Minutes of the Reorganization Meeting of the Town Board of the Town of Eastchester held on January 2, 2018 at 7:00 p.m., at the Town Hall, Eastchester, New York.

Councilman Dooly Called the Meeting to Order and lead the audience in the Pledge of Allegiance.

II. OATHS OF OFFICE

- TOWN COUNCIL

Town Justice Janet M. Calano administered the Oath of Office to Councilwoman Theresa Nicholson, who had been elected for a four-year term beginning January 1, 2018 and ending December 31, 2021.

Town Justice Janet M. Calano administered the Oath of Office to Councilman Luigi Marcoccia, who had been elected for a four-year term beginning January 1, 2018 and ending December 31, 2021.

- SUPERVISOR

Town Justice Frederick Salanitro administered the Oath of Office to Supervisor Anthony S. Colavita, who had been elected for a two-year term beginning January 1, 2018 and ending December 31, 2019.

Upon completing the Oath of Office each individual thanked the voters for their support and acknowledged the attendance of their family members and pledge to continue to work hard for each of you and to always do what is in the best interests of our Town. Each stated it has been an honor and privilege to serve the residents of the Town.

Tuckahoe Village Mayor Steven Ecklond and Westchester County Legislator Damon Maher congratulated those who had been re-elected and, as in the past, pledged to work together in the future.

III. APPOINTMENTS AND DESIGNATIONS

A) APPOINTMENT – TOWN ATTORNEY

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the reappointment of Louis Reda as Town Attorney for a term January 1, 2018 – December 31, 2019 at an annual salary set forth in the budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

B) APPOINTMENT – DEPUTY TOWN ATTORNEY

Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to approve the reappointment of Robert Tudisco as Deputy Town Attorney for a term January 1, 2018 – December 31, 2019 at an annual salary set forth in the budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

C) APPOINTMENT – COMPTROLLER

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve the reappointment of Dawn T. Donovan as Comptroller for a term January 1, 2018 – December 31, 2019 at an annual salary set forth in the budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.
D) APPOINTMENT – COURT CLERKS

Councilman Dooley offered a motion that was seconded by Councilwoman Nicholson to approve the reappointment of Rocco Cacciola as Court Clerk for a term January 1, 2018 – December 31, 2019 at an annual salary set forth in the budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve the reappointment of Daniela Cavallo as Court Clerk for a term January 1, 2018 – December 31, 2019 at an annual salary set forth in the budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

E) APPOINTMENT – DIRECTOR OF PLANNING

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the reappointment of Margaret Uhle as Director of Planning for a term January 1, 2018 – December 31, 2019 at an annual salary set forth in the budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

F) APPOINTMENT – ADMINISTRATOR OF HOUSING

Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to approve the reappointment of Karen Gizzo as Administrator of the Housing Voucher Program for a term January 1, 2018 – December 31, 2019 at an annual salary set forth in the budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

G) APPOINTMENT – SUPERINTENDENT OF HIGHWAYS

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the reappointment of Hector DiLeo as Superintendent of Highways for a term January 1, 2018 – December 31, 2019 at an annual salary set forth in the budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

H) APPOINTMENT – CONFIDENTIAL ASSISTANT TO THE SUPERVISOR

Per the recommendation of Supervisor Colavita, Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to approve the reappointment of Lisa Pinto as Confidential Assistant to the Supervisor for a term January 1, 2018 – December 31, 2019 at an annual salary set forth in the budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

I) APPOINTMENT – TOWN CONSTABLE

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve the reappointment of Philip Rosenstock as Town Constable for a term January 1, 2018 – December 31, 2019.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

J) APPOINTMENT – MARRIAGE OFFICERS
Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the reappointment of Supervisor Anthony Colavita and Town Clerk Linda Laird as Marriage Officers for a term January 1, 2018 – December 31, 2019.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

K) APPOINTMENTS – BOARD OF TRUSTEES POLICE PENSION FUND

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the following reappointments to the Board of Trustees of the Police Pension Fund effective January 1, 2018 – December 31, 2019.

Supervisor Anthony S. Colavita, Chairman
Councilman Joseph Dooley, Treasurer
Town Clerk Linda Laird, Secretary
Councilman Theresa Nicholson, Member
Councilman Luigi Marcoccia, Member
Councilwoman Glenn Bellitto, Member
Police Chief Timothy Bonci, Member
Town Attorney Louis Reda

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

L) APPOINTMENTS – POLICE ADVISORY BOARD

Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to approve the reappointment of Carl Maiello (Chairman), Tom Andrus and Michael Mosca to the Police Advisory Board for a term January 1, 2018 – December 31, 2019.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

M) APPOINTMENT – BOARD OF ASSESSMENT REVIEW

Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to approve the reappointment of Michael O’Leary to the Board of Assessment Review effective January 1, 2018 – December 31, 2022.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

