

MINUTES OF THE TOWN BOARD
April 18, 2017

Minutes of a Meeting of the Town Board of the Town of Eastchester held on April 18, 2017 at 8:00 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. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

Mike Denning asked if the Stormwater Management Annual Report pertains to stormdrain maintenance. The Supervisor explained the unfunded, state mandated program provides for participation in the Intermunicipal Agreement with Westchester County to qualify for State funds and assistance to provide public education and participation, adoption of required legislation, such as the Illicit Detection and Elimination Law and the Stormwater Management and Erosion and Sediment Control Law, the mapping and regular inspection of stormwater outflow, and the establishment of policy and procedures for the Highway Department with respect to projects that impact stormwater quality.

V. APPOINTMENTS

Councilman Dooley offered a motion that was seconded by Councilman Bellitto to approve the probationary appointment of Jeffrey Wheeler of Tuckahoe, NY to the full time position of Laborer (Group E, Step 1) at the annual salary of \$44,250 effective April 21, 2017.

Mr. Wheeler will be required to serve a probationary period which will run not less than twelve weeks and not more than fifty-two weeks. The appointment is contingent on the successful completion of the background investigation and pre-employment testing. Funds are provided in the 2017 budget.

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

I. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A) POLICE DEPARTMENT REPORT

The Board reviewed and approved for filing the following reports for March 2017 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 SUPERVISOR TO ENTER INTO AN INSURANCE RENEWAL WITH THE FRANKLIN GROUP, LLC. EFFECTIVE APRIL 30, 2017 – APRIL 30, 2018

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the Supervisor to enter into an insurance renewal with the Franklin Group, LLC for a total premium of \$389,260.74 for the policy period April 30, 2017 to April 30, 2018. Town Attorney Lou Reda stated the Franklin Group offers competitive prices and has a diligent staff.

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

2. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A RENEWAL AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND NETWORK ADJUSTERS, INC. EFFECTIVE APRIL 30, 2017 – APRIL 30, 2018

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the Supervisor to execute and deliver a renewal agreement between the Town of Eastchester and Network Adjusters, Inc., effective April 30, 2017 through April 30, 2018 for a fee of \$22,573.75, payable quarterly.

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

3. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND COMPLUS DATA INNOVATIONS, INC. FOR THE PROCESSING OF PARKING TICKETS USING THE FASTTRACK PARKING TICKET MANAGEMENT SYSTEM

Councilman Bellitto offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the Supervisor to execute and deliver an agreement between the Town of Eastchester and Complus Data Innovations, Inc. for the processing of parking tickets using the *FastTrack*™ Parking Ticket Management System. Complus Data retains 10% of parking ticket revenue collected and is reimbursed for postage and other minor fees.

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

4. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY 97 MONTGOMERY STREET LLC/WORLD AQUA RESOURCES, INC. 95-97 MONTGOMERY STREET

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by 97 Montgomery Street LLC/World Aqua Resources, Inc., affecting premises known as Section 58, Block 3, Lot 36 – 95 – 97 Montgomery Street as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2012	2013	\$37,150.00	\$19,240.00	\$17,910.00
2013	2014	\$26,000.00	\$20,115.00	\$ 5,885.00
2014	2015	\$26,000.00	\$19,740.00	\$ 6,260.00
2015	2016	\$26,000.00	\$18,415.00	\$ 7,585.00
2016	2017	\$20,750.00	\$18,415.00	\$ 2,335.00

**To be bonded at a later date
Eastchester School District approved the settlement
TOTAL TOWN TAX REFUND \$12,287*

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

5. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY FRANK CAPUANO – ALBANESE PLACE

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Frank Capuano affecting premises known as Section 68, Block 2, Lot 4 – Albanese Place, Eastchester, NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2010	2011	\$21,350.00	\$18,350.00	\$3,000.00
2011	2012	\$21,350.00	\$19,350.00	\$2,000.00
2012	2013	\$21,350.00	\$20,350.00	\$1,000.00

*Eastchester School District approved the settlement
TOTAL TOWN TAX REFUND \$1,672*

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

6. RESOLUTION AUTHORIZING THE SUPERVISOR AND THE TOWN BOARD TO APPROVE THE 2016/2017 STORMWATER MANAGEMENT ANNUAL REPORT FOR YEAR 14

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION

authorizing the Supervisor and the Town Board of the Town of Eastchester to approve the 2016/2017 Stormwater Management Annual Report for Year 14.

