

**TOWN OF EASTCHESTER
MINUTES OF THE TOWN BOARD
October 2, 2018**

Minutes of a Meeting of the Town Board of the Town of Eastchester held on October 2, 2018 at 8:00 p.m., at the Town Hall, 40 Mill Road, Eastchester, New York.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

Present: Town Clerk Linda Laird
Comptroller Dawn Donovan
Town Attorney Louis Reda

IV. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS - none

V. APPOINTMENTS

A) BUILDING AND PLANNING DEPARTMENT

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve the probationary appointment of James Flandreau of Yorktown, NY to the position of Building Inspector, at the annual salary of \$85,000 effective November 2, 2018.

James has successfully completed the examination for Building Inspector and his name appears on the Westchester County Civil Service exam # 62-888.

If approved he will be required to serve a probationary period which will run not less than twelve weeks and not more than fifty-two weeks. Funds are provided in the 2018 budget.

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

B) BOARD OF ASSESSMENT REVIEW

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve the re-appointment of Michael Romano as member and Chairman of the Board of Assessment review effective Sept. 30, 2018 to Sept. 30, 2023.

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

VI. APPROVAL OF MINUTES

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve the Minutes of the September 4, 2018 Town Board Meeting as prepared by Deputy Town Clerk Mary Swikata.

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

VII. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A) LAW DEPARTMENT REPORT

- 1. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A 911 EMERGENCY INTERMUNICIPAL AGREEMENT (IMA) BETWEEN THE TOWN OF EASTCHESTER, THE VILLAGE**

OF BRONXVILLE AND THE VILLAGE OF TUCKAHOE PERTAINING TO 911 EMERGENCY ALERTING MANAGEMENT AND CONTACT BY SWIFTREACH NETWORKS, INC.

Councilman Bellitto offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the Supervisor to execute and deliver a 911 Emergency Intermunicipal Agreement (IMA) between the Town of Eastchester, the Village of Bronxville and the Village of Tuckahoe pertaining to 911 Emergency Alerting Management and Contact, which will be provided for the Town by SwiftReach Networks, Inc.

The Supervisor explained the contact with Swift 911 service provides text, email and phone call notices and is shared by three communities of Eastchester, Tuckahoe and Bronxville. The annual fee of \$9,400 is shared with Eastchester paying \$5400 and the Villages contributing \$1900 each.

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

2. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND SWIFTREACH NETWORKS, INC. PERTAINING TO THE SWIFTREACH NETWORKS, INC. PROVIDING THE TOWN OF EASTCHESTER AND VILLAGES OF TUCKAHOE AND BRONXVILLE WITH 911 EMERGENCY ALERTING MANAGEMENT AND CONTACT

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve a RESOLUTION authorizing the Supervisor to execute and deliver an agreement between the Town of Eastchester and SwiftReach Networks, Inc. pertaining to the SwiftReach Networks, Inc. providing the Town of Eastchester and Villages of Tuckahoe and Bronxville with 911 Emergency Alerting Management and Contact.

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

3. RESOLUTION AUTHORIZING THE APPROVAL OF AN APPLICATION FOR A PARADE PERMIT SUBMITTED BY THE EASTCHESTER COLUMBUS DAY CELEBRATION COMMITTEE FOR THE COLUMBUS DAY PARADE ON SUNDAY, OCTOBER 7, 2018

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the approval of an application for a parade permit submitted by the Eastchester Columbus Day Celebration Committee for the Columbus Day Parade to be held on Sunday, October 7, 2018 and to waive the \$10 permit fee.

The schedule for Columbus Day weekend, including the carnival which features lots of rides for all ages, games with prizes, vendors and exhibitors, is as follows: .

- Friday - Carnival 6-11pm; DJ dance party 8-11pm
- Saturday - Carnival 1-11pm; live band 6pm. Wristbands 1-7pm \$30. Meatball and homemade wine contest at 6pm.
- Sunday - Carnival 1-11pm. Wristbands 1-7pm for \$30. Columbus Day parade starts at 3:00pm, Fireworks at 9pm.
- Monday - Carnival 1-6pm

The Town Board unanimously thanked the members of the Columbus Day Committee for all of their hard work in planning and executing the weekend of activities and congratulated the 2018 Grand Marshall Dr. Joseph Comizio, 2018 David R. Rubba Community Service Award recipient Sheila Marcotte, and Mon. Anthony Maltese Humanitarian Award recipient James Pecchioni.

