MINUTES OF THE TOWN BOARD
September 3, 2019

Minutes of a Meeting of the Town Board of the Town of Eastchester held on September 3, 2019 at 8:00 p.m., at the Town Hall, 40 Mill Road, Eastchester, New York.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Supervisor Anthony Colavita
Councilman Glenn Bellitto
Councilman Joseph Dooley
Councilwoman Theresa Nicholson
Councilman Luigi Marcoccia

Present: Town Clerk Linda Laird
Town Attorney Louis Reda
Town Comptroller Dawn Donovan

IV. PUBLIC HEARING

A) PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW 2- 2019 - ELECTRONIC NICOTINE DELIVERY PRODUCT LAW WITHIN THE TOWN OF EASTCHESTER

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to Open the Public Hearing. An Affidavit of Publication for the Meeting Notice was received.

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

Michael Denning inquired as to what specific products will be prohibited from sale. In response, Supervisor Colavita referenced the language of Local Law 2-2019:

Electronic Nicotine Delivery Products- Any article or product, not including cigarettes, cigars, pipe tobacco, or chewing tobacco, made wholly or in part of a tobacco substitute or otherwise containing nicotine that is expected or intended for human consumption, but not including a tobacco substitute prescribed by a licensed physician or a product that has been approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose. Electronic Nicotine Delivery Products include, but are not limited to, e-cigarettes, vapes, vaporizers, vape pens, lozenges or other candy, drinks, liquid nicotine or other e-liquids or inhalers.

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

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 Local Law 2- 2019.

Supervisor Colavita reported his office received three telephone calls in support of the Law and Stephanie Bayrooti of Highview Avenue, arrived after the close of the Public Hearing, to speak in support of the Law.

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

V. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS - none

VI. APPOINTMENTS

A) APPOINTMENT – TOWN ASSESSOR

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve the re-appointment of Todd Huttunen to the position of Town Assessor effective October 1, 2019 through September 30, 2025 at an annual salary set forth in the Budget.

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

B) APPOINTMENT – YOUTH OFFICER

Per a request from Comptroller Dawn Donovan, Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION to appoint of Police Officer John Yanni to the part time youth officer position within the Police Department, effective September 6, 2019 with the annual stipend of $3,000.00.

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

C) APPOINTMENT – LIBRARY BOARD OF TRUSTEES

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve the appointment of James Martin to the Library Board of Trustees effective September 4, 2019 – December 31, 2020.

Councilman Dooley stated the Library Board will be facing new challenges and activities in the near future and Mr. Martin possesses a skill set that will serve as an asset to the Library Board.

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

VII. APPROVAL OF MINUTES

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve the Minutes of the August 20, 2019 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 SUPERVISOR TO EXECUTE AND DELIVER AN INTERMUNICIPAL AGREEMENT (IMA) BETWEEN THE TOWN OF EASTCHESTER AND THE EASTCHESTER UNION FREE SCHOOL DISTRICT WHEREBY THE TOWN OF EASTCHESTER WILL PROVIDE THE EASTCHESTER UNION FREE SCHOOL DISTRICT WITH A SCHOOL RESOURCE OFFICER

Councilman Marcoccia offered a motion that was seconded by Councilwoman Nicholson to approve a **RESOLUTION** authorizing the Supervisor to execute and deliver an Intermunicipal Agreement (IMA) between the Town of Eastchester and the Eastchester Union Free School District whereby the Town of Eastchester will provide the Eastchester Union Free School District with a School Resource Officer for the physical security and safety at The Eastchester Middle School/High School, Anne Hutchinson Elementary School, Greenvale Elementary School and Waverly Early Childhood Center.

Supervisor Colavita explained the provisions of the Agreement with the Eastchester Union Free School District mirror the Agreement approved with the Tuckahoe School District on August 20, 2019.

The Agreement reads in part; "The functions of the School Resource Officer will be to provide services to help maintain a safe campus environment that is conducive to learning, including, but not limited to: enforcing New York State laws, rules and regulations; reporting all violations of law, school rules, regulations or policies to school administration; investigating allegations of criminal incidents per Department policies and procedures; acting swiftly and cooperatively when responding to major disruptions and flagrant criminal offenses at school, such as: disorderly conduct by trespassers, the possession and use of weapons on campus, the illegal sale and/or distribution of controlled substances, and riots; acting as a liaison with police and other emergency personnel; providing intervention between students and/or staff using appropriate techniques to calm and control situations; working to prevent juvenile delinquency through close contact and positive relationships with students; working closely with the School District's administrators and developing and implementing classes in crime prevention, drug abuse prevention and safety; advising school administration of any

circumstance or situations that may create a potential for harm to persons, or damage to, or loss of property; and serving as a good role model for students."

