Branca said that he wants to extend the members of that committee to nine.

The Mayor said for point of clarification asked Mr. Cerreto that he has an amendment on the table to insert the names and Trustee Branca wants to further amend so does he take the names first.

Mr. Cerreto said that there is a motion on the table already that motion should be disposed of.

Mayor Pilla said that we can make this a compound resolution resolved that the committee be and hereby is expanded to include nine members and be it further resolved that

all nine named be appointed noting that the maker of the motion was Trustee Kenner and was seconded by Trustee Didden asking if they are okay with that amendment.

Trustee Didden said why don't we just vote on the five that we have the amendment for then introduce another amendment.

Mr. Cerreto said that should be the way it is done noting that you first have a motion on the table to amend so you need to do that first.

Trustee Didden respectfully asked that the Mayor call the question on the amendment as it sits.

The vote was taken on the motion by Trustee Kenner, seconded by Trustee Didden to amend the resolution regarding the non-Board appointments of the Safe Housing Advisory Committee of Doris Bailey-Reavis, Rev. Bruce Baker, Blanca Lopez, Rev. Natalie Wimberly and Father Steve Schanch.

ROLL CALL

AYES: Trustees Didden, Terenzi, Kenner, Branca and Marino

NOES: Trustee Brakewood and Mayor Pilla

ABSENT: None

Trustee Branca made a motion for a second amendment to the resolution to expand the membership of this committee to nine.

Mayor Pilla said so that is resolved that the committee be and hereby is expanded for a total of eleven and that the nine members recommended by so it is compound basically that the committee be expanded and that the nine members who applied and are on the sheet be appointed.

Trustee Didden said that is out of order because you have already amended to include the five so this amendment should include the other four that were not included which are numbers 4, 7, 8 and 9 in this second amendment.

The Mayor said that is why he did not vote for five because he wanted to say them all.

Trustee Didden told the Mayor that we know what his intention was and it is a good intention.

Trustee Branca said that the amendment is to expand the committee to eleven including our two Board members.

Mayor Pilla said and to appoint the nine who applied correct. He said that was a motion by Trustee Branca with a second by Trustee Marino and asked if there was further discussion.

Trustee Kenner asked that the names be given of the people that we are adding.

The Mayor said that is a good point and stated that the additional names are Gene Ceccarelli.

Trustee Branca said that this is just an amendment to expand and that we have not voted on the other four yet so we will need to go again that this is just to expand the committee that is all we are doing.

Mayor Pilla said that we can do it all at once.

The Board was of a consensus to do the expanding of the committee and the additional appointments in the same motion.

The Mayor said that the committee would then therefore consist of Doris Bailey-Reavis, an active member of the NAACP, a senior in the community and a member of the Comprehensive Plan Advisory Committee; Rev. Bruce Baker the pastor of All Souls Parish and the Chairman of the Council of Community Services who deals specially with safe housing outreach; Blanca Lopez of the Housing Development Services of Westchester, the Executive Director here in Port Chester who deals again with housing issues exclusivity; Gene Ceccarelli also a member of our Comprehensive Plan Advisory Committee and a member of a senior outreach group and a very active advocate in the community; Rev. Natalie Wimberly from St. Francis AME Zion Church who has a large congregation and is an active voice in the community; Father Steve Schanch from Holy Rosary where there is a large Hispanic population in particular at the Don Bosco Community Center that he actively engages; Daniel Colangelo who is the Executive Director of the Port Chester Housing Authority also with outreach to a large segment of the population; Goldie Solomon noting that everybody knows Goldie actually throughout Westchester not just Port Chester and Joan DiBuono from Summit Avenue in Port Chester. He asked if there was further discussion on the amendment if not lets take the roll call on the amendment.

ROLL CALL

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

The Mayor then called for the final amended resolution so that the resolution basically saying that they are all appointed.

Trustee Brakewood said that he knows most of these individuals and likes most of these people and some of these people are very good friends of his but he is very concerned with this fly by the seat of your pants approach with appointing this committee. He said that he thinks that we are headed for legal problems without appropriately engaging with our Village Attorney and special legal counsel in this area so he is not voting against this because he does not like, does not appreciate and does not support the people but that he can not support this process and hopes that this committee will straightens itself out.

