

MINUTES OF THE TOWN BOARD

September 17, 2013

Minutes of a Meeting of the Town Board of the Town of Eastchester held on September 17, 2013 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
Councilman Joseph Dooley
Councilman Luigi Marcoccia
Councilman Frederick Salanitro

Town Clerk Linda Doherty
Town Attorney Louis Reda
Town Comptroller Dawn Donovan

IV. SPECIAL PRESENTATIONS

The Eastchester Little League All-Star team of boys 10 and under were presented with certificates of achievement and congratulated for winning the District 20 Championship title. Coach Marc Gurber commended the team for their hard work and dedication.

Judy Fix announced the Eastchester/Tuckahoe Girl Scouts will be raising funds to renovate and update the Girl Scout Cabin including upgrades to make the building energy efficient and handi-cap accessible. The first fundraising event planned is a BINGO night that will be held on November 2nd.

V. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

Peter DeFelice and Fred Moses expressed disappointment that the Minutes of the August 13th and September 3rd Town Board Meetings included only a brief summary of the points they had made during the Opportunities to Address the Board.

VI. APPOINTMENTS

Councilman Salanitro offered a motion that was seconded by Councilman Dooley to approve the re-appointment of Michael Romano as member and Chairman of the Board of Assessment Review effective September 30, 2013 – September 30, 2018.

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

VII. APPROVAL OF MINUTES

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve the Minutes of the August 13, 2013 and the September 3, 2013 Town Board Meetings.

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

VIII. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A) POLICE DEPARTMENT REPORT

The Board reviewed and approved for filing the following reports for August 2013 Parking Summonses, Citation Activity Report, Patrol Activity Report, Statement of Accounts and the Traffic Accident Report.

Chief Bonci announced residents are invited to discard expired and unused prescription drugs in a Drop Box at the Eastchester Police Department. The program is sponsored by the Westchester County Police Department.

County Legislator Sheila Marcotte joined the Chief in discussing the installation of a speed indicator sign on Wilmot Road to promote slower and safer traffic.

B) LAW DEPARTMENT REPORT

1. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY MARGARET DELLADONNA

Supervisor Colavita offered a motion that was seconded by Councilman Salanitro to approve a **RESOLUTION** authorizing the settlement of a claim by Margaret Delladonna against the Town of Eastchester in the sum of \$788.90 as a result of an incident whereby damage was caused to Ms. Delladonna's vehicle by a Town Highway Department worker on August 16, 2013.

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

2. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY STEVEN HEISLER

Supervisor Colavita offered a motion that was seconded by Councilman Salanitro to approve a **RESOLUTION** authorizing the settlement of a claim by Steven Heisler against the Town of Eastchester in the sum of \$4,103.38 for damages sustained to Mr. Heisler's vehicle when it was accidentally struck by a Town of Eastchester Police Department vehicle on August 30, 2013.

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

3. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A LICENSE AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND THE COUNTY OF WESTCHESTER TO OPERATE AND MAINTAIN SCOUT FIELD

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve a **RESOLUTION** authorizing the Supervisor to execute and deliver a license agreement between the Town of Eastchester and the County of Westchester whereby the said license shall give the Town the ability to operate and maintain the property known as "Scout Field".

Councilman Bellitto expressed thanks for the agreement and stated the renovations to the upper and lower portions of Scout Field are an investment in Bronxville by Town and County resources.

Supervisor Colavita stated he is 'delighted' by Westchester County's \$500,000 commitment to the renovations that will be added to \$250,000 of funding to be bonded by the Town. The Town will provide paving, fencing, benches as well as provide on-going field maintenance. In addition, the Town will work with the various sport leagues and schools in scheduling the use of the fields.

The Supervisor thanked the Bronxville Village Board, Town Board, town staff, County Legislator Sheila Marcotte and former County Legislator Vito Pinto for hard work in seeing this project to fruition.

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

4. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND THE VILLAGE OF BRONXVILLE WHEREBY THE TOWN SHALL ALLOW THE

VILLAGE TO USE SCOUT FIELD AND VILLAGE AGREES TO BE RESPONSIBLE FOR THE MAINTENANCE AND UPKEEP OF SCOUT FIELD

MATTER TABLED

5. RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN OF EASTCHESTER TO FINANCE THE COST OF CONSTRUCTION OF RECREATION IMPROVEMENTS AT SCOUT FIELD

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a **RESOLUTION** authorizing the Issuance of \$250,000 Bonds of the Town of Eastchester, Westchester County, New York to Finance the Cost of the Construction of Recreation Improvements at Scout Field, stating the estimated Cost thereof is \$250,000 for use within the Town.

