

MINUTES OF THE TOWN BOARD
Special Meeting January 17, 2017

Minutes of a Special Meeting of the Town Board held on January 17, 2017 at 6:15 p.m. in the Supervisor's Conference Room, 40 Mill Road, Eastchester, New York.

Supervisor Colavita called the meeting to order at 6:15 p.m. noting the presence of the Town Board, Comptroller Dawn Donovan and Town Clerk Linda Laird. The Supervisor stated the purpose of the meeting was to review requests for Capital Budget Projects submitted by Department Heads. The Town Board and Town Comptroller discussed the Capital Budget.

The meeting was adjourned at 6:45 p.m.

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Minutes of a Meeting of the Town Board of the Town of Eastchester held on January 17, 2017 at 7:00 p.m., at the Town Hall, 40 Mill Road, Eastchester, New York.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE – FLAG

III. ROLL CALL

Present: Supervisor Anthony Colavita
Councilman Glenn Bellitto
Councilman Joseph Dooley
Councilman Luigi Marcoccia
Councilwoman Theresa Nicholson

Town Clerk Linda Laird
Comptroller Dawn Donovan
Town Attorney Louis J. Reda

IV. PUBLIC HEARING

A) PUBLIC HEARING OF LOCAL LAW 1-2017 PROVIDING FOR THE AMENDMENT TO LOCAL LAW NO. 4 – 1979 KNOWN AS THE STREET AND SIDEWALK EXCAVATION LAW

Councilman Marcoccia offered a motion that was seconded by Councilman Bellitto to open the Public Hearing. An Affidavit of Publication of the Meeting Notice was received.

On the roll call, all voted "AYE." Motion carried.

There being no public comment, Supervisor Colavita offered a motion that was seconded by Councilman Dooley to close the Public Hearing.

On the roll call, all voted "AYE." Motion carried.

Councilman Marcoccia offered a motion that was seconded by Councilman Bellitto to approve a RESOLUTION to Adopt Local Law 1 -2107.

On the roll call, all voted "AYE." Motion carried.

V. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

Peter DeFelice referenced the proposed Community/Senior Center to be built at Lake Isle and stated the caterer should not have access to the new facility. Further, Mr. DeFelice spoke in opposition to the hiring of auditors PKF O'Connor Davies as the auditing firm 'due to something he read in paper.' Supervisor Colavita explained one of the senior partners of the firm agreed to pay a penalty for issuing an audit report in connection with municipal bonds sought by the Town of

Ramapo for the construction of its baseball stadium. However, upon meeting with officials of the auditing firm, the Comptroller and the Town Board remain confident in the firm's qualifications.

VI. APPOINTMENTS

A) APPOINTMENT – POLICE SERGEANT

At the request of the Chief of Police, Timothy Bonci, Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION for the probationary appointment of Police Officer George Castellano of Eastchester, New York to the position of Police Sergeant effective starting January 27, 2017 at the annual salary of \$115,084.

<u>Annual Rate</u>	<u>Holiday Pay</u>	<u>Longevity</u>
\$115,084	\$5,803	\$1,500

Police Officer Castellano's name appears on the eligible list #74-025 established September 3, 2014. As provided in the Westchester County Civil Service Rules, it is necessary for him to serve a probationary period of a minimum of twelve weeks to a maximum of fifty- two weeks. Funds are provided in the 2017 budget.

Police Officer Castellano has been on the force since January, 2010. He will be assigned to the patrol division.

On the roll call, all voted "AYE." Motion carried.

B) APPOINTMENTS – CABLE TELEVISION ADVISORY COMMITTEE

Councilman Dooley offered a motion that was seconded by Supervisor Colavita to approve the re-appointments of Keith Bloomfield (Chairman), Thomas Kennedy, and Nicholas Dator to the Cable Television Advisory Committee effective January 1, 2017 – December 31, 2017.

On the roll call, all voted "AYE." Motion carried.

VII. APPROVAL OF MINUTES

Councilman Bellitto offered a motion that was seconded by Councilwoman Nicholson to approve the Minutes of the January 3, 2017 Special and Regular Town Board Meetings as prepared by Town Clerk Linda Laird.

