

**MINUTES OF THE TOWN BOARD
November 4, 2015**

Minutes of a Meeting of the Town Board of the Town of Eastchester held on November 4, 2015 at 7:00 p.m., at the Town Hall, 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
Councilwoman Theresa Nicholson
Councilman Luigi Marcoccia

Town Clerk Linda Laird
Town Attorney Louis Reda
Comptroller Dawn Donovan

IV. PUBLIC HEARING

A) PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW 8-2015 PROVIDING TO ESTABLISH A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM IN THE UNINCORPORATED TOWN OF EASTCHESTER

Supervisor Colavita explained, in December 2014 the non-profit organization Sustainable Westchester submitted a petition to the NYS Public Service Commission (PSC) on behalf of its member municipalities to implement a Community Choice Aggregation Program (CCA) demonstration program in Westchester County. The PSC authorized Sustainable Westchester to put out an RFP and award contracts for both electric and natural gas supply for residents and small businesses. The Supervisor explained, in addition to adopting a Local Law to establish a CCA Program, municipalities must pass a resolution to qualify and join the CCA.

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

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

Representing Sustainable Westchester, Glenn Weinberg explained Community Choice Aggregation (CCA) is a municipal energy procurement model that enables communities to put out for bid the total demand for electricity and natural gas of participating homes and small businesses and purchase energy on their behalf. Aggregating consumers on a large scale creates the market clout necessary to negotiate lower rates with private suppliers. CCA is currently available in six states: California, Illinois, Massachusetts, Ohio, New Jersey, and Rhode Island. New York will be the seventh. Over five million customers nationwide are served by a CCA program. Most of the programs have grown steadily and have resulted in customer savings. Mr. Weinberg reported an average saving of 10%-14% for the cost of electric and natural gas to participants of a CCA program. He also explained residents will have multiple opportunities to 'opt out' of the program before its implementation and at any time once it is established.

The Town Board expressed concern regarding the thoroughness of the effort to educate the public of the opt-out requirement and pressed Mr. Weinberg to detail the methods in which residents will be notified of the program. It was explained a pre-paid 'opt-out' post-card will be mailed prior to the start of the program offering the opt-out options via phone, email or postcard. Further the energy company, selected after the RFP process, will send a letter to potential participants. Further, Mr. Weinberg reported Sustainable Westchester will work with local municipalities to provide public outreach.

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

There being no further 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 Dooley offered a motion that was seconded by Councilman Bellitto to Adopt Local Law 8 – 2015.

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

V. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

Tom Andruss congratulated the winners of the General Election – Supervisor Colavita, Councilman Bellitto, Councilman Dooley, Councilwoman Nicholson, Judge Salanitro, Judge Calano, Town Clerk Laird, Receiver of Taxes Cacciola and County Legislator Sheila Marcotte.

VI. APPROVAL OF MINUTES

Councilman Bellitto offered a motion that was seconded by Councilwoman Nicholson to approve the Minutes of the October 20, 2015 Town Board Meeting as prepared by Town Clerk Linda Laird.

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 AN INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF EASTCHESTER, THE TOWN/VILLAGE OF SCARSDALE, THE VILLAGE OF TUCKAHOE AND THE VILLAGE OF BRONXVILLE TO FORM A DRUG AND ALCOHOL ENFORCEMENT TASK FORCE AND TO PROVIDE FOR A JOINT COVERAGE ACTION PLAN TO MAINTAIN POLICE SERVICES**

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a **RESOLUTION** authorizing the Supervisor to execute and deliver an Intermunicipal Agreement between the Town of Eastchester, the Town/Village of Scarsdale, the Village of Tuckahoe and the Village of Bronxville to form a Drug and Alcohol Enforcement Task Force and to provide for a Joint Coverage Action Plan to maintain police services.

