

MEETING HELD MARCH 7, 2011

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, March 7, 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, John Branca and Luis Marino.

It should be noted that Mayor Pilla arrived at 6:18 p.m., Trustee Joseph Kenner arrived at 6:30 p.m., Trustee Daniel Brakewood arrived at 6:33 p.m. and that Trustee Saverio Terenzi and Village Manager, Christopher Russo were absent.

Also present were Village Clerk, Joan Mancuso; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas and Assistant to the Village Manager, Elisa Sciarabba.

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On motion of Trustee Branca, seconded by Trustee Didden, the meeting was opened at 6:18 p.m.

ROLL CALL

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

At 6:18 p.m., Trustee Branca made a motion to adjourn to an executive session with regard to Police contract negotiations, Trustee Didden seconded the motion.

ROLL CALL

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

No action was taken in executive session.

At 6:45 p.m., on motion of Trustee Kenner, seconded by Trustee Didden, the executive session was closed.

ROLL CALL

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

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On motion of Trustee Marino, seconded by Trustee Didden, the Board of Trustees adjourned to an executive session at 6:45 p.m., with regard to Building Inspector appointment.

ROLL CALL

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

No action was taken in executive session.

At 7:03 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.

ROLL CALL

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

Trustee Branca spoke about the fire that occurred at 304 Midland Avenue last week and the incredible job that the Port Chester public services including, Police, Fire and Public Works Departments did during this multiple alarm blaze. He said that even though one building was lost to this fire it could have been much worst and praised the professional and large turnout of volunteer firefighters for containing this fire and limiting property damage. Trustee Branca spoke further on this incident and that the Village of Port Chester is extremely fortunate to have such dedicated professionals and volunteers.

Mayor Pilla also spoke this fire and the incredible safety service units that we have in the Village. He said that they did an outstanding job of containing this blaze and although one building was lost it could have been must worst.

The Clerk stated that the first item on the agenda is the adjourned public hearing to consider the advisability of adopting a local law by amending Chapter 345, entitled "Zoning" with regard to pawnshops.

Trustee Marino made a motion to open the public hearing, Trustee Didden seconded the motion.

ROLL CALL

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

Mayor Pilla asked the Village Attorney, Anthony Cerreto to speak on this proposed local law.

Mr. Cerreto said that this hearing was adjourned from the February 22nd Board meeting to allow for our Planning Consultant, Patrick Cleary to provide a supplemental report for the record if necessary. He said that he provided a memo to the Board that Mr. Cleary had no further reports on this matter so the Board can consider the law.

The Mayor asked if the Board had any comments. There was none. He asked if anyone from the audience would like to speak on this proposed local law. Mayor Pilla recognized Goldie Solomon.

Ms. Solomon said that the agenda states that this hearing has a negative declaration resolution and the local law. She asked what is the negative declaration resolution?

Mr. Cerreto explained that the negative declaration resolution is required by the State Environmental Quality Review Act and that the Board is designated the Lead Agency for this proposal and it has been determined that this would be an Unlisted Action that would not have a significant effect on the environment for the reasons enumerated in the Negative Declaration Form.

Ms. Solomon said that if these are commercial businesses they should be in the commercial areas.

Mayor Pilla said that this law would allow by special exception these types of business only in the M1 and M2 zoning districts. He recognized Doris Bailey-Reavis.

Mrs. Bailey-Reavis said that she has concerns with the commodities that will find their ways into pawnshops especially guns, knives and other items that could be used as weapons. She asked if the law addresses this.

Police Chief Joseph Krzeminski noted that New York State Law has restrictions about guns and how they are brought and sold but knives could be sold just about everywhere.

Trustee Brakewood said that number eight of the local law prohibits pawnshops from purchasing, redeeming, servicing or repairing firearms.

Mr. Cerreto said that is correct. He said that he thinks this is a local law that needs to be adopted by the Board which is absolutely something that we need to address that has been brought to our attention and that Mr. Cleary's approach is the correct one and reasonable one.

The Mayor recognized Richard Abel.

Mr. Abel noted that in the law under Section 345-61V (5) it states that there shall be no other pawnbroker, secondhand goods dealer, auction house dealer, or consignment house within 1,000 square feet. He asked should it be listed square feet or just feet.

Mr. Cerreto said that he believes that the word square should be deleted and should be just feet.

Mayor Pilla recognized Bea Conetta.

Mrs. Conetta said that apparently the Board has discussed this.

The Mayor said that we had a previous public hearing which was adjourned tonight.

Mrs. Conetta said so the Board will vote on it tonight and what is your determination that we can have pawnshops.

Mayor Pilla explained that presently pawnshops are allowed in the Village of Port Chester and that this local law would limit their placement in industry/manufacturing zones only not in the central downtown business area.

Mrs. Conetta said that if the Board has discussed and Mr. Cleary has recommended then it should go though. She said that she does not think we would have a bunch of these types of establishments in the Village and expressed concerns about guns and stolen property. Mrs. Conetta asked about the investigation procedures regarding stolen property that may be brought to pawnshops.

Mayor Pilla said that the Chief of Police could address that but has just stepped out of the room at this time.

Mrs. Conetta said that she is in favor and is sure that all necessary precautions would be followed.

Mayor Pilla said that this type of business is not restricted today stating it was not that we did not allow them and this law would allow them rather we are limiting the zoning districts where they could be in the manufacturing district and it can not be a roll of them and there is other distance restrictions to schools, churches and residential zoning districts.

Trustee Brakewood noted that we have none of these businesses today and it would be less likely that we would have them.

The Mayor asked if there was anyone else from the audience who had any additional comments on this proposed law. There was none. He asked if the Board had any more comments. They did not. Mayor Pilla asked for a motion to close the public hearing.

Trustee Didden made a motion to close the public hearing, Trustee Kenner seconded the motion.

