

MINUTES OF THE TOWN BOARD
December 6, 2016

Minutes of a Meeting of the Town Board of the Town of Eastchester held on December 6, 2016 at 7:00 p.m., at the Town Hall, 40 Mill Road, Eastchester, New York. Mr. Bellitto arrived at 7:05 p.m.

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 TO CONSIDER THE ADOPTION OF THE TOWN OF EASTCHESTER'S 2017 CALENDAR YEAR BUDGET

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to open the Public Hearing to consider the adoption of the 2017 Town Budget. The Supervisor read the Meeting Notice and confirmed an Affidavit of Publication of the Hearing Notice was received.

**LEGAL NOTICE OF HEARING ON
2017 PRELIMINARY BUDGET**

Please take notice that the Town Board of the Town of Eastchester shall hold its annual budget hearing on **TUESDAY, December 6, 2016** to consider the adoption of the Town of Eastchester's **2017** calendar year budget. Said hearing on this Preliminary Budget shall be held at the Town Hall, 40 Mill Road, Eastchester, New York at **7:00 p.m.**

The salaries of Elected Officials incorporated in said preliminary budget are as follows:

		Each	Total
Supervisor	(1)	\$98,093.00	\$98,093.00
Council Members	(4)	\$15,831.00	\$63,324.00
Judges	(2)	\$42,545.00	\$85,090.00
Receiver of Taxes	(1)	\$35,000.00	\$35,000.00
Town Clerk	(1)	\$87,605.00	\$87,605.00

All residents of the community may present written or oral comments at the above-described place, date and time.

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

Peter DeFelice asked what the 'cash balance' of each department is for 2016. The Supervisor explained the budget is a spending plan for 2017 and not a report of cash balances for the town departments.

Comptroller Dawn Donovan provided an overview of the 2017 Budget by explaining that since its inception in 2012, the Town Board has produced budgets that stay within the NYS Tax Levy Cap. The 2017 'cap' is 0.68%, resulting in an allowable levy of \$20,062,967. The 2017 Town of Eastchester budget levy is \$11,875 less than that amount.

Mrs. Donovan explained the Board has maintained conservative fiscal management of the Town's finances and benefits from the highest rating category, Aaa, from Moody's Investor Services. In addition, the Office of the State Comptroller (OSC) reviews the Town's fiscal stress on an annual basis and the Town continues to be in the no designation category.

The total budget for 2017 is \$34,848,372 which represents a \$409,328 increase over the 2016 budget.

The total Townwide Tax levy for the 2017 budget is \$3,566,883. Property taxes count for 40% of the Townwide revenue budget, 13% or \$1,175,000 from fund balance with the remaining 47% mainly consisting of department revenue, and mortgage taxes. The 2017 Townwide budget will generate a 3.7% property tax rate increase, which amounts to an increase of \$1.2130 per thousand dollars of assessed valuation. What this means is that: an average house in the Village of Bronxville with an assessment of \$21,800 will pay \$27.43 more per year (\$2.29 per month); an average house in the Village of Tuckahoe with an assessment of \$7,300 will pay \$9.18 more per year (\$0.77 per month).

Supervisor Colavita and Councilman Marcoccia noted the impact of the decrease in the average Assessment (-9,200 in Eastchester, -7,300 in Tuckahoe and -21,800 in Bronxville) by explaining a 3% deficit had to be made up by increased revenues or decreased expenditures before the budget process began.

Mrs. Donovan reported the total Town Outside Tax levy for the 2017 budget is \$19,926,230. Property taxes account for 57% of the Town Outside revenue budget, 9% or \$3,250,000 from fund balance and the remaining 34% mainly consisting of department revenue and sales taxes. The 2017 Town Outside budget will generate a 3.65% property tax rate increase, which amounts to an additional \$11.6471 per thousand dollars of assessed valuation. What this means is that an average house in the Town Outside portion of Eastchester with an assessment of \$9,200 will pay an additional \$107.57 per year (\$8.96 per month).

The Comptroller noted a 25% reduction in the number of full time employees, 194 in 2003 to 148 budgeted for in 2017 and an overall reduction in departmental spending of between 5% and 10% that has been budgeted for 2017. Mortgage tax is slightly higher than anticipate, but we will not be raising this economically sensitive revenue due to the anomaly in 2016. Further, health insurance premiums will increase approximately 13% in 2017.

