

**MEETING HELD SEPTEMBER 19, 2011**

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, September 19, 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 were Trustees Saverio Terenzi, Bart Didden, Luis Marino and Joseph Kenner.

It should be noted that Mayor Dennis Pilla arrived at 6:05 p.m., Trustee Brakewood arrived at 6:15 p.m. and Trustee John Branca was absent.

Also present were Village Clerk, Joan Mancuso; Village Attorney, Anthony Cerreto; Police Chief Joseph Krzeminski, Police Captain John Telesca and Village Engineering Consultant Dolph Rotfeld.

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On motion of Trustee Didden, seconded by Trustee Marino, the meeting was declared opened at 6:00 p.m.

ROLL CALL

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

At 6:00 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the Board of Trustees adjourned to matters leading to the appointment of particular person to the Architectural Board of Review.

ROLL CALL

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

No action was taken in executive session.

On motion of Trustee Kenner, seconded by Trustee Marino, the executive session was closed at 6:15 p.m., and the public portion was re-opened.

ROLL CALL

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

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Mayor Pilla said that the next item on the agenda is a budget review session on the Police Department. He said that Chief Joseph Krzeminski and Captain John Telesca are here to review their budget for the first quarter of the 2011-2012 Fiscal Year.

Chief Krzeminski said that they had reviewed the expense report for this time period provided by the Village Treasurer and it is pretty much in line except overtime which is 37% at this time. He explained that overtime is usually higher during this period because of

Sept. 19, '11

officers taking time off for the summer and there was additional overtime due to the storm coverage of Hurricane Irene which may be reimbursable through FEMA.

Captain Telesca reviewed with the Board the breakdown of the overtime hours in different categories including manpower, investigations, Hurricane Irene, special events, County Court, arrests, processing prisoners, DEA, YPI, prisoner transports, refusal, meetings, tech problems, local court and mutual aid. He said that the overtime hours total 2,378 hours with the highest under manpower with 1,537 hours, investigations with 261 and the storm coverage for the hurricane being 223. Captain Telesca noted that DEA, YPI and prisoner transports are reimbursement. He noted that the next category which is Special Events has 79 hours which includes events run by the Village and activities and processions for other organizations.

Trustee Brakewood asked how special events compare to years past.

Captain Telesca said that the number of processions has increased along with the number of participants and the time of day when they occur which necessitates police coverage.

Trustee Terenzi asked how does Captains, Lieutenants and those types of officers get overtime.

Captain Telesca said that during significant events for example storm coverage or a homicide investigation that these types of events and other require a certain level of coverage and interaction between different agencies so it may require overtime of these higher ranking officers.

Trustee Didden stated that it appears that special event coverage is out of the police control because they are not approving the event but vacation load asking if that is a product of the union contract that we are not able to control.

Chief Krzeminski and Captain Telesca explained the process regarding vacation time noting that November and December are the pick months for the next year and how many and what type of officers can take vacation at the same time. There was further discussion between the Board and the Chief and Captain on the subject of vacation time.

Trustee Brakewood said that under the categories manpower is not the activity compared to the other categories so asked for clarification of what these hours are comprised of.

Captain Telesca said that several things are included under the manpower hours including sick, injured, court appearances and other. He further explained and there was more discussion on whether there could be a further breakdown of the manpower hours.

Trustee Terenzi asked how certain officers are assigned overtime including detectives. Chief Krzeminski said that it is based on cases.

Trustee Terenzi asked the Chief what was the number of officers at their highest and lowest since he has been Chief.

The Chief said that lowest number was in 1995 with 58 officers and the highest was in 2008 with 67. He said that currently we have 59 officers.

Trustee Terenzi asked when the force had its' highest number of officers was overtime lower.

Chief Krzeminski spoke about a year when they had the lower overtime percentage but that was also because the force did not have health issues.

Trustee Didden asked about the reimbursement for the storm coverage from FEMA and if there was any reason we would not receive funding since the Village had not called for a state of emergency.

Captain Telesca said that the State of New York had declared an emergency for the state and they have already submitted for the Police Department the necessary information for FEMA reimbursement.

A discussion was held between Trustees Terenzi, Didden, the Chief and Captain about the use of DEA funds. Trustee Terenzi asked that the police department get additional quotes for the use of these funds. The Chief and Captain noted that the majority of the purchases for the use of DEA funds are from contractors who are on State contract.

Trustee Brakewood asked about the overtime under the tech problems category. The Captain explained that a lieutenant in the force provides the technical support which at times requires him to come in at off times when there are system problems.

Trustee Terenzi said that this was a tough budget this year and will be next fiscal year because of the decline of assessments. He asked what else is the department doing regarding costs.

Captain Telesca said that everything is being reviewed and spoke about staffing adjustments along with the Chief.

Chief Krzeminski also spoke about the elimination of DARE.

Trustee Brakewood asked what would be the cost to bring the DARE Program back.

The Chief said that it would cost between \$5,000 and \$10,000 of overtime to reinstitute this program. The Captain said that it could be more depending on coverage.

Mayor Pilla said that he has spoken to Mayor Feinstein of Rye Brook about their program. He said that the Port Chester School District does cover Rye Brook residents and maybe there is a way to work with Rye Brook to provide the DARE program back in the Port Chester School System. The Mayor said that Mayor Feinstein has requested figures on our program. There was more discussion on the DARE Program and that the DARE Officer works about 40 hours a week for 20 weeks which is about a \$40,000 investment. Trustee Didden questioned whether it would be better use of an officer on the streets or in the classroom.

Trustee Terenzi spoke about the traffic in the downtown area especially in the Mill Street corridor area and asked about assigning foot patrol officer.

The Chief explained the use of officers in the downtown area including the bike officer.

Trustee Didden noted that there will be the retirement of a lieutenant shortly and would the Chief fill this position as a sergeant or as a lieutenant. There was a brief discussion on this topic. Trustee Didden said that he would like non-officer functions being done by

higher ranking officers be reassigned and trained to non-officer positions. There was further discussion on this subject between the Board and the Chief which includes the contract agreement and labor laws.

Chief Krzeminski said that the department has two retirements that will result in extra money from the personnel line and recommended this amount of about \$65,000 be transferred to overtime.

Trustee Terenzi said that he would rather use part of this money to hire a new officer for the January academy.

The Chief agreed saying that more officers leads to more arrests and activity and more revenue.

Trustee Marino said that the Board was provided with the breakdown of the overtime for each officer which he did not need just the final salary information. He spoke about the condition of the Police Station and questioned the Board when we would do something to fix these conditions. There was further discussion about the condition of the Police Station / Court. Mayor Pilla spoke about the Rye Town Dissolution Study that is now being done which has a matrix of the police for Port Chester, Rye Brook and Mamaroneck. He spoke about the process that our Labor Counsel has accomplished regarding injuries and officers being out noting that our Police Department is extremely lean with the number of personnel and commended the department for the work that they accomplish.

Police Chief Krzeminski noted that the revenue of the DEA adjustment is not in a separate budget line. The Mayor asked him to speak to the Treasurer on that matter.

Trustee Brakewood asked about the technology of the Police Department and is what they have sufficient for their needs.

The Chief said that the department has spent a lot of money on technology which has all been funded through DEA funds.

Captain Telesca noted that technology is only as good as personnel can be used. He said that there is a great need for support staff.

The Mayor spoke about possibly leveraging the technology of the County and spoke further about their GIS ability.

The Captain said that the City of Poughkeepsie's numbers are similar to our Village's and they have over 100 officers and 22 support staff.

Mayor Pilla noted that the Board has received a correspondence from the Port Chester Cares Community Coalition to provide funding to the Port Chester Police Department to conduct regular compliance checks of alcohol sales. He said that Jenny Meyers who is the Coordinator for the Coalition is in the audience to speak on what they do and this proposal.

Ms. Meyers explained the purpose of the Coalition to provide youth and parents the education and skills they need in order to address the concerns and dangers of underage drinking and tobacco use. She introduced Joan Thomas who is the co-chair for the Coalition to speak further on this subject.