On the roll call, all voted "AYE." Motion carried.

VIII. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A) POLICE DEPARTMENT REPORT

The Board reviewed and approved for filing the following reports for December 2016 and the attached 2016 Annual Report of Parking Summonses, Citation Activity Report, Patrol Activity Report, Statement of Accounts and the Traffic Accident Report.

B) LAW DEPARTMENT REPORT

1. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY FRANCIS J. MORRIS

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a **RESOLUTION** authorizing the settlement of a claim by Francis J. Morris against the Town of Eastchester in the amount of \$25,000.00 for a lawsuit involving an alleged claim of discrimination against the plaintiff Francis J. Morris while he was enrolled in the Policy Academy in 2007.

On the roll call, all voted "AYE." Motion carried.

2. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF WESTCHESTER AND THE TOWN OF EASTCHESTER FOR ACCESS TO TELECOMMUNICATIONS SERVICES THROUGH THE NETWORK PROVIDED TO THE COUNTY UNDER AN AGREEMENT WITH CABLEVISION

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve a **RESOLUTION** authorizing the Supervisor to execute and deliver an Inter-Municipal Agreement between the County of Westchester and the Town of Eastchester for access to telecommunications services through the network provided to the County under an agreement with Cablevision.

On the roll call, all voted "AYE." Motion carried.

3. RESOLUTION AUTHORIZING THE SUPERVISOR TO RETAIN SERVICES OF ROBERT STANZIALE, ARCHITECT

Councilman Dooley offered a motion that was seconded by Supervisor Colavita to approve a **RESOLUTION** authorizing the Supervisor to retain the services of Robert Stanziale, Architect, with offices located at 270 North Avenue, New Rochelle, NY, as a provider of architectural services for future projects at the following hourly rates; Architect: \$175, Designers: \$120 and Drafting/Clerical: \$100.

On the roll call, all voted "AYE." Motion carried.

4. RESOLUTION AUTHORIZING THE SUPERVISOR TO RETAIN THE SERVICES OF JOHN IANNACITO, ARCHITECT

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a **RESOLUTION** authorizing the Supervisor to retain the services of John Iannacito, Architect, with offices located at 453 White Plains Road, Eastchester, NY, as a provider of architectural services for future projects at the following hourly rates; Architect: \$175, Designers: \$120 and Drafting/Clerical: \$100.

On the roll call, all voted "AYE." Motion carried.

5. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A PROPOSAL FOR ARCHITECTURAL SERVICES BETWEEN ROBERT STANZIALE, PC. AND THE TOWN OF EASTCHESTER FOR THE CONSTRUCTION OF THE NEW SENIOR CENTER AT LAKE ISLE COUNTRY CLUB

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve a **RESOLUTION** authorizing the Supervisor to execute and deliver a proposal for architectural services between Robert Stanziale, PC. And The Town of Eastchester for the construction of the new Senior Center that is to be built at Lake Isle Country Club.

On the roll call, all voted "AYE." Motion carried.

C) HIGHWAY DEPARTMENT REPORT for December 2016 was received for filing.

D) RECEIVER OF TAXES REPORT for December 2016 was received for filing.

E) TOWN CLERK'S 2016 ANNUAL REPORT

The Town Board received the annual report on 2016 license sales, permits issued and fees collected in the Town Clerk's Office. The total fees collected were \$532,695.48. In addition to the issuance of permits and licenses, other activities of the Town Clerk Office include; 560 Handicap Permits, 2300+ Garth Road Parking Permits and 40 F.O.I.L. requests. In addition, as the information, recording, records management and filing center for town government, we offer many services to the public as well as to other Town departments, which are not revenue producing, such as:

- production of minutes for Town Board Meetings;
- the mailing of all bid packets and general administration of all bid openings;
- genealogical searches;
- interface with the Town auditors;
- research of prior Town resolutions/policy decisions;
- assistance with coordinating School District, Village and Fire Elections;
- and all records management, including annual microfilming of archival records.