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

4. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A CONTRACT AND AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND STEWART AMUSEMENT COMPANY, INC. FOR RIDES AND CONCESSIONS FOR THE EASTCHESTER COLUMBUS DAY CELEBRATION AT LAKE ISLE COUNTRY CLUB FROM OCTOBER 5, 2018 – OCTOBER 8, 2018

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the Supervisor to execute and deliver a Contract and Agreement made between the Town of Eastchester and Stewart Amusement Company, Inc. to furnish amusement rides and concessions for the Eastchester Columbus Day Celebration at Lake Isle Country Club from October 5, 2018 to October 8, 2018.

The terms of the Agreement remain the same as previous years with Stewart Amusement and the Town of Eastchester sharing the proceeds of the revenue from ride ticket sales; 65% to 35% respectively.

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

- 5. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A BAND PERFORMANCE CONTRACT BETWEEN THE TOWN OF EASTCHESTER AND FDR DRIVE BAND TO PROVIDE MUSICAL ENTERTAINMENT AT THE EASTCHESTER COLUMBUS DAY CELEBRATION AT LAKE ISLE COUNTRY CLUB ON SATURDAY, OCTOBER 6, 2018**

Councilman Marcoccia offered a motion that was seconded by Councilman Bellitto to approve a RESOLUTION authorizing the Supervisor to execute and deliver a Band Performance Contract made between the Town of Eastchester and FDR DRIVE Band to provide musical entertainment at the Eastchester Columbus Day Celebration at Lake Isle Country Club on Saturday, October 6, 2018 for a fee of \$3000.

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

- 6. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN ENTERTAINMENT SERVICE AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND FC MUSIC PRODUCTIONS TO PROVIDE MUSICAL ENTERTAINMENT AT THE EASTCHESTER COLUMBUS DAY CELEBRATION ON SUNDAY, OCTOBER 7, 2018**

Councilman Marcoccia offered a motion that was seconded by Councilman Bellitto to approve a RESOLUTION authorizing the Supervisor to execute and deliver an Entertainment Service Agreement made between the Town of Eastchester and FC Music Productions to provide musical entertainment at the Eastchester Columbus Day Celebration at Lake Isle Country Club on Sunday, October 7, 2018 for a fee of \$2000.

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

- 7. RESOLUTION AUTHORIZING THE APPROVAL OF THE TOWN OF GREENBURGH'S RECREATION FACILITIES AND/OR EQUIPMENT PERMIT APPLICATION FOR THE TOWN OF EASTCHESTER COLUMBUS DAY CELEBRATION COMMITTEE'S RENTAL OF THE TOWN OF GREENBURGH'S SHOWMOBILE/STAGE FROM OCTOBER 4, 2018 – OCTOBER 8, 2018 FOR USE DURING THE 2018 COLUMBUS DAY CARNIVAL AND FESTIVAL FROM OCTOBER 5, 2018 TO OCTOBER 8, 2018 AT LAKE ISLE COUNTRY CLUB**

Councilman Marcoccia offered a motion that was seconded by Councilman Bellitto to approve a RESOLUTION authorizing the approval of the Town of Greenburgh's Recreation Facilities and/or Equipment Permit Application for the Eastchester Columbus Day Celebration Committee's rental of the Town of Greenburgh's Showmobile/Stage from October 4, 2018 to October 8, 2018 for use during the 2018 Columbus Day Carnival and Festival which is being held from October 5, 2018 to October 8, 2018 at Lake Isle Country Club. The fee for the rental of said equipment is \$1,750.00.

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

- 8. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A PERFORMANCE CONTRACT BETWEEN THE TOWN OF EASTCHESTER AND PATRIOT BRASS ENSEMBLE, INC. TO PROVIDE MUSICAL ENTERTAINMENT AT THE EASTCHESTER COLUMBUS DAY CELEBRATION ON SUNDAY, OCTOBER 7, 2018**

Councilman Marcoccia offered a motion that was seconded by Councilman Bellitto to approve a RESOLUTION authorizing the Supervisor to execute and deliver a Performance Contract made between the Town of Eastchester and PATRIOT BRASS ENSEMBLE, INC. to provide musical entertainment at the Eastchester Columbus Day Celebration at Lake Isle Country Club on Sunday, October 7, 2018 for a fee of \$1450.