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

- 2. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY CHESTER HEIGHTS GARDENS CONDOMINIUM – 125 OREGON AVENUE**

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a **RESOLUTION** authorizing the settlement of a certiorari proceeding instituted by Chester Heights Gardens Condominium affecting premises known as Section 80, Block 1, Lots 7.98 through 7.125– 98 – 125 Oregon Avenue, Bronxville, as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT	AMOUNT OF REDUCTION
2010	2011	\$59,500.00	\$53,480.00	\$6,020.00
2011	2012	\$59,500.00	\$51,380.00	\$8,120.00
2012	2013	\$59,500.00	\$51,380.00	\$8,120.00
2013	2014	\$59,500.00	\$51,380.00	\$8,120.00
2014	2015	\$59,500.00	\$48,630.00	\$10,870.00

**To be bonded at a later date*

Tuckahoe School Board Approved the Settlement
TOTAL TOWN TAX REFUND \$11,748.50

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

3. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY BMM ONE, LLC – 83 MAIN STREET

Councilman Dooley offered a motion that was seconded by Councilman Bellitto to approve a **RESOLUTION** authorizing the settlement of a certiorari proceeding instituted by BMM One, LLC affecting premises known as Section 33, Block 6, Lot 14A – 83 Main Street, Tuckahoe, as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2010	2011	\$19,100.00	\$11,550.00	\$7,550.00
2011	2012	\$19,100.00	\$11,100.00	\$8,000.00
2012	2013	\$19,100.00	\$11,100.00	\$8,000.00
2013	2014	\$19,100.00	\$11,740.00	\$7,360.00
2014	2015	\$12,800.00	\$11,110.00	\$1,690.00

Tuckahoe School Board Approved the Settlement
 TOTAL TOWN TAX REFUND \$1,073.79

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

B) BUILDING DEPARTMENT REPORT for September 2015 was received and filed.

VIII. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: BUDGET TRANSFERS/REVISIONS

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

LAKE ISLE

From: Locker Room- Contractual Services	E3150.450	\$ 500.00
Building & Maint. - Equipment	E3250.201	6500.00
Building & Maint. – Small Equipment	E3250.203	3000.00
Building & Maint.- Contractual	E3250.450	900.00
Pools- Small Equipment	E3300.203	1300.00
Pools- Material & Supplies	E3300.401	6500.00
Tennis- Material & Supplies	E3400.401	850.00
Tennis- Contractual Services	E3400.450	250.00
Golf Maint. – Contractual	E3520.450	1200.00
Administration- Materials & Supplies	E3600.401	3000.00
Contingencies	E3600.499	13250.00
To: Administration- PT/ Seasonal	E3600.102	12000.00
Administration- Contractual	E3600.450	25250.00

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

B) MEMORANDUM FROM COMPTROLLER RE: PART TIME

Councilman Dooley offered a motion that was seconded by Councilman Bellitto to approve the following Part-time Availability appointments in the Recreation Department:

NAME	JOB TITLE	RATE	EFFECTIVE DATE	**RATE CHG N-NEW R-RATE/ TITLE CHG
Coviris, Mario	Rec Attendant	\$9.00	11/4/2015	New
Puccini, Thomas	Rec Attendant	\$9.00	11/4/2015	Rehire
Salzo, Fulvio	Rec Attendant	\$9.00	11/4/2015	Rehire

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

C) MEMORANDUM FROM SUPERVISOR RE: PUBLIC HEARING FOR 2016 BUDGET

Councilman Bellitto offered a motion that was seconded by Supervisor Colavita to set a Public hearing for the 2016 Budget for Tuesday, December 1, 2015 at 7:00 p.m. (See Supervisor Colavita's report below for budget report)

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

IX. MISCELLANEOUS BUSINESS - none

X. COUNCIL MEMBER REPORTS

Councilman Marcoccia congratulated the participants of the General Election, reminded residents to change the battery on all smoke and carbon monoxide detectors and announced the merger of Cablevision and Infinity cable systems. In closing Mr. Marcoccia stated his commitment to review each line of the 2016 Budget to look for savings.

Councilman Bellitto announced the Eastchester Environmental Committee's 6th Annual Green Medallion Award ceremony will be held on December 3rd at Broken Bow Brewery and will honor organizations and individuals who promote 'green' activities.

