

MINUTES OF THE TOWN BOARD
September 15, 2015

Minutes of a Meeting of the Town Board of the Town of Eastchester held on September 15, 2015 at 8:00 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
Councilwoman Theresa Nicholson
Councilman Luigi Marcoccia

Town Clerk Linda Laird
Town Attorney Louis Reda
Comptroller Dawn Donovan

Absent: Councilman Joseph Dooley

IV. PUBLIC HEARINGS

**A) PUBLIC HEARING TO CONSIDER THE ADOPTION OF LOCAL LAW 2-2015
TO AMEND THE VEHICLE & TRAFFIC CODE - PARKING METER ZONES
(Prospect Avenue)**

Councilman Bellitto offered a motion that was seconded by Councilman Marcoccia to open the Public Hearing. Supervisor Colavita explained the purpose of the proposed law is to allow for the installation of parking meters on both sides of Prospect Avenue between White Plains Road and John Albanese Place.

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

Peter DeFelice spoke in opposition to the proposed Local Law stating the street is too narrow to allow for parking on both sides of the street.

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

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

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION to adopt Local Law 2-2015.

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

B) PUBLIC HEARING TO CONSIDER THE ADOPTION OF LOCAL LAW 3-2015 TO AMEND THE VEHICLE AND TRAFFIC CODE – PARKING, STOPPING AND STANDING (Park Avenue)

Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to open the Public Hearing. Supervisor Colavita explained the purpose of the proposed law is to create a 4 hour parking zone (8:00 am – 6:00 pm/ All, except Sundays and holidays) on the west side of Park Avenue between Lincoln Avenue and Stewart Avenue.

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

Robert Mishler spoke in opposition to legislation imposing timed parking restrictions on public streets as it would create a hardship for commuters. He noted the street is less than ½ mile from the Crestwood Train Station. Supervisor Colavita cited a request from the residents of Park Avenue seeking relief from the impact of commuter parking. Councilman Marcoccia noted streets within a close proximity to Crestwood and Scarsdale train stations face specific challenges.

Mr. Mishler reported he had asked for, but had yet to obtain, a copy of the surveys, petitions and other research collected by the town in drafting the proposed local law. Supervisor Colavita stated a copy of the petition would be provided to Mr. Mishler and recommended the matter be tabled until the next meeting.

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to continue the Public Hearing to the next Town Board Meeting schedule for October 6, 2015 at 8:00 p.m.

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

V. 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.

VI. APPOINTMENTS

A) APPOINTMENT – BOARD OF ASSESSMENT REVIEW

Councilman Bellitto offered a motion that was seconded by Councilwoman Nicholson to approve the re-appointment of Michael DiSanto to the Board of Assessment Review effective September 30, 2015 – September 30, 2019.

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

VII. APPROVAL OF MINUTES

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve the Minutes of the August 18, 2015 Town Board Meeting as prepared by Town Clerk Linda Laird.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT," and Councilwoman Nicholson who "ABSTAINED." Motion carried.

VIII. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A) POLICE DEPARTMENT REPORT

The Town Board received for filing the following reports for August 2015; Report of Parking Summonses, Citation Activity Report, Patrol Activity Report, Statement of Accounts and the Traffic Accident Report.

B) LAW DEPARTMENT REPORT

1. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A FACILITIES LEASE AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND CONCORDIA COLLEGE FOR THE USE OF CONCORDIA COLLEGE'S FACILITIES FOR THE TOWN'S SUNDAYS ALIVE PROGRAM

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve a **RESOLUTION** authorizing the Supervisor to execute and deliver a Facilities Lease Agreement made between the Town of Eastchester and Concordia College for the use of Concordia College's facilities for the Town's "Sundays Alive" program.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

2. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A CONTRACT AND AGREEMENT MADE BETWEEN THE TOWN OF EASTCHESTER AND STEWART AMUSEMENT COMPANY FOR THE EASTCHESTER COLUMBUS DAY CELEBRATION AT LAKE ISLE COUNTRY CLUB FROM OCTOBER 9, 2015 TO OCTOBER 12, 2015

The Supervisor announced the Columbus Day Festival will be held at Lake Isle Country Club October 9th through October 12th. Due to the repaving of White Plains Road during this period, the annual Columbus Day Parade has been cancelled for 2015.

Supervisor Colavita offered a motion that was seconded by Councilwoman Nicholson 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 9, 2015 to October 12, 2015.