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

**SEQR DETERMINATION OF SIGNIFICANCE
NEGATIVE DECLARATION
RESOLUTION OF THE VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES**

March 7, 2011

PAWNSHOP ZONING AMENDMENT

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, the Village of Port Chester Board of Trustees is considering amending the Zoning Ordinance and Map of the Village of Port Chester;

WHEREAS, the proposed amendment involves the definition of a new use identified as "Pawnshops", the designation of Pawnshops as a Special Exception Use in the M-1 and M-2 zoning districts, and the establishment of a series of Special Exception Use Special Safeguards and Conditions to regulate these uses; and

WHEREAS, the project is defined as an Unlisted Action; and

NOW THEREFORE BE IT RESOLVED, that pursuant to Part 617 of the SEQR Regulations, the Village of Port Chester Board of Trustees hereby designates itself as the Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

SEQR

617.21
Appendix F
**State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Project Number _____

Date March 7, 2011

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Port Chester Board of Trustees as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action:

Pawnshop Zoning Amendment

SEQR Status:

Type I

Unlisted

Conditioned Negative Declaration:

Yes

No

Description of Action:

The action involves amendments to the zoning ordinance and map establishing the definition of a new use identified as "Pawnshops", the designation of Pawnshops as a Special Exception Use in the M-1 and M-2 zoning districts, and the establishment of a series of Special Exception Use Special Safeguards and Conditions to regulate these uses.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

The action affects properties located in the M-1 and M-2 zoning districts in the Village of Port Chester, Westchester County

SEQR Negative Declaration

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REASONS SUPPORTING THIS DETERMINATION:

The proposed rezoning text and map amendments will allow the Village to more effectively regulate the location of pawnshops so as to avoid the potentially adverse impacts often associated with such uses, particularly in the Village's Central Business District. The proposed Special Exception Use Safeguards & Conditions

have been designed to specifically restrict and control these impacts, so in no instance will the future establishment of a pawnshop that is approved in conformance with these safeguards and conditions, result in greater impacts than those that might be allowable currently.

Restricting pawnshops to the M-1 and M-2 districts allows these facilities to be located in appropriate areas of the Village, where their operation would not be incompatible with surrounding businesses and uses. Additional special setback provisions assure that pawnshops would not be located unreasonably close to residential areas, schools, churches and places of public assembly.

The Special Exception Use Safeguards & Conditions would allow no greater development opportunities, density, traffic, physical impacts or community service impacts, than would be allowable under the current zoning.

As a result, it can be concluded that the adoption of the proposed pawnshop zoning provisions will reduce potential adverse impacts on community character and would not result in any significant adverse environmental impacts beyond those resulting from development under the existing zoning.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person: Christopher Russo, Village Manager
Address: 222 Grace Church Street, Port Chester, NY 10573
Telephone Number: 914-939-2200

For Type I Actions and Conditioned Negative declarations, a Copy of the Notice sent to:

Commissioner, Dep't of Environmental Conservation, 50 Wolf Road, Albany, NY 12233-0001
NYSDEC Region 3, 21 South Putt Corners Road, New Paltz, NY 12561
Mayor, Village of Port Chester, 222 Grace Church Street, Port Chester, NY 10573

Trustee Didden made a motion to amend the local law to delete the word "square" from Section 345-61V(5), Trustee Marino seconded the motion.

ROLL CALL

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

On motion of Trustee Kenner, seconded by Trustee Brakewood and approved, the following Local Law No. 4, 2011 was adopted as amended:

ROLL CALL

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

Be it enacted by the Board of Trustees of the Village of Port Chester, New York as follows:

A LOCAL LAW AMENDING CHAPTER 345 OF THE CODE OF THE VILLAGE OF PORT CHESTER WITH REGARD TO PAWNSHOPS

SECTION 1: Section 345-2 of the Code of the Village of Port Chester is hereby amended as follows:

Section 345-2B Word usage; terms defined.

....

PAWNSHOP – a business that lends money based upon the security of pledged goods left in pawn, or is in the business of purchasing tangible personal property to be left in pawn on the condition that it may redeemed or repurchased by the seller for a fixed price within a fixed period of time, pursuant to the licensing requirements of Section 206 of the Village Code.

...

SECTION 2: Section 345-59 of the Code of the Village of Port Chester is hereby amended as follows:

Section 345-59 General procedure and conditions

D. Jurisdiction to hear specific applications is as follows:

...

(2) Planning Commission

...

(t) Pawnshops

...

SECTION 3 Section 345-61 of the Code of the Village of Port Chester is hereby amended to add a new sub-section (v) to read as follows:

Section 345-61V Pawnshops

- (1) Any pawnshop located within the Village of Port Chester must be operated by a pawnbroker, licensed in accordance with the provisions of Section 206 of the Village Code;
- (2) The establishment, maintenance, or operation of any pawnshop shall not be detrimental to or endanger the public health, safety, morals, comfort and general welfare;
- (3) Pawnshops shall not be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish property values within the neighborhood;
- (4) No alcohol is allowed to be sold or consumed on the premises of a pawnshop;
- (5) There shall be no other pawnbroker, secondhand goods dealer, auction house dealer, or consignment house within 1,000 feet;
- (6) No pawnshop shall be located within 1,000 feet of a school, church or other place of public assembly;
- (7) No pawnshop shall be located within 250 feet of a residential zoning district (measured from the principal entry of the pawnshop);

- (8) No pawnshop shall be permitted to purchase, repurchase, redeem, service, repair or conduct any other transaction concerning firearms (including antique firearms) or weapons as regulated under Article 256 of the New York Penal Law "Firearms and Other Dangerous Weapons".
- (9) Parking ratio: at least one off-street parking space shall be provided for each 150 square feet of gross floor area. An additional off-street parking space shall be provided for each 1,000 square feet of area devoted exclusively to merchandise storage.
- (10) All trash or garbage receptacles must be located in the rear or side yard and be totally screened from view from any public right-of-way. Provisions must be taken to protect screening from vehicle damage.

SECTION 4: Chapter 345 of the Code of the Village of Port Chester, Section 345-56 (Schedule of Regulations for Nonresidence Districts) is hereby amended to include the following:

Schedule of Regulations for Nonresidence Districts – Part 1, Use Regulations (Sheet 2)

Type of Use	C1	C2	C3	C4	CD	CDS	PD	DW	M1	M2
Pawnshops	X	X	X	X	X	X	X	X	SE	SE

SECTION 5: This local law shall be effective immediately upon notice of publication and filing with the Secretary of State.