N) APPOINTMENT – ARCHITECTURAL REVIEW BOARD

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the reappointments of Enda McIntrye, Laura Raffiani(Chair), Carlos Garcia, Jennifer Nemecek, Silvio Luca and Judy Blau (alternate) to the Architectural Review Board effective January 1, 2018 – December 31, 2019.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

O) APPOINTMENTS – CABLE TELEVISION ADVISORY COMMITTEE

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the reappointment of Keith Bloomfield (Chairman), Thomas Kennedy and Nicholas Dator to the Cable Television Advisory Committee for a term January 1, 2018 – December 31, 2019.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.
P) APPOINTMENTS – COMMITTEE FOR THE DISABLED

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve the reappointment of Jennifer McNamee (Chairperson), Fran Clark and Florence Kooluris to the Committee for the Disabled for a term January 1, 2018 – December 31, 2018.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

Q) APPOINTMENTS – TRAFFIC AND PARKING ADVISORY COMMITTEE

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the reappointment of Ellen DelColle (Chairwoman), Charles Galanek, Thomas Fix, Ira Goldman, Maria Gruber and John Walzer to the Traffic and Parking Advisory Committee for a term January 1, 2018 – December 31, 2018.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

R) APPOINTMENTS – HAZARD MITIGATION COMMITTEE

Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to approve the reappointment of Nick Gerald, George Papademetriou and Lt. Robert Jensen to the Hazard Mitigation Committee for a term January 1, 2018 – December 31, 2018.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

S) APPOINTMENTS – ENVIRONMENTAL COMMITTEE

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve the reappointment of Peter McCartt (Chairman), Debora Fillis and James Luciano Environmental Committee for a term January 1, 2018 – December 31, 2019.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

T) APPOINTMENT – PLANNING BOARD

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the reappointment of William West to the Planning Board for a term January 1, 2018 – December 31, 2020.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

U) ADOPTION OF RULES OF ORDER AND PROCEDURE OF THE TOWN BOARD OF THE TOWN OF EASTCHESTER

Supervisor Colavita explained a clarification of the Noticing of a Special Town Board Meeting has been provided for in Rules of Order and Procedure; otherwise, it remains unchanged.

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve the Rules of Order and Procedure of the Town Board of the Town of Eastchester as follows:

**RULES OF ORDER AND PROCEDURE OF THE TOWN BOARD OF THE TOWN OF EASTCHESTER**

1. The regular meeting of the Town Board shall be held on the first and third Tuesday of every month. The meetings shall begin at 8:00 o’clock p.m. except that the meetings shall begin at 7:00 o’clock p.m. during the months of November through March. The dates and times of the meetings may be modified by the Town Board.
2. The Supervisor may call a special meeting of the Town Board by giving at least a two day notice in writing to members of the Town Board of the time when and the place where the meeting is to be held. The Supervisor may, and upon written request of two members of the Town Board, shall within ten days, call a special meeting of the Town Board by giving at least a two day notice in writing to members Town Board of the time when and the place where the meeting is to be held.

3. All meetings of the Town Board shall be held within the Town Hall, 40 Mill Road, Eastchester, New York, or at such other place within the Town as the Town Board shall determine by resolution.

4. The Supervisor, when present, shall preside at the meetings of the Town Board. The designated Senior Town Board member shall preside at the meetings in the absence of the Supervisor. The remaining Town Board members shall preside at the meetings by seniority in the event the Supervisor and Senior Town Board member are absent.

5. The majority of the Town Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

6. The vote upon every question shall be taken by ayes and nays, and the names of the members present and their vote shall be entered in the minutes, and the roll call shall be by seniority order commencing with the least senior member and ending with the most senior member of the Councilmen, except that the Supervisor or other Chairman of the meeting shall have the privilege of voting last.

7. Every act, motion or resolution shall require for its adoption the affirmative vote of a majority of all the members of the Town Board except as otherwise required by law.

8. Upon being recognized by the Supervisor or other Chairman presiding at a meeting, a person shall have the opportunity of addressing the Town Board in accordance with the provisions of Section 11 hereunder and after having stated his/her name and address for the record, as follows:

a. When item (e) is reached on the agenda as indicated in the order of business set forth below in Section 9 with a five minute time limit unless waived by the presiding officer.

b. When item (f) is reached on the agenda as indicated in the order of business set forth below in Section Nine, the public comment hereunder shall be strictly limited to the specific action or subject matter set forth in those items listed on the voting agenda and each speaker shall be limited to five minutes unless waived by the presiding officer.

c. When item (m) is reached on the agenda as indicated in the order of business set forth below in section 9, there shall be a time limitation of five minutes per speaker unless waived by the presiding officer.