Town Attorney Reda explained the conditions of the contract remain the same as past years with the Town receiving 35% of the gross receipts of ride ticket sales collected by Stewart Amusement Company.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

3. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A FIREWORKS PERFORMANCE CONTRACT BETWEEN THE

TOWN OF EASTCHESTER AND FIREWORKS BY GRUCCI, INC. FOR THE EASTCHESTER COLUMBUS DAY CELEBRATION ON SUNDAY OCTOBER 11, 2015

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto 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, costing \$9000, for the Eastchester Columbus Day Celebration at Lake Isle Country Club on Sunday, October 11, 2015.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

- 4. 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 8, 2015 TO OCTOBER 13, 2015 FOR USE DURING THE 2015 COLUMBUS DAY CARNIVAL AND FESTIVAL FROM OCTOBER 9, 2015 TO OCTOBER 12, 2015**

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita 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 8, 2015 to October 13, 2015 for use during the 2015 Columbus Day Carnival and Festival which is being held from October 9, 2015 to October 12, 2015 at Lake Isle Country Club. The fee for the rental of said equipment is \$1,700.00

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

- 5. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A BAND PERFORMANCE CONTRACT BETWEEN THE TOWN OF EASTCHESTER AND EPICSOUL BAND TO PROVIDE MUSICAL ENTERTAINMENT AT THE EASTCHESTER COLUMBUS DAY CELEBRATION ON SATURDAY, OCTOBER 10, 2015**

Supervisor Colavita 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 EPICSOUL Band to provide musical entertainment at the Eastchester Columbus Day Celebration at Lake Isle Country Club on Saturday, October 10, 2015. The total cost of the performance is \$4500, of which \$3000 will be paid using the proceeds of the festival by the Town of Eastchester and \$1500 as a contribution by the members of the Town Board.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

- 6. INTRODUCTION OF A PROPOSED LOCAL LAW 4- 2015 PROVIDING FOR THE AMENDMENT TO THE VEHICLE AND TRAFFIC CODE OF THE TOWN OF EASTCHESTER PARKING PROHIBITED CERTAIN HOURS AND TO SET A DATE FOR A PUBLIC HEARING**

Councilwoman Nicholson offered a motion that was seconded by Supervisor Colavita to approve the INTRODUCTION of a proposed local law providing for the amendment to Local Law No. 3 – 2000, known as the Vehicle and Traffic Code of the Town of Eastchester, Article III, Parking, Standing, and Stopping, § 3-6: SubSection 8-15. Schedule XV: Parking Prohibited Certain Hours, and to a public hearing for October 6, 2015 at 8:00 p.m.

**PROPOSED LOCAL LAW NO. 4 – 2015,
A LOCAL LAW PROVIDING FOR THE AMENDMENT
OF THE VEHICLE AND TRAFFIC CODE OF THE TOWN OF EASTCHESTER,
ARTICLE III, PARKING, STANDING, AND STOPPING § 3-6:
SubSection 8-15. SCHEDULE XV: PARKING PROHIBITED CERTAIN HOURS**

BE IT ENACTED by the town governing body of the Town of Eastchester as follows:

Section 1.

§3-6 of ARTICLE III, PARKING, STANDING, AND STOPPING:
SUBSECTION 8-15. Schedule XV: Parking Prohibited Certain Hours is Amended to
CHANGE the day from Thursday to TUESDAY as follows:

Name of Street	Side	Hours/Days	Location
<u>Oregon Avenue</u>	<u>West</u>	<u>9:00 a.m. to 11:00 a.m./last [Thursday] Tuesday of each month, except holidays</u>	<u>From the last parking meter space (meter #R-33) to the dead end</u>

Section 2.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the town governing body of the Town of Eastchester hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3.

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.

[] Deleted text
_____ Added text

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

7. INTRODUCTION OF A PROPOSED LOCAL LAW 5-2015 PROVIDING FOR THE AMENDMENT OF THE VEHICLE AND TRAFFIC CODE OF THE TOWN OF EASTCHESTER, STOP INTERSECTIONS AND TO SET A DATE FOR A PUBLIC HEARING

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve the INTRODUCTION of a proposed local law providing for the amendment to Local Law No. 3 – 2000, known as the Vehicle and Traffic Code of the Town of Eastchester, Article II, Traffic Regulations, § 2-9: SubSection 8-9. Schedule IX: Stop Intersections, and to set a date for public hearing for October 6, 2015 at 8:00 p.m.