BY ORDER OF THE BOARD OF TRUSTEES OF
 THE VILLAGE OF PORT CHESTER, NEW YORK
 DENNIS PILLA, Mayor
 JOAN MANCUSO, Village Clerk

Adopted: March 7, 2011

The Clerk stated that the next item on the agenda is the adjourned public hearing to consider the advisability of adopting a local law by amending Chapter 224, entitled "Noise" with regard to waiver for construction noise upon application to the Board of Trustees and penalties.

Trustee Marino made a motion to open the public hearing, Trustee Brakewood seconded the motion.

ROLL CALL

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

Mayor Pilla asked Mr. Cerreto to speak on this proposed law.

Mr. Cerreto noted that this hearing was conducted at the last Board meeting with comments from the Board and the public regarding the penalty section and was adjourned to allow Mr. Steers and himself to review the proposed. He said that they have reviewed and that they recommend to the Board to close the public hearing on this local law with no action and with the Board's pleasure to go forward with the intent to have a waiver process for construction noise that on the resolution part of the agenda set a new public hearing on that local law.

Mayor Pilla said that we have reopened the public and asked if the Board had anything further to say before he asks if the public would like to speak. There were no comments from the Board, the Mayor asked before we close this hearing if there was anyone from the audience who would like to speak on this matter. The Mayor recognized Goldie Solomon.

Ms. Solomon asked what is the Board going to vote on.

The Mayor said that we are not going to vote on this proposed law because a new proposal has been provided which a new public hearing would be set later in the agenda.

Ms. Solomon said that since the Board is not going to vote on this it will stay the way it was.

Mayor Pilla said that is correct until at a later point if Board takes a action on a new proposed law.

Ms. Solomon said so what is the current restrictions concerning construction.

The Mayor said that currently construction can not start before 8:00 a.m.

Ms. Solomon said that is what she wanted to know because a lot of people do not understand this and know about it.

Mayor Pilla said that the action that was before the Board was to have a policy to have a waiver process subject to the review and approval of the Board of Trustees and that staff is recommending against that.

The Mayor recognized John Reavis.

Mr. Reavis said that this law would allow the Board that they could provide a waiver for the times of construction. He said that he is concerned about the development site on Willett Avenue and does not want the Board to grant a waiver for that location.

Mayor Pilla recognized William Giangrande.

Mr. Giangrande said that he is glad that the Board has woken up to the fact when the Waterfront Development was being built the contractor started at 7 o'clock in the morning noting that he used to work on the other side of the river and everyone knew what time it was when they started working.

The Mayor recognized Richard Abel.

Mr. Abel said that this law is to be withdrawn and then come back with a new law. He said that he as taken a look at these two laws and the one big difference he sees is that the section regarding fines has been taken out of the new proposed law and was wondering why that section would be removed.

Mr. Cerreto said that penalty section would remain as it is that is the proposed approach to keep the penalty section as it is and go back to what originally prompted this Board the local law in the first place was how we deal with construction noise and the application by a property owner for a waiver of those requirements. He said that the recommended approach from staff was to deal with the issue at hand which is to deal with the construction noise and the waiver process and deal with the penalty provisions at a later date.

Mr. Abel asked if there would be no penalties.

Mayor Pilla said that there would be no change to the current penalty section.

Mr. Abel asked what are the penalties now?

Mr. Cerreto said that the current penalties is a fine no less than \$250.00 per violation.

Mr. Abel said that there were a lot of questions at the previous hearing about who would get the violation.

Mr. Cerreto said that yes there was a lot of discussion on this topic and there needs to be more review on how we can make that penalty section more flexible and at this time the staffs' approach is to hold off on the penalties at this time.

Mr. Abel said so it is pass a different law that does not change the original fines.

The Mayor asked Mr. Cerreto for his interpretation of who would receive the fines under the current law that is in effect.

Mr. Cerreto said who is violating the code.

Mayor Pilla said that is the noise maker and not necessarily the property owner.

Mr. Abel said that he just found it interesting that the new proposal is removing the fines.

Mr. Cerreto said that we are not moving backwards that the fines remain as they are and the new proposed law is dealing with the issue at hand the waiver process regarding construction noise.

The Mayor asked if there was anyone in the audience or the Board who would like to speak on this matter. There was none. He said that we have advised by staff to close this hearing and take no action on this proposed law. Mayor Pilla asked for a motion to close the public hearing.

Trustee Didden made a motion to close the public hearing, Trustee Kenner seconded the motion.

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

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The Clerk stated that the last hearing on the agenda is the adjourned public hearing to consider the advisability of adopting a local law by amending Chapter 319, entitled "Vehicle and Traffic" with regard to the definition of holidays and times of enforcement of parking meter zones and parking meters.

Trustee Brakewood made a motion to open the public hearing, Trustee Marino seconded the motion.

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

Mayor Pilla asked Mr. Cerreto to explain the proposed law.

Mr. Cerreto said that the proposal was originally on the definitions of the holidays because of the enforcement of parking meters on Martin Luther King Birthday. He said that it was a question of what was or wasn't a legal holidays and that staff took the opportunity to

do some housekeeping to the vehicle and traffic code which was times of parking meter enforcement which accounts for a large amount of parts of the local law that you have in front of you as well as legal holidays. Mr. Cerreto said that he believes that the Board has an additional copy of Sgt. Vaccaro's report which explains those housekeeping changes and the Police Chief is here to go over that report with the Board.

Mayor Pilla said to be clear that we are not changing any of the signs parking provisions in the Village but rather aligning the law to what the signs presently are asking if that is correct. He spoke further about the Traffic Sergeant's memo regarding the times of enforcement of meters. The Mayor asked if the Police Chief if we are changing any signage.

Police Chief Joseph Krzeminski said that we are not changing any signs but this is just making the ordinance correspond with the signage.

Mayor Pilla stated that this is just housekeeping and for everyone in the audience and watching this that the signage is correct and this law will see that the code corresponds to the current signage.

Trustee Brakewood said that we are adding four holidays to the law and this would be a loss of revenue. He asked the Police Chief what might be the loss of revenue for these days.

Chief Krzeminski said that he does not anticipate any great amount of revenue loss for the four additional holidays that parking meters are not enforced.

Trustee Brakewood asked if the parking enforcement officers would be working on these holidays.

Trustee Didden asked the Chief if the part-time parking enforcement officer would not be scheduled to work on these holidays.