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

C) HIGHWAY DEPARTMENT REPORT

Hector DiLeo, Superintendent of Highways, reported both the Sidewalk and Curb Project and the Street Resurfacing Project have begun throughout town. In addition, trees are being planted in various locations as part of the tree planting program.

D) RECEIVER OF TAXES REPORT for March 2017 was received for filing.

E) TOWN CLERK'S REPORT for March 2017 was received for filing.

II. CORRESPONDENCE

A) MEMORANDUM FROM SENIOR PROGRAMS AND SERVICES RE: TITLE IIIB CONTRACT BETWEEN THE TOWN OF EASTCHESTER AND WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES FOR PROGRAM YEAR 2017 – TRANSPORTATION SERVICES

Councilman Bellitto offered a motion that was seconded by Councilman Marcoccia to approve a Resolution authorizing Supervisor Colavita to sign the Contract with Westchester County Dept. of Senior Programs and Services for Title IIIB, including the Agreement, Schedule A, Schedule B and Schedule C.

The federal grant in the amount of \$7,247.00 is awarded to the Town of Eastchester through Westchester County Department of Senior Programs and Services. IIIB funding is designated for transportation services provided to senior citizens.

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

B) MEMORANDUM FROM SENIOR PROGRAMS AND SERVICES RE: TITLE IIIC AND NUTRITION SERVICES INCENTIVE PROGRAM (NSIP) BETWEEN THE TOWN OF EASTCHESTER AND WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES RE: CONGREGATE MEALS, HOT MEALS AND HOME DELIVERED MEALS

Councilman Dooley offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing Supervisor Anthony S. Colavita to sign the Contract with Westchester County Department of Senior Programs and Services for IIIC and NSIP funding including the Agreement and Schedules A, B, and C.

The total estimated amount of \$100,549 is awarded to the Town of Eastchester through Westchester County Department of Senior Programs and Services.

- IIIC-1 in the amount of \$51,424. Federal funding for Congregate Meals. This funding is used to purchase hot meals that are provided at our senior centers.
- Estimated IIIC-1 NSIP (Nutrition Services Incentive Program) in the estimated amount of \$19,027. Additional federal funding available to purchase the hot meals that are provided at our senior centers.
- IIIC-2 in the amount of \$21,152. Federal funding for home delivered meals. This funding is used to purchase the hot meals that are delivered to at risk homebound seniors.
- Estimated IIIC-2 NSIP (Nutrition Services Incentive Program) in the estimated amount of \$8946. Additional funding available to purchase the hot meals that are delivered to the at risk homebound seniors.

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

C) MEMORANDUM FROM ASSESSOR RE: TAX REFUND APPLICATION – 108 LYONS ROAD

Supervisor Colavita reviewed a Real Property Tax Refund Application for the tax year 2016 for property located at 108 Lyons Road (Section 55, Block 4, Lot 12). The refund has been approved by the Westchester County Tax Commission and totals \$1,566 and is due to owner Elizabeth Gillespie. She was approved for an Enhanced STAR but it was entered as a Basic STAR on the 2015 Assessment Roll therefore producing incorrect 2016/2017 School tax bill.

Councilman Bellitto offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION to approve a 2016/17 Enhanced STAR refund in the amount of \$1,566.

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

D) MEMORANDUM FROM ASSESSOR RE: TAX REFUND APPLICATION – 92 SUMMIT AVE

Supervisor Colavita reviewed a Tax Refund Application for the tax years 2014, 2015 and 2016 for property located at 92 Summit Avenue (Section 25, Block 1, Lot 5). The refunds have been approved by the Westchester County Tax Commission and total \$1,649 for 2014, \$1,692 for 2015 and \$1,726 for 2016 and are due to the owners Mr. & Mrs. Ronald Vitale. They were approved for a Basic STAR but the exemption was not entered on the 2013 Assessment Roll therefore producing incorrect 2014/2015, 2015/2016 and 2016/2017 School tax bills.

Councilman Bellitto offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION to approve 2014/15, 2015/16 and 2016/17 Basic STAR refunds in the amounts of \$1,659, \$1,692 and \$1,726 respectively.