One of the most significant obligations of the Town which has the greatest impact on this budget is our pension contribution. The 2016-17 pension contribution is estimated to be \$2,312,338, which is a minor increase from prior years. The chart below reflects the actual 10 year amounts the Town has had to pay.

YEAR	TOTAL	POLICE AMOUNT	ERS AMOUNT
2008	1,446,257	735,475	710,782
2009	1,336,868	722,594	614,274
2010	1,193,412	599,031	594,381
2011	1,670,977	736,054	934,923
2012	2,345,828	966,441	1,379,387
2013	2,555,308	1,261,511	1,293,797
2014	2,664,705	1,316,822	1,347,883
2015	2,521,937	1,268,763	1,253,174
2016	2,268,003	1,176,195	1,091,808
2017	2,312,338	1,270,215	1,042,123

Supervisor Colavita acknowledged the attendance of the Town Department Heads and thanked them for their efforts in continuing their excellent service to residents with fewer resources and staff. Supervisor Colavita explained the Town Board continues to hold their salaries flat and that he continues to pay a health insurance premium.

David Levy thanked the Town Board for holding their salaries flat and asked why, with the rebound of the housing market, the assessments are still down. Supervisor Colavita explained a lag on housing values can be expected after a recession.

Fire Commissioner Dennis Winter commended the Town Board on the 2017 Budget and the reductions in the workforce and stated the Fire District is grappling with the same increases in health insurance and NYS Retirement System contributions.

There being no further public comment, Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to close the 2017 Budget Public Hearing.

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

. C) MEMORANDUM FROM COMPTROLLER RE: ADOPTION OF 2017 PRELIMINARY BUDGET

Supervisor Colavita explained a few changes to the Preliminary Budget are needed to be approved prior to considering the adoption of the Budget.

Councilman Bellitto offered a motion that was seconded by Councilman Marcoccia to approve the following changes to the 2017 Preliminary Budget:

		Preliminary Budget	Additions/ (Reductions)	New Budget Amount	COMMENT
TOWNWIDE					
A1110.100	Justice Court - Pers Svce	317,105	24,452	341,557	Staff reorganization
A1355.100	Assessor - Pers Svce	170,031	32,740	202,771	Staff reorganization
A1355.102	Assessor - PT Sal	20,000	(20,000)	-	Staff reorganization
A8686.100	Comm Develop - Pers Sv	139,215	(7,606)	131,609	Staff reorganization
			29,586		

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

Councilman Dooley offered a motion that was seconded by Supervisor Colavita to approve the following changes to the 2017 Preliminary Budget:

		Preliminary Budget	Additions/ (Reductions)	New Budget Amount
TOWNWIDE				
A 04910	Federal Aid - Comm Dev	(175,000)	(25,000)	(200,000)
A 01001	Real Property Taxes	(3,562,297)	(4,586)	(3,566,883)
			(29,586)	

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

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve the following changes to the 2017 Preliminary Budget:

		Preliminary Budget	Additions/ (Reductions)	New Budget Amount	COMMENT
LAKE ISLE					
E 02009	Restaurant Concession	(324,000)	(6,480)	(330,480)	Adjusted due to new agreement
E 3600.499	Contingencies	63,455	6,480	69,935	

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

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION to Adopt the 2017 Preliminary Budget.

Councilman Marcoccia reflected on the budget process, staying under the NYS 'tax cap' while maintaining services and making investments in infrastructure, including the building of a new senior building at Lake Isle.

Councilman Bellitto explained the 2017 Budget does a good job of balancing the quality of services and keeping taxes as low as possible. He explained the townwide budget; support in part, Senior Services and Recreation Programming to the townwide community of Eastchester, Tuckahoe and Bronxville. While the 'Town Outside' budget, in part funds, Police and Highway services to residents in the unincorporated part of Town much in the way the Village Budgets fund those departments individually in Bronxville and Tuckahoe. The Villages will begin their budget process in the early winter.

Councilman Dooley seconded the sentiments and thanks to Comptroller Dawn Donovan and extended thanks to Department Heads for their hard work and input regarding the Budget.

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

V. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

David Levy suggested activity on the Hudson River will lower the cost of electricity and spoke in opposition to the Resolution that will be considered opposing the U.S. Coast Guard proposed Rule 2016-0132.