**PROPOSED LOCAL LAW NO. 5 – 2015,
A LOCAL LAW PROVIDING FOR THE AMENDMENT
OF THE VEHICLE AND TRAFFIC CODE OF THE TOWN OF EASTCHESTER,
ARTICLE II, TRAFFIC REGULATIONS § 2-9:
SubSection 8-9. SCHEDULE IX: STOP INTERSECTIONS**

BE IT ENACTED by the town governing body of the Town of Eastchester as follows:

Section 1.

§ 2-9 of ARTICLE II, TRAFFIC REGULATIONS;
SUBSECTION 8-9. Schedule IX: is Amended to ADD the following Stop Sign:

Name of Street	Side	Location
<u>Lake Shore Drive North</u>	<u>South</u>	<u>Lake Shore Drive</u>

Section 2.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the town governing body of the Town of Eastchester hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3.

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.

[] Deleted text
_____ Added text

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

8. INTRODUCTION OF A PROPOSED LOCAL LAW 6-2015 PROVIDING FOR THE AMENDMENT TO THE VEHICLE AND TRAFFIC CODE OF THE TOWN OF EASTCHESTER STOP INTERSECTIONS AND TO SET A DATE FOR A PUBLIC HEARING

Councilman Bellitto offered a motion that was seconded by Councilman Marcoccia to approve the INTRODUCTION of a proposed local law providing for the amendment to Local Law No. 3 – 2000, known as the Vehicle and Traffic Code of the Town of Eastchester, Article II, Traffic Regulations, § 2-9: SubSection 8-9. Schedule IX: Stop Intersections, and to set a public hearing for October 6, 2015 at 8:00 p.m.

**PROPOSED LOCAL LAW NO. 6 – 2015,
A LOCAL LAW PROVIDING FOR THE AMENDMENT
OF THE VEHICLE AND TRAFFIC CODE OF THE TOWN OF EASTCHESTER,
ARTICLE II, TRAFFIC REGULATIONS § 2-9:
SubSection 8-9. SCHEDULE IX: STOP INTERSECTIONS**

BE IT ENACTED by the town governing body of the Town of Eastchester as follows:

Section 1.

§ 2-9 of ARTICLE II, TRAFFIC REGULATIONS;
SUBSECTION 8-9. Schedule IX: is Amended to ADD the following Stop Sign:

Name of Street	Side	Location
<u>Innisfree Place</u>	<u>South</u>	<u>Wildwood Road</u>

Section 2.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the town governing body of the Town of Eastchester hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3.

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.

[] Deleted text
_____ Added text

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

9. INTRODUCTION OF A PROPOSED LOCAL LAW 7-2015 PROVIDING FOR THE AMENDMENT TO LOCAL LAW KNOWN AS THE BUILDING AND PLANNING DEPARTMENT FEE SCHEDULE AND TO SET A DATE FOR A PUBLIC HEARING

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve the INTRODUCTION of a proposed local law providing for the amendment to Local Law No. 2 – 2009, known as The Local Law Pertaining to the Building and Planning Department Fee Schedule, and to a public hearing for October 6, 2015 at 8:00 p.m.

Supervisor Colavita explained the purpose of the amendments is to clarify terminology in keeping with the NYS Building Code, with no changes to the fees are being proposed. A copy of the proposed Local Law 7-2015 is attached.

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

10. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND VANTAGE ETC. TO CONVERT THE LIGHTING IN THE EASTCHESTER LIBRARY TO LED LIGHTING

This matter was TABLED.

C) HIGHWAY DEPARTMENT REPORT

Hector DiLeo, Superintendent of the Highway Department, reported LED lighting is being installed throughout town, while the sidewalk replacement project nears completion. Mr. DiLeo reminded residents to rake leaves into a pile on the grass, near the curb – not in the street.

D) RECEIVER OF TAXES REPORT for August 2015 was received for filing.

E) TOWN CLERK’S REPORT for August 2015 was received for filing.

IX. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: BUDGET TRANSFERS

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

<u>Transfers</u>			
<u>POLICE</u>			
From:	Small Equipment	B3120.203	\$2,000.00

To:	Maint. & Repairs	B3120.415	\$1,000.00
To:	Materials & Supplies	B3120.401	\$1,000.00

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

B) MEMORANDUM FROM COMPTROLLER RE: DESIGNATED DEPOSITORIES/AUTHORIZED SIGNATURES

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION approving the following list of banks named to be authorized financial institutions for the Town of Eastchester for 2015.