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

E) MEMORANDUM FROM ASSESSOR RE: TAX REFUND APPLICATION - 24 LEEWOOD CIRCLE – 2L

Supervisor Colavita reviewed a Tax Refund Application for the tax years 2015 and 2016 for property located at 24 Leewood Circle, Apt 2L (Section 65.L, Block 1, Lot 4.E-224L). The refunds have been approved by the Westchester County Tax Commission and total \$1,537 for 2015 and \$1,568 for 2016 are due to the owner Drina Tambura (f/k/a Drina Murphy). She was approved for a Basic STAR but due to incorrect sales information, the exemption was not removed on the 2015 Assessment Roll therefore producing incorrect 2015/2016 and 2016/2017 School tax bills.

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION to approve 2015/16 and 2016/17 Basic STAR refunds in the amounts of total \$1,537 and \$1,568.

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

III. **MISCELLANEOUS BUSINESS** - none

IV. **COUNCIL MEMBER REPORTS**

Councilman Marcoccia invited the public to attend the Lake Isle Open House on Saturday, April 22nd at noon for a short presentation and a tour of the facility. Mr. Marcoccia also discussed the availability of scheduling 'mini golf outings' by calling the golf pro.

Councilman Bellitto reported on a matter being reviewed by TPAC regarding requests to install speed bumps on Locust Avenue and/or in the surrounding area. Mr. Bellitto cited studies that conclude 40%-70% of drivers exceeding the speed limit on a given street live within a 5 block radius. While studies have shown speed bumps to be ineffective, as well as dangerous, speed limit warning signs that display speed at which a car is being driven have been proven to have a real impact of the speed at which cars drive through an area. The town recently purchase seven portable, solar powered, speed limit warning signs for use throughout the town, including in the Locust Avenue area. Mr. Bellitto spoke of the benefits of neighborhood involvement and individual commitment to abide by the speed limit as a means to impacting the speeding concerns.

Further, Councilman Bellitto reported TPAC members discussed a proposal to install 3 new stop signs on Locust in the hope of reducing speeding and will report its finding to the Town Board in the coming weeks.

Councilman Dooley announced the Eastchester Historical Society Annual Meeting will take place on Sunday April 23rd at 2pm at the American Legion Post. Light refreshments will be served and a World War I themed presentation entitled "A Borrowed Soldier" given by Eastchester Historical Society President Emeritus Michael Fix. Mr. Dooley announced the project to provide better parking and access to the Marble School House will be completed in early June.

Councilwoman Nicholson announced the Eastchester/Tuckahoe Girl Scout Troops will plant seedlings on Highland Avenue from 2:30 – 5:00 pm on Friday, April 21st to commemorate Arbor Day.

Supervisor Colavita announced the Eastchester Tax Office will provide extended hours on Monday, May 1st from 8:00 am to 7:00 pm for the convenience of taxpayers.

In closing, the Supervisor invited the public to attend the annual Police Memorial Service will be held on Saturday, May 13th at 11 a.m. at Town Hall and pay tribute to all deceased members of the Department with a special tribute to Sergeant Richard Morris.

V. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Mike Denning suggested the storm drains be cleaned on a more regular basis. The Supervisor explained the three communities of Eastchester, Bronxville and Tuckahoe share equipment for such purposes.

Residents 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. The following members of the public: Sara Wood, Maria Palumbo, Josephine Annunziata, Natalie LaFata and Kate Weiss requested additional testing of the air quality along the Tuckahoe/ Eastchester border and near the Waverly School. Further, a specific concern was expressed regarding the finding of the Report of Ambient Air Quality Sampling: "Relatively elevated concentrations of TCE, identified as a concern at the BCP Site, were detected; these values, however, represent concentrations typical for commercial or industrial zones and the absence of any meaningful change in concentrations between rounds suggests that the source of this compound is not the BCP Site."

Supervisor Colavita explained that while the levels of TCE reported are not "a cause for alarm and does not rise to the level of danger," and that representatives of the Village of Tuckahoe and the Department of Health are working to determine the source. The Supervisor stated the town has offered to share the cost of hiring a professional to be assigned to the site to monitor the work being performed. Further, Supervisor Colavita explained that none of the air monitors that have been installed throughout the area have 'gone off'; however, the town will conduct additional air testing as warranted.

Mike Denning stated no elevated concentrations of TCE were detected by testing conducted at 125 Mabledale Road, the building his family business maintains, adjacent to the Brownfield site.

There being no further public comment, the meeting was adjourned at 9:45 p.m.

Minutes prepared by;

Linda Laird
Town Clerk