Mr. Bellitto encouraged parents of students in grades 5 – 8 to register for *The History of Energy & Climate Change* to be held at the Eastchester Library on November 21st from 11 -12:30. The science program lead by the Science Barge will provide information on what electricity is and how fossil fuel burning contributes to global climate change.

Councilman Dooley reported the Eastchester Historical Society will present a *Salute to Veterans* on November 17th at 7:30 in the Community Room of Eastchester Town Hall.

Councilwoman Nicholson reminded residents to rake leaves to the edge of their property and not into the street. Highway crews are busy collecting in all neighborhoods in town.

Supervisor Colavita distributed copies of the 2016 Tentative Budget to the member of the Town Board and reported the total budget for 2016 is \$34,433,080 -- which represents a \$31,384 decrease over the 2015 budget. It was noted the 2016 tax levy cap set by the State of New York is .73% resulting in an 'allowable' levy is \$19,926,477. The 2016 Town of Eastchester budget levy is \$44,756 less than that amount. The Board has had a conservative fiscal management of the Town's finances. It has been the judgment of this administration to submit a budget with the most services at the minimum cost to the residents.

The Supervisor reported total Townwide Tax levy for the 2016 budget is \$3,489,335. Property taxes count for 40% of the Townwide revenue budget, 12% or \$1,100,000 from fund balance with the remaining 48% mainly consisting of department revenue, and mortgage taxes. The 2016 Townwide budget will generate a 1.56% property tax rate decrease, which amounts to a decrease of \$.5342 per thousand dollars of assessed valuation. What this means is that: an average house in the Village of Bronxville with an assessment of \$21,600 will pay \$11.54 less per); an average house in the Village of Tuckahoe with an assessment of \$7,400 will pay \$3.95 less per year.

Regarding the Town Outside Tax levy, Supervisor Colavita reported the 2016 budget is \$19,881,721. Property taxes account for 58% of the Town Outside revenue budget, 9% or \$3,185,000 from fund balance and the remaining 33% mainly consisting of department revenue and sales taxes. The 2016 Town Outside budget will generate a 2.62% property tax rate increase, which amounts to an additional \$8.1726 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 \$9,300 will pay an additional \$76 per year.

The Supervisor explained the budget for 2016 continues to require some very difficult decisions in order to balance a budget that represents significant drops in non-property revenues and increased costs across the board.

- The change in assessments from 2015 to 2016 caused an estimated 1.8% increase in the tax rate before the commencement of the budget process, without the changes in assessment the Town tax rate increase would have been at the allowable tax levy cap. The Villages and Town Outside all saw reductions in the assessments. The estimated assessed value used for the 2016 budget is \$103,349,453. The assessed value used for the 2015 budget was \$104,030,501. This is a decrease of \$681,048 or 0.65%.

- We offered a Town retirement incentive and some individuals accepted the incentive, these individuals will be replaced with lower salaried employees with increased health insurance contributions.
- Revenue estimates for 2016 are flat. We have not increased any revenues substantially. Mortgage tax is higher than anticipated, but we will not be raising this economically sensitive revenue due to the anomaly in 2015.
- This budget utilizes \$3,185,000 in fund balance. This is a decrease of \$125,000 over 2015.
- Health Insurance premiums will increase approximately 3-6% in 2016.
- One of the most significant obligations of the Town which has the greatest impact on this budget is our pension contribution. The 2015-16 pension contribution is estimated to be \$2,226,003, which is a decrease from prior years. The chart below reflects the actual 10 year amounts the Town has had to pay.

Supervisor Colavita reminded the public the Office of the State Comptroller (OSC) reviews the Town's fiscal stress on an annual basis. The Town of Eastchester continues to be in the no designation category and based on the Town's strong financial management, Moody's Investor Services upgraded the Town's bond rating from Aa1 to Aaa, the highest rating category. The Supervisor concluded the tentative budget sets forth a fiscal responsible plan while still preserving and maintaining essential municipal services.

XI. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Joel Freeman discussed the advantages of planting witch hazel trees.

Peter DeFelice discussed and questioned aspects of the Island Tennis contracts.

There being no further public comment, the meeting was adjourned at 8:15 p.m.

Minutes prepared by;

Linda Laird
Town Clerk