Chief Krzeminski said he was not aware of that, that the parking enforcement officers would be assigned on these holidays but would not be issuing parking meter violations but other vehicle and traffic violations such as loading zones, prohibited parking and fire hydrants for example.

Trustee Didden asked if it is worthwhile to deploy them.

Chief Krzeminski said that is something to look into.

Trustee Brakewood said that the only other thing he was thinking about that if you look at the signs in the parking lot say holidays and has been told that old signs listed the actual holidays.

Chief Krzeminski said that he does not believe that any signs had ever listed the actual days.

Trustee Brakewood asked though if it could be done.

Elisa Sciarabba, the Assistant to the Village Manager said that they will order stickers that list the holidays that will be placed on the meters and the signs.

The Mayor asked if anyone from the public would like to speak on this proposed local law. He recognized Goldie Solomon.

Ms. Solomon said that many people do not work on the holidays and there are many stores closed on the holidays and that we need to remember that we are low to middle income

Mar. 7, '11

community so please there should be no fines on any holidays at all including Sundays as well. She also spoke about Saturdays and weekends too.

Mayor Pilla recognized William Giangrande.

Mr. Giangrande spoke about the handicapped parking space in front of the Post Office on Westchester Avenue and that motorist park there even though they do not have a handicapped permit. He said that this space should be painted in the street and the fine amount posted on the sign.

Mayor Pilla advised Mr. Giangrande that the Village Manager has this at the top of his list to paint this space as soon as the weather permits. He recognized Richard Abel.

Mr. Abel questioned the removal of the enforcement hours of 9:00 a.m. to 6:00 p.m., and making it 7:00 a.m. to 7:00 p.m.

Trustee Didden said that is why we sent this back to clarify these hours with the meters.

Mayor Pilla stated this portion of the law as it is written.

Mr. Abel spoke about parking meter posts without meters on North Main Street pass the Police Station. He said with the upgrading to the parking pay stations and the removal of parking meter heads along the rest of North and South Main Street there should be plenty of parking meter heads to be uses so does not know why we do not put them up.

The Mayor said that the there has been complaints from people who have to attend court that there was a two hour restriction of the meters that Mr. Abel spoke about and that it most times takes longer than two hours to get done with the court process. He asked The Police Chief to investigate if we should extend the time. Mayor Pilla also asked Mr. Cerreto to explain the repealing of Section E regarding broken meters.

Mr. Cerreto told the Board and the audience that the Village Manager has directed that the meter heads that Mr. Abel spoke about on North Main Street will be reinstalled. He said that Section E regarding parking at broken meters is being repealed because New York State Law does not allow this.

Mr. Abel asked about the State Law.

Mr. Cerreto said that our code was very generous for those who parked at broken meters which gave them a opportunity to stay there for awhile which in fact we should not have.

Mr. Abel said so you are not allowed to park at a broken meter and spoke about the process of parking and if the meter takes someone money is there a remedy that they can get reimbursed.

Trustee Didden said that the meters should say out of order.

Mr. Abel said not all of them do.

Mayor Pilla said that Mr. Cerreto could speak to Mr. Abel on that off line.

Trustee Branca spoke about a situation regarding a broken meter.

Mayor Pilla asked if we can trump State Law.

Mr. Cerreto said that we are conforming to State Law and we can not trump it.

The Mayor asked if there was anyone else from the audience who would like to speak on this matter. There was none. He asked if any of the Trustees had additional comments. They did not.

The Clerk noted that at the last public hearing on this matter the Board had amended the law to include in parenthesis Presidents' Day after Washington Birthday which is now included in the proposed law.

Trustee Kenner made a motion to close the public hearing, Trustee Marino seconded the motion.

ROLL CALL

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

On motion of Trustee Kenner, seconded by Trustee Brakewood and approved, the following Local Law No. 5, 2011 was adopted:

ROLL CALL

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

Be it enacted by the Board of Trustees of the Village of Port Chester, New York as follows:

A LOCAL LAW AMENDING CHAPTER 319
OF THE CODE OF THE VILLAGE OF PORT CHESTER
WITH REGARD TO THE DEFINITION OF HOLIDAYS
AND TIMES OF ENFORCEMENT FOR
PARKING METER ZONES AND PARKING METERS

SECTION 1. Section 319-2 of the Code of the Village of Port Chester is hereby amended as follows:

§ 319-2. Word usage; definitions.

.....

B. The following words and phrases, which are not defined by Article 1 of the Vehicle and Traffic Law of the State of New York, shall have the meanings respectively ascribed to them in this section for the purpose of this chapter.

.....

HOLIDAYS – New Year’s Day, Birthday of Martin Luther King, Jr., Washington’s Birthday (Presidents’ Day), Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day.

.....

SECTION 2. Section 319-33 of the Code of the Village of Port Chester is hereby amended as follows:

§ 319-33. Parking meter zones and parking meters.

A. In the parts of the highways and municipal parking lots in the Village of Port Chester described in Schedule XXVI, Subsections A, B and C (§ 319-87A, B and C) and established as parking meter zones, parking meters and multi-space meters shall be installed, operated,

maintained, policed and supervised. Where signs are erected or curbs or the bed of streets are painted giving notice thereof or parking meters are installed in such parts of said highways and lots, and except in an emergency or in compliance with the direction of a peace officer or traffic control signal or sign, no vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of [9:00 a.m. and 6:00 p.m.] 7:00 a.m. and 7:00 p.m. for more than two hours, 12 hours or as otherwise specified, except Sundays and [legal] holidays.

B. No vehicle shall be parked on Monday to Friday, both inclusive, between the hours of 9:00 a.m. and 4:00 p.m. for more than seven hours or as otherwise specified, except Saturdays, Sundays and [legal] holidays, on the streets enumerated in Schedule XXVI, Subsection D (§ 319-87D).

C. No vehicle shall be parked on Monday to Saturday, both inclusive, between the hours of [6:00 a.m. and 6:00 p.m.] 7:00 a.m. and 7:00 p.m. for more than two hours, 12 hours or as otherwise specified, except Sundays and [legal] holidays, in the locations enumerated in Schedule XXVI, Subsection E (§ 319-87E).