9. The following shall be the order of business of all the meetings of the Town Board:

a. Call To Order

b. Pledge of Allegiance

c. Roll Call

d. Special Presentations

e. Public Hearings

f. Opportunity to Address the Board
g. Appointments

h. Approval of Minutes

i. Reports of Departments, Boards and Commissions

j. Correspondence

k. Miscellaneous Business

l. Council Member Reports

m. Second Opportunity to Address the Board

n. Adjournment

10. Any of these rules may be suspended for a special purpose by a vote of the members of The Town Board.

11. Notwithstanding anything to the contrary contained herein, at public hearings and opportunities to address the Town Board, the Supervisor or the presiding officer may, at the beginning of the opportunity or hearing, designate the time allowed each person desiring to speak on the question before the Board. No persons shall speak more than once on the same general question and rebuttal shall be permitted with the permission of the Supervisor or presiding officer. At such opportunities or public hearings, the presiding officer may, before the meeting is commenced, designate the hour at which discussion will end, and he shall preserve order and decorum. Further, notwithstanding anything to the contrary contained herein, the Supervisor or presiding officer has no obligation to permit anyone to address the Board who demonstrates abusive, disrespectful or inappropriate conduct.

12. These rules shall not to be construed as abridging or infringing in any manner upon the powers and duties of any member of the Town Board or of the Supervisor as a member thereof as prescribed by law.

13. Any question of order not governed by the foregoing rules shall be decided by the presiding officer in accordance with Robert’s Rule of Order.

14. Within a reasonable time following each meeting of the Town Board, the Town Clerk shall furnish each member thereof with a copy of the minutes of said meeting and same shall be reviewed and approved by the Town Board at a subsequent meeting, subject to any modification as a result of an omission or a correction thereof.

15. Public meetings of the Town Board may be televised on the Town’s local cable access channels or website in the public interest.

16. Upon their adoption by the Town Board, these rules shall supersede all previous rules or order and procedure and shall remain in effect until otherwise amended or superceded by the Board.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

V) DESIGNATION - SENIOR TOWN BOARD MEMBER

Councilman Dooley offered a motion that was seconded by Councilwoman Nicholson to approve the Designation of Luigi Marcoccia as Senior Town Board Member effective January 31, 2018 – December 31, 2019.
On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

W) DESIGNATION OF THE TOWN BOARD AS THE GOVERNING BODY FOR POLICE MATTERS

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve the Designation of the Town Board as the governing body for Police Matters.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

X) DESIGNATION - TOWN COUNCIL MEMBER LIAISON DESIGNATIONS BY SUPERVISOR

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the Town Council Member Liaison Designations effective January 31, 2018 – December 31, 2019:

SUPERVISOR COLAVITA
- Police/Auxiliary Police
- Beautification
- Veteran Affairs
- Assessor
- Emergency Operations

COUNCILWOMAN THERESA NICHOLSON
- Environmental Committee
- Historical Society
- Cable Television Advisory Committee
- Intermunicipal Affairs
- Website/IT/Communications

COUNCILMAN LUIGI MARCOCCIA
- Zoning/Planning/ARB
- Building Department
- EVAC
- Lake Isle
- Disability Committee
- TPAC

COUNCILMAN JOSEPH DOOLEY
- Lake Isle
- Library
- Highway/Sanitation/Recycling
- Service Groups/Organizations
- Special Events

COUNCILMAN GLENN BELLITO
- Parks & Grounds
- Law Department
- Recreation
- Courts
- Seniors

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.
Y) DESIGNATION OF OFFICIAL NEWSPAPER

Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to approve the Designation of The Eastchester Rising as the official newspaper of the Town of Eastchester and The Eastchester Review as the secondary official newspaper.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

Z) DESIGNATION OF AUTHORIZED SIGNATURES AND DESIGNATED DEPOSITORIES

Per a request from Comptroller Donovan, Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to authorize the Town Supervisor, Town Comptroller and Junior Accountant as Authorized Signatures and to approve the following banks to be authorized financial institutions for the Town of Eastchester for 2018:

- JP Morgan Chase
  - 360 White Plains Road, Eastchester, NY 10709
  - 676 White Plains Road, Scarsdale, NY 10583
- Country Bank
  - 80 Garth Road, Scarsdale, NY 10583
- Sterling Bank
  - 35 E. Grassy Sprain Road, Yonkers, NY 10710
- NY CLASS
  - 777 Westchester Ave. White Plains, NY 10604
- People’s United Bank
  - 111 Kraft Avenue, Bronxville, NY 10708
- TD Bank
  - 3020 Westchester Ave., Purchase, NY 10577

On the roll call, all voted "AYE," except Councilman Dooley, who “ABSTAINED.” Motion carried.