Ms. Thomas explained that the Coalition did a study of Port Chester, the City of Rye and Harrison about the number of active alcohol licenses including off-premises retailers

which include drug stores, grocery stores, gas station convenience stores and wine/liquor stores and that the number of active licenses per square mile in Port Chester is much greater. She said that they also collect survey data on a bi-annual basis from all 8<sup>th</sup>, 10<sup>th</sup> and 12<sup>th</sup> graders which tell them that alcohol is the most widely used substance among Port Chester youth and spoke further on those results. Ms. Thomas said that the Coalition has learned that the Port Chester Police Department lost funding that enabled it to conduct regular compliance checks of alcohol sales and that the Coalition would like to contribute \$2,361.60 in order to conduct these compliance checks and that they are requesting that the stores that are checked are off-premise retailers with each of the stores being checked at least one time and those who are out of compliance be checked a second or third time.

The Board thanked the Coalition for this offer and there was further discussion on this proposal. Trustee Terenzi said that he would put \$2,500 from his salary toward these compliance checks. Trustee Didden said that if the percentages that the Coalition provided regarding the number of locations per square mile was instead done by population we would be comparable to Harrison and just over Rye.

Ms. Thomas said that we are just asking that the retailers sell responsibly.

Trustee Brakewood noted that this information is very useful about the amount of signage at locations with alcohol and tobacco but the Village also has a sign law and suggested not just working with the Police Department but also Code Enforcement.

The Mayor asked about the mechanics to accept the donation from the Coalition.

Mr. Cerreto said that the Board would need to adopt a resolution for this donation.

Trustee Didden asked how does the Coalition received their funding.

Ms. Meyers said that they received a grant for \$125,000 for five years which is renewable after that time period.

Trustee Didden said how much of the \$125,000 goes to programming and salaries.

Ms. Meyers said that the majority of the services they provide are through in kind services and she is the only salaried employee.

The Board thanked Ms. Meyers and Ms. Thomas for their information on the Coalition and their proposal and also the Chief Krzeminski and Captain Telesca for their review of the Police Budget.

Mayor Pilla said that they would take a short recess before proceeding with the rest of the agenda.

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Mayor Pilla introduced the members of the Port Chester Youth Soccer League Select Team. He said that the League hosted an international soccer tournament at Columbus Park and this team of 11 year olds from Port Chester came in second place.

The members of this Select Soccer Team led the Board and audience in the pledge of allegiance and the Mayor presented them with certificates of appreciation.

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The Clerk read Affidavits of Publication stating that the following Public Notice were duly published in the Journal News and Westmore News on September 2, 2011, certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

NOTICE OF PUBLIC HEARING  
September 19, 2011  
SIDEWALK BETTERMENT PROJECT PHASE II  
SPECIAL ASSESSMENT DISTRICT

Following a public hearing held on July 27, 2009 and August 17, 2009 relating to the establishment, construction, acquisition, improvement and financing of a sidewalk improvement area comprising of lands in the Village of Port Chester, including pavement, curbs, driveway, but excluding storm sewers, drain and improvements, if any, to streets (the "Project"), and including all necessary materials, equipment, machinery and apparatus, land and rights-in-land required in connection therewith in and for the Village, a map or plan and an appropriation and assessment of costs have been prepared in such a manner and in such detail determined by the Board of Trustees (the "Board") of the Village of Port Chester (the "Village)" in the County of Westchester, State of New York.

The Village Board will conduct a public hearing on Monday, September 19, 2011 at 7:00 pm at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York to consider the map and plan and the apportionment and assessment of the several benefited lands in the Village and of the allocation of apportionment and assessment between and among the benefited lands and the Village at large and the method of determining the apportionment and assessment.

The Project involves Phase II of the replacement of existing sidewalks throughout the Village. These locations listed below were identified on a priority-needs assessment basis by the Village's consulting engineer.

Total project cost is \$944,939.60

Allocation to Residential Lands is \$396,712.80 (Please see attachment)

Allocation to Village-at-Large is \$548,226.81 (Please see attachment)

Interested persons will be afforded the opportunity to be heard at this time.

A copy of this notice and the attached schedule is available for review by any interested person in the office of the Village Clerk during business hours or online at [www.portchesterny.com](http://www.portchesterny.com)

BY ORDER OF THE BOARD OF TRUSTEES  
By: Joan Mancuso  
Village Clerk

Dated: September 2, 2011

Schedule A  
Description  
Sidewalk Improvement Area (The Project – Phase II)  
Village of Port Chester, County of Westchester, State of New York

House #	Street	SBL	Total S.F. Installed	50% of Total S.F.	50% of S.F.Total x(\$10.5034SF)

FIRST YEAR					
43	Adams Ave.	136.45-1-62	530.5	265.25	\$2,786.03
34	Barton Pl.	135.76-2-59	472.5	236.25	\$2,481.43
125	Breckenridge Ave	135.76-2-30	125	62.50	\$656.46
127	Breckenridge Ave	135.76-2-29	295.25	147.63	\$1,550.56
137	Breckenridge Ave	135.76-2-27	237.5	118.75	\$1,247.28
142	Breckenridge Ave	135.76-2-22	247.5	123.75	\$1,299.80
153	Breckenridge Ave	135.76-2-25	194.25	97.13	\$1,020.14
16	Clermont Avenue	136.62-1-5	239.38	119.69	\$1,257.15
20	Clermont Avenue	136.62-1-6	287.5	143.75	\$1,509.86
24	Elmont Avenue	136.77-1-24	708	354.00	\$3,718.20
49	Elmont Avenue	136.69-1-75	25	12.50	\$131.29
59	Elmont Avenue	136.69-2-23	331.34	165.67	\$1,740.10
56	Grandview Ave	141.44-2-72	156.5	78.25	\$821.89
62	Grandview Ave	141.44-2-44	181.65	90.83	\$953.97
65	Grandview Ave	141.44-2-62	256.5	128.25	\$1,347.06
67	Grandview Ave	141.44-2-69	147.95	73.98	\$776.99
68	Grandview Ave	141.44-2-41	166.19	83.10	\$872.78
69	Grandview Ave	141.44-2-70	324.12	162.06	\$1,702.18
70	Grandview Ave	141.44-2-46	806.75	403.38	\$4,236.81
71	Grandview Ave	141.44-3-1	101.5	50.75	\$533.05
73	Grandview Ave	141.44-3-2	175	87.50	\$919.05
75	Grandview Ave	141.44-3-3	245	122.50	\$1,286.67
76	Grandview Ave	141.44-2-67	297.93	148.97	\$1,564.64
77	Grandview Ave	141.44-2-40	556.58	278.29	\$2,922.99
78	Grandview Ave	141.44-2-65	301	150.50	\$1,580.76
80	Grandview Ave	141.44-2-64	109	54.50	\$572.44
82	Grandview Ave	141.44-2-66	281	140.50	\$1,475.73
83	Grandview Ave	141.44-2-63	113.35	56.68	\$595.28
90	Grandview Ave	141.44-2-61	618.75	309.38	\$3,249.49
100	Grandview Ave	141.44-2-71	37.5	18.75	\$196.94
104	Grandview Ave	141.44-2-73	211.5	105.75	\$1,110.73
-	Grant St	141.44-2-48	672.05	336.03	\$3,529.40
20	Grant St	141.44-3-42	75	37.50	\$393.88
31	Grant St	141.44-2-22	405	202.50	\$2,126.94
37	Grant St	141.44-2-24	182.5	91.25	\$958.44
38	Grant St	141.44-2-26	299.87	149.94	\$1,574.83
44	Grant St	141.44-2-29	209.1	104.55	\$1,098.13
70	Grant St	141.44-2-52	281.88	140.94	\$1,480.35
79	Grant St	141.44-2-59	137.38	68.69	\$721.48
179	Grant St	141.44-2-60	401.94	200.97	\$2,110.87
72	Hawley Avenue	136.45-2-13	150	75.00	\$787.76
76	Hawley Avenue	136.45-2-12	202.08	101.04	\$1,061.26
36	Indian Rd	136.45-1-59	410.71	205.36	\$2,156.93
68	Indian Rd	136.53-2-19	321.25	160.63	\$1,687.11
80	Indian Rd	136.53-2-17	50	25.00	\$262.59
86	Indian Rd	136.53-2-16	134.25	67.13	\$705.04
96	Indian Rd	136.53-2-14	387.5	193.75	\$2,035.03
3	Inwood Ave	141.44-3-12	320	160.00	\$1,680.54
5	Inwood Ave/Bent Ave	141.44-3-13	306.15	153.08	\$1,607.81
81	Inwood Ave	141.44-3-15	460.93	230.47	\$2,420.67
83	Inwood Ave	141.44-3-16	266.25	133.13	\$1,398.27
84	Inwood Ave	141.44-2-37	150	75.00	\$787.76
85	Inwood Ave	141.44-3-17	61	30.50	\$320.35
86	Inwood Ave	141.44-2-36	195.85	97.93	\$1,028.55

