

**MEETING HELD JANUARY 10, 2011**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, January 10, 2011 at 6:00 P.M., in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla, were Trustees Bart Didden, Joseph Kenner and Luis Marino.

It should be noted that Trustees Saverio Terenzi and Daniel Brakewood arrived at 6:06 p.m. and Trustee John Branca arrived at 6:07 p.m.

Also present were Village Manager, Christopher Russo; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Village Clerk, Joan Mancuso 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 6:05 p.m.

ROLL CALL

AYES: Trustees Didden, Kenner, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Terenzi, Branca and Brakewood

Mayor Pilla said that the first item on the agenda is to conduct an executive session with the new Fire Chiefs, Chief Kevin McFadden, 1<sup>st</sup> Assistant Chief Kevin McMinn and 2<sup>nd</sup> Assistant Chief Edward Quinn regarding particular person or persons with regard to the Fire Department.

At 6:08 p.m., Trustee Didden made a motion for the executive session, Trustee Marino seconded the motion. Invited to attend the executive session was the Village Manager, the Village Attorney, the Village Treasurer and the Assistant to the Village Manager.

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 6:45 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the executive session was closed and the public portion of the meeting was re-opened.

JAN. 10, '11 ROLL CALL

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

NOES: None

ABSENT: None

The Board briefly spoke to the Chiefs regarding incident management protocol. Chief McFadden spoke about the use of calling post which could possibly be set up with the Police Department because they operate 24 hours a day seven days a week. There was further discussion between the Board, the Fire Chiefs and the Village Manager on this protocol.

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Mayor Pilla said that the next item on the agenda is an executive session with Police Chief Joseph Krzeminski regarding particular police personnel and contract negotiations. He said that before taking a motion to go into this executive session are there any operational functions that the Chief or the Board would like to discuss in the public section.

Police Chief Krzeminski discussed with the Board downtown traffic issues and the request of the Board for walking posts in the downtown. He explained that the bicycle officer has been assigned to this area Monday through Friday from 8:00 a.m. to 4:00 p.m. to address parking and traffic issues in the downtown. The Police Chief said that this is the best immediate response for this issue.

Captain John Telesca told the Board that the New York State Department of Transportation has denied our request for Block the Box except for the north bound lane on North Main Street at Highland Street. He also told the Board that the State DOT would be coming to the Village to review the sequencing of the lights in the downtown.

Mayor Pilla spoke about the discussions the Village Engineer, Dolph Rotfeld has had with the Town of Greenwich regarding the traffic lights on Mill Street in Port Chester and Greenwich and that Mr. Rotfeld will be invited to provide an update at the next Board meeting.

The Board with the Police Chief, the Captain and the Village Manager discussed the downtown traffic issues and the effects caused by vehicles attempting to park on Main Street, the sequencing of the traffic signals, streamlining of traffic flow for certain streets,

consideration to send to the State DOT no right on red at certain Main Street intersections and the issue of loading and fire zones on Main Street.

The Board also spoke to Police Chief Krzeminski about the use of the bike officer and the budget if there are budgetary constraints for this patrol. The Police Chief spoke about the large percentage of overtime that has been used and reasons due to personnel noting that the department was budgeted for 61 officers and is down to 58 and other personnel situations causing backfilling of positions including parking enforcement.

Trustee Didden asked about calls for service and the number of officers that responded to a certain call.

Chief Krzeminski and Captain Telesca spoke on that topic and that particular call.

Mayor Pilla noted that while the overtime budget is up the overall police budget is not over budget. He asked about fire arm training and if our insurance company has reviewed if the Department meets the required criteria.

The Police Chief and the Captain stated that fire arm training is conducted twice a year and explained the necessary requirements that they follow.

Trustee Didden said that the Police Chief was to speak about a staffing model for the Police Department and would that be part of the public session or the executive session.

Chief Krzeminski said that would part of the executive session.

The Mayor asked if there were any other additional discussion items for the Police Chief and the Captain Telesca before the Board takes a motion for an executive session. There was none.

At 7:23 p.m., Trustee Didden made a motion for an executive session with the Police Chief regarding particular person or persons of the Police Department and contract negotiations, Trustee Kenner seconded the motion. Invited to attend the personnel portion of the executive session was Captain Telesca, the Village Manager and the Village Attorney. The Village Manager and the Village Attorney was also included in the portion of the executive session regarding contract negotiations.

**ROLL CALL**

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

NOES: None

ABSENT: None

No action was taken in executive session.

On motion of Trustee Didden, seconded by Trustee Marino, the executive session

was closed at 8:05 p.m. and the public portion of the meeting was re-opened.

ROLL CALL

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

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Mayor Pilla said that before the Board takes a motion to go into an executive session with the Village Manager regarding particular person or persons that the Board will consider the rest of the agenda at this time.

The Mayor presented the first resolution to set a public hearing to consider the advisability of amending the Code of the Village, Chapter 224, entitled "Noise" with regard to waiver of construction noise upon application to the Village Manager or his/her designee and penalties.

Trustee Didden made a motion for discussion, Trustee Marino seconded the motion.