Mayor Pilla asked there was further discussion. He asked the Village Attorney if we need his legal opinion before moving forward with this. The Mayor said that he agrees with Trustee Brakewood that we are making this stuff up as we go along a little too much here on a couple of things and it is starting to worry him a lot. He said that this is tangential to the primary mission of code enforcement which he knows is being overseen by Mr. Russo, Mr. Steers and with Mr. Cerreto's guidance so he is comfortable with the way the operational process is but asked Mr. Cerreto if it would be prudent for us to get your legal opinion on this.

Mr. Cerreto said that the Board has already voted on the matter but will provide an opinion prior to this committee's meeting next week.

Trustee Brakewood said that we have voted to amend the resolution.

Mayor Pilla noted that we have not voted on the resolution yet so that is why he is asking this question.

Trustee Kenner said that we voted to set up the committee.

Mr. Cerreto said that he thinks that this committee will have a lot of good things that it can work on and that he thinks that it is all to the better of the Village that we have the benefit of as much input as possible to our code enforcement program properly done and properly watched over.

The Mayor said that we need this shepherd.

Mr. Cerreto said that the resolution says and talks about the committee under the watchful eye of the Code Enforcement Director as well as himself.

Mayor Pilla asked the Clerk to call the question.

APPOINTMENT OF NON-BOARD MEMBERS
TO THE SAFE HOUSING ADVISORY COMMITTEE

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:

WHEREAS, by resolution adopted on September 7, 2010, the Board of Trustees established a Safe Housing Advisory Committee (hereafter "Committee") for the purpose of advising the Board on recommended strategic actions and outreach initiatives that will further the common goal of ensuring safe housing for all residents; and

WHEREAS, the Committee is to consist of two members of the Board of Trustees, a representative member of the Port Chester-Rye Union Free School District and three to five outside members who are residents of the Village of Port Chester; and

WHEREAS, Trustees Bart Didden and Luis Marino have been appointed to serve on the Committee, with Trustee Didden serving as Chair;

WHEREAS, it is expected that the Committee will receive input from the Director of Code Enforcement and Village Attorney to receive assistance as may be deemed necessary from the Director of Code Enforcement and Village Attorney; and

WHEREAS, the appointments of the outside members are required; and

WHEREAS, nine individuals have expressed their interest in serving on the Committee and whose names are presented to the Board for consideration. Now, therefore be it

RESOLVED, that

Doris Bailey-Reavis

Rev. Bruce Baker

Blanca Lopez

Rev. Natalie Wimberly

Father Steve Schanch

are hereby appointed as members to the Safe Housing Advisory Committee to serve at the pleasure of the Board; and be it further

RESOLVED, that the committee be expanded for a total membership of eleven members including the two members of the Board of Trustees; and be it further

RESOLVED, that the following individuals are hereby appointed as members of the Safe Housing Advisory Committee to serve at the pleasure of the Board

Gene Ceccarelli

Daniel Colangelo

Goldie Solomon

Joan DiBuono

thereby constituting the Committee with all persons who have expressed interest; and be it further

RESOLVED, that the Board looks forward to the reports from the Committee with outcomes and recommendations.

ROLL CALL

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

The Clerk presented the next resolution on the agenda Bond Resolution for the Refunding of Series 2001A serial bonds in the amount of \$3,320,000.00.

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

Leonie Douglas, the Village Treasurer spoke to the Board about this proposed refunding of these serial bonds.

Trustee Terenzi questioned if this proposal is an adjustable rate. There was further discussion on this between Trustee Terenzi and Ms. Douglas. Trustee Terenzi asked for a legal opinion from Bond Counsel and that the Board should meet with Bond Counsel on this matter in a work session.

Mayor Pilla suggested that he and Trustee Terenzi arrange to meet with Bond Counsel and asked for a motion to table this resolution.

Trustee Marino made a motion to table the Bond Resolution for the Refunding of Series 2001A serial bonds in the amount of \$3,320,000.00, Trustee Didden seconded the motion.