87	Inwood Ave	141.44-3-18	108.9	54.45	\$571.91
95	Inwood Ave	141.44-3-20.1	98.75	49.38	\$518.61
96	Inwood Ave	141.44-2-33	227.5	113.75	\$1,194.76
99	Inwood Ave	141.44-3-21	471.75	235.88	\$2,477.49

11	Irenhyl Ave	135.76-2-60	291.25	145.63	\$1,529.56
12	Irenhyl Ave	135.76-3-86	229.38	114.69	\$1,204.63
20	Irenhyl Ave	135.76-3-81	176.25	88.13	\$925.61
21	Irenhyl Ave	135.76-2-49	467.5	233.75	\$2,455.17

428	Irving Ave	135.84-3-46	49	24.50	\$257.33
525	Irving Ave	135.84-3-34	682.73	341.37	\$3,585.49
381	Irving Ave	136.77-1-33	419.25	209.63	\$2,201.78
391	Irving Ave	136.77-1-21	842.5	421.25	\$4,424.56
395	Irving Ave	136.77-1-20	23.8	11.90	\$124.99
398	Irving Ave	136.77-1-48	175	87.50	\$919.05

600	King St	136.45-1-53	227.5	113.75	\$1,194.76
620	King St	136.45-1-42	1238	619.00	\$6,501.60

61	Munson St	136.45-1-61	1142.63	571.32	\$6,000.75
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92	North Regent St	136.69-1-9	316.12	158.06	\$1,660.17
155	North Regent St	136.69-2-27	309.44	154.72	\$1,625.09
165	North Regent St	136.69-2-26	475.93	237.97	\$2,499.44
145	North Regent St	136.69-2-28	732.5	366.25	\$3,846.87
220	North Regent St.	136.61-2-19	580	290.00	\$3,045.99

9	Park Ave	136.69-1-31	25	12.50	\$131.29
35	Park Ave	136.61-1-12	222.72	111.36	\$1,169.66
37	Park Ave	136.61-1-11	18	9.00	\$94.53
43	Park Ave	136.61-1-9	308.75	154.38	\$1,621.46
45	Park Ave	136.61-1-8	58.75	29.38	\$308.54
46	Park Ave	136.61-1-3	298.5	149.25	\$1,567.63
47	Park Ave	136.61-1-7	197.5	98.75	\$1,037.21
48	Park Ave	135.68-2-8	201.67	100.84	\$1,059.11
51	Park Ave	136.61-1-5	151.25	75.63	\$794.32
54	Park Ave	135.68-2-11	131.25	65.63	\$689.29

54	Perry Ave	135.84-3-26	70	35.00	\$367.62
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75	Shelley Avenue	136.45-2-29	160	80.00	\$840.27
89	Shelley Avenue	136.45-2-33	231.25	115.63	\$1,214.46

26	Sherman St	141.44-3-14	200	100.00	\$1,050.34
38	Sherman St	141.44-3-7	380	190.00	\$1,995.65
40	Sherman St	141.44-3-6	298.75	149.38	\$1,568.95
44	Sherman St	141.44-3-5	102.5	51.25	\$538.30
46	Sherman St	141.44-3-4	553.75	276.88	\$2,908.13

115	Touraine Ave.	141.44-2-4	207.45	103.73	\$1,089.47
127	Touraine Ave.	141.52-1-26	95.58	47.79	\$501.96

110	Washington St	142.29-3-56	231.25	115.63	\$1,214.46
112	Washington St	142.29-3-55	142.5	71.25	\$748.37
114	Washington St	142.29-3-54	47.5	23.75	\$249.46
121-123	Washington St	142.29-3-48	257.5	128.75	\$1,352.31
125	Washington St	142.29-3-49	322.5	161.25	\$1,693.67
128	Washington St	142.29-3-52	160	80.00	\$840.27
129	Washington St	142.37-1-29	161.98	80.99	\$850.67
130	Washington St	142.29-3-51	202.68	101.34	\$1,064.41
132	Washington St	142.29-3-50	164.38	82.19	\$863.27
133	Washington St	142.37-1-30	291.18	145.59	\$1,529.19
134	Washington St	142.37-1-28	255.3	127.65	\$1,340.76



135	Washington St	142.37-1-31	284.01	142.01	\$1,491.54
136	Washington St	142.37-1-27	219.25	109.63	\$1,151.44
138	Washington St	142.37-1-26	626.65	313.33	\$3,290.98
139	Washington St	142.37-1-32	276.48	138.24	\$1,451.99
107/105	Washington St	142.29-3-45	200	100.00	\$1,050.34

1	Webster Pl	136.69-1-69	245	122.50	\$1,286.67
14	Webster Pl	136.77-1-25	289.65	144.83	\$1,521.15
15	Webster Pl	136.69-1-68	313.9	156.95	\$1,648.51
18	Webster Pl	136.77-1-26	275.23	137.62	\$1,445.43
23	Webster Pl	136.69-1-67	506.25	253.13	\$2,658.67
24	Webster Pl	136.77-1-27	491.68	245.84	\$2,582.16
25	Webster Pl	136.69-1-66	1294.83	647.42	\$6,800.06
28	Webster Pl	136.69-1-1	597.58	298.79	\$3,138.31

-	Wesley & WWII Park	135.84-3-50	175		\$0.00
11	Wesley Ave	135.84-3-49	127.5	63.75	\$669.59
18	Wesley Ave	135.84-2-70	126.25	63.13	\$663.03
22	Wesley Ave	135.84-2-71	285	142.50	\$1,496.73
24	Wesley Ave	135.84-2-72	155	77.50	\$814.01
26	Wesley Ave	135.84-2-73	65	32.50	\$341.36
43	Wesley Ave	135.84-3-40	2.5	1.25	\$13.13
53	Wesley Ave	135.76-3-91	437.21	218.61	\$2,296.10
60	Wesley Ave	135.76-3-74	311.67	155.84	\$1,636.80
74	Wesley Ave	135.76-3-78	237.01	118.51	\$1,244.71
92	Wesley Ave	135.76-3-79	152.5	76.25	\$800.88
96	Wesley Ave	135.76-3-80	227.5	113.75	\$1,194.76
114	Wesley Ave	135.76-2-50	326.88	163.44	\$1,716.68
118	Wesley Ave	135.76-2-51	216.75	108.38	\$1,138.31
122	Wesley Ave	135.76-2-52	189.5	94.75	\$995.20
126	Wesley Ave	135.76-2-53	168.12	84.06	\$882.92

**SECOND YEAR**

14	Austin Pl	136.54-1-31	107.5	53.75	\$564.56
17	Austin Pl	136.54-1-50	180	90.00	\$945.31

43	Bent Ave.	141.44-3-41	375.03	187.52	\$1,969.55
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37	Browndale Place	136.53-2-33	366.75	183.38	\$1,926.06
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12	Clark Pl	136.77-2-12	50	25.00	\$262.59
15	Clark Pl	136.77-2-35	175	87.50	\$919.05
19	Clark Pl	136.77-2-34	175	87.50	\$919.05
29	Clark Pl	136.77-2-31.2	102.5	51.25	\$538.30