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
Wells Fargo	375 White Plains Road, Eastchester, NY 10709
People’s United Bank	111 Kraft Avenue, Bronxville, NY 10708
TD Bank	3020 Westchester Ave., Purchase, NY 10577

Authorized Signatures:
Town Supervisor, Town Comptroller and Junior Accountant

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

D) MEMORANDUM FROM SENIOR PROGRAMS AND SERVICES RE: CSE (COMMUNITY SERVICES FOR THE ELDERLY) AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES

Supervisor Colavita reviewed a memo submitted by Gilda Press, Director of Senior Programs and Services, announcing the total amount of \$29,860 has been awarded by NYS to the Town of Eastchester through Westchester County Department of Senior Programs and Services..

CSE funds are designated for Case Management Services and help to pay for a portion of the social worker’s salary. Case Management consists of full assessment, care planning, arranging for services, follow-up and monitoring of services. We serve approximately 130 elderly clients a year who receive home delivered meals, bathing assistance, and home health care service.

Councilman Bellitto offered a motion that was seconded by Councilwoman Nicholson to approve a RESOLUTION authorizing the Supervisor to sign the CSE Second Amendment with Westchester County Department of Senior Services for Case Management Services under the Community Services for Elderly Act, including Schedule B-2 extending the term of the original executed Agreement for an additional year, from April 1, 2015 through March 31, 2016.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

**D) MEMORANDUM FROM ASSESSOR RE: TAX REFUND APPLICATION 35
LONGVIEW DRIVE**

Councilman Marcoccia offered a motion that was seconded by Councilman Bellitto to approve 2013, 2014 and 2015 Real Property Tax Refunds in the amount of \$1,268.85 for the property located at 35 Longview Drive, Eastchester (Section 66E, Block 2, Lot 78).

Due to a clerical error, a Cold War Veterans Exemption was removed and therefore produced incorrect tax bills. These refunds have been approved by the Westchester County Tax Commission.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

**E) MEMORANDUM FROM ASSESSOR RE: TAX REFUND APPLICATION 5A
HARRISON STREET**

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve 2013, 2014 and 2015 Real Property Tax Refunds in the amount of \$2005.80 for the property located at 5A Harrison Street, Tuckahoe (Section 28, Block 8, Lot 10).

A court ordered reduction on the 2012 assessment roll was not made therefore producing incorrect tax bills. These refunds have been approved by the Westchester County Tax Commission.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

**F) MEMORANDUM FROM SUPERINTENDENT OF PARKS AND RECREATION
RE: PERMISSION TO BID – GROUND MAINTENANCE**

Per a request from Superintendent of Recreation Sally Veltidi, Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to authorize the Parks and Recreation Department to go out to bid for Ground Maintenance of Town owned property within the Town of Eastchester.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

**G) MEMORANDUM FROM JUSTICE COURT RE: PERMISSION TO APPLY FOR
THE 2015/2016 JCAP (JUSTICE COURT ASSISTANCE PROGRAM) GRANT**

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the Honorable Janet M. Calano and Honorable Frederick Salanitro to apply for the 2015/2106 JCAP Grant application.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

X. MISCELLANEOUS BUSINESS

A) OCTOBER TOWN BOARD MEETING

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to RESOLVE to hold the regularly scheduled Town Board meeting scheduled for October 6, 2015 be held in the Village of Bronxville at the Bronxville Library, Yeager Room at 8:00 p.m.

On the roll call, all voted "AYE," except Councilman Dooley who was "ABSENT." Motion carried.

XI. COUNCIL MEMBER REPORTS

Councilman Marcoccia extended congratulations to the Blue Devil organization at the start of their 49th year and wish the participants success in the coming season. Councilman Marcoccia acknowledged the contribution to the Blue Devil's organization by Hall of Fame inductees; Robert "Bob" Haindl, Paul A. Votano and John A. Ferrante.

Mr. Marcoccia announced the Lake Isle Annual Meeting will be held on September 16 at 8:00 p.m.

Councilman Bellitto reflected on the success of the summer concert series and extended thanks to those who organized and sponsored the weekly events.