Trustee Brakewood asked the Village Attorney if the Board sets the public hearing as the law is currently written and changed it so that it would be the Board of Trustees instead of the Village Manager that would grant the waiver would it be a substantial change.

Mr. Cerreto said yes that would be a substantial change and then the hearing would have to be re-noticed.

Trustee Brakewood said that the Board should decide on this type of waiver not the Village Manager and asked that the law be amended to that effect.

The Mayor recognized Steve Giamundo of Phoenix Capital developers for the Mariner Project that a waiver has been requested for.

Mr. Giamundo explained the purpose for the waiver noting that unionized job sites which this project is have start times at 7:00 a.m., and that if the construction could be expedited the project could be completed earlier.

Mr. Cerreto said that this law allows for a process we currently do not have for a waiver policy.

The Board further discussed this proposal with staff and agreed with Trustee Brakewood that the waiver should come before the Board instead of the Manager. They

also spoke about a required number of days for a waiver request, posting of a notice at the site and that waivers would only be considered in the M and C zoning districts.

Trustee Branca said that he was not agreeable regarding the zoning districts because there are residential adjacent or within all of these commercial districts.

Mr. Cerreto said that he would redraft the proposed law with the recommendations made by the Board and bring it back with a resolution at the January 18<sup>th</sup> Board meeting for setting the hearing.

Trustee Didden made a motion to table the proposed resolution, Trustee Kenner seconded the motion.

ROLL CALL

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

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INTERIOR REHABILITATION OF FIRE HEADQUARTERS & STATION 4

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 has solicited bids for the Interior Rehabilitation of Fire Headquarters and Station 4, and

WHEREAS, ten bid proposals were received on December 16, 2010 from various professional firms, and

WHEREAS, Divine Construction Corp. of Yonkers, NY submitted the lowest bid with the Base Bid of \$147,500 and Add Alternate No. 1 in the amount of \$4,990 for Dispatch Room Casework and Add Alternate No. 2 in the amount of \$5,975 for Lunch Room Casework for a bid total of \$158,465; and

WHEREAS, Lothrop Associates, LLP, the architect of this project has reviewed the bids and recommends awarding the bid to the lowest bidder with said bid meeting all the specifications as set forth in the bid documents. Now, therefore be it

RESOLVED, that the Village of Port Chester accept the bid of Divine Construction Corp., in the amount of \$158,465, which amount has been appropriated in the Capital Project Fire Department & Building Improvements accounts 005-3410-0400-2008-0076 & 2009-0100, and be it further

RESOLVED, that the Village Manager is hereby authorized to execute a contract for the Interior Rehabilitation of Fire Headquarters and Station 4 with Divine Construction Corp., in accordance with the bid specifications.

ROLL CALL

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

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AGREEMENT WITH WESTCHESTER COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DOWNTOWN STREET/FAÇADE IMPROVEMENT PROJECT  
FIRST AMENDMENT

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

RESOLVED, that the Village Manager be and is authorized to enter into an agreement with the County of Westchester with regard to the Community Development Block Grant for the Downtown Street/Façade Improvement Project Contract #C-67-09-S67 First Amendment in the amount of \$283,000.00 for a term of October 12, 2009 to August 31, 2011.

ROLL CALL

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

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Mayor Pilla stated that next on the agenda are two discussion items with the first regarding an Inter-Municipal Agreement with regards to the Rye Town Dissolution Study.

The Mayor provided to the Board draft information on this matter and noted that the prior Board had adopted a resolution with a Village match of \$5,000 for this study. The Board discussed this study, requirement of staff time and that this is a high level analysis.

Mayor Pilla said that a resolution for this agreement will be placed on the January 18<sup>th</sup> agenda.

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The Mayor said that the next discussion is the consideration of rental of office space to the Chamber of Commerce at 222 Grace Church Street.

Mr. Russo explained that this space is located on the 3<sup>rd</sup> floor of Village Hall an is approximately 600 square feet which they have been trying to lease and that the Chamber of Commerce is asking to lease the space at a discounted rate.

The Board briefly discussed this proposal with Mr. Russo and it was asked that Neil Pagano, the leasing agent for the Village come to a future meeting to update the Board on the leased and available space at 222 Grace Church Street.

Mayor Pilla requested that the following topics be on the January 18<sup>th</sup> agenda, the space needs of the Police/Court and an update from Mr. Pagano regarding Village Hall space.

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At 8:55 p.m., on motion of Trustee Didden, seconded by Trustee Kenner, the Board of Trustees adjourned to an executive session for consultation with the Village Manager regarding a particular person or persons. The Village Attorney was included in this session.

ROLL CALL

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

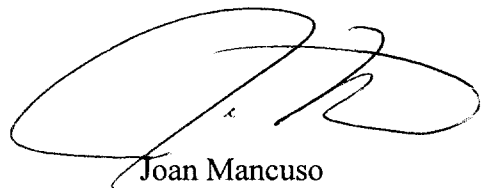
No action was taken in executive session.

There being no further business, on motion of Trustee Branca, seconded by Trustee Marino, the executive session and the meeting was closed at 10:10 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