3	Columbus Avenue	136.78-1-43	228.75	114.38	\$1,201.33
11	Columbus Avenue	136.69-2-5	234.88	117.44	\$1,233.52

16	Elizabeth St	136.69-1-53	341.37	170.69	\$1,792.77
22	Elizabeth St	136.69-1-54	260	130.00	\$1,365.44
28	Elizabeth St	136.69-1-57	337.23	168.62	\$1,771.03

8	Glen Avenue	136.78-1-38	225	112.50	\$1,181.63
33	Glen Avenue	136.70-1-13	317.5	158.75	\$1,667.41
49	Glen Avenue	136.70-1-9	672.5	336.25	\$3,531.77
52	Glen Avenue	136.69-2-2	290	145.00	\$1,522.99
315	Glen Avenue	136.53-1-19	70	35.00	\$367.62
319	Glen Avenue	136.53-1-18	1146.25	573.13	\$6,019.76

88	Glendale Pl	136.61-2-51	278.25	139.13	\$1,461.29
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74	Halstead Avenue	136.47-2-58	193.5	96.75	\$1,016.20
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35	Hobart Ave	136.54-1-47	119	59.50	\$624.95
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36	Hobart Ave	136.46-1-12	50	25.00	\$262.59
38	Hobart Ave	136.46-1-13	132.5	66.25	\$695.85
39	Hobart Ave	136.54-1-46	47.5	23.75	\$249.46
40	Hobart Ave	136.46-1-14	197.35	98.68	\$1,036.42
43	Hobart Ave	136.54-1-45	309.13	154.57	\$1,623.46
56	Hobart Ave	136.46-1-18	325.6	162.80	\$1,709.95
60	Hobart Ave	136.46-1-19	199.75	99.88	\$1,049.03
63	Hobart Ave	136.54-1-40	319.5	159.75	\$1,677.92
68	Hobart Ave	136.46-1-22	187.31	93.66	\$983.70
75	Hobart Ave	136.46-1-7	135	67.50	\$708.98
76	Hobart Ave	136.46-1-24	206.9	103.45	\$1,086.58
84	Hobart Ave	136.46-1-26	100	50.00	\$525.17
85	Hobart Ave	136.46-1-5	175	87.50	\$919.05
93	Hobart Ave	136.46-1-3	301.75	150.88	\$1,584.70
97	Hobart Ave	136.46-1-2	259.85	129.93	\$1,364.65
106	Hobart Ave	136.47-1-12	76.25	38.13	\$400.44
109	Hobart Ave	136.47-1-10	50	25.00	\$262.59
116	Hobart Ave	136.47-1-15	262.44	131.22	\$1,378.26
127	Hobart Ave	136.47-2-21	131.5	65.75	\$690.60
131	Hobart Ave	136.47-2-20	50	25.00	\$262.59
135	Hobart Ave	136.47-2-19	187.75	93.88	\$986.01
136	Hobart Ave	136.47-1-20	120	60.00	\$630.20
139	Hobart Ave	136.47-2-18	210.45	105.23	\$1,105.22
145	Hobart Ave	136.47-2-17	52.5	26.25	\$275.71
147	Hobart Ave	136.47-2-16	268.5	134.25	\$1,410.08
150	Hobart Ave	136.47-1-24	227	113.50	\$1,192.14
158	Hobart Ave	136.47-1-26	224.5	112.25	\$1,179.01
162	Hobart Ave	136.47-2-4	105	52.50	\$551.43
165	Hobart Ave	136.47-2-12	200	100.00	\$1,050.34

62	Leicester Street	136.77-1-38	83.5	41.75	\$438.52
66	Leicester Street	136.77-1-39	211	105.50	\$1,108.11
70	Leicester Street	136.77-1-40	127	63.50	\$666.97
78	Leicester Street	136.69-1-79.3	279.25	139.63	\$1,466.54
82	Leicester Street	136.69-2-9	130	65.00	\$682.72
83	Leicester Street	136.77-2-1	137.1	68.55	\$720.01
86	Leicester Street	136.69-2-10	82.5	41.25	\$433.27
88	Leicester Street	136.69-2-10	60	30.00	\$315.10
100	Leicester Street	136.69-2-12	337.5	168.75	\$1,772.45
115	Leicester Street	136.70-1-50	200	100.00	\$1,050.34

576	Locust Street	136.55-1-72	99	49.50	\$519.92
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222	Madison Avenue	136.55-2-21	261.64	130.82	\$1,374.05
226	Madison Avenue	136.55-2-22	76.25	38.13	\$400.44
229	Madison Avenue	136.56-1-12	175	87.50	\$919.05
231	Madison Avenue	136.56-1-11	154	77.00	\$808.76
232	Madison Avenue	136.55-2-24	25	12.50	\$131.29
233	Madison Avenue	136.56-1-10	86.75	43.38	\$455.58
238	Madison Avenue	136.55-2-27	100	50.00	\$525.17
240	Madison Avenue	136.55-2-28	151	75.50	\$793.01
245	Madison Avenue	136.56-1-8	73.25	36.63	\$384.69
250	Madison Avenue	136.55-2-30	230	115.00	\$1,207.89
258	Madison Avenue	136.55-2-33	232.75	116.38	\$1,222.33

224	Mortimer Street	136.63-1-59	75	37.50	\$393.88
233	Mortimer Street	136.63-1-66	260.25	130.13	\$1,366.75
235	Mortimer Street	136.63-1-65	231.43	115.72	\$1,215.40
237	Mortimer Street	136.63-1-64	62.5	31.25	\$328.23

108	Munson Street	136.45-2-82	172.5	86.25	\$905.92
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117	Neuton Avenue	135.68-2-15	175.5	87.75	\$921.67
115	Neuton Avenue	135.68-2-14	347.5	173.75	\$1,824.97

16	Oak Street	142.22-1-12	78.32	39.16	\$411.31
20	Oak Street	142.22-1-11	119.69	59.85	\$628.58
22	Oak Street	142.22-1-10	195	97.50	\$1,024.08
29	Oak Street	142.30-1-18	259.26	129.63	\$1,361.56
30	Oak Street	142.30-1-28	121.25	60.63	\$636.77
35	Oak Street	142.30-1-20	267.5	133.75	\$1,404.83
36	Oak Street	142.30-1-26	75	37.50	\$393.88
39	Oak Street	142.30-1-21	62	31.00	\$325.61
40	Oak Street	142.29-3-26	72.5	36.25	\$380.75
44	Oak Street	142.29-3-25	76.44	38.22	\$401.44
55	Oak Street	142.30-1-25	83.25	41.63	\$437.20
57	Oak Street	142.29-3-27	378	189.00	\$1,985.14
61	Oak Street	142.29-3-29	371.42	185.71	\$1,950.59
62	Oak Street	142.29-3-20	414.01	207.01	\$2,174.26
70	Oak Street	142.29-3-18	280.85	140.43	\$1,474.94
71	Oak Street	142.29-3-30	177.5	88.75	\$932.18
72	Oak Street	142.29-3-17	109.15	54.58	\$573.22
75	Oak Street	142.29-3-31	285.8	142.90	\$1,500.94
118	Oak Street	142.29-3-39	250.53	125.27	\$1,315.71
129	Oak Street	142.37-1-44	282.5	141.25	\$1,483.61
130	Oak Street	142.37-1-42	301.42	150.71	\$1,582.97
132	Oak Street	142.37-1-41	264.4	132.20	\$1,388.55
137	Oak Street	142.37-1-45	182.1	91.05	\$956.33
138	Oak Street	142.37-1-39	265.75	132.88	\$1,395.64
139	Oak Street	142.37-1-46	25	12.50	\$131.29
142	Oak Street	142.37-1-38	236.03	118.02	\$1,239.56
146	Oak Street	142.37-1-37	157.5	78.75	\$827.14
120/122	Oak Street	142.29-3-38	194.75	97.38	\$1,022.77
141/143	Oak Street	142.37-1-47	200.83	100.42	\$1,054.70
31/33	Oak Street	142.30-1-19	166.5	83.25	\$874.41