IX. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: 2016 YEAR END BUDGET TRANSFERS

Per a request from Comptroller Dawn Donovan, Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve the following 2016 Year End Budget Transfers:

Year End Budget Transfers - 2016

TOWN WIDE

A1110.103	Overtime	1,248.00	A1110.100	Personal Services	1,607.00
A1110.401	Material & Supplies	1,167.00	A1110.414	Maint & Repairs	1,000.00
A1110.450	Contractual Svce	2,367.00	A1220.401	Material & Supplies	3,000.00
A1110.469	Steno Services	2,185.00	A1315.450	Contractual Svce	4,000.00
A1410.465	Printing & Advertising	779.00	A1325.401	Material & Supplies	6,500.00
A1420.100	Personal Services	16,730.00	A1325.420	Postage	16,000.00
A1420.401	Material & Supplies	3,908.00	A1345.414	Maint & Repairs	4,000.00
A1420.462	Legal Expense	67,661.00	A1355.100	Personal Services	1,700.00
A1450.463	Movng & Storage	2,032.00	A1410.100	Personal Services	3,900.00
A1900.301	Judgement & Claims	29,578.00	A1410.450	Contractual Svce	2,000.00
A1900.418	Municipal Assoc. Dues	100.00	A1900.427	Taxes on Town Properties	31,398.00
A1900.450	Contractual Svce	11,136.00	A1900.461	Labor Negotiations	23,500.00
A3310.103	Overtime	271.00	A1900.702	Tan Interest	40,000.00
A3310.414	Maint & Repairs	3,520.00	A3310.460	Signs	8,000.00
A3320.102	Sal PT/Seasonal	31,904.00	A6770.100	Personal Services	26,688.00
A3325.423	Rent	21,360.00	A6872.102	Sal PT/Seasonal	9,200.00
A6770.102	Sal PT/Seasonal	10,884.00	A6872.407	Food	32,000.00
A6770.414	Maint & Repairs	4,440.00	A7140.102	Sal PT/Seasonal	3,293.00
A6910.102	Sal PT/Seasonal	23,748.00	A7140.401	Material & Supplies	11,000.00
A6910.800	Employee Benefits	260.00	A7142.102	Sal PT/Seasonal	4,200.00
A7140.450	Contractual Svce	15,917.00	A7142.401	Material & Supplies	2,000.00
A7142.450	Contractual Svce	1,640.00	A7150.435	Utilities	8,449.00
A7150.103	Overtime	10,461.00	A9000.801	State Retirement	115,769.00
A7150.432	Travel & Auto	356.00	A9000.803	Social Security	38,000.00
A7310.102	Sal PT/Seasonal	1,600.00			
A7310.450	Contractual Svce	400.00			
A8686.800	Employee Benefits	7,260.00			
A9000.806	Health Insurance	124,292.00			
		397,204.00			397,204.00

TOWN OUTSIDE

B1900.301	Judgment & Claims	134,474.00	B1900.489	Housing ETPA	1,380.00
B1980.400	MTA Tax	2,050.00	B3120.100	Personal Services	66,300.00
B2989.422	Programming Materials	167.00	B3120.401	Material & Supplies	5,800.00
B3120.103	Overtime	55,899.00	B3120.408	Gasoline	52,000.00
B3120.103G	Overtime Grants	13,887.00	B3120.415	Maint & Repair - Auto	5,000.00
B3120.103S	Overtime	3,824.00	B3120.429	Towing	15,000.00
B3120.201	Equipment	1,506.00	B3120.434	Uniform	5,600.00
B3120.203	Small Equipment	36,265.00	B3120.498	Miscellaneous	10,000.00
B3121.102	Sal PT/Seasonal	6,641.00	B6410.102	Sal PT/Seasonal	13,000.00
B3620.458	Consulting Services	2,048.00	B9000.801	State Retirement	47,681.00
			B9000.803	Social Security	35,000.00
B3120.103P	Overtime Private Pay	123,731.00	B01523	Police Outside Srvc Fee	123,731.00
B9000.806	Health Insurance	375,556.00	B00599	App Fund Balance	375,556.00
		756,048.00			756,048.00