The School Resource Officer shall not have the authority to discipline, nor be responsible for disciplining, students. The School District and its administration are responsible for disciplining students in accordance with the School District's Code of Conduct.

The School Resource Officer shall be assigned to the School District on a full time basis of eight hours per day, each day that school is in session. In consideration for services rendered, the School District will pay the Town as follows: For the 2019/2020 School Term, a total amount of $136,920.00, which represents the School Resource Officer's compensation from the Town, including base salary and fringe benefits, prorated based upon 184 workdays that the School Resource Officer will be assigned to the School District, payable in nine installments $15,213.34.

Supervisor Colavita reported a similar Intermunicipal Agreement between the Town and the Eastchester School District will be considered at the next Town Board Meeting. Three members of the Eastchester Police Department have received training as School Resource Officer and are ready for the assignment to the districts.

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

2. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY JOHN AND NICOLE KARPATHIOS

Supervisor Colavita offered a motion that was seconded by Councilman Bellitto to approve a **RESOLUTION** authorizing the settlement of a certiorari proceeding instituted by John & Nicole Karpathios, affecting premises known as Section 1, Block 1, Lot 18 – 32 Parkway Road, Bronxville, NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2016	2017	$ 15,900	$ 12,700	$ 3,200
2017	2018	$ 15,900	$ 12,200	$ 3,700
2018	2019	$ 15,900	$ 11,800	$ 4,100

*No School approval
TOTAL TOWN TAX REFUND……..…….…..…$ 391.65

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

3. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY GEORGE KOOLURIS

Councilman Bellitto offered a motion that was seconded by Supervisor Colavita to approve a **RESOLUTION** authorizing the settlement of a certiorari proceeding instituted by George Kooluris, affecting premises known as Section 4, Block 1, Lot 11.A – 99 Pondfield Road, Bronxville, NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2018	2019	$ 26,800	$ 21,300	$ 5,500

*No School approval
TOTAL TOWN TAX REFUND……..…….…..…$ 198.56

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

IX. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: BUDGET TRANSFERS/REVISIONS

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

Transfers

From:	Assessor- Personal Services	A1355.100	$ 1,050.00
To:	Assessor- Contractual Services	A1355.450	$ 1,050.00

From:	Teen Scene P.T. Salaries	A7142.102	$ 1,600.00
To:	Youth Services P.T. Salaries	A7310.102	$ 1,600.00
From:	Sr. Nutrition- Telecom.	A6872.428	$ 1,500.00
To:	Sr. Programs- Telecom.	A6770.428	$ 1,500.00
From:	Police-Training	B3120.430	$ 10,000.00
To:	Police-Small Equipment	B3120.203	$ 10,000.00
From:	Hwy.- Materials & Supplies	DB5110.401	$ 30.00
To:	Hwy.- CDL License Fee DB5110.439		$ 30.00

Revisions

Increase:	Recreation Fees - Camp	A02002	$ 64,770.00
Increase:	Rec. Camp Salaries P/T	A7141.102	$ 17,540.00
Increase:	Rec. Camp- Transportation	A7141.431	$ 13,614.00
Increase:	Rec. Camp- Contractual Serv.	A7141.450	$ 33,616.00

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

X. MISCELLANEOUS BUSINESS - none

XI. **COUNCIL MEMBER REPORTS**

Councilman Marcoccia stated he is pleased with the legislation banning the sale of e-nicotine delivery products that will limit access ot the products to students.

Councilman Bellitto encouraged the public to review the Fall Recreation Activities at www.eastchester.org. Mr. Bellitto applauded the efforts of the newly formed *The Strong Together Youth Coalition* in fighting substance abuse as the one community of Eastchester, Bronxville and Tuckahoe.

Councilman Dooley announced the Green Festival will be held at Anne Hutchinson School on September 14 from 11am – 2 and announced a Save the Date for the October 5th Eastchester Italian American Citizens Club vs. Eastchester Irish American Social Club Golf Outing.

Councilwoman Nicholson announced the 6th Annual Eastchester 5K will be held on September 29th at 9 am and the Eastchester Historical Society “An Evening with General George Paton” to be held on September 21st.

Supervisor Colavita discussed the addition of School Resource Officers is the most recent example of the Town and the School Districts working closely. In additional to enhancing security at our schools, the SROs will establish relationships, fellowships and will serve as role models to our students and extend the benefits established by our DARE Officers.

XII. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Michael Denning inquired about the progress of the Community Center Project and the impact of the project on the Columbus Day Celebration. Supervisor Colavita explained the Design Phase is nearly complete and the floor is scheduled to be poured this week. Once that has been completed the rest of the project should be completed in 5 weeks. The Supervisor reported he is keeping the Columbus Day Committee apprised of the progress.

There being no further public business, the meeting was adjourned at 8:30 p.m.

Minutes prepared by;

Linda Laird
Town Clerk