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

- 9. RESOLUTION AUTHORIZING THE SUPERVISOR TO RETAIN THE SERVICES OF DANIEL HOULIHAN AS AN EXPERT WITNESS FOR LITIGATION IN TAX CERTIORARI MATTERS**

Councilman Bellitto offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the Supervisor to retain the services of Daniel Houlihan, with offices located at 141 Parkway Road, Bronxville, NY, as an

expert witness for litigation in tax certiorari matters at the rate of \$450.00 per hour and further to approve the expenditure of the sum of fifteen thousand dollars (\$15,000.00) which may be necessary for any further tax certiorari appraisals and trial preparation, subject to the final approval of an agreement by the Town Attorney.

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

10. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY SUNRISE IV RIVERUE SL, LLC – 3 RIVER STREET, TUCKAHOE

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Sunrise IV Rivervue SL, LLC affecting premises known as Section 36, Block 3, Lot 2 – 3 River Street, Tuckahoe NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2007	2008	\$226,400	\$197,340	\$29,060
2008	2009	\$226,400	\$204,240	\$22,160
2009	2010	\$226,400	\$218,790	\$7,610
2010	2011	\$226,400	\$226,400	-0-
2011	2012	\$226,400	\$226,400	-0-
2012	2013	\$226,400	\$226,400	-0-
2013	2014	\$226,400	\$223,500	\$2,900
2014	2015	\$226,400	\$200,220	\$26,180
2015	2016	\$226,400	\$173,990	\$52,260
2016	2017	\$226,400	\$167,140	\$59,260

To be bonded at a later date

Tuckahoe School Board approved

TOTAL TOWN TAX REFUND..... \$ 6,217.15

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

11. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY TUCKAHOE PROJECT, LLC - 65 MARBLEDALE ROAD

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Tuckahoe Project, LLC affecting premises known as Section 35, Block 5, Lot 1 – 65 Marbledale Road as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2012	2013	\$ 251,150.00	\$ 233,840.00	\$ 17,310.00
2013	2014	\$ 251,150.00	\$ 248,830.00	\$ 2,230.00
2014	2015	\$ 251,150.00	\$ 245,481.00	\$ 5,669.00
2015	2016	\$ 251,150.00	\$ 230,505.00	\$ 20,645.00
2016	2017	\$ 251,150.00	\$ 225,700.00	\$ 25,450.00
2017	2018	\$ 251,150.00	\$ 216,450.00	\$ 34,700.00

Tuckahoe School Board approved

TOTAL TOWN TAX REFUND..... \$ 3,666.32

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

VIII. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: BUDGET TRANSFERS/REVISIONS

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve the following Budget Transfers and Revisions:

Transfers

From:	Storm Emergencies	D5110.425	\$ 7,000.00
	Fuel Station	D5110.450	\$ 5,000.00
To:	Material & Supplies	D5112.401	\$ 3,500.00

	Equipment	D5130.201	\$ 600.00
	Materials & Supplies	D5110.401	\$ 2,000.00
	Maint. & Repairs	D5130.414	\$ 5,900.00
From:	Salaries PT/Seasonal	A7141.102	\$ 1,600.00
To:	Salaries PT/Seasonal	A7310.102	\$ 1,600.00
From:	Employee Benefits	A8686.800	\$ 75.00
To:	Materials & Supplies	A8686.401	\$ 75.00
From:	TAN Interest	A1900.702	\$40,000.00
To:	Legal Expense	A1420.462	\$40,000.00
From:	Unemployment	B9000.805	\$ 5,000.00
To:	Health & Dental	B9000.806	\$ 5,000.00
From:	Social Security	S9000.803	\$ 1,756.00
To:	Overtime	S8120.103	\$ 1,500.00
	Interfund Charge/ Rent	S8120.423	\$ 255.00
	Debit Service – Interest	S9700.701	\$ 1.00

