

MINUTES OF THE MEETING OF THE
VILLAGE OF PORT CHESTER
INDUSTRIAL DEVELOPMENT AGENCY

HELD: December 5, 2005

TIME AND PLACE: 7:00 P.M., Third Floor Conference Room, 10 Pearl Street, Port Chester, New York

Attending was Chair James Dreves, Bishop Nowotnik, John Hiensch, Charles Rosabella and John Sweet, Commissioners. Also attending the meeting was Mark Tulis, counsel to the IDA, and John Kirkpatrick of the law firm of Oxman Tulis Kirkpatrick Wyatt & Geiger LLP and Douglas Riley of G&S Port Chester LLC.

It should be noted that Commissioners Steve Giamundo and Kevin O'Connor were absent.

The first matter discussed was the proposed resolution regarding the South Main Street Firehouse.

After extensive discussion, including a review of the resolution and extensive presentations by John Kirkpatrick on the SEQRA issues and Douglas Riley on the future of the firehouse, as well as the present condition of the firehouse, as supplemented by engineering reports, the following resolution was unanimously carried on motion by Commission Rosabella and seconded by Commissioner Sweet:

LEAD AGENCY, NEGATIVE DECLARATION AND
APPROVAL OF APPLICATION

Request by tenant G&S Investors for Re-use of
South Main Street Firehouse Site

WHEREAS, no objections to Lead Agency has been received from any other involved agency; and

WHEREAS, the existing building has many attractive qualities, particularly its façade, but there is nothing particularly distinctive or special about it (as contrasted with others in the area such as the nearby bank building) and it is not eligible for listing on the State or National Register of Historic Places; and

WHEREAS, the building is in a dangerous state and constitutes a danger to the public as well as being an eyesore; and

WHEREAS, re-use or other preservation of the façade could be an attractive addition to the streetscape; and

WHEREAS, study and preservation of the façade for reuse as part of a new building appears possible, but there is no proposal for such a building and no reason to expect one; and

WHEREAS, preservation of the façade off-site, removal of the building while saving whatever elements are practical to reuse in another structure, or preparation of a photographic record, does not appear to be available either; and

WHEREAS, there is thus no opportunity for rehabilitation; and

WHEREAS, the Agency has carefully considered the following:

1. Long Form EAF, 12-05-05
2. Report of Len Cusumano, Jr., Building Inspector, 8-12-05
3. Report of DMJM Harris, Structural Engineers 1-3-05 and 7-19-05
4. Report of CityScape, Cultural Resource Consultants, 9-20-05.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Port Chester Industrial Development Agency is confirmed as Lead Agency;
2. The proposed action will not have a significant effect on the environment and a Negative Declaration must be prepared;
3. The application of G&S Investors to remove the existing building is approved; and
4. Oxman Tulis Kirkpatrick Whyatt & Geiger, LLP is authorized to transmit copies of the attached Negative Declaration to all required agencies.

ROLL CALL

AYES: Commissioners Hiensch, Nowotnik, Rosabella, Sweet and
Chairman Dreves

NOES: None

ABSENT: Commissioners Giamundo and O'Connor

The Board discussed various G&S matters.

The Board then discussed the bill from Oxman Tulis Kirkpatrick Whyatt & Geiger LLP for \$2,250.00 for legal services rendered during 2004 and 2005 not reimbursed at the firm's discounted municipal rate. Mr. Tulis advised that he was submitting an itemized bill for the work to the Village Comptroller.

On motion of COMMISSIONER NOWOTNIK, seconded by COMMISSIONER HIENSCH, the following resolution was adopted by the Port Chester Industrial Development Agency, New York:

RESOLVED, that the Chairman of the Port Chester Industrial Development Agency is authorized to ask the Village Treasurer to pay said invoice to Oxman Tulis Kirpatrick Whyatt & Geiger, LLP in the amount of \$2,250.00.

ROLL CALL

AYES: Commissioners Hiensch, Nowotnik, Rosabella, Sweet and
Chairman Dreves

NOES: None

ABSENT: Commissioners Giamundo and O'Connor

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On motion of Commissioner Hiensch, seconded by Commissioner Sweet, and unanimously carried, the meeting was adjourned at 8:15 p.m.

Respectfully submitted

Mark Tulis

Mark Tulis
Assistant Secretary