AA) DESIGNATION OF INDEPENDENT AUDITORS

Per a request from Comptroller Donovan, Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to engage PKF O’Connor Davies LLP as the auditing firm for the Town of Eastchester. Funds have been provided in the 2018 Budget.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

BB) DESIGNATION OF PROCUREMENT POLICY UPDATE

Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to approve the revision of the Town of Eastchester Procurement Policy by updating the following Section XII – Official’s responsible for Purchasing Decisions and the added two new sections as per State and Federal requirements:

SECTION XII. CONFLICT OF INTEREST (NEW)

No Town officer or employee will have an interest in any contract with the Town of Eastchester when such employee has the authority or the responsibility to do the following:

1. Negotiate, prepare, authorize or approve a contract or authorize or approve its payment.
2. Audit bills or claims.
3. Appoint an officer or employee who has any of authority or responsibilities set forth above.
The term “contract”, in this context, refers to any claim, demand against, or agreement with the Town: either express or implied.

Any Town officer or employee who has, or acquires an interest in, any actual or proposed contract with the Town shall publicly disclose the nature and extent of such interest in writing to the Comptroller’s as soon as he/she has knowledge of an actual or prospective interest. This written disclosure will be kept on file.

Any officer or employee who has reason to believe that he/she may have a conflict of interest, should contact the office of the Town Attorney immediately.

Federally Funded Purchasing Conflict of Interest Statement:
No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer ,or agent , any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents can neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. If the financial interest is not substantial or the gift is an unsolicited item of nominal value, no further action will be taken. However, disciplinary actions will be applied for violations of such standards otherwise.

SECTION XIII. FEDERAL PURCHASING REGULATIONS (NEW)

Any purchases to be made using State or Federal funding, must be completed and monitored according to the Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Award (2CFR200).

For the purchasing of goods and services using Federal funding, the Town of Eastchester Purchasing Policies and Procedures are to be followed.

It is the responsibility of the requesting Department Head to ensure that all Federal Purchasing Regulations are followed for the purchase and the monitoring of contractor performance as a result of that purchase

SECTION XIV. OFFICIALS RESPONSIBLE FOR PURCHASING DECISIONS

Pursuant to Chapter 402 of the Laws of 2007, effective January 2, 2018, as required under Section 104 of the NYS General Municipal Law, the Town is including the names of the municipal officials responsible for purchasing decisions, as follows:

Anthony Colavita - Town Supervisor
Luigi Marcoccia – Town Council
Glenn D. Bellitto – Town Council
Joseph D. Dooley– Town Council
Theresa Nicholson– Town Council
Dawn T. Donovan - Town Comptroller
Janet M. Calano – Town Justice
Frederick Salanitro – Town Justice
Linda Laird – Town Clerk
Rocco Cacciola- Receiver of Taxes
Louis Reda– Town Attorney
Hector Di Leo- Superintendent of Highway
Sally Veltidi –Superintendent of Parks & Recreation
Gilda Press – Director of Senior Programs
On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

CC) DESIGNATION OF INVESTMENT POLICY

Per a request from Comptroller Donovan, Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION to amend the Investment Policy of the Town of Eastchester to include the updated list of authorized banks to reflect new maximum limits per bank.

On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

DD) DESIGNATION OF ATTORNEYS

Per a request from Town Attorney Lou Reda, Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the Supervisor to permit the following firms to represent the Town of Eastchester in various legal matters. Each firm is specialized in specific areas of law and is highly qualified and experienced attorneys.

1. Biaggi & Biaggi
   - Partner: $185.00
   - Associate: $135.00
   - Paralegal: $90.00

2. Cerussi & Spring
   - Partner: $210.00
   - Associate: $170.00
   - Paralegal: $65.00

3. Law Office of Vincent Toomey
   - Partner: $190.00
   - Associate: $165.00
   - Paralegal: $95.00

4. Wilson, Elser, Moskowitz, Edelman & Dicker LLP
   - Partner: $220.00
   - Associate: $190.00
   - Paralegal: $85.00

5. Sokoloff Stern LLP
   - Partner: $250.00
   - Associate: $200.00
   - Paralegal: $85.00

6. Law Offices of Aldo Vitagliano
   - $2,500 per month

7. Hawkins Delafield & Wood LLP
   - Per fee schedule

8. Miller and Lee
   - Partner: $185.00
   - Associate: $150.00
   - Paralegal: $80.00

9. Scalise & Hamilton, LLP
   - Partner: $185.00
   - Associate: $150.00
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On the roll call, all voted “AYE,” except Councilman Bellitto who was “ABSENT.” Motion carried.

There being no further public business, the meeting was adjourned at 8:00 p.m. with a moment of silence for Gage Bellitto, son of Councilman Glenn Bellitto.

Minutes prepared by:

Mary T. Swikata
Deputy Town Clerk