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

6. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY ZOCCHI/ELIDE FISHER AVE 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 Zocchi/Elide Fisher Ave LLC affecting premises known as Section 42, Block 9, Lot 9 – 14 Fisher Avenue, Eastchester as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2011	2012	\$27,650.00	\$12,950.00	\$14,700.00
2012	2013	\$13,300.00	\$12,950.00	\$ 350.00

Eastchester School Board Approved the Settlement

TOTAL TOWN TAX REFUND..... \$495.91

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

7. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY 214 MAIN STREET REALTY CORP.

Councilman Salanitro offered a motion that was seconded by Supervisor Colavita to approve a **RESOLUTION** authorizing the settlement of a certiorari proceeding instituted by 214 Main Street Realty Corp. affecting premises known as Section 68, Block 2, Lot 1 – 214 Main Street, Eastchester as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2007	2008	\$11,950.00	\$7,935.00	\$4,015.00
2008	2009	\$11,950.00	\$7,935.00	\$4,015.00
2009	2010	\$11,950.00	\$8,580.00	\$3,370.00
2010	2011	\$11,950.00	\$9,240.00	\$2,710.00
2011	2012	\$11,950.00	\$8,880.00	\$3,070.00
2012	2013	\$11,950.00	\$9,250.00	\$2,700.00

Eastchester School Board Approved the Settlement

*To be bonded at a later date

TOTAL TOWN TAX REFUND \$5,112.74

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

8. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY PAMELA MANAGEMENT CORP.

Councilman Salanitro offered a motion that was seconded by Supervisor Colavita to approve a **RESOLUTION** authorizing the settlement of a certiorari proceeding instituted by Pamela Management Corp. affecting premises known as Section 65D, Block 4, Lots 31, 32, and 33/11-13 Mill Road as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2006	2007	\$48,200.00	\$19,280.00	\$28,920.00
2007	2008	\$48,200.00	\$19,280.00	\$28,920.00
2008	2009	\$48,200.00	\$19,280.00	\$28,920.00
2009	2010	\$48,200.00	\$19,280.00	\$28,920.00
2010	2011	\$48,200.00	\$19,280.00	\$28,920.00
2011	2012	\$48,200.00	\$19,280.00	\$28,920.00
2012	2013	\$48,200.00	\$14,800.00	\$33,400.00

Eastchester School Board Approved the Settlement

*To be bonded at a later date

TOTAL TOWN TAX REFUND \$52,754.75

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

9. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY CARMELA LICARI

Councilman Salanitro offered a motion that was seconded by Councilman Marcoccia to approve a **RESOLUTION** authorizing the settlement of a certiorari proceeding instituted by Carmela Licari affecting premises known as Section 34, Block 4, Lot 33– 54 North High Street, Tuckahoe, as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2011	2012	\$10,750.00	\$10,000.00	\$750.00

Tuckahoe School Board Approved the Settlement

TOTAL TOWN TAX REFUND \$24.71

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

C) HIGHWAY DEPARTMENT REPORT for August was received and filed.

D) BUILDING DEPARTMENT REPORT for August was received and filed.

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

F) TOWN CLERK'S REPORT for July was received and filed.

IX. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: BUDGET TRANSFERS/REVISIONS

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

Revisions

Bldg. & Planning

Increase:	Contractual Services	B8020.450	\$ 7,000.00
Increase:	State Aid	B03960	\$ 7,000.00

Transfer

Bldg. & Planning

From:	Assoc. Dues & Meetings	B8020.402	\$ 650.00
To:	Travel & Auto	B3620.432	\$ 650.00

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

B) MEMORANDUM FROM COMPTROLLER RE: PART TIME/SEASONAL EMPLOYEES

Councilman Salanitro offered a motion that was seconded by Councilman Marcoccia to approve the following Part-time employees:

NAME	JOB TITLE	TYPE	RATE	EFF. DATE	DEPT.
Tomasina Caruso	School Crossing Guard	Part Time	15.00	9/18/2003	Police
Elisa Perri	School Crossing Guard	Part Time	15.00	9/18/2003	Police
Ornella Salza	Recreation Attendant	PTA	9.00	9/18/2013	Recreation
David Awer	Bus Driver	PTA	14.00	9/20/2013	Sr. Pgms

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

X. **MISCELLANEOUS BUSINESS** - none

XI. COUNCIL MEMBER REPORTS

Councilman Salanitro encouraged the public to attend the weekend Padre Pio Festival in Tuckahoe's Depot Square this weekend. The weekend festivities kick-off on Friday with a Mass at Assumption Church at 6:00 p.m. and continues with the Festival from 6 – 11pm on Friday, 5-11 pm on Saturday and noon – 8 pm on Sunday.

Councilman Marcoccia reported the Fall 2013 Recreation Brochure is available online and includes information on the Eastchester Instructional Basketball League for male and female residents in 4th-8th grade and the Holiday events including the Rag-A-Muffin Halloween Parade as well as Santa Calling.

Councilman Bellitto announced the Environmental Committee is recruiting volunteers to plan a community garden on Garth Road. In addition, Mr. Bellitto encouraged residents to stop by the Library Fair on September 21st, from 12:00 to 4:00 p.m., in the library parking lot. All proceeds will benefit the 2013 Children's Room Renovation Fund.

Councilman Bellitto congratulated Supervisor Colavita on being named an "Honorary Member" of the Blue Devil's organization. The Supervisor was surprised by the honor during the Opening Day Ceremonies. To date only nine individuals have been named Honorary Members of the organization.

Councilman Dooley announced the next meeting of the Traffic and Parking Advisory Board will be held on September 25th at 7pm at the Library.

Mr. Dooley announced the Annual Historical Society fundraiser, *An Evening with Abigail Adams: Remember the Ladies*, to be held at the Marble School House on September 19th and the annual Town Yard Sale to be held on September 29th. Additional information regarding the yard sale can be found at townyardsale@yahoo.com.

Supervisor Colavita announced the Tax Office will be open for extended hours, 8:00 am – 7:00 pm on Friday, September 27th and Monday, September 30th to better accommodate residents during the final days of the school tax collection period.

XII. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Note to reader: Members of the public are permitted to discuss any matter during the Second Opportunity to Address the Board. Only subjects relative to the operation of the Town of Eastchester municipality are included the Minutes.

Peter DeFelice reiterated his questions and concerns regarding the way in which Stewart Amusement reports revenues to the Town.

Councilman Bellitto responded that he had reviewed Mr. DeFelice's complaint; including an e-mail to the NYS Comptroller's Office, and called the accusation 'over the top.' Mr. Bellitto stated he is 'comforted instead of concerned' upon the review of six years of records.

Supervisor Colavita discussed the fact that in 2012 there was a discrepancy of \$261 between the amount deposited (over \$152,000) by members of the Committee and the number (or value) of the tickets sold as reported by Stewart Amusement. The Supervisor described the Columbus Day Festival as one of the 'best run events' in Westchester. On average the festival nets \$9,500 each year. The proceeds are used to fund the Veterans Day Parade, help offset the St. Patrick's Day parade expenses and are used for future Columbus Day expenses.

Fred Moses spoke in agreement with Mr. DeFelice calling the Columbus Day Festival records "sloppy."

Councilman Marcoccia reminded the public that the Town is audited annually and maintains a good Bond Rating.

John Pettinella, co-chair of the Columbus Day Committee, thanked the residents for their support and the volunteers for their hard work. Mr. Pettinella predicted the 2013 Celebration would be the best to date!

Mike Denning commended the efforts of the Columbus Day Committee and suggested the Town separate itself from the parade and carnival; suggesting the Italian American Club be responsible for its organization.

Michael Fasciglione asked the public to attend the September 27th Planning Board Meeting and pay attention to the review process for an application to build a senior apartment building on the 'Ted Herman garage' property.

Frank Sweeny discussed the history of the North Eastchester Civic Association. Established in 1948 the association has remained active and worked successfully for nearly 70 years.

There being no further public comment, the meeting was adjourned at 9:30 p.m.

Minutes prepared by;

Linda Doherty
Town Clerk