39	Olivia Street	142.37-1-50	230.94	115.47	\$1,212.83
22	Olivia Street	142.37-1-12	190.1	95.05	\$998.35
245	Olivia Street	142.37-1-36	384.03	192.02	\$2,016.81
259	Olivia Street	142.37-1-33	410.86	205.43	\$2,157.71

44	Puritan Drive	136.61-2-10	290	145.00	\$1,522.99
52	Puritan Drive	136.53-2-55	285	142.50	\$1,496.73
55	Puritan Drive	136.53-1-45	265.25	132.63	\$1,393.01
88	Puritan Drive	136.53-2-27	175	87.50	\$919.05
91	Puritan Drive	136.53-1-46	1157.5	578.75	\$6,078.84
100	Puritan Drive	136.53-2-24	280	140.00	\$1,470.48
103	Puritan Drive	136.53-1-48	293.25	146.63	\$1,540.06
107	Puritan Drive	136.53-1-49	432.5	216.25	\$2,271.36
108	Puritan Drive	136.53-2-21	463.5	231.75	\$2,434.16
111	Puritan Drive	136.53-1-51	1123.35	561.68	\$5,899.50

81	Putnam Ave	136.55-1-2	153.67	76.84	\$807.03
99	Putnam Ave	136.55-1-14	775	387.50	\$4,070.07
111	Putnam Ave	136.55-1-31	324.6	162.30	\$1,704.70

22	Putnam Drive	136.55-1-3	148	74.00	\$777.25
24	Putnam Drive	136.55-1-4	235.83	117.92	\$1,238.51
59	Putnam Drive	136.55-1-36	130	65.00	\$682.72
63	Putnam Drive	136.55-1-35	153	76.50	\$803.51
75	Putnam Drive	136.55-1-32	385	192.50	\$2,021.90

115-117	Smith Street	142.38-1-12	149.63	74.82	\$785.81
119	Smith Street	142.38-1-13	175.88	87.94	\$923.67
129	Smith Street	142.37-1-61	202.18	101.09	\$1,061.79
130	Smith Street	142.37-1-59	298.5	149.25	\$1,567.63
134	Smith Street	142.37-1-58	131.4	65.70	\$690.07
135	Smith Street	142.37-1-62	238.64	119.32	\$1,253.27
136	Smith Street	142.37-1-57	301.65	150.83	\$1,584.18

137-139	Smith Street	142.37-1-63	111.94	55.97	\$587.88
140	Smith Street	142.37-1-56	286.65	143.33	\$1,505.40
144	Smith Street	142.37-1-55	124.24	62.12	\$652.47
147	Smith Street	142.37-1-65	78.35	39.18	\$411.47
148	Smith Street	142.37-1-54	288.22	144.11	\$1,513.64
149	Smith Street	142.37-1-66	74	37.00	\$388.63
143/141	Smith Street	142.37-1-64	194	97.00	\$1,018.83
152	Smith Street	142.37-1-53	749.75	374.88	\$3,937.46

16	Summit Ave	142.21-1-6	172.5	86.25	\$905.92
18	Summit Ave	142.21-1-7	175	87.50	\$919.05
19	Summit Ave	142.21-1-29	25	12.50	\$131.29
25	Summit Ave	142.21-1-27	157.5	78.75	\$827.14
31	Summit Ave	142.21-1-26	121.2	60.60	\$636.51
34	Summit Ave	142.21-1-10	105	52.50	\$551.43
36	Summit Ave	142.21-1-11	203.75	101.88	\$1,070.03
46	Summit Ave	142.21-1-13	235.29	117.65	\$1,235.67

435	Westchester Ave	135.84-2-68	132.9	66.45	\$697.95
454	Westchester Ave	141.28-3-58	218.3	109.15	\$1,146.45
460	Westchester Ave	141.28-3-59	235.8	117.90	\$1,238.35
238	Westchester Ave	142.22-1-8	285.25	142.63	\$1,498.05
240	Westchester Ave	142.22-1-14	66	33.00	\$346.61

227	William Street	142.29-3-16	643.3	321.65	\$3,378.42
242	William Street	142.29-3-57	175	87.50	\$919.05

<b>75714.86</b>	<b>37769.93</b>	<b>\$396,712.68</b>
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<b>Total S.F. installed without WW II Park</b>	<b>75539.86</b>
<b>50/50 Split</b>	<b>37769.93</b>

<b>Total Construction Cost (Incl. Engineering, Legal and Bonding)</b>	<b>\$944,939.60</b>
<b>Minus (Cost of Handicap/Curbs/Asphalt/Public Sidewalks &amp; WWII Park)</b>	<b>\$151,514.01</b>
<b>50/50 Cost to be split between Village/ Residents</b>	<b>\$793,425.59</b>
<b>Cost to Residents</b>	<b>\$396,712.80</b>
<b>Cost to Village</b>	<b>\$548,226.81</b>

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

ROLL CALL

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

Anthony Cerreto, the Village Attorney explained that the Village established a sidewalk district to do sidewalks for residential properties at 50% of the cost. He said that the Board held a public hearing establishing the district then the Village went out to bid for a contractor who completed the work and now the Village Engineer has provided the figures of the costs for this project which requires this second public hearing regarding the assessments and appropriations for each property.

Trustee Brakewood reminded everyone that the reason the Village did this is that the Village Code speaks of the maintenance of the right away and that the sidewalks are the responsibility of the homeowners. He said that there was no focus on maintaining the sidewalks which opens up liability to homeowners and when the Village becomes aware then

we are on notice and is accountable. Trustee Brakewood said that the Village is tackling this program and providing 50% of the cost to the property owners.

The Mayor spoke more on the program and the benefits to the property owners and the Village. He asked if there was anyone from the audience who would like to speak on the 2<sup>nd</sup> Phase of the Sidewalk Betterment Program. Mayor Pilla recognized Goldie Solomon.

Ms. Solomon said that the Village is putting everything on the residential property owners who can not afford this. She said how about MTA property, commercial properties and Village properties (parks) stating that nothing has been done to get off the back of the residential property owners.

Mayor Pilla said that this program does not include commercial property owners who are 100% responsible but this allows residential owners in this program to pay 50% of the costs.

Trustee Terenzi asked about the process of the billing with the Tax Receiver and there was further discussion on this process but it was noted that since the Treasurer and the Tax Receiver are not here some questions can not be fully answered at this time.

Trustee Brakewood said that he does not think the Village is done with this program because there are more sidewalks that need to be done. He spoke about low and moderate sidewalks areas that the Village receives funding from Community Development Block Grant through the County at no cost to the property owners and the commercial owners are responsible for 100% of repairs but it should be noted that commercial property owners also will pay toward this program in their total taxes.

Trustee Kenner requested information on what is outstanding from the 1<sup>st</sup> phase of this program.

Mayor Pilla said that we need all of the information and noted that there should be an off shoot discussion regarding the required personnel needed for the Finance Office to make sure all of this is done and complied with.

Trustee Didden spoke about his experience regarding prior invoices done through the Town in reference to another sidewalk program done back in the 1980's.

Trustee Brakewood spoke about the situation regarding people who have recently purchased homes that were not aware of this program and the work has already been done. He said that we need to clearly communicate to property owners.

The Mayor questioned why it took so long from once the work was completed last October – November until having this hearing on the appropriation costs. He asked for information regarding this from the Manager and staff. Mayor Pilla said that he received a call from an elderly property owner in this phase of the program that all of her sidewalks were done which was a large amount and her portion of the costs are over \$5,000. He said that the program has a payoff period of ten years but inquired if the 50% cost is over a certain amount say \$5,000 or more that the property owner could have a longer payback period of possibly 15 years instead of 10.

Dolph Rotfeld, the Village Engineering Consultant said that State Law states that after notice of the assessment is provided to the property owner they have 30 days to pay in full and if they do not pay in full after 30 days it would be paid over 10 years.

Trustee Brakewood spoke about the consideration of an exception to extend the payment period for property owners over a certain age who owe or a certain amount as the Mayor suggested. There was further discussion on this topic and what is the useful life of a sidewalk in relationship to the bonding of those funds.

The Mayor recognized Richard Abel.

Mr. Abel also asked about the length of time for this process and why it took so long.

