



VILLAGE OF PORT CHESTER
222 Grace Church Street, Port Chester, New York 10573

City Status Committee

**MINUTES OF THE MEETING OF
THE VILLAGE OF PORT CHESTER CITY STATUS COMMITTEE**

HELD: June 23, 2020

TIME AND PLACE: 5:40 PM, PC Village Hall Conference Room, 222 Grace Church Street, Port Chester, NY and over Village's WebEx platform

Chairman Frank Ferrara called to order the meeting of the Village of Port Chester City Status Committee at 5:40 PM. A motion to open the meeting was made by Hattie Adams and seconded by Keith Morlino. The Committee approved the motion by unanimous consent.

The following members were present:

First Name	Last Name
Francis	Ferrara
Hattie	Adams
Anne	Capeci
Joseph	Carvin
Patrick	Gillis
Keith	Morlino
Anthony	Napoli
Neil	Pagano
Peter	Pascale
Marie	Sileo

Also in attendance was Committee staff member Village Attorney Anthony Cerreto, Committee appointed consultants Kent Gardner and Patti Dwyer of CGR, Village Mayor Richard Falanka, and Westchester County Executive George Latimer.

CHAIRMAN'S REMARKS

Chairman Ferrara briefly recounted the last meeting where it was agreed that "Next Steps" needed to be more clearly delineated in the Consultant's report so as to give the Committee more confidence that they have completed their mission and can give a recommendation to the Board of Trustees. He pointed out that it is a difficult task in a State where the path to municipal revision is not at all defined. Tonight's meeting would be all about



reviewing the changes to the draft and considering a resolution to the Village Board of Trustees (BOT) that would conclude the Village's charge to the Committee of determining feasibility of seeking City Status and suggesting how best to proceed.

COMMENTS OF VILLAGE MAYOR RICHARD FALANKA

Mayor Falanka recounted the many prior attempts the Village had made to assess City Status, all of which had either ended in a lack of success or a tabling of the effort. He commended the Committee on their commitment and focus, and suggested that perhaps a significant reason for the lack of success in the past was the absence of a citizen led initiative like this one, which he feels is a strength of the current effort. He thanked the members for their participation.

COMMENTS OF WESTCHESTER COUNTY EXECUTIVE GEORGE LATIMER

County Executive Latimer pleasantly surprised the Committee with an unexpected visit. He mentioned that he has been a long-time friend to the Village, patronizes its establishments regularly, understands its struggles, and appreciates the commitment of the Committee for analyzing the way City Status might help the Village move sustainably forward. While he knows the pre-emption of Sales Tax might not be in the best financial interests of the County government, he pledged to support the efforts of the Village becoming a City and wished the Committee and the Village much success in their efforts.

APPROVAL OF MINUTES

Peter Pascale made a motion to approve the minutes from the May 28, 2020 meeting, which was seconded by Hattie Adams. The Committee approved the Minutes by unanimous consent.

DISCUSSION OF THE UPDATED DRAFT OF THE CITY STATUS FEASIBILITY STUDY BY CGR

Chairman Ferrara recalled how the Committee had begun their efforts thanks in part to the participation and guidance of the New York Conference of Mayors (NYCOM), who attended and presented at our inaugural meeting in 2018 and had given vital input. We now turned to them again to tap their broad knowledge and practical experience. Both CGR and Village Attorney and Committee Advisor Tony Cerreto liaised with NYCOM General Counsel Wade Beltramo in an effort to achieve consensus on the next steps forward.



The updated draft stressed the importance of a united effort across the Village and outreach to the Village at large to impart to people the importance of City Status and its benefits. It also suggested that the Governor's office should begin to be brought into the outreach efforts.

But the focal point of the changes was to recommend the appointment of a Charter Committee to oversee the writing of a City Charter, and then to embed the new charter in legislation that would be proposed and advanced by our Legislative representatives in the Assembly and Senate. That legislation would include a provision for a Village wide referendum should the legislation become law.

A wide-ranging discussion ensued that was assisted by Mr. Cerreto and CGR principal Kent Gardner. It was agreed that the Village would have to figure out a communications strategy and the Committee expressed its eagerness to play a part.

RESOLUTION TO THE VILLAGE OF PORT CHESTER BOARD OF TRUSTEES

The sense of the Committee was that the updated draft was ready to be accepted as final, released to the public, and furthered to the Board of Trustees with a recommendation to engage in public outreach efforts and appoint a City Status Charter Commission to oversee the writing of a Charter in preparation for an approach to the New York State Legislature. It wanted the Resolution to reflect the desire expressed by many of the members to be included in any future City Status efforts.

Chairman Ferrara referred the Board to a resolution in their packets which he then displayed on the WebEx presentation screen so people viewing the meeting could be apprised of its contents. He said that he had originally put together a resolution that he referred to Mr. Cerreto, and he thanked Mr. Cerreto for turning what he referred to as his modest scribbles into a Beethoven symphony. He then proceeded to review the resolution for Committee comment or action.

On the motion of former Port Chester Mayor Neil Pagano, seconded by Keith Morlino, the resolution was brought to the floor, and passed by unanimous consent.

Refer to the Resolution on the next page



RESOLUTION

CONFIRMING THE FEASIBILITY OF CITY STATUS FOR THE VILLAGE OF PORT CHESTER AND FAVORABLY RECOMMENDING THAT THE BOARD OF TRUSTEES ADVANCE THE MATTER SO AS TO ASSURE A SUCCESSFUL OUTCOME

WHEREAS, in 2017 the Village Board of Trustees adopted as a policy priority the feasibility of achieving City Status; and

WHEREAS, City Status has eluded the Village of Port Chester since its first attempt was vetoed by Governor (later President) Franklin Roosevelt in 1931; and

WHEREAS, the Board of Trustees implemented such policy priority by establishing a City Status Feasibility Committee (hereafter the “Committee”), appointing members from a cross-section of the Village and appropriating funds for the Committee to seek outside resources to provide assistance if need be; and

WHEREAS, the Committee performed its own due diligence to satisfy itself that exploring City Status Feasibility through a professional consultant with expertise in governmental restructuring, shared services and consolidations was warranted, and

WHEREAS, the Committee formulated a Request for Proposals, conducted interviews, and selected the Center for Governmental Research (hereafter “CGR”), Rochester, New York, to serve as consultant and

WHEREAS, upon engagement, CGR interviewed members of the Committee and key stakeholders to solicit their input; and

WHEREAS, CGR has produced a report that concludes that City Status is not only feasible, but significantly benefits the Village which upon incorporation as a city would:

- Realize an estimated additional \$9.5 million dollars a year in sales tax over and above what it realizes now through County distribution,
- Realize considerably more State Aid annually that is directed towards cities than villages,
- Enable the State to assume the costs of the Justice Court which is approximately \$1.5 million dollars a year; and

WHEREAS, the substantial positive economic impacts would strategically preserve the Village’s diverse community character and unique identity; and

WHEREAS, with feasibility assured, the CGR report confirms that to become a city, the Village of Port Chester must have special state legislation that will contain the proposed city charter and that such legislation would be subject to a mandatory referendum; and



WHEREAS, before advocating through the legislative process, CGR first recommends that the Village engage the public to provide solid local support as the necessary first step. Now, therefore be it

RESOLVED, that the Committee hereby accepts and designates the CGR report as final and ready to be forwarded by the Chair to the Board of Trustees for its action; and be it further

RESOLVED, that the Committee supports public engagement efforts before the Board advances City status and that such efforts be broad-based and designed to elicit comment that reflect the diversity of the Village; and be it further

RESOLVED, that the Committee recommends that the Board of Trustee establish a charter commission to work with Village professional staff to prepare a proposed city charter and that outside resources be retained for special expertise to assure that the charter may be completed in time for consideration in the next legislative session; and be it further

RESOLVED, that the Committee desires to continue to play an active role and offers assistance in any manner that the Board deems appropriate.

Approved as to Form:

Anthony M. Cerreto, Village Attorney



NEXT MEETING

Chairman Ferrara suggested the Committee had completed its mission, at least as initially charged by the Board of Trustees. The resolution and report will now be considered by the BOT, specifically with a suggestion to form a City Status Charter Committee. He pledged to keep the Committee members apprised of developments.

He thanked all of the Committee members for their diligence, civic pride, and successfully completing the Committee's mission.

ADJOURNMENT

On the motion of Peter Pascale and seconded by Hattie Adams, the meeting was adjourned by unanimous consent at approximately 6:10 PM.

Respectfully submitted by Frank Ferrara, Chairman