[D. No vehicle shall be parked on Monday to Friday, both inclusive, between the hours of 6:00 a.m. and 6:00 p.m. for more than two hours, 12 hours or as otherwise specified, except Saturdays, Sundays and [legal] holidays, in the locations enumerated in Schedule XXVI, Subsection F (§ 319-87F).]

[E. Parking at broken or missing meters.]

[(1) No person shall park a vehicle at a broken meter for longer than 30 minutes.]

[(2) No person shall park a vehicle at a missing meter for longer than 30 minutes].

SECTION 3. Section 319-97 of the Code of the Village of Port Chester is hereby amended as follows:

§ 319-87. Schedule XXVI: Parking Meter Zones.

A. Two-hour limit. Parking meter zones are hereby established pursuant to § 319-33A on the following streets for the parking of vehicles for not more than two hours at a rate as set forth in Chapter 175, Fees.

.....

Name of Street Side Location

[North Main Street Both From railroad bridge to Liberty Square]

.....

C. Parking lot use 9:00 a.m. to 6:00 p.m. Parking meter zones are hereby established pursuant to § 319-33A on the following parking lots for the parking of vehicles for not more than the time limit specified at the rate specified in Chapter 175, Fees.

Name of Lot Time Limit (hours) Location

[Parking Lot No. 1 12 At New Broad Street, all spaces]

[Parking Lot No. 4 12 Between Westchester Avenue and Irving Avenue near the post office, 12 spaces at the west side of the lot facing post office]

[Parking Lot No. 11 12 South side of Highland Street, from North Main Street to Abendroth Avenue]

[Parking Lot No. 12 12 37 spaces, east side of Marvin Place (decal only)]

[Parking Lot No. 13 12 Between Oak Street and Grove Street, on the north and south sides thereof except both sides of center all]

.....

[Parking Lot 18 5 At East Broadway 15 spaces located south of #5 East Broadway]

E. Parking lot use [6:00 a.m. to 6:00 p.m.] 7:00 a.m. and 7:00 p.m. Parking meter zones are hereby established pursuant to § 319-33C on the following parking lots for the parking of vehicles for not more than the time limit specified at the rate specified in Chapter 175, Fees.

<u>Name of Lot</u>	<u>Time Limit (hours)</u>	<u>Location</u>
[Parking Lot No. 7	12	Lower King Street adjacent to the Vitolite, 26 spaces (entire lot)]
[Parking Lot	12	Broad Street (east side) between King Street and Willett Avenue, 13 spaces]
<u>Parking Lot No. 1</u>	<u>12</u>	<u>At New Broad Street, all spaces</u>
<u>Parking Lot No. 4</u>	<u>12</u>	<u>Between Westchester Avenue and Irving Avenue near the post office, 12 spaces on the west side of the lot</u>
<u>Parking Lot No. 11</u>	<u>12</u>	<u>South side of Highland Street, from North Main Street to Abendroth Avenue</u>
<u>Parking Lot No. 12</u>	<u>12</u>	<u>37 spaces, east side of Marvin Place (decal only)</u>
<u>Parking Lot No. 13</u>	<u>12</u>	<u>Between Oak Street and Grove Street, on the north and south sides thereof except both sides of center mall</u>
.....		
<u>Parking Lot No. 18</u>	<u>5</u>	<u>At East Broadway 15 spaces located south of #5 East Broadway</u>

[F. Parking lot use 6:00 a.m. to 6:00 p.m. Parking meter zones are hereby established pursuant to § 319-33D on the following parking lots for the parking of vehicles for not more than the time limit specified at the rate specified in Chapter 175, Fees.

<u>Name of Street</u>	<u>Time Limit (hours)</u>	<u>Location</u>
Parking Lot No. 2	12	At the railroad station plaza off Broad Street, 66 spaces]

SECTION 4: This local law shall be effective immediately upon filing with the Secretary of State.

Adopted: March 7, 2011

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF PORT CHESTER, NEW YORK
DENNIS PILLA, Mayor
JOAN MANCUSO, Village Clerk

Mayor Pilla said that before going on to public comments would like to take the discussion item on the agenda regarding alternative side of the street parking since the Police Chief is here. He spoke about the law that amending the vehicle and traffic regulations that

designated alternative side of the street parking in a area of the Village on streets that did not allow overnight parking on one side of the street. The Mayor spoke about regulations regarding abandon vehicles of over 24 hour noting that he believes that the State law on this is 48 hours. The Mayor said that now the signage has been installed and residents have called stating this regulation is an inconvenience to them that they have to park of one side or the other depending on the days. He said that the Village Manager had recommended that this be an all year regulation but maybe it should be during winter months and spoke about the very heavy snow season we have had this year.

The Board further discussed this issue and Trustee Brakewood suggested that the regulations stay in place and that we could follow up in a few months with a community meeting.

Trustee Didden said that some of the comments from those residents is that this change makes it feel like we are a urban city not a Village and that it is changing the character of the area. He said that he thought the enforcement of the 24 hour requirement by the Police Department would deal with the snow issue and that back in the 80's this was done but did not know about fines and fees if towed.

The Police Chief said that if vehicles are towed it would be a private towing company and would have to give fines. There was further discussion regarding the process during snow storms including in other communities such as Rye Brook and it was noted that in that Village parking is allowed on only one side of the street that they would alternate.

Trustee Marino said that this regulation has caused the placement of too many signs and has also removed some parking spaces. Chief Krzeminski spoke about the State regulations regarding the spacing of signs.

Mayor Pilla recognized Larry Romanello who is a resident in this area and has expressed concerns regarding this regulation.

Mr. Romanello said that he lives on Breckenridge which is now subject to this alternative side of the street parking and said that it is an inconvenience to the residents. He said that residents can not even go away for a weekend because you have to move the car every day. Mr. Romanello said that he has spoken to a lot of neighbors who are against this regulation but agrees with the Village having a community meeting with the residents.

Trustee Kenner asked if we will wait for input from staff and then schedule this community meeting.

The Mayor said yes and spoke further about the regulations noting that the Manager and the Traffic Sergeant had mapped out the whole Village showing street with no overnight parking and instead of doing all of these streets a targeted area was done.

Trustee Brakewood asked if there was any prohibition of having a Board meeting in a private residence.