Revisions

Increase:	Recreation Fees- Camp	A02002	\$ 40,806.00
Increase:	Materials & Supplies	A7141.401	\$ 3,986.00
Increase:	Transportation	A7141.431	\$ 760.00
Increase:	Contractual Services	A7141.450	\$ 36,060.00
Increase:	Insurance Recoveries	MW02680	\$117,800.00
Increase:	Workers Comp. Claims	MW1930.304	\$117,800.00

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

B) MEMORANDUM FROM COMPTROLLER RE: SEASONAL EMPLOYEES

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve the following Rate Change adjustments:

NAME	JOB TITLE	TYPE	RATE	EFF. DATE		DEPT.
Anello, Ashley	Rec Attendant	PTA	\$10.00	10/15/2018	Rate Change	Recreation
Anello, Nicolette	Rec Attendant	PTA	\$10.00	10/15/2018	Rate Change	Recreation
Doukas, Lucas	Rec Attendant	PTA	\$10.00	10/15/2018	Rate Change	Recreation
Elson, Luke	Rec Attendant	PTA	\$10.00	9/24/2018	Rate Change	Recreation
Felipe, Jack	Rec Attendant	PTA	\$10.00	10/15/2018	Rate Change	Recreation
Fogliano, Giuliana	Rec Attendant	PTA	\$10.00	10/15/2018	Rate Change	Recreation
George, Daniel	Rec Attendant	PTA	\$10.00	10/15/2018	Rate Change	Recreation
Gresia, Joseph	Rec Attendant	PTA	\$10.00	9/24/2018	Rate Change	Recreation
Mancuso, Dominick	Rec Attendant	PTA	\$10.00	9/28/2018	Rate Change	Recreation
Tallent, Julia	Rec Attendant	PTA	\$10.00	10/15/2018	Rate Change	Recreation
Zeolla, Michael	Rec Attendant	PTA	\$10.00	10/15/2018	Rate Change	Recreation

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

C) MEMORANDUM FROM COMPTROLLER RE: EMPLOYEE HANDBOOK

Supervisor Colavita reviewed a memo submitted by Town Comptroller Dawn Donovan in which she requests approval of the revised Employee Handbook which was revised with the assistance of Public Sector Consultants, Human Resource Consultants in conjunction the Town Labor Attorney's office. The handbook has been reviewed by the CSEA and the Eastchester Police Union. The revision of handbook has been a work in progress and is now ready for the Town Board to readopt it as the official Town of Eastchester Handbook.

The handbook contains the Town's various personnel policies, and procedures, employee benefits, compliance policies, and other pertinent information governing employment related matters; and laws that govern how we handle employee and employment issues.

The major updates of the handbook include the following:

- Section 507 – Vehicle usage policy – updated to include our current policy
- Section 511 – IT policy – updated to include our current policy
- Section 512 – Social Media Policy – to include our current policy
- Section 604 – Leave for Cancer Screening – new
- Section 605 – Bone Marrow screening – new
- Section 811 – Cobra Policy – updated to current law
- Section 820 – EAP – new
- Section 903 – Non Discrimination & Harassment – updated as per new state law
- Section 1105 – Reporting Improper Activities – new

Once approved, the Town of Eastchester Employee Handbook will be distributed to all new employees at the time of hire. The handbook will be put in the Groupshare folder and each employee will be provided with a hard copy of the Handbook. Councilman Dooley offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION to adopt the Employee Handbook of the Town of Eastchester.

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

D) MEMORANDUM FROM COMPTROLLER RE: MEBCO INTERMUNICIPAL AGREEMENT

The Town has been a member of MEBCO since 1989. MEBCO has recently revised the IMA and has required all members to approve the new agreement. Therefore, we need Town Board approval of the agreement and authorization for the Town Supervisor to sign. This agreement has been reviewed by our Town Attorney.

The changes to the agreement will allow the Town to participate in a captive for stop loss coverage and the highlights of the changes are below.

- A captive is another insurance vehicle that allows smaller groups to self-insure in a confined risk arrangement.
- A captive will allow MEBCO to keep its protected tiered structure, allowing the group to self-insure with protection from mid-size and catastrophic claims.
- There will be no change in plan or benefits to the member.

This agreement is effective on September 28, 2018 and amends, restates and supersedes the MEBCO agreement of June 24, 2013.