Mr. Bellitto applauded the leadership of Supervisor Colavita and the efforts of Comptroller Dawn Donovan in setting a climate of fiscal prudence that led to a bump in the Town's Moody's rating, from Aa1, the second highest rating, to Aaa. Mr. Bellitto explained the town's ample reserves and financial flexibility set the town on 'sound financial footing. Moody's, which rates investors on the basis of risk and the borrower's ability to make interest payments, raised the town to the highest rating a municipality can receive, which in turn lowers interest rates when the town borrows money for tax certioraris and large-scale capital projects. Councilman Bellitto stressed the importance of staying below the state-mandated tax cap levy during municipal budget seasons and keeping costs and spending down over the years.

Councilwoman Nicholson announced the following, upcoming events:

- 2nd Annual Eastchester 5K on September 29th,
- Eastchester High School Hall of Fame Dinner on October 22nd,
- Town Yardsale in the O'Rourke Parking Lot on September 20th,
- Eastchester Historical Society's – Evening with Be Franklin on September 18th

Supervisor Colavita announced the Tax Office will offer the extended hours (8:00 am – 7:00 pm) on Tuesday, September 29th and Wednesday, September 30th to receive school tax payments.

The Supervisor announced the Annual Huntley Civic Association Party will be held at the Joyce Road park on September 20th from 5:00-7:00p.m.

In closing, Supervisor Colavita acknowledged The Certificate of Achievement for Excellence in Financial Reporting has been awarded to Comptroller Dawn Donovan by the Government Finance Officers Association (GFOA) for its comprehensive annual financial reporting (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting presented by GFOA.

XII. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Library Board President Robert Cartalano reported on the success of the 2015 *Every Hero Has A Story* Summer Reading Program:

Total number of participants:	1,312 (increase of 17% from 2014)
Total number of books read by children:	3,752
Total number of books read to children:	4,002
Total number of books read:	7,754 (increase of 14% from 2014)

Mr. Cartalano reported the roof replacement project is scheduled to begin in the coming weeks, weather permitting. He encouraged residents to participate in the 2nd Annual Eastchester 5K to benefit the library.

Jerry Frusciante, President of the Eastchester – Tuckahoe Senior Council thanked the Town Board for extending the adult swim program beyond Labor Day. He spoke of the group in stating they look forward to returning the Senior Nutrition Center to Lake Isle.

Peter DeFelice read from the Comprehensive Annual Financial Report and criticized the Comptroller for acknowledging the input of various town departments and the town's auditing firm.

There being no further public comment, the meeting was adjourned at 9:25 p.m.

Minutes prepared by;

Linda Laird
Town Clerk

**LOCAL LAW NO. 7 - 2015,
AMENDING LOCAL LAW NO. 2 - 2009
KNOWN AS, "THE LOCAL LAW PERTAINING TO THE BUILDING AND
PLANNING DEPARTMENT FEE SCHEDULE"**

**BUILDING AND PLANNING DEPARTMENT
FEE SCHEDULES**

TABLE OF CONTENTS

- 1. Building Permit and Related Fees**
- 2. Plumbing Permit Fees**
- 3. Electrical Permit Fees**
- 4. Sign Permit Fees**
- 5. Planning Board Fees**
- 6. Zoning Board of Appeals Fees**
- 7. Architectural Review Board Fees**
- 8. Extension of Permits and Approvals**
- 9. Escrow Fees**

Notes:

- Make all checks payable to the Town of Eastchester. Fees must be paid upon the filing of plans and applications and prior to being placed on an agenda. Fees are not refundable.
- For all applications for new construction, and in addition to all required application fees, an applicant must deposit funds for placement in an escrow account to be maintained by the Town to cover the costs of professional consulting services. Such funds must be deposited at the time an application is submitted to the Town and prior to being placed on an agenda. Applicants must complete and sign *The Escrow Agreement for Professional Consultation Fees*, available in the Building Department.