VI. APPOINTMENTS

A) APPOINTMENT – SR. OFFICE ASSISTANT – RECREATION

At the request of the Superintendent of Parks & Recreation Sally Veltidi, Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve the appointment of Stuart Rabin to the position of Sr. Office Assistant (Recreation), effective January 1, 2017, at the annual salary of \$59,486.00 (Grade VI, Step 4) . Stu has successfully passed the civil service exam and his name appears on the Westchester County Civil Service List #62-380. Stu has been with the Town of Eastchester since May, 2006.

If approved this change would be. 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 2017 budget.

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

VII. APPROVAL OF MINUTES

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the Minutes of the November 15, 2016 Regular Town Board Meeting, the November 14, 2016 Special Town Board Meeting and the November 28, 2016 Special Town Board Meeting as prepared by Town Clerk Linda Laird.

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

VIII. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A) LAW DEPARTMENT REPORT

1. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY TUCKATOO, LLC

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Tuckatoo, LLC affecting premises known as Section 33, Block 8, Lot 16, 75 Main Street, Tuckahoe, as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT	AMOUNT OF REDUCTION
2008	2009	\$1,950.00	\$1,700.00	\$250.00
2009	2010	\$1,950.00	\$1,800.00	\$150.00
2010	2011	\$1,950.00	\$1,900.00	\$ 50.00
2011	2012	\$1,950.00	\$1,850.00	\$100.00
2012	2013	\$1,950.00	\$1,850.00	\$100.00
2013	2014	\$1,950.00	\$1,850.00	\$100.00
2014	2015	\$1,950.00	\$1,750.00	\$200.00
2015	2016	\$1,950.00	\$1,800.00	\$150.00

Tuckahoe School Board Approved the Settlement

TOTAL TOWN TAX REFUND.....\$33.58

2. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY TUCKATHREE, LLC

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

authorizing the settlement of a certiorari proceeding instituted by Tuckathree, LLC affecting premises known as Section 33, Block 9, Lot 13B – 76 Main Street, Tuckahoe as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2008	2009	\$5,200.00	\$2,500.00	\$2,700.00
2009	2010	\$5,200.00	\$2,550.00	\$2,650.00
2010	2011	\$5,200.00	\$2,750.00	\$2,450.00
2011	2012	\$5,200.00	\$2,650.00	\$2,550.00
2012	2013	\$5,200.00	\$2,650.00	\$2,550.00
2013	2014	\$5,200.00	\$2,700.00	\$2,500.00
2014	2015	\$5,200.00	\$2,550.00	\$2,650.00
2015	2016	\$5,200.00	\$2,300.00	\$2,900.00

Tuckahoe School Board Approved the Settlement

TOTAL TOWN TAX REFUND..... \$657.13

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

3. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY TUCKAHOUSE, LLC

Supervisor Colavita Councilman Marcoccia offered a motion that was seconded by to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Tuckahouse, LLC affecting premises known as Section 33, Block 9, Lot 12,

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT	AMOUNT OF REDUCTION
2008	2009	\$14,600.00	\$13,100.00	\$1,500.00
2009	2010	\$14,600.00	\$13,300.00	\$1,300.00
2010	2011	\$14,600.00	\$13,850.00	\$ 750.00
2011	2012	\$14,600.00	\$13,300.00	\$1,300.00
2012	2013	\$14,600.00	\$13,300.00	\$1,300.00
2013	2014	\$14,600.00	\$13,400.00	\$1,200.00
2014	2015	\$14,600.00	\$12,700.00	\$1,900.00
2015	2016	\$14,600.00	\$11,550.00	\$3,050.00

Tuckahoe School Board Approved the Settlement

TOTAL TOWN TAX REFUND \$390.05

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

4. RESOLUTION AUTHORIZING THE SUPERVISOR AND THE TOWN BOARD THE ABILITY TO OPPOSE THE ADOPTION OF THE U.S. COAST GUARD PROPOSED RULE 2016-0132 DUE TO THE CONFLICT WITH EFFORTS TO CLEAN UP THE HUDSON RIVER

Councilman Dooley offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the Supervisor and the Town Board the ability to oppose the adoption of the U. S. Coast Guard proposed rule 2016 – 0132 due to the fact that the proposal is in direct conflict with efforts to clean up the Hudson River.