Trustee Brakewood informed Mr. Abel and the public that there were multiple notices that were provided to the property owners regarding this program. He said that they first were sent a notice of a public hearing to establish the sidewalk district, then the contractor doing the work went out to the locations and notified them that the work was being done and now they have been notified of this public hearing for the cost and once that has been finalized they will receive a bill and can decide whether to pay in full or over the longer time period.

Mayor Pilla recognized the next speaker.

Jacinto Lagos, owner of 135 Washington Street said that his amount for his property is just under \$1,500.00 and that the property next door is owned by his brother and that they have the same frontage but his brother's amount is more.

The Board directed Mr. Rotfeld to check the measurements of the work done for these two properties. There were no additional speakers from the audience regarding Phase II of the Sidewalk Betterment Program.

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

Before the roll call, Mr. Cerreto told the Board that they should instead of closing the hearing adjourn it so Mr. Rotfeld can review the properties that have been questioned and so that he and staff can review with Bond Counsel the topic of extending the payment period.

Trustee Kenner withdrew his motion.

There was a brief discussion on the date to adjourn the hearing to and it was decided the second meeting in October which would be October 17<sup>th</sup>.

On motion of Trustee Didden, seconded by Trustee Marino, the public hearing was adjourned to October 17, 2011.

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

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The Clerk read Affidavits of Publication stating that the following Public Notice were duly published in the Westmore News on September 9, 2011 and in the Journal News on September 12, 2011, certified by Angelina Brescia, Office Manager of the Westmore News and Florence Bonilla, Principal Clerk of the Journal News.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, September 19, 2011, at 7:00 P.M., at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law establishing a One-Time Parking Violations Amnesty Program for the Village of Port Chester effective for a period commencing November 1, 2011 and ending on November 30, 2011.

Interested persons will be afforded the opportunity to be heard at this time. The proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com)

JOAN MANCUSO  
Village Clerk

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

ROLL CALL

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

NOES: None

ABSENT: Trustee Branca

Mayor Pilla said that during the budget process revenue was put in place for this program. He said that this was reviewed by the Manager, staff and Trustee Didden with our parking ticket collection company which brings us to this law that the parking violation amnesty program will be for a 30 day period.

Trustee Didden spoke about the automatic license plate reader that the Police Department uses that shows when the same owner has multiple tickets on one vehicle and that they are working toward legislation that would work toward a way of catching the same owner of multiple vehicles with violations.

Trustee Terenzi stressed the importance of the accounting of the money paid under the amnesty program is separate from the general parking violation payments. There was further discussion on this topic and that the technology of the process and that it is only for 30 days will allow reporting of this separate revenue for this program.

Trustee Marino noted that there will be advertising for this program in the newspaper and asked that it also be included in the Spanish newspapers.

Trustee Brakewood asked about the age of the tickets. He was told that all tickets 30 days prior to November 1<sup>st</sup> would be part of this program.

Trustee Didden said that he is confident that we will know what is paid and what would be the amount of the penalties lost during this program. There was further discussion between Trustees Brakewood, Terenzi, Didden and the Mayor about revenue for this program and accounting of it. Trustee Didden noted that currently we have a 92% collection rate.

The Mayor asked if anyone from the audience would like to speak on this proposed parking violation amnesty program. He recognized Richard Abel.

Mr. Abel said that the law said that it is a one time program but this was done years ago so this is the second time. He said that he feels that this type of program is awarding people who have broken the law and is not in favor of the program. Mr. Abel asked if more of these outstanding tickets deal with out of state vehicles.

Mayor Pilla spoke about the scofflaw in New York and that Connecticut is not reciprocal.

Trustee Didden said that the Village could engage a collection agency for these tickets and would get about twelve cents on the dollar.

Mr. Abel said that these violators are beating the system.

The Mayor noted that some of Board put a line in the budget to receive \$200,000 in revenue for this program which he was not in favor of doing.

Mr. Abel said that what bothers him is knocking all of the fines from the original ticket.

Trustee Terenzi said that the program is by New York State.

Mr. Abel asked the Board to add an exception to this program that no Trustee or Board members can participate in the program.

All of the Board members said that they have no outstanding tickets that would be included in this program.

Mayor Pilla said that the fact is we are trying to get \$200,000 from this program and the City of Hartford had an amnesty program and did not collect that amount. There was further discussion by the Board on the budget.

Mr. Abel said that only old tickets will be written off and that you are selling this program to people who just don't paid.

The Mayor asked if anyone else would like to speak on this proposal. He recognized Doris Bailey-Reavis.

Mrs. Bailey-Reavis said that it was mentioned that we have a 90% success rate in paying their tickets if that is so why are we doing this.

Trustee Terenzi said that we are trying to clean up the books.

Mrs. Bailey-Reavis said that the majority of these tickets are out of state so why go through all this. She said that we should run our Village as a business and does not think we are doing this in a business way.

Mayor Pilla said that amnesty program revenue reduced the tax rate about 1% so if we do not collect the figure that it is budgeted for we will be below the budget.

Trustee Terenzi said that even if we are not able to collect the amount budgeted he believes there will be additional revenue with the increase of sale taxes that we have received that will most likely cover this. There was further discussion between Mayor Pilla and Trustee Terenzi regarding the budget and anticipated revenue.

Mrs. Bailey-Reavis said that she thinks this is foolish.

On motion of Trustee Kenner, seconded by Trustee Marino, the public hearing was closed.



ROLL CALL

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

Mayor Pilla asked that the record show that the notice to advertise the Parking Violation Amnesty Program also be in Spanish.

Trustee Brakewood said that he thinks the program is good but had rather preferred that the Board did not put any amount for this program in the budget so we could see what we could collect.

On motion of Trustee Didden, seconded by Trustee Kenner and approved, the following Local Law No. 13, 2011 was adopted:

ROLL CALL

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

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

A LOCAL LAW ESTABLISHING A ONE-TIME  
PARKING VIOLATIONS AMNESTY PROGRAM  
FOR THE VILLAGE OF PORT CHESTER

SECTION 1: Purpose and Intent.

Last amended by Local Law No. 11 of 2002, the Code of the Village of Port Chester prescribes a penalty schedule for parking violations. The current face value of uncollected parking tickets in the Village of Port Chester is approximately \$1,610,226.00 and with added penalties is approximately \$5,924,081.00. Although the Village of Port Chester collects parking fines at a rate significantly above the average of other municipalities in New York State, the Village desires to provide for a one-time amnesty program to assist in the collection of these outstanding parking tickets.

SECTION 2: Program Established.

There is hereby enacted for the Village of Port Chester a parking violations amnesty program whereby the Traffic Violations Bureau is authorized to accept payment of fines for parking tickets without payment of penalties as would otherwise be due and owing pursuant to Section 319-91B of the Code of the Village of Port Chester.

SECTION 3: Applicability; duration

The Port Chester parking violations amnesty program shall only apply to parking tickets issued thirty days prior to November 1, 2011 and shall be effective for a period commencing on November 1, 2011 and ending on November 30, 2011. All payments must be made and physically delivered in person to the Parking Violations Bureau, 350 North Main Street, Port Chester, New York 10573 during regular business hours, or made on the Internet via the Village's Parking Ticket Payment System, during the period of the program.

SECTION 4: Advertising campaign

The Village Manager or his designee shall develop and implement an advertising campaign to inform the public of the amnesty program, including use of the Village's Web-site. The Manager is authorized to enter into any agreements deemed appropriate with the Village's parking ticket collection vendor so as to provide additional notice to persons with delinquent parking tickets.

SECTION 5: Expiration

This local law will automatically expire on November 30, 2011 and after that date will be of no further force or effect.

SECTION 6: Effective Date

This local law shall be effective immediately upon 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: September 19, 2011

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Mayor Pilla asked if anyone from the audience would like to speak at this time. He recognized Goldie Solomon.