FEE SCHEDULE

<u>1.</u> BUILDING PERMIT AND RELATED FEES	
<p><u>Building Permit Application Fees*</u></p> <ul style="list-style-type: none"> • One- and two-family residences: • <u>1-, and 2-family residences and individual units in a multifamily building</u> <ul style="list-style-type: none"> • additions, alterations and repairs • new construction • Multi-family residences** <ul style="list-style-type: none"> • additions, alterations and repairs • new construction • Commercial <u>and multifamily structures</u> <ul style="list-style-type: none"> • additions, alterations and repairs • new construction • Resubmission of <u>Plans plans</u> <p><small>**Individual units in a multi-family residence shall be charged the fees pertaining to one- and two-family residences.</small></p>	<p>\$150</p> <p>\$250</p> <p>\$200</p> <p>\$400</p> <p>\$300</p> <p>\$500</p> <p>\$50</p> <p>*Application fee is <u>not</u> required for fences, driveways, roofs, or siding</p>
<p>Demolition</p> <ul style="list-style-type: none"> • Residential accessory structure • Residential principal structure • Commercial accessory structure • Commercial principal structure • <u>1- and 2-family residences and individual units in a multifamily building</u> <ul style="list-style-type: none"> • <u>accessory structure</u> • <u>principal structure</u> • <u>Commercial and multifamily structures</u> <ul style="list-style-type: none"> • <u>accessory structure</u> • <u>principal structure</u> 	<p>\$50</p> <p>\$200</p> <p>\$100</p> <p>\$400</p> <p><u>\$50</u></p> <p><u>\$200</u></p> <p><u>\$100</u></p> <p><u>\$400</u></p>
<p><u>Residential Construction</u> <u>1- and 2-Family Residences and Individual Units in a Multifamily Building</u> (additions, alterations and new)</p>	<p>\$100 first \$1000 of estimated construction costs \$15 each additional \$1000 estimated construction costs</p>
<p><u>Commercial and Multifamily Construction</u> (additions, alterations and new)</p>	<p>\$200 first \$1000 of estimated construction costs \$30 each additional \$1000 of estimated construction costs</p>
<p>Sheds, Walls and Fences</p>	<p>\$75 first \$1000 of estimated construction costs \$10 each additional \$1000 of estimated construction costs</p>
<p>To Move a Building</p>	<p>\$250 first \$1000 of estimated construction costs \$10 each additional \$1000 of estimated construction costs</p>
<p>Fuel Tanks</p> <ul style="list-style-type: none"> • Removal and/or installation 	<p>\$100</p>
<p>Re-Inspection of Failed Inspection</p>	<p>\$50</p>
<p>Certificate of Occupancy (CO)</p> <ul style="list-style-type: none"> • One <u>1-family residence and individual units in a multifamily building</u> 	<p>\$150</p>

<ul style="list-style-type: none"> • Two 2-family residence • Multi-family residence Multifamily building • Commercial structure 	<p style="text-align: right;">\$300 \$300 plus \$50 per unit \$300 plus \$200 per floor</p>
<p>Certificate of Compliance (CC)</p> <ul style="list-style-type: none"> • One- and two-family residence • Multi-family residence* • 1- and 2-family residences and individual units in a multifamily building. • Commercial and multifamily structures <p>*Individual units in a multi-family residence shall be charged the fees pertaining to one- and two-family residences.</p>	<p style="text-align: right;">\$100 \$200 \$200</p> <p>*CC fee is <u>not</u> required for fences, driveways, roofs or siding.</p>
<p>Temporary Certificate of Occupancy (TCO)*</p> <ul style="list-style-type: none"> • One- and two-family residences <ul style="list-style-type: none"> • 1-30 days • 31-60 days • 61-90 days • 91-120 days • each additional 30 days • Multi-family and commercial <ul style="list-style-type: none"> • 1-30 days • 31-60 days • 61-90 days • 91-120 days • each additional 30 days <p>*Each TCO is valid for 30 days only, without exception.</p>	<p style="text-align: right;">\$100 \$150 \$200 \$250 \$250 \$200 \$250 \$500 \$1000 \$1500</p>
<p>Legalization Fee To obtain a Building Permit for an existing structure</p>	<p>10% of the cost of construction (as of the date of the filing of the application for the building permit). In no event shall the fee be less than \$1000.</p>
<p>Blasting Permit</p>	<p style="text-align: right;">\$250</p>
<p>2. PLUMBING PERMITS</p>	
<p>New Construction (Any Type)</p>	<p style="text-align: right;">\$100 first 10 fixtures; \$10 each additional fixture</p>
<p>Additions and Alterations</p> <ul style="list-style-type: none"> • One- and two-family residences • Multi-family and commercial • 1- and 2-family residences and individual units in a multifamily building. • Commercial and multifamily structures 	<p style="text-align: right;">\$50 first 10 fixtures; \$10 each additional fixture \$100 first 10 fixtures; \$10 each additional fixture</p>
<p>Gas Tests and Piping</p> <ul style="list-style-type: none"> • Gas test • Gas piping 	<p style="text-align: right;">\$50 first meter; \$10 each additional meter \$50</p>
<p>Swimming Pools</p> <ul style="list-style-type: none"> • In-ground • Above-ground 	<p style="text-align: right;">\$100 \$50</p>

