Minutes of a Meeting of the Town Board of the Town of Eastchester held on October 13, 2020 at 8:00 p.m., at the Town Hall, 40 Mill Road, Eastchester, New York.

The Meeting Agenda included the following Notice:

POLICE OFFICER PROMOTIONS/COMMENDATIONS WILL OCCUR FROM 8:00 P.M. TO APPROXIMATELY 8:30 P.M. THEREAFTER THE TOWN BOARD WILL PROCEED WITH ITS AGENDA UNTIL THE SECOND OPPORTUNITY TO ADDRESS THE BOARD AT WHICH TIME ANY MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE BOARD WILL BE ADMITTED TO THE COURT ROOM ONE AT A TIME TO AFFORD EVERYONE THE OPPORTUNITY TO SPEAK. AFTER SPEAKING YOU WILL EXIT THE COURT ROOM TO ALLOW ANOTHER SPEAKER TO ENTER.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Supervisor Anthony Colavita
Councilman Joseph Dooley
Councilwoman Theresa Nicholson
Councilwoman Sheila Marcotte
Councilman Luigi Marcoccia

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

IV. POLICE APPOINTMENTS/COMMENDATIONS

A) POLICE SERGEANT

Per a request from Chief of Police, Timothy Bonci, Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve a RESOLUTION authorizing the probationary appointment of Police Officer Robert Krause of Eastchester, New York to the position of Police Sergeant, effective October 16, 2020 at the annual rate of:

<table>
<thead>
<tr>
<th>Annual Rate</th>
<th>Holiday Pay</th>
<th>Longevity</th>
</tr>
</thead>
<tbody>
<tr>
<td>$123,972</td>
<td>$6,251</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

Police Officer Krause’s name appears on the eligible list #78-655 established September 17, 2019. As provided in the Westchester County Civil Service Rules, it is necessary for him to serve a probationary period of a minimum of twelve weeks to a maximum of fifty-two weeks. Funds are provided in the 2020 budget.

Police Officer Krause has been on the force since January, 2014 and will be assigned to the patrol division.

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

At the request of the Chief of Police, Timothy Bonci, Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the probationary appointment of Police Officer Christopher Dura of Eastchester, New York to the position of Police Sergeant effective starting October 16, 2020 at the annual rate of:

<table>
<thead>
<tr>
<th>Annual Rate</th>
<th>Holiday Pay</th>
<th>Longevity</th>
</tr>
</thead>
<tbody>
<tr>
<td>$123,972</td>
<td>$6,251</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

Police Officer Dura’s name appears on the eligible list #78-655 established September 17, 2019. As provided in the Westchester County Civil Service Rules, it is necessary for him to serve a probationary period of a minimum of twelve weeks to a maximum of fifty-two weeks. Funds are provided in the 2020 budget.

Police Officer Dura has been on the force since July, 2012 and will be assigned to the patrol division.
On the roll call, all voted "AYE." Motion carried.

**B) POLICE LIEUTENANT**

Per the request of the Chief of Police, Timothy Bonci, Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve a **RESOLUTION** authorizing the probationary appointment of Sergeant Justin Bernstein of New Rochelle, NY to the position of Police Lieutenant effective October 16, 2020 at the annual rate of:

<table>
<thead>
<tr>
<th>Annual Salary</th>
<th>Holiday Pay</th>
<th>Longevity</th>
</tr>
</thead>
<tbody>
<tr>
<td>$143,607</td>
<td>$9,904</td>
<td>$2,000</td>
</tr>
</tbody>
</table>

As provided in the Westchester County Civil Service Rules, it is necessary for Lt. Bernstein to serve a probationary period of a minimum of twelve weeks to a maximum of fifty-two weeks. His name appears on the Eligible List # 73-569. Funds are provided in the 2020 budget.

Sergeant Bernstein has been with the Town of Eastchester’s Police Department since 2010 as a