Mr. Cerreto said that all meetings of the Board have to be noticed with the place, time and as long as the location is handicapped accessible. The Board spoke about possible locations including the Senior Center or a school.

* * * * *

The Mayor asked if anyone from the audience would like to speak at this time. He recognized John Reavis.

Mr. Reavis spoke about his concerns about the Board's decision to appeal the Department of Justice case. He said that this will cost a lot of money which is needed in areas of police, fire and education.

Mayor Pilla recognized Edward Eways who is a coordinator of a unity march in the Village and that the Board is in receipt of his letter on this event.

Mr. Eways spoke about the event which will be held on April 16th and that it has two distinct parts the spotlight portion to be held at the Carver Center and the empower portion which is a walk from the Carver Center to the Library. He spoke further on the groups and organizations involved in this event and what is being asked from the Village.

The Mayor said that since the Board has received this request would ask that the Board make a motion to refer the request to staff.

Trustee Marino made a motion to refer the correspondence regarding the Unity March 2011 to staff, Trustee Brakewood seconded the motion.

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

Mayor Pilla recognized the next speaker Goldie Solomon.

Ms. Solomon thanked Mr. Eways for all the things that he has done in the Village noting that we need to elevate this Village which he has done. She said that we are in a recession/depression and taxes need to be lowered but we need to take care of things such as potholes whether it be us, the County or State. Ms. Solomon thanked the Fire Department and the seven volunteer companies noting that we are the 2nd oldest fire department in the County that they put their lives on the line for us. She also thanked Neri Bakery for all that they do for the community. Ms. Solomon said that March is an important month that Election Day is March 15th, that it will be St. Patrick's Day, Girl Scout month and Red Cross month.

The Mayor recognized Beatrice Conetta.

Mrs. Conetta said that she is especially proud of Ed Eways and the work he does. She also spoke about the Master Plan stating that it is not the fault of the Mayor and the Board that it has stall because the consultant did not do what was required. Mrs. Conetta said that the procurement procedure was not followed on the issue to the appeal the DOJ that the procedure requires three and is this a technicality. She said that she is not in favor of this appeal. Mrs. Conetta spoke about the Port Chester Patch and told everyone to go out and vote on the 15th.

Mayor Pilla recognized Doris Bailey Reavis.

Mrs. Bailey Reavis asked the Village Attorney if the resolution that was passed to go forward with the DOJ appeal was lawful.

Mr. Cerreto said that if the Board would like an opinion he could provide. He spoke about the flexibility in the procurement policy for professional services and spoke further about the flexibility that not in every case a request for proposal is required.

Mrs. Bailey Reavis spoke about the Comprehensive Plan and that status from our Planning Consultant. She said why did we pay the consultant the Laberge Group so much for something that was not complete.

There was further discussion between the Board regarding the Comprehensive Plan and status reporting.

The Mayor recognized Richard Abel.

Mr. Abel inquired if Trustee Branca was mayor when Home Depot was built.

Trustee Branca said no he was not mayor when this was built in 1996 but was when the project started.

Mr. Abel said that it took seven years for Home Depot to move forward to build the business and pay taxes and even though it was fought by the City of Rye this business has no problems. He said that the Board has two resolutions on this agenda for agreements with this same municipality regarding an affordable housing project on our border. Mr. Abel said that they held up our project so would recommend holding off on these resolutions.

Mayor Pilla recognized Martha Bell.

Ms. Bell spoke about the decision to appeal the DOJ case. She said that she was at the last meeting and spoke against the appeal and thought the Board would listen to the public and not go forward which she is disappointed with the outcome.

The Mayor recognized Frank Bellantoni.

Mr. Bellantoni also spoke about the decision to appeal and if we were not a Village the Mayor could have the power to veto this decision.

Mayor Pilla recognized Alex Payan.

Mr. Payan asked the mayoral candidates, Mayor Pilla and Trustee Didden if they have done a swat analysis.

Mayor Pilla and Trustee Didden said that they have agreed that they would not politic during Board meetings and that they would separately meet with Mr. Payan on this subject.

* * * * *

Mayor Pilla said that he would take out of order of the agenda two resolutions listed under Public Works dealing with the Affordable Housing Project in the City of Rye on Cottage Street called the Cottage Street Townhomes since there are people in the audience on this matter.

The Clerk presented the first resolution to authorize the Village Manager to execute an Inter-Municipal Agreement with the City of Rye with regard to the Cottage Street Affordable Townhomes Project.

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

The Board discussed with staff the process of the review of the project by the Village, the lapse of an initial review and that the Planning Commission has since reviewed the

proposal which could only be the section that was in our Village. They also spoke about the Village of Rye Brook looking at properties for affordable housing that are our borders and would impact our school district.

INTER-MUNICIPAL AGREEMENT
WITH THE CITY OF RYE
FOR MUNICIPAL SERVICES OF THE COTTAGE STREET TOWNHOMES

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 City of Rye granted site plan approval for the construction of 22 residential units on certain property located at 15 Edgar Place and 42 Cottage Street in the City of Rye; and

WHEREAS, although nearly all of the premises is located in the City of Rye, except for a small portion on Cottage Street in the Village of Port Chester; and

WHEREAS, it is appropriate that there be a formal agreement between the City of Rye and the Village of Port Chester with regard to the furnishing of services to the subject premises

WHEREAS, the attorneys for both the City and the Village have negotiated a proposed inter-municipal agreement regarding services with the Village of Port Chester solely providing a sewer connection. Now, therefore, be it

RESOLVED, that the Village Manager is authorized to enter an inter-municipal agreement with the City of Rye for the Cottage Street Townhouses with regard to the provision of municipal services to the subject premises.

ROLL CALL

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

AGREEMENT WITH COTTAGE LANDINGS
REGARDING SANITARY SEWER CONNECTION OF THE
COTTAGE STREET TOWNHOMES

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 City of Rye granted site plan approval for the construction of 22 residential units on certain property located at 15 Edgar Place and 42 Cottage Street in the City of Rye; and

WHEREAS, although nearly all of the premises is located in the City of Rye, access and utilities are required from Cottage Street in the Village of Port Chester; and

WHEREAS, as approved, the development is to be connected to the Village's sanitary sewer main in Cottage Street; and

WHEREAS, the City of Rye and the Village of Port Chester will enter into an Inter-Municipal Agreement with regard to the respective municipal services to be provided to the subject premises; and

RESOLVED, that the Village Manager is authorized to enter an agreement with Cottage Landings, LLC, 211 South Ridge Street, Port Chester, New York, for the grant and privilege of utilizing the subsurface of the roadway of Cottage Street and of carrying a service line from the development on the subject premises, permit fee to be in the amount of \$19,920 upon execution of this Agreement and thereafter an annual permit fee for the Village in the same amount of sewer tax that is due and payable to the Westchester County Sanitary Sewer District. .

ROLL CALL

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

Mayor Pilla said that Trustee Marino has asked for an add-on resolution with regard to the Port Chester Soccer Club for the use of the soccer facility at Columbus Park.

There being no objection, on motion of Trustee Kenner, seconded by Trustee Marino, the following resolution was added to the agenda.

ROLL CALL

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

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

The Board discussed this resolution regarding the use of the facility and lights.

PORT CHESTER SOCCER CLUB, INC.
REVOCABLE LICENSE FOR USE OF COLUMBUS PARK SOCCER FACILITY

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:

RESOLVED, that the Port Chester Soccer Club, Inc., 22 Soundview Street, Port Chester, New York, 10573 is hereby granted a revocable license to use the soccer facility at Columbus Park for pre-season use until May 31, 2011, subject to any SEQRA review.

ROLL CALL

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

BUDGET AMENDMENT – DEA FUNDS
COLOR COPIER

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:

WHEREAS, The Police Chief recommends the use of DEA Funds to purchase color copier in the amount of \$5,221 from Ricoh American Corporation, 925 Westchester Avenue, White Plains, NY a NYS contract vendor; and

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2010-11 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695 Deferred Revenue DEA \$(5,221)

Revenues:

001-0001-2613 Use of Deferred DEA Funds \$5,221

Appropriations:

Police Department

001-3120-0200 Police Equipment \$5,221

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

SETTING PUBLIC HEARING
CHAPTER 224 – NOISE

On motion of TRUSTEE KENNER, seconded by TRUSTEE BRAKEWOOD, 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 March 21, 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 to amend Chapter 224 entitled "Noise" with regard to waiver for construction noise upon application to the Board of Trustees.

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

The Clerk presented the next resolution on the agenda for payment to Vernon Hills Contracting Corp., regarding emergency tree/sidewalk work.

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

Trustee Didden said that since the Manager is not at the meeting this evening could this resolution be held off to get further information from him on this matter.

Trustee Kenner made a motion to table this resolution to the meeting of March 21st, Trustee Didden seconded the motion.

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

The Clerk presented a resolution separating the Sanitary Sewer Reconstruction Project from the EPA Compliance Project.

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

Leonie Douglas, the Village Treasurer explained the purpose of the resolution.

The Board spoke further on this matter including the grant and paying toward the ban.

SEPARATING SANITARY SEWER RECONSTRUCTION PROJECT FROM THE EPA COMPLIANCE PROJECT

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 consulting engineer recommends that the accounting for EPA Compliance Project (MS4/IDDE) be separated from yearly Sanitary Sewer Reconstruction projects as required by the EPA, and

WHEREAS, funding of \$1,385,500 was already provided for by the Village for both projects in the 2010-11 Capital Fund Budget, of which \$300,000 was a transfer from General Fund, and

WHEREAS, additional grant funding in the amount of \$725,000 was approved by the New York State Department of Environment Conservation under the Water Quality Improvement Program (WQIP) for an Illicit Discharge Elimination Program, eliminating the need for the \$300,000 transfer from the General Fund. Now, therefore be it

RESOLVED, that the bid contract awarded to En Tech Corp on September 7, 2010 for \$213,350 and related expenses estimated total to be \$280,000 which was being accounted for in the EPA Compliance Project, be separated and charged to the newly establish Sanitary Sewer Reconstruction Project for FY 2010-11, Capital Project 005-8120-0400-2010-0117 and , therefore be it further

RESOLVED, the Board of Trustees hereby authorizes the Village Treasurer to rescind the \$300,000 transfer to Capital Fund, and modify the Capital Fund Budget as follows:

CAPITAL FUND:

Establish Sanitary Sewer Reconstruction Project FY 2010-11 for \$280,000

REVENUES:

5.5.5731.2010.117 BAN Proceeds \$280,000

APPROPRIATIONS

5.8120.400.2010.117 San Sew Recnst FY 2010/11 \$280,000

Modify Storm/Sanitary Sewer (EPA) Compliance Project from \$1,385,500 to \$1,530,500

REVENUES:

5.5.3989.2009.109 Other State Grant-NYS-DEC \$725,000

5.5.5731.2009.109 BAN Proceeds(Match of \$241,666) \$805,500

APPROPRIATIONS:

5.8120.400.2009.109 EPA Compliance Proj. (\$966,666) \$1,530,500

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

The Clerk presented the next resolution on the agenda authorizing the Village Manager to purchase vehicle for Department of Public Works Acting General Foreman.

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

Trustee Didden said that he would like to go a local dealer to purchase this vehicle instead of an out of state dealership that is on State contract. He said that a local dealer is investigating if they can met with amount of this vehicle.

Ms. Douglas spoke about the State contract requirements.

The Board spoke further on this matter.

Trustee Didden made a motion to table this resolution to March 21st, Trustee Kenner seconded the motion.

ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

The Clerk presented the next resolution under Public Works to authorize the Village Manager to execute a retainer agreement with Ocean and Coastal Consultants to provide an alternative analysis for the Marina Bulkhead.

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

The Board discussed this proposed resolution and request of further information on the bulkhead.

Trustee Didden told the Board that he would recue himself from this action as stated at previous meeting for the reason that he has litigation with the developer G&S.