ROLL CALL

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

ESTABLISHMENT OF PETTY CASH FUNDS
FOR THE JUSTICE COURT CLERK AND VILLAGE CLERK

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 Justice Court Clerk and the Village Clerk have the need to make change for persons in the transaction of business; and

WHEREAS, the Village Treasurer has recommended the creation of a petty cash fund to satisfy this need; and

WHEREAS, Village Law, Section 5-526, authorizes villages to establish a petty cash fund for Village departments and officers. Now, therefore, be it

RESOLVED, that the Board of Trustees does hereby create a Petty Cash fund as follows:

Justice Court Clerk	\$200
Village Clerk	\$50, and be it further

RESOLVED, that any expenditure from the Petty Cash fund shall be subject to subsequent internal audit on a monthly basis.

ROLL CALL

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

NOES: None

ABSENT: None

SETTING PUBLIC HEARING
EXTENSION OF MORATORIUM REGARDING PAWNSHOPS

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 a public hearing is to be held on February 7, 2011 at or about 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 for an extension of the Temporary Moratorium regarding Pawnshops for an additional thirty days.

ROLL CALL

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

NOES: None

ABSENT: None

The Clerk presented correspondence from Edward Eways and Mat Varughese requesting permission to use the Show Mobile for the UnityMarch2011© on Saturday, April 16, 2011.

The Board referred this correspondence to staff.

The Clerk presented the Justice and Acting Justice reports for November 2010.

The Board of Trustees duly noted the reports from the Justice and Acting Justice.

The Clerk stated that the Village Manager and Village Attorney have provided a proposed local law to set a public hearing regarding waiver for construction noise and penalties regarding noise for an add-on this evening.

Mr. Cerreto explained to the Board that staff met with representatives from Phoenix Capital regarding the Mariner Project and that Phoenix Capital has submitted a request for construction to start earlier than the Code and that this law would allow a waiver process with the Village Manager.

Trustee Didden said that he is concerned with the end time of construction especially during the period of driving pilings for the buildings.

The Board spoke further on this matter some expressing concerns that this has just been provided to them and that they need time to review the proposal before setting the hearing. They also discussed if there may be additional changes to the proposal with the concern raised by Trustee Didden.

Trustee Didden made a motion for an add-on of this resolution to set a public hearing for January 18th, Trustee Marino seconded the motion.

ROLL CALL

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

Since this add-on received negative votes it can not be considered and will be placed on the next Board meeting agenda scheduled for January 10, 2011.

Mayor Pilla said that the Board would take public comments at this. He recognized Doris Bailey-Reavis.

Mrs. Bailey-Reavis asked about the process of the Comprehensive Plan.

The Mayor said that proposals for the consultants for the necessary review of studies will be before the Board. He recognized Steve Giamundo.

Mr. Giamundo said that he represents Phoenix Capital on the Mariner Project and said that he had a meeting with staff today and had asked for extending the time regarding construction and is questioning what happened with this.

Mayor Pilla told Mr. Giamundo that this matter will be on the Board's January 10th agenda. He recognized John Reavis.

Mr. Reavis spoke about issues regarding snow removal on King Street. He said that regarding the Safe Housing Committee that it is a good idea that you consider all who had expressed interest in this Committee. Mr. Reavis said that regarding extending the time of construction that you have to take into consideration people that live in that area and beyond because noise travels. He said that he has been away and was not able to sit in on the discussion regarding the Recreation Department personnel so wants to make sure we have the required personnel for this department. Mr. Reavis also spoke about the County contract with G&S regarding the promenade and bulkhead. His final comment was that it is great that the Board established a Safe Housing Committee but what about a public relations committee.

The Mayor recognized the next speaker.

Robert Reis of Munson Street spoke about the condition of the bulkhead and that he is a member of a kayak association and that there are very limited public access to the water here and surrounding communities this issue could provide additional recreational activity for kayak and more accessibility for the public.

Mayor Pilla asked that the Trustees forego their comments this evening so members of the Board and staff could attend the wake of Past Fire Chief Harry Hayes.

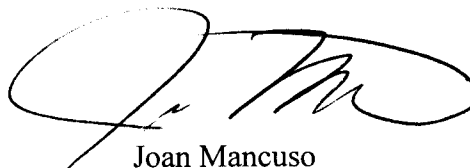
Trustee Didden said that he would like to read to the prayer card for Chief Hayes. He read the Fireman's Prayer from the card.

There being no further business, on motion of Trustee Branca, seconded by Trustee Kenner, the meeting was closed at 7:54 p.m.

ROLL CALL

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

Respectfully submitted,



Joan Mancuso
Village Clerk