Ms. Solomon told the Board to please support the DARE Program and that it is very important to keep this program and the officer that is in charge of it. She said that the Police Department should not have any money taken away from them because they provide for the health, safety and welfare for our community. Ms. Solomon said that the census information is wrong that the population numbers are much greater than they are reporting and more people affect the Village and the schools. She said that the property assessments are all wrong and the Village should complaint to the Town because they must consider the age and the condition of the properties and we can not be compared to other communities. Ms. Solomon concluded that taxes are too high and the Board must represent the people and not live off us.

The Mayor then recognized Richard Abel.

Mr. Abel spoke about the proposal from the Port Chester Community Care Coalition and told the Board that they should not accept money from a non-profit when it is something that the Village should be doing.

Trustee Terenzi said that he thought that this compliance check program was a County program.

Mr. Abel told the Board that he is sure that they could find the money to cover this cost.

Mayor Pilla recognized Linda Turturino who is also a member of the Village's Recreation Commission.

Ms. Turturino reminded the Board and the public that Port Chester Day will be held on September 24<sup>th</sup> beginning about noon time with vendors, food, children rides and activities, entertainment and a fireworks display for the finale. She said that the 5K Fun Run Walk has already been held on the original date so there will be no race on the 24<sup>th</sup>. Ms. Turturino spoke about the staffing of the Building Department stating that the last Building Inspector resigned and other staff has retired so wants to make sure that they have the necessary staffing. She said that the code enforcement information has not been updated on the Village website for several months. Ms. Turturino spoke about Tropical Storm Irene

noting that we were very lucky in Port Chester that communities such as Patterson New Jersey and Binghamton New York are still being affected from this storm. She spoke further about information or lack of information to residents during the storm, power outages and the lack of response from Con Edison who said that they were not informed so there were communication problems within the Village and Con Edison.

The Mayor spoke about the storm procedures that were used by the Village.

Trustee Didden noted that a meeting was held after the storm on what we did and what we could do better.

Ms. Turturino stated that we need to do for ourselves because no one above will do for us.

Mayor Pilla recognized Doris Bailey-Reavis.

Mrs. Bailey-Reavis said that there was a newspaper article regarding an education registration of students and that she had heard that the Mayor was against this registration. She said that with the present overcrowding in our schools there seems to be an indicator that people are sending their kids under false pretenses.

Mayor Pilla said that he is not against a registration process but this is not under the jurisdiction of this Board but rather the School District.

There was further discussion between Mrs. Bailey-Reavis and the Board on this subject.

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The Mayor said that he would take out of order the two resolutions listed under public works since Mr. Rotfeld is here to answer any questions that the Board may have.

REJECT BID #16-11  
EMERGENCY REPAIRS 2011-2012

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 any and all bids received and opened for Bid # 16-11 Emergency Repairs 2011-2012 are hereby rejected; and be it further

RESOLVED, that the Village Manager is authorized to advertise for bids for Emergency Repairs for 2011-2013.

ROLL CALL

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

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BID AWARD – SANITARY SEWER AND STORM DRAIN CLEANING AND TV INSPECTION AND SMOKE TESTING

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 of Port Chester went out to bid for Sanitary Sewer and Storm Drain Cleaning and TV Inspection and Smoke Testing; and

WHEREAS, four contractors received the bid specifications and two of these contractors submitted bid proposals on September 13, 2011; and

WHEREAS, the National Water Main Cleaning Co. of 875 N. Summer Avenue, Newark, New Jersey 07104 has submitted the lowest bid in the amount of \$170,500.00; and

WHEREAS, the Village’s Engineering Consultant, Dolph Rotfeld Engineering, PC has reviewed the bids and recommends awarding the bid to National Water Main Cleaning Co. 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 accepts the bid of National Water Main Cleaning Co., in the amount of \$170,500.00, which amount has been appropriated in the Storm/Sanitary Sewer EPA Compliance Project FY 2010-2011 #5.8120.400.2009.109, and be it further

RESOLVED, that the Village Manager is hereby authorized to execute a contract for the Sanitary Sewer and Storm Drain Cleaning and TV Inspection and Smoke Testing with National Water Main Cleaning Co., in accordance with the bid specifications.

ROLL CALL

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

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The Clerk stated that she received a letter of resignation from Trustee Terenzi for his appointment to the Architectural Board of Review effective September 19, 2011.

The Board of Trustees noted the receipt of the resignation letter from Trustee Terenzi.

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APPOINTMENT OF MEMBER OF THE BOARD OF ARCHITECTURAL REVIEW

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 DUANE STOVER, residing at 80 Hobart Avenue, Port Chester, New York, be and he hereby is appointed as a member of the Port Chester BOARD OF ARCHITECTURAL REVIEW, effective immediately in place and instead of the unexpired term of Saverio Terenzi with said term to expire March 20, 2014.

ROLL CALL

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

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AGREEMENT WITH WESTCHESTER COUNTY FOR  
STOP-DWI PATROL/DATAMASTER PROJECT

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 Manager be and is hereby authorized to enter into an agreement with the County of Westchester to participate in the STOP-DWI Patrol/Datamaster Project for a term commencing January 1, 2011 and continue through December 31, 2015.

ROLL CALL

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

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EXTENDED MEMORANDUM OF UNDERSTANDING AGREEMENT AMENDMENT  
FOR GINSBURG DEVELOPMENT COMPANY LLC  
REGARDING THE FOX ISLAND REDEVELOPMENT PROJECT

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

WHEREAS, on December 23, 2010 the Board of Trustees of the Village of Port Chester adopted a resolution extending the exclusivity period for Ginsburg Development Company LLC regarding the Fox Island redevelopment project until August 31, 2011; and

WHEREAS, in mid-July, 2011, Ginsburg Development Company transmitted a draft Interim Development Agreement (IDA) to the Village; and

WHEREAS, by resolution adopted on August 22, 2011, the Board extended the exclusivity period with respect to the developer from August 31, 2011 until September 30, 2011 in order to give the parties time to review and further negotiate a proposed IDA; and

WHEREAS, the parties have been actively engaged in negotiations and agree that additional time is appropriate to conclude same. Now, THEREFORE, it is

RESOLVED, that the Board of Trustees of the Village of Port Chester hereby amends the extended Memorandum of Understanding Agreement last amended on December 22, 2010, which amendments shall now extend the Extended Memorandum of Understanding Agreement until October 31, 2011 and hereby authorizes the Village Manager to execute any documents that may be necessary and appropriate with respect to the extended MOU Agreement and facilitate such intent, with all other items of the MOU to remain in full force and effect.

ROLL CALL

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

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Mayor Pilla said that the next item on the agenda is a discussion regarding Neighborhood Revitalization Strategy which he had requested. He said that he would defer this discussion because this will be part of a future agenda regarding top priorities.

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The Mayor said that the next discussion item is an update regarding Sewer District User Fees. He said that this proposal would shift the funds for infrastructure from the General Fund and would be based on the cost a difference way. Mayor Pilla said that staff is researching how this could be accomplished noting that they have been advised that this type of district can not be broken down by assessed value and recommended that it be broken down by property class – single family, two family, three family and beyond. He said that ideally the best way to brake down this cost is by water billing but we may not be able to do it that way since the Village does not do the water billing because a private water company provides this service to our community.

Trustee Terenzi said that the initial concept for this sewer district would include the properties of non-profits so questioned if we could not create a district that would include the assessments of these types of properties.

Mr. Cerreto said that the concept is the same that we could use local assessments but assessments can not be used as the soul basis. He said that the preferred method is water usage.

Trustee Terenzi expressed concerns of charging by property class instead of assessment valuation. He gave an example of an 80 year woman in a single family compared to 7 people living in a single family and does not think it would be fair.

Trustee Didden said that it would be the same if we used assessment valuation because if the house that the 80 year woman lived in was at a much higher assessment value compared to the single family with 7 people that are at a lower assessment. He said that on this agenda is correspondence from United Water Westchester requesting to install infrastructure in the Village for their automatic meter reading. Trustee Didden said that this is an opportunity to discuss with the water company an arrangement for the Village to receive this information.

The Board further discussed United Water’s proposal, water usage and even if the Village could be provided with the information of the usage.

Mayor Pilla said that he would not want to use the assessment values for a sewer district because the assessments can change dramatically.