HIGHWAY

D5110.432	Travel & Auto	346.00	D5110.100	Personal Services	43,035.00
D5110.103	Overtime	3,888.00	D5130.414	Maint & Repairs	18,330.00
D5110.414	Maint & Repairs	539.00	D9000.803	Social Security	41,000.00
D9000.806	Health & Dental Insurance	97,592.00			
		102,365.00			102,365.00

LIBRARY

L7410.102	Sal PT/Seasonal	7,681.00	L7410.100	Personal Services	32,000.00
L7410.437	Water	487.00	L7410.401	Material & Supplies	2,756.00
L9000.806	Health & Dental Ins	76,348.00	L7410.404	Bldg Maint & Supplies	9,241.00
			L7410.406	Electricity	3,768.00
			L7410.411	Heating Fuel	11,426.00
			L7410.419	Printing & Supplies	1,525.00
			L9000.803	Social Security	18,800.00
			L9000.805	Unemployment	5,000.00
		84,516.00			84,516.00

LAKE ISLE

E3150.102	Salaries - PT Seasonal	522.00	E3600.450	Contractual Services	3,687.00
E3300.102	Salaries - PT Seasonal	22.00			
E3600.102	Salaries - PT Seasonal	233.00			
E3600.435	Utilities	2,910.00			
		3,687.00			3,687.00

SEWER

S9000.806	Health & Dental Ins	7,135.00	S9000.803	Social Security	7,135.00
REFUSE					
R8160.103	Overtime	38.00	R8160.100	Personal Services	68,552.00
R9000.806	Health & Dental Ins	68,514.00			
		68,552.00			68,552.00

GARTH ROAD

S5650.301	Judgment & Claims	2,053.00	ST 00599	App Fund Balance	2,533.00
S5650.401	Material & Supplies	480.00			
		2,533.00			2,533.00

WORKERS COMP

M1930.304	Workers Comp Claims	213,456.00	MW 02680	Insurance Recoveries	213,456.00
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On the roll call, all voted "AYE." Motion carried.

B) MEMORANDUM FROM COMPTROLLER RE: PART-TIME/SEASONAL APPOINTMENTS

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve the following Part-time and Seasonal Appointments, effective January 18, 2017:

NAME	TITLE	TYPE	RATE	
Joanne Caliendo	School Crossing Guard	Part Time	17.00	New
Elisa Perri	School Crossing Guard	Part Time	17.00	Rate
Pasquale Caroleo	School Crossing Guard	Part Time	17.00	Rate
Julia Ann Davey	School Crossing Guard	Part Time	17.00	Rate
Marc LoParrino	Recreation Attendant	Seasonal	8.00	New
Nicholas LoParrino	Recreation Attendant	Seasonal	8.00	New
Nicholas Manias	Parking Enforcement Officer	Part Time	16.00	New

On the roll call, all voted "AYE." Motion carried.

C) MEMORANDUM FROM COMPTROLLER RE: ENGAGEMENT OF AUDITORS

Per a request from Comptroller Donovan, Supervisor Colavita offered a motion that was seconded by Councilwoman Nicholson to approve the re-appointment of PKF O'Connor Davies as the auditing firm for the Town in 2017 for the fee of \$79,000.

On the roll call, all voted "AYE." Motion carried.

D) MEMORANDUM FROM COMPTROLLER RE: INFORMATION USAGE POLICY

Per a request from Comptroller Dawn Donovan, Councilman Dooley offered a motion that was seconded by Councilman Bellitto to adopt a RESOLUTION to approve the revised Information System Usage Policy.

On the roll call, all voted "AYE." Motion carried.

E) MEMORANDUM FROM SENIOR PROGRAMS AND SERVICES RE: DIRECT CARE WORKER AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES

Councilman Dooley offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing Supervisor Colavita to sign the Direct Care Worker Agreement with Westchester County Department of Senior Programs and Services. The funds, not to exceed \$16,536, will serve to reimburse the Town for salary increases and benefits of direct care workers during 2014-2015.