RETAINER AGREEMENT WITH OCEAN AND COASTAL CONSULTANTS, REGARDING ALTERNATIVE ANALYSIS FOR THE MARINA BULKHEAD

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, 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 hereby is authorized to enter into a retainer agreement with Ocean and Coastal Consultants Engineering, P.C., 35 Corporate Drive, Suite 1200, Trumbull, CT 06611 for a one day above the water site inspection to evaluate the existing conditions and collect limited survey data for the 850 linear bulkhead and adjacent areas that will be used in the preliminary design evaluation process with compensation not to exceed \$15,200 per their proposal dated March 3, 2011

ROLL CALL

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

NEW YORK STATE
OFFICE OF CHILDREN AND FAMILY SERVICES
GRANT AWARD

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:

RESOLVED, that the Village hereby accepts a grant from the New York State Office of Children and Family Services in the amount of \$8,000 to go toward the website and complaint management; and be it further

RESOLVED, the Board of Trustees authorizes the Village Treasurer to modify the General Fund Budget as follows:

GENERAL FUND

Revenue:

1.1.3060 State Aid for Records Management \$8,000

Appropriations:

Central Communication System

1.1650.462 Website – Systems Support \$8,000

ROLL CALL

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

The Clerk presented the final resolution on the agenda an amendment to Chapter 319, “Vehicle and Traffic” Schedule VIII, Section 319-69 “Stop Intersections” on Abendroth Avenue.

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

Trustee Branca said that he would like to make sure that the Traffic Commission look at it that the Planning Commission does not have the authority to place signage.

There was further discussion on this issue and that the Manager directs the Planning Commission that the Traffic Commission to make report on their applications.

VEHICLE AND TRAFFIC AMENDMENT
FOR ABENDROTH AVENUE

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:

RESOLVED, by the Board of Trustees of the Village of Port Chester that traffic regulation, Schedule VIII "Stop Intersections" is hereby amended with respect to schedules established in Article XIV of Local Law No. 14, 1980.

Section 319-69, "Stop Intersections"

<u>Stop Sign On</u>	<u>Direction of Travel</u>	<u>At Intersection Of</u>
---------------------	----------------------------	---------------------------

ADD

Abendroth Avenue	North	Willett Avenue
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ADD

Abendroth Avenue	South	Willett Avenue
------------------	-------	----------------

DELETE

Abendroth Avenue	South	Westchester Avenue
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ROLL CALL

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

NOES: None

ABSENT: Trustee Terenzi

It was noted that the discussion item listed on the agenda regarding alternate side of the street parking was discussed during the public comment portion after the public hearings.

It was also noted that the report item listed on the agenda regarding the Comprehensive Plan Implementation of the Request for Proposals for the Consultation Selection Update was discussed during the public comment portion after the public hearings.

The Board acknowledged the report from the Village Treasurer of the General Fund Revenue and Expenditure Comparable Report.

The Clerk presented correspondence from the Port Chester Irish American Association requesting to raise the Irish Flag in Liberty Square on March 17, 2011 at 8:00 a.m.

The Board referred the correspondence from the Port Chester Irish American Association to staff.

The Clerk presented correspondence from the Caring & Loving Foundation requesting to hold a cultural festival at the Waterfront Park in June.

The Board briefly discussed this request and Trustee Didden expressed concerns with the Village being asked by organization to go to G&S for the use of their parking lot. The Board

continued their discussion on this subject. They referred the request from the Caring & Loving Foundation to staff and that once reviewed staff bring matter back to the Board.

The Clerk presented correspondence fro the Great Atlantic & Pacific Tea Co., Inc. (A&P) notifying that the entire A&P grocery store located at 575 Boston Post Road in Port Chester will close permanently on or about April 15, 2011.

The Board acknowledged the correspondence from A&P.

Mayor Pilla asked if there was anyone from the audience who would like to address the Board. He recognized Richard Abel.

Mr. Abel thanked the two mayoral candidates, Mayor Pill and Trustee Didden because they are taking care of business first at this meeting and keeping politics outside.

The Mayor asked if any of the Trustees would like to make any comments.

Trustee Didden dovetailed Trustee Branca's comments at the earlier in the meeting about our uniformed services. He asked that the residents come out and vote for their preferred candidate on March 15th.

Trustee Kenner asked for a status of the Sign Committee.

Mayor Pilla provided a quick update stating about the Purchase College Bridge Art Design and the proposed branding concepts. He said that they are researching our past, present and future and will come back with thoughts and ideas for this concept. The Mayor said that we reached out to the Sign Committee to work with these students and they declined.

Trustee Kenner asked for thirty, sixty and ninety day payables from Finance.

Trustee Branca thanked the Mayor and Board that he was able to speak at the start of the meeting about the Midland fire.

Trustee Marino thanked the Fire Department, Police Department and the Public Works Department in reference to their actions during this fire. He said that he is organizing a collection for the families that were affective by this fire which will be held with Sunday at the South End Firehouse. Trustee Marino asked about the length of time to get final permission for the Caring and Loving Foundation request.

Mayor Pilla said that he would ask the Village Manager to respond at the March 21st meeting.

Trustee Brakewood spoke about the great services of the Fire Department at all times and thanked the residents that pay the bills to purchase their necessary apparatus. He spoke about Code Enforcement process at this building where the fire was and the take away to make the process better that lessons are learned and changes made. Trustee Brakewood said that the Library was closed for renovations and has reopened today and encourages everyone to check out the Library. He said that he missed the vote on the DOJ because he was away on vacation with his family and that he was glad he was not here but it was a good public debate. Trustee Brakewood said that he would have voted against it and that we should not have shown our hand

before the final decision stating that they may appeal our choice of remedy. He said that this is our last meeting before the mayoral election and wherever you stand it is important to come out and vote.

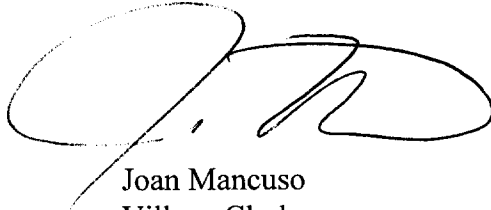
Mayor Pilla said that Mr. Steers' memo about the fire provides for continued improvement with the inspection program. He also spoke about the families affected by this fire and the fire apparatus that was used during this incident which we borrow the funding for and commented on our upgraded bond ratings. Mayor Pilla concluded also that it does not matter who you want to vote for but the important thing is to come out and vote on March 15th.

There being no further business, on motion of Trustee Kenner, seconded by Trustee Marino, the meeting was closed at 10:53 p.m.

ROLL CALL

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

Respectfully submitted,



Joan Mancuso
Village Clerk