Trustee Brakewood said that he would like to see an analysis on this proposal wanting to know the actual impact of such a district to religious and non-profits.

The Mayor said with his recommendation of charging by property class the Board could see this information if we can not use water usage. He said that the Manager will provide an update at next month's Board meeting.

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Mayor Pilla said that the final discussion item is an update regarding the Rye Town Dissolution Study. He said that a major study is going on by the Center for Governmental Research and the first public forum was held last week which there were about eighty participants. The Mayor said that there will be links to some of the data that has been gathered on our website and noted that Port Chester's service delivery is at a lower cost compared to Rye Brook and Mamaroneck. He said that the public forum meeting on this study will be shown on our Government Cable channel and our website and encouraged everyone to view this meeting and that another public forum meeting will be held in about six weeks.

Trustee Terenzi said that the forum was an interesting discussion on this topic which has been discussed in the past. He said that the most important items of this study will be the fiscal impacts and the impact to the Rye Neck section of Mamaroneck.

Trustee Brakewood inquired if they are looking at the operational impact as well.

Mayor Pilla explained what the study is looking at and that the consulting firm CGR is in the process of meeting with all the different departments in each of the entities gathering information of what they currently do and what may be the impact if the Town was dissolved.

Trustee Terenzi said that he would anticipate that more shared services may come out of this study.

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The Clerk presented reports from Putnam Engine & Hose Co. No. 2 on the election to active membership of Gabriel Beltre and Roberto Cuba Rodriguez.

The Board noted the actions taken by Putnam Engine & Hose Co. No. 2.

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The Clerk presented correspondence from CDM regarding request from United Water Westchester for Automatic Meter Reading Infrastructure.

Trustee Didden explained how every structure in the Village has a device to read their water meter and what the water company wants to do is to install flow meters throughout their system which encompasses the City of Rye and the Villages of Port Chester and Rye Brook in smaller areas so they can on a daily basis see how much flows in and out of these sub-branches to track water lost. He continued that United Water wants to install five poles in Port Chester plus two on the water tanks located on Summit noting that these would be separate poles from the utility poles and would have their required boxes and a solar panel and that these are not appealing looking poles. Trustee Didden spoke about the proposed locations of these poles and that there is a discrepancy with one of the proposed location in the Village that is listed at a different location in Rye Brook along our borders that it appears that one of their locations is being placed in our municipality.

Trustee Kenner said that this request needs to be vetted by staff.

Trustee Brakewood said that he would like a presentation by the water company.

Mayor Pilla said that staff should vet this proposal and then we need to have a discussion with the water company to get data for sewer district.

Mr. Cerreto told the Board that a meeting was held with United Water that he participated on behalf of the Village along with representatives from the City of Rye and the Village of Rye Brook. He said that this proposal should be reviewed by professional staff with a referral to the Planning Commission and that United Water has submitted a check for \$3,500.00 for an escrow account for such a review. Mr. Cerreto also expressed concern with the close proximity of two locations between Port Chester and Rye Brook.

The Board further discussed the proposal and consideration of referring matter to the Planning Commission.

Trustee Didden said that he would like the Mayor to have a meeting with the water company before referring to our experts so we could have leverage.

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The Clerk presented correspondence from Brooksville Engine & Hose Co. No. 5 requesting permission to have the parking lot adjacent to the firehouse on Willett Avenue be closed off on October 2, 2011 from 12:00 p.m. to 6:00 p.m.

The Board of Trustees referred the correspondence from Brooksville Engine & Hose Co. No. 5 to staff.

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The Clerk presented correspondence from the Church of Our Lady of the Rosary requesting permission for the use of Edgewood Park on October 9, 2011 from 7:00 a.m. to 2:00 p.m. and a procession from the Church to the Park to celebrate the feast of their patroness with an outdoor Mass.

The Board of Trustees referred the correspondence from the Church of Our Lady of the Rosary to staff subject to any conditions.

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The Clerk presented correspondence from the Columbus Day Celebration Committee requesting permission for the use of the Show Mobile for the Columbus Day Parade to be held on October 9, 2011.

The Board of Trustees referred the correspondence from the Columbus Day Celebration Committee to staff subject to any conditions.

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Mayor Pilla asked if there was anyone from the audience who would like to speak at this time. He recognized Richard Abel.

Mr. Abel spoke about the 9/11 Interfaith Service that was held in Lyon Park on Sunday, September 11<sup>th</sup>. He said that this ceremony was wonderful bringing together all people from all different faiths to remember this event.



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Trustee Brakewood echoed the comments made by Mr. Abel and stating that it was a very respectful ceremony. He thanked everyone who turned out for the primary held last week and is looking forward to the November election for the County Legislator seat he is running for. Trustee Brakewood said that he would like to know when the Board would be meeting with the appeal attorney regarding the Department of Justice matter. He said that they need to know the status and the plan for the 2013 election.

Mr. Cerreto said that he could speak to the Board in executive session in reference to the appeal matter of this case and that the 2013 election is another matter that the Board could separately discuss. There was further discussion amongst the Board on the 2013 election.

Trustee Brakewood said he would like to know about other options for the next election from whether we could stagger the election or cumulative voting.

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Trustee Terenzi inquired about a memo from the Village Treasurer regarding expenditures from the police and fire department for prior purchase orders that would be going toward this fiscal year. He said that this should be accounted for in the budget where it was encumbered.

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Trustee Didden said that staff met with representatives of the Port Chester-Rye Bar Association regarding the proposed regulations for certificates of occupancy and asked the Village Attorney if he would like to comment.

Mr. Cerreto said that the Board had closed the hearing on the proposed law regarding certificate of occupancy requirements and that he and Mr. Steers had a meeting with three members of the BAR. He said that the BAR will provide a communication on the subject that they are favorable for some aspect but not of others of this proposed regulations and have indicated that they would prefer an amnesty program in this matter.

Trustee Didden inquired what the amnesty program would consist of because the law did not include a fine just that the inspection be done before a certificate of occupancy could be issued and if they have violations it would allow them to cure. There was further discussion on this subject and Mr. Cerreto said that it would be best to see what the BAR will provide in writing on this subject.

Trustee Didden asked about review regarding the elimination of billboards.

Mr. Cerreto said that this is still on the to do list and that he spoke to one of the consultants working on the Comprehensive Plan, Frank Fish from BFJ Planning who indicated that it can be done that it will be difficult and would probably initiate a suit.

The Board further discussed the consideration for the elimination of billboards.

Trustee Didden said that he was glad that the Mayor said he would try to get a meeting scheduled for the School Liaison Committee which is long overdue. He said that he is looking forward to Port Chester Day this coming weekend.

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Trustee Marino thanked the Police Department on the great job they did regarding an incident involving guns in his neighborhood which they have apprehended a suspect. He said that we need to look into rehabbing or relocating the police station that this facility is in disrepair and that we need to spend the money to provide the necessary working conditions for these employees. Trustee Marino spoke about the 9/11 service that was held and said that he would ask for a resolution that this service be run by the emergency service personnel of the police and fire and not the politicians.

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Trustee Kenner said that regarding the Director of Planning position that before this is complete the Industrial Development Agency would like to comment on the considered candidate(s). He said that there should be a mid year review of the budget by the Finance Committee. Trustee Terenzi said that will be arranged.

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Mayor Pilla reminded everyone that Port Chester Day will be held on Saturday, September 24<sup>th</sup> with vendors, food, children rides / activities, entertainment and capped off with a fireworks display. He asked for a motion to close the meeting.

Trustee Didden inquired if the Board would be going into an executive session tonight regarding the Department of Justice legal matter.

The Mayor asked for a motion for such an executive session.

At 10:10 p.m., Trustee Marino made a motion to adjourn to an executive session with the Village Attorney regarding litigation in the matter of the Department of Justice vs. the Village of Port Chester, Trustee Brakewood seconded the motion.

ROLL CALL

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

No action was taken in executive session.

There being no further business, on motion of Trustee Kenner, seconded by Trustee Marino, the executive session and the meeting was closed at 10:20 p.m.

ROLL CALL

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

Respectfully submitted,



Joan Mancuso  
Village Clerk