<ul style="list-style-type: none"> • Multi-family <u>Multifamily</u>: new construction \$500 • Commercial: additions, alterations \$300 • Commercial: new construction \$500 • For unimproved lots (e.g. lot area, lot frontage, etc.) \$500 <p>Use Variances</p> <ul style="list-style-type: none"> • All applications \$500 <p>Special Permits</p> <ul style="list-style-type: none"> • New applications for special permit uses \$500 • Amendment to an existing special permit use \$250 <p>Interpretations</p> <ul style="list-style-type: none"> • All applications \$250 	
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7. ARCHITECTURAL REVIEW BOARD

<ul style="list-style-type: none"> • 1 and 2-family: <u>1- and 2-family</u>: additions and alterations \$50 • 1 and 2-family: <u>1- and 2-family</u>: new construction \$200 • Multi-family <u>Multifamily</u>: additions, alterations \$200 • Multi-family <u>Multifamily</u>: new construction \$500 • Commercial: additions, alterations \$200 • Commercial/new construction: 4000 square feet or less \$750 • Commercial/new construction: greater than 4000 square feet \$1000 	
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8. EXTENSION OF PERMITS AND APPROVALS

<p>Building Permits*</p> <ul style="list-style-type: none"> • 6 month extension if construction has not begun within 6 months of the date of the building permit \$100 • 6 month extension if construction has begun but is not completed within 1 year of the date of the building permit. \$100 <p>Site Plan Approval</p> <ul style="list-style-type: none"> • 6 month extension if a building permit has not been obtained within 6 months of the date of the site plan approval \$100 <p>*If construction under the original building permit is not begun or completed within the extended time frame, an applicant must reapply for a building permit. The building permit fees shall be based on the remaining cost of construction.</p>	
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9. ESCROW FEES for professional consultation services*

<p>Subdivisions and Residential Site Plans <u>Subdivisions, 1- and 2-Family Residences and Multifamily Buildings</u> (new construction only)</p> <ul style="list-style-type: none"> • 1-4 dwelling units <u>or lots</u> \$2500 • 5-10 dwelling units <u>or lots</u> \$7500 	<p>\$15,000</p>
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<ul style="list-style-type: none"> • 11-20 dwelling units or lots • 21-30 dwelling units or lots • 31-40 dwelling units or lots • 41-50 dwelling units or lots • More than 50 dwelling units or lots 	<p style="text-align: right;">\$25,000 \$35,000 \$40,000 \$50,000 plus \$50 per unit</p>
<p>Non-residential Site Plans Commercial Structures</p> <ul style="list-style-type: none"> • Up to 1,250 gross square feet • 1,250-20,000 gross square feet • 20,001-50,000 gross square feet • More than 50,000 gross square feet 	<p style="text-align: right;">\$2500 \$2 per square foot \$20,000 plus \$1 per square foot \$45,000 plus \$0.50 per square foot</p>
<p>Wireless Communication Installations</p>	<p style="text-align: right;">\$2500</p>
<p>Notes:</p> <ol style="list-style-type: none"> 1. On all other types of applications, the Planning Board, Zoning Board of Appeals, Architectural Review Board, or Building and Planning Department may determine that professional consulting services are required and may require an applicant to make an initial deposit of \$2,500 into an escrow account to be maintained by the Town. 2. All applicants required to deposit funds into an escrow account must complete and sign the Escrow Agreement for Professional Consultation Fees available in the Building and Planning Department. 3. Make Checks payable to the Town of Eastchester. 	

Severability

If any word, clause, sentence, paragraph, subdivision or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be limited in its application to the word, clause, sentence, paragraph, subdivision or part hereof directly involved in the controversy in which such judgment shall have been rendered.

Superseding Other Laws

All ordinances or parts of ordinances or local laws or parts of local laws, or State laws which conflict with the provisions of this local law are hereby superseded and rendered temporarily null and void to the extent necessary to give this local law full force and effect, pursuant to Article 2, Section 10 of the New York State Municipal Home Rule Law.

Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.

DATED: