

**MINUTES OF A SPEICAL TOWN BOARD MEETING  
September 20, 2011**

Minutes of a Special Meeting of the Town Board of the Town of Eastchester held on September 20, 2011 at 6:45 p.m., in the Supervisor's Conference Room.

Supervisor Colavita called the meeting to order at 6:45 p.m. noting the presence of the Town Board, Comptroller Dawn Donovan, Town Attorney Lou Reda, Town Clerk Linda Doherty and Vincent Toomey. Supervisor Colavita stated the purpose of the Special Meeting was to discuss the status of pending personnel litigation and contract negotiations with CSEA.

At 6:50, Supervisor Colavita offered a motion that was seconded by Councilman Salanitro to move into Executive Session.

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

The Town Board was briefed on pending personnel litigation and contract negotiations with CSEA.

The Special Town Board Meeting was adjourned at 8:05 p.m.

**MINUTES OF THE REGULAR TOWN BOARD  
September 20, 2011**

Minutes of a Meeting of the Town Board of the Town of Eastchester held on September 20, 2011 at 8:00 p.m., at the Town Hall, Eastchester, New York.

**I. CALL TO ORDER**

The Meeting was called to order at 8:10 p.m.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

Present: Supervisor Anthony Colavita  
Councilman Glenn Bellitto  
Councilman Joseph Dooley  
Councilman Luigi Marcoccia  
Councilman Frederick Salanitro

Town Clerk Linda Doherty  
Town Attorney Lou Reda  
Comptroller Dawn Donovan

**IV. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS**

Note to the reader: During the First Opportunity to Address the Board, residents are asked to limit their comments to Agenda Items. Frequently, a clarification or general question concerning an Agenda Item is requested. To benefit the reader, the clarifications and additional information regarding a given Agenda Item will be included at the point when the Item is considered and discussed by the Town Board. All comments in favor or opposition to an Agenda Item will be included here.

Peter DeFelice questioned the costs of the Columbus Day Festivities. Supervisor Colavita explained the expenses, including police overtime, will be paid by the proceeds and have traditionally exceeded the expenses by \$8,000 - \$10,000. The Supervisor stated Stewart Amusement provides the insurance.

Further, Town Attorney Lou Reda responded to a question from Peter DeFelice in which he explained the two Settlement of Claims on the Law Agenda had been settled by the Law Department, no outside attorney had been employed. The Settlements of Certiorari were handed by John Burkhardt, who is employed as outside counsel for all certiorari proceedings at \$36,000 per year.

## **V. APPROVAL OF MINUTES**

Councilman Salanitro offered a motion that was seconded by Councilman Bellitto to approve the Minutes of the September 6, 2011 Town Board Meeting as prepared by Town Clerk Linda Doherty.

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

## **VI. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS**

### **A) POLICE DEPARTMENT REPORT**

The Board reviewed and approved for filing reports for July and August 2011: Parking Summonses, Citation Activity Report, Patrol Activity Report and the Traffic Accident Report.

Chief Bonci provided the status of several training courses attended by members of the Department including a course to prepare Officers to deal with the community's youth and Westchester in-service training to stay current with the County's standardized procedures.

### **B) LAW DEPARTMENT REPORT**

#### **1. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A CONTRACT AND AGREEMENT 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 FROM OCTOBER 7, 2011 – OCTOBER 10, 2011**

Supervisor Colavita offered a motion that was seconded by Councilman Salanitro 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 from October 7, 2011 to October 10, 2011. The Supervisor stated Stewart Amusement has done a 'great job' since the beginning and has an impeccable safety record. The Town will keep one-third of the proceeds of the sale of the ride tickets.

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

#### **2. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A FIREWORKS PERFORMANCE CONTRACT BETWEEN THE TOWN OF EASTCHESTER AND FIREWORKS BY GRUCCI, INC. FOR A FIREWORK DISPLAY FOR THE EASTCHESTER COLUMBUS DAY CELEBRATION AT LAKE ISLE ON SUNDAY, OCTOBER 9, 2011**

Councilman Salanitro offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the Supervisor to execute and deliver a Fireworks Performance Contract between the Town of Eastchester and Fireworks by Grucci, Inc. for a fireworks display for the Eastchester Columbus Day Celebration at Lake Isle on Sunday, October 9, 2011 at the cost of \$8,000.

**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 VOICES MUSIC**

Supervisor Colavita offered a motion that was seconded by Councilman Salanitro to approve a RESOLUTION authorizing the Supervisor to execute and deliver an Agreement between the Town of Eastchester and VOICES Music Corporation to provide music at the Eastchester Columbus Day Celebration at Lake Isle on Friday, October 7, 2011 at the cost of \$3,000.

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

- 4. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A PERFORMANCE CONTRACT BETWEEN THE TOWN OF EASTCHESTER AND LE GRAND ENTERTAINMENT TO PROVIDE MUSICAL ENTERTAINMENT AT THE EASTCHESTER COLUMBUS DAY CELEBRATION AT LAKE ISLE ON SATURDAY, OCTOBER 8, 2011**

Councilman Salanitro offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the Supervisor to execute and deliver a Performance Contract between the Town of Eastchester and Le Grand Entertainment to provide musical entertainment at the Eastchester Columbus Day Celebration at Lake Isle on Saturday, October 8, 2011 for the fee of \$3,500.

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

- 5. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND NEXT STEP MUSIC TO PROVIDE MUSIC AT THE EASTCHESTER COLUMBUS DAY CELEBRATION AT LAKE ISLE ON SUNDAY, OCTOBER 9, 2011**

Councilman Salanitro 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 Next Step Music to provide music at the Eastchester Columbus Day Celebration at Lake Isle on Sunday, October 9, 2011 for the fee of \$3,500.

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

- 6. RESOLUTION AUTHORIZING THE APPROVAL OF AN APPLICATION FOR A PARADE PERMIT BY THE EASTCHESTER COLUMBUS DAY CELEBRATION COMMITTEE FOR THE COLUMBUS DAY PARADE TO HELD ON SUNDAY OCTOBER 9, 2011**

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia 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 9, 2011. The permit fee of \$10.00 has been waived.

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

- 7. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY MEADOW COURT CONDOMINIUM**

Supervisor Colavita offered a motion that was seconded by Councilman Salanitro to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Meadow Court Condominium affecting premises known as Section 3, Block 1, Lot 19.1A-20.0011 – 132 Pondfield Road, Bronxville, as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
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2008	2009	\$270,200.00	\$120,740.00	\$149,460.00
2009	2010	\$270,200.00	\$123,360.00	\$146,840.00
2010	2011	\$270,200.00	\$130,900.00	\$139,300.00
TOTAL TOWN TAX REFUND.....				<u>\$12,098.31</u>

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

**8. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY CRESTWOOD STATION PLAZA CO.**

Supervisor Colavita offered a motion that was seconded by Councilman Salanitro to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Crestwood Station Plaza Co. affecting premises known as Section 42, Block 9, Lots 15, 44, 45 and 46 – 250 – 273 Columbus Avenue, Tuckahoe as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2004	2005	\$67,250.00	\$47,150.00	\$20,100.00
2005	2006	\$67,250.00	\$45,750.00	\$21,500.00
2006	2007	\$67,250.00	\$42,450.00	\$24,800.00
2007	2008	\$67,250.00	\$39,350.00	\$27,900.00
2008	2009	\$67,250.00	\$39,500.00	\$27,750.00
2009	2010	\$67,250.00	\$40,400.00	\$26,850.00
2010	2011	\$67,250.00	\$43,500.00	\$23,750.00

Eastchester School Board Approved the Settlement

TOTAL TOWN TAX REFUND.....	<u>\$4,067.03</u>
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**On the roll call, all voted "AYE." Motion carried.**

**9. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY 179 SUMMERFIELD AVE ASSOCIATES, LLC/SCARSDALE REAL ESTATE LLC.**

Councilman Salanitro offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by 179 Summerfield Avenue Associates, LLC/Scarsdale Real Estate LLC affecting premises known as Section 60, Block 3, Lot 35 – 179 Summerfield Avenue as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2005	2006	\$12,600.00	\$10,900.00	\$1,700.00
2006	2007	\$12,600.00	\$10,300.00	\$2,300.00
2007	2008	\$12,600.00	\$10,300.00	\$2,300.00
2008	2009	\$12,600.00	\$10,000.00	\$2,600.00
2009	2010	\$12,600.00	\$ 8,900.00	\$3,700.00
2010	2011	\$12,600.00	\$ 8,850.00	\$3,750.00

Eastchester School Board Approved the Settlement

TOTAL TOWN TAX REFUND.....	<u>\$3,916.75</u>
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**On the roll call, all voted "AYE." Motion carried.**

**10. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY DARIO J. CAVALIERE**

Councilman Salanitro offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a claim by Dario J. Cavaliere against the Town of Eastchester in the sum of \$2,090.57 for damages sustained to Mr. Cavaliere's vehicle when a Town of Eastchester Police Department vehicle accidentally struck it on June 9, 2011.

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

**11. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY LISA OSOSKY**

Councilman Salanitro offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a claim by Lisa Osofsky against the Town of Eastchester in the sum of \$3,040.07 for damages sustained to Ms. Osofsky's vehicle when a Town of Eastchester Highway Department vehicle accidentally struck it on February 2, 2010.

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

**C. HIGHWAY DEPARTMENT REPORT**

The Highway Department repaired catch basins, raised curbs as necessary and filled potholes on a regular basis. Crews also worked on the reconstruction of the O'Rourke/Library Parking Lot as needed.

A 'tree crew' was assigned to perform tree pruning. At the end of August manpower was assigned to pick-up branches and debris from Hurricane Irene. An application will be filed with FEMA to re-coup funds for tree and debris removal and sewer repair.

**D. BUILDING DEPARTMENT REPORT** for August 2011 was received and filed.

**E. RECEIVER OF TAXES REPORT** for August 2011 was received and filed.

**VII. CORRESPONDENCE**

**A) MEMORANDUM FROM COMPTROLLER RE: BUDGET TRANSFERS**

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

**Recreation**

From:	Rec.- Day Camp- Material & Supplies	A7141.401	\$ 6,500.00
To:	Rec.- Day Camps-Contractual Services	A7141.450	\$ 6,500.00

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

**B) MEMORANDUM FROM COMPTROLLER RE: SEASONAL APPOINTMENTS**

Supervisor Colavita offered a motion that was seconded by Councilman Salanitro to approve the following Seasonal Appointments in the Recreation Department, effective September 21, 2011:

<b>NAME</b>	<b>JOB TITLE</b>	<b>APPOINTMENT TYPE</b>	<b>RATE</b>
Kehoe, Emily	Rec Attendant	Part-Time Available-Teen Scene	14.00
Boggi, Patrick	Rec Attendant	Part-Time Available-Teen Scene	7.25
Lorenzo, Jaime	Rec Attendant	Part-Time Available-Teen Scene	12.00
Gaudio, Diane	Rec Attendant	Part-Time Available-Teen Scene	25.00
Kumar, Rajesh	Rec Attendant	Part-Time Available-Teen Scene	16.00
Giannelli, Melissa	Rec Attendant	Part-Time Available-Teen Scene	15.00

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

**VIII. MISCELLANEOUS BUSINESS - none**

## **IX. COUNCIL MEMBER REPORTS**

Councilman Salanitro announced the Eastchester Communities That Care (ECTC) has received a \$20K grant from the United Fund and announced the upcoming quarterly meeting to be held on 9/21 from 8:15 – 9:30 a.m.

Councilman Marcoccia announced the Westchester County Mobile Shredder will be at the Fisher Avenue Parking Lot in Tuckahoe on October 8<sup>th</sup> from 10 am – 2 p.m. Further, Mr. Marcoccia announced the October 15<sup>th</sup> Tuckahoe Senior Bazaar and the Town Yard Sale at Lake Isle on October 2<sup>nd</sup> from 10 a.m. – 4 p.m. The flu shot clinic schedule is as follows: October 18<sup>th</sup> from 9 am-2pm at Lake Isle, November 1<sup>st</sup> at the Tuckahoe Community Center from 9 am-2pm and at the Bronxville Reform Church on November 8<sup>th</sup> from 9am-1pm.

In closing, Councilman Marcoccia announced Archbishop Timothy Dolan will be offering a Mass at the Assumption Church on September 24<sup>th</sup> at 5 p.m. in celebration of the Church's 100<sup>th</sup> Anniversary.

Councilman Bellitto reflected on the 10<sup>th</sup> Anniversary of 9/11 and the commemorative events held throughout Town.

Mr. Bellitto announced the upcoming Columbus Day events:

The dinner for the Eastchester Columbus Day Celebration Committee will be held on Friday, September 23<sup>rd</sup> at the Westchester Manor in Hastings-on-Hudson. The dinner starts at 7pm with a cocktail hour and will honor the 2010 Contest Winners and 2011 Honorees as follows:

2010 –

Best Homemade White Wine – Dr. Eugene Prisco  
Best Homemade Red Wine – Nick Abate  
Best Homemade Meatballs – Marguerite Pisano McLoone

2011-

- Nonna Columbus – Donna Labricciosa  
- David R. DiRubba Community Service Award – Aurelio Cipriano  
- Grand Marshal – John D'Arco

There are seats still available but you must contact the committee by Wednesday if you would like to attend and the cost is \$85 per person payable at the door.

**CARNIVAL:**

Friday, October 7<sup>th</sup> opening at 6pm with local food and merchant vendors and Voices Music w/Angelo Venuto on stage at 6:30pm.

Saturday & Sunday the gates open from 1pm through 11pm. Wristbands will be available for One Price Rides on Saturday and Sunday starting at 1pm for sale and ending at 6:30pm but you can use your wristbands through 7pm. Wristbands are \$25 each per day.

On Saturday, the Guardia de Lombardi Club will be hosting the Homemade Wine Contest and the Committee will be hosting the Homemade Meatball Contest starting at 7pm.

At 6:30pm Le Grand Entertainment will take the stage and play until 10:30pm.

On Sunday, the Parade will assemble and step off at 3:30pm at Immaculate Conception Church parking lot and will march up Main Street to White Plains Road to the Lake Isle parking lot to meet the Carnival. We should arrive at Lake Isle at between 4 – 4:15pm.

There will be a brief ceremony on the stage immediately following and then the Next Step will perform for the evening until 10:30pm. The Fireworks display by Grucci will set off at 9pm and you can watch it from anywhere in the parking lot.

Mr. Bellitto noted the majority of the vendors are Town and Villages based merchants or are Town and Village residents with businesses out of town. Even Westchester Manor where the dinner is held is owned and operated by an Eastchester resident. This is important to our committee to ensure that the local merchants and residents are able to benefit from the event.

Councilman Dooley announced the Fall Recreation Brochure is now available online at our website at [www.eastchester.org](http://www.eastchester.org) in the Recreation Section. We will once again be offering our Mother/Child Playgroup for parents or guardians and children between the ages of 1-4 years old daily. We have Tennis lessons for 4 year olds to adults, and a new Tai Chi class for everyone to enjoy. Children in Eastchester can enjoy a craft class or join our Lego group.

For the Teens in Eastchester, we have our popular program Teen Scene. Teen Scene is a wonderful opportunity for teens to participate in several exciting events such as DJ Dance nights at Lake Isle Country Club, trips to professional sporting events, movie nights and game nights at the Haindl Field House and much, much more! Registration is exclusive for Eastchester, Tuckahoe and Bronxville residents who are currently in grades 7-9.

We have a registration evening this Friday, September 23rd from 7:00-9:00pm at the Haindl Field House and Saturday, September 24th from 9:00am-11:00am. We will also have a late night open at the Recreation Office for Registration on Friday, September 30th until 7:30pm. Currently Registration is \$115 per teen and after September 30th the registration fee will go to \$140.

In closing, Mr. Dooley reported on the Lake Isle Annual Meeting at which Nick Saviano, Christin Moretti and Mark Woodward were nominated and re-elected as members of the Advisory Board. The Board received feedback from members on a variety of issues, including suggestions regarding signage, rules and golf course maintenance. The proposed Tennis Bubble project was discussed at length.

Supervisor Colavita suggested residents refer to the State web-site [www.nyserda.org](http://www.nyserda.org) to obtain information on Hurricane Irene Storm Relief and to submit an application for rebates for the purchase of appliances.

The Supervisor announced the 5<sup>th</sup> Annual Joe DePippo Golf Tournament to be held at Leewood Golf Course on October 4<sup>th</sup>. For information call 793-5821.

Supervisor Colavita stated his office received a Letter of Resignation from Board of Assessment Review Chairman Norman Zelvin. Mr. Zelvin had served the Town for over 20. The Supervisor stated his expertise and experience will be missed.

In closing, Supervisor Colavita announced ECAP is seeking Board Members and encouraged interested residents to call for information.

#### **X. SECOND OPPORTUNITY TO ADDRESS THE BOARD**

Frank Sweeney inquired about a sewer problem at the corner of Scarsdale Avenue and Woodruff Road. Supervisor Colavita explained that a sanitary line runs into the County's line near that point and drainage is prevented when the County's line is full. He responded he will discuss potential solutions with Superintendent of Highways DiLeo.

Tom Andruss thanked the Town for its perseverance in petitioning NYS to install a traffic signal at Swift and White Plains Roads. The Supervisor credited Greenvale Principal, Teresa Sullivan for her efforts to

press state officials to rectify the dangerous conditions at the intersection. The installation of the signal is anticipated by mid-October.

Peter DeFelice reiterated his concerns regarding the Tennis Bubble agreement.

There being no further business, the meeting was adjourned at 9:30 p.m. with a moment of silence for Vincent Petrucelli.

Minutes prepared by;

Linda Doherty  
Town Clerk