On the roll call, all voted "AYE." Motion carried.

F) MEMORANDUM FROM JUSTICE COURT RE: ACCEPTANCE OF JUSTICE COURT ASSISTANCE PROGRAM (JCAP) GRANT

Per a request from the Hon. Janet M. Calano and the Hon. Frederick J. Salanitro, Councilman Bellitto offered a motion that was seconded by Councilwoman Nicholson to approve the acceptance of the grant awarded the court from the Justice Court Assistance Program (JCAP) in the amount of \$7,390.

On the roll call, all voted "AYE." Motion carried.

G) MEMORANDUM FROM ASSESSOR RE: 2017 TAX MAP MAINTENANCE CONTRACT

Per a request from Assessor Todd Huttunen, Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the Supervisor to sign the 2017 Tax Map Maintenance Services Agreement with MRB Group for a total cost of \$11,060. The Supervisor explained the fee for this service has not increased since 2014.

On the roll call, all voted "AYE." Motion carried.

H) MEMORANDUM FROM SUPERVISOR RE: 2017 ASSOCIATION OF TOWNS APPOINTMENT OF DELEGATE AND ALTERNATE

Councilman Dooley offered a motion that was seconded by Councilman Bellitto to appoint Councilman Marcoccia as a Voting Delegate and Councilwoman Nicholson as Alternate Voting Delegate at the 2017 Association of Towns Annual Meeting.

On the roll call, all voted "AYE." Motion carried.

X. MISCELLANEOUS BUSINESS

Due to the February winter recess break, Councilman Dooley offered a motion that was seconded by Supervisor Colavita to change the date to the February Town Board meetings to one meeting only for the month to be held on February 14, 2017.

On the roll call, all voted "AYE." Motion carried.

XI. COUNCIL MEMBER REPORTS

Councilman Marcoccia reported on the success of the annual Martin Luther King Breakfast held on January 16th at 9:00 am in the Reform Church. The event was held to benefit the Eastchester Community Action Program ongoing programs including an afterschool program, meal deliveries and camp.

Councilman Bellitto reflected on the coming together of the three communities of Eastchester, Tuckahoe and Bronxville as a contributing factor to the success of the Martin Luther King Breakfast.

Councilwoman Nicholson reported the 4th annual Ballerina Ball is scheduled for Saturday, February 11th and will be an enchanted afternoon of lunch with Aerial, tutus, dancing, crafts and more.

Councilman Dooley and Supervisor Colavita had no report.

XII. SECOND OPPORUNITY TO ADDRESS THE BOARD

Rachel Zolottev, John Mariani, Andrew Goldstein, Ellen Weinberg, John Mariani, John Rabijs, Mary Ann Principe and Maria Palumbo voiced concerns regarding the proposed construction of a Marriott SpringHill Suites Hotel on Marbledale Road in the Village of Tuckahoe. The 7 acre site, the location of a marble quarry until 1958, was used as a municipal dump for twenty years. The NYS Department of Environmental Conservation (DEC) has classified the Tuckahoe Marbledale Road Quarry Dump as a Brownfield (BCP) in need of cleanup. Speakers called for additional testing in the immediate area, the neighboring areas (including at Waverly School) and suggested the use of FTIR technology. An FTIR spectrometer simultaneously collects high spectral resolution data over a wide spectral range.

Supervisor Colavita indicated that while the Town of Eastchester has no authority over a project located within the Village of Tuckahoe, it will continue to meet with representative of the Eastchester School District and their consultant, Paul Ciminello of Ecosystem Strategies, regarding the project.

County Legislator Sheila Marcotte reported the 2017 County Budget was passed with a 7th year of a zero increase in the tax rate. Further, Mrs. Marcotte reported Playland will be open for business in early spring and a 'major biotech development project proposal' is being reviewed and considered for a 60 acre parcel of Westchester County owned land near the Westchester Medical Center.

There being no further public comment, the meeting was adjourned at 9:35 p.m.

Minutes prepared by;

Linda Laird
Town Clerk