Per a request from Comptroller Dawn Donovan, Councilman Marcoccia offered a motion that was seconded by Councilman Bellitto to approve a Resolution authorizing the Town Supervisor to sign the revised IMA agreement to continue participation in the MEBCO health plan.

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

E) MEMORANDUM FROM TOWN CLERK RE: APPROVAL OF 2019 PARKING MANAGEMENT PLAN FOR THE GRAYROCK ROAD COMMUTER LOT

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the Supervisor to sign the 2019 Parking Management Plan for the Grayrock Commuter Lot and approval of the 2019 Rules and Regulations.

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

IX. MISCELLANEOUS BUSINESS - none

X. COUNCIL MEMBER REPORTS

Councilman Marcoccia announced the Lake Isle Golf Fall Tournament - *Best Ball of Four and Cookout* will be held on October 13th. The cost is \$30 per person.

Mr. Marcoccia announced Lake Isle County Club is offering golf members the opportunity to bring two guests for the price of one on weekdays after 9am and on weekends after 11am for the remainder of the golf season. Regular cart rates apply for all golfers.

Councilman Bellitto reported the Eastchester Instructional Basketball League (EIBL) is an instructional basketball league that emphasizes learning and fun. The league is for resident boys and girls in 4th-8th grade. There is one practice per week, starting in late November and games will be played on Saturdays starting in December through early March 2019.

Further, Mr. Bellitto invited 7th and 8th graders who live in Eastchester, Tuckahoe and Bronxville to join Teen Scene. Teen Scene offers a place for teens to get together, have fun and make new friends in a safe, chaperoned environment. This year, there will be one in town event a month and one trip.

Councilman Dooley congratulated the Eastchester Italian American Citizens Club for their victory in the annual golf outings between the Eastchester Irish American Social Club vs. Eastchester Italian American Citizens Club that was held on October 1st and raised scholarship funds for both clubs.

Additionally, Mr. Dooley acknowledged and thanked the many volunteers that worked to bring a series of events to fruition over the past weekend including the Eastchester 5K Run, Eastchester Environmental Committee's Green Festival and the Eastchester Historical Society's dinner with 'Edgar Allan Poe.'

In closing, Councilman Dooley announced that donations for the Library Tag Sale will be accepted starting October 27th. The Sale will take place November 2nd through 5th.

Councilwoman Nicholson invited residents to the Annual Town Yardsale being held on Sunday, October 3rd from 10 – 3 at the Eastchester Library. Proceeds of the day will benefit the Eastchester Beautification Foundation.

Councilwoman Nicholson announced the Eastchester/Tuckahoe Chamber of Commerce will hold a Harvest Festival Saturday, October 30th at Depot Square in Tuckahoe from 11am – 3pm.

Supervisor Colavita reported Westchester County continues to draft the RFP for engineering services for the retrenching of the Hutchinson River that runs through Scarsdale, Eastchester and New Rochelle. The Supervisor explained large culverts will be installed prior to the trenching to prevent flooding.

Supervisor Colavita thanked the Eastchester Veterans for organizing the Gold Star Mother's Day ceremony that was held on Sunday, September 30th and congratulated Eastchester PBA for celebrating former Police Officer DePippo each year by hosting the Joe DePippo Golf Outing.

XI. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Note to the reader: Frequently, a clarification or general question concerning an Agenda Item or topic previously discussed is requested during this Opportunity to Address the Board. To benefit the reader, the clarifications and additional information are included at the point when the Item is considered and discussed by the Town Board.

Mike Denning suggested the Westchester County Parks Department stage be rented for the Columbus Day Festival instead of renting a stage from Greenburgh. Supervisor Colavita explained the Greenburg stage is a better stage and costs less to rent.

David Levy inquired as to the process of multiple lots being merged into a single lot. The Supervisor explained there are circumstances under which lots are merged including instances where a house is located on two lots. The two lots are merged automatically. Further, the Town Planner and/or the Assessor use conditions set forth in the Law, including the Zoning Code, to merge lots.

There being no further public business, the meeting was adjourned at 8:55 p.m. with a moment of silence for Ginger Cesarini, Patrick Murphy, Arthur Reid and Antonio Solano.

Minutes prepared by;

Linda Laird
Town Clerk