RESOLUTION
IN OPPOSITION TO U.S. COAST GUARD PROPOSED RULE 2016-0132

WHEREAS, the U.S. Coast Guard is considering establishing new anchorage grounds in the Hudson River from Yonkers, NY, to Kingston, NY pursuant to proposed rule 2016-0132; and

WHEREAS, such rule would extend significantly the Hudson River Anchorage Ground adjacent to the City of Yonkers, Village of Hastings-on-Hudson, Village of Dobbs Ferry, and other locations in order to allow for increased shipping and on-river storage activities; and

WHEREAS, numerous identified impacts exist, including the potential for harm to river bottom habitat, harm to protected species, impact on the value of waterfront property, reduction of business activity from tourism, loss of tax revenues, hazards to recreational boaters, the presence of volatile cargo, and the placement of a potential terrorist target adjacent to significant populations; and

WHEREAS, the proposal is in direct conflict with 50 years of significant effort to clean up the Hudson River and restore its natural habitats by all levels of government and numerous regional and community-based organizations; and

RESOLVED, that the Town Board of the Town of Eastchester strongly oppose the adoption of U.S. Coast Guard proposed rule 2016-0132 for the reasons cited above; and

FURTHER RESOLVED, to urge a comprehensive briefing of elected and public safety officials from all affected river communities in Westchester, such briefing to include additional technical details of the proposal, timelines, and the status of the environmental review under NEPA; and

FURTHER RESOLVED, that this resolution be distributed to Senator Charles Schumer, Senator Kirsten Gillibrand, Congresswoman Nita Lowey, Congressman Eliot Engel, Governor Andrew Cuomo, Secretary of State Rossana Rosado, State Senator Andrea Stewart-Cousins, State Assemblyman Thomas Abinanti, County Executive Robert Astorino, and County Legislator Mary Jane Shimsky.

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

B) BUILDING DEPARTMENT REPORT for October 2016 was received for filing.

IX. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: BUDGET TRANSFER

		<u>Transfers</u>	
From:	Personal Services	L7410.100	\$ 12,000.00
To:	Salaries P/T	L7410.102	\$ 12,000.00
From:	Utilities	A7150.435	\$ 10,000.00
To:	Maint. & Repairs	A7150.414	\$ 10,000.00

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 Marcoccia to approve the re-hiring of Thomas Pinto, effective October 1, 2016 at \$12.00 per hour and Lowell Robinson, effective December 1, 2016 at \$13.00 per hour, as Recreation Attendants in the Recreation Department.

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

C) MEMORANDUM FROM COMPTROLLER RE: ADOPTION OF 2017 PRELIMINARY BUDGET

- See Above

X. MISCELLANEOUS BUSINESS - none

XI. COUNCIL MEMBER REPORTS

Councilman Marcoccia had no report

Councilman Bellitto expanded on comments previously voiced regarding the installation of speed bumps by reporting Westchester County is facing a \$625,000 settlement regarding an accident that occurred when an individual on a bike fell as a result of a speed bump installed at Tibbetts Brook Park.

Councilman Dooley reminded residents to 'shop local' and support our merchants.

Councilwoman Nicholson announced the 1st Annual Gingerbread House decorating contest and asked those interested in participating contact the Recreation Department at 771-3311.

Supervisor Colavita congratulated Westchester County Senior Citizens of the Year recipients; Eastchester residents John F. Larkin and Jim Fillis (Special Recognition) and Bronxville resident Irwin Rothman.

XII. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Jerry Frusciante requested the current status of the new senior center building being planned at Lake Isle. Supervisor Colavita explained the plans are currently available for review in the Supervisor's Office. Mr. Frusciante expressed concern that the project is taking so long.

Peter DeFelice read sections of the Catering Contract Amendments and maintained the caterer must 'house' the nutrition program until the new building is completed.

David Levy complained sub-contractors of Consolidated Edison continue to block parking spaces in the Fisher Avenue lot and had not fed the meters. He suggested a fee should have been imposed. Supervisor Colavita reported street opening permit fees had been paid and that he and Superintendent of Highways DiLeo had visited the site and told the sub-contractors that they are not to park in the lot.

There being no further public comment, the meeting was adjourned at 8:30 pm with a moment of silence for those who lost their lives at Pearl Harbor on December 7, 1941.

Minutes prepared by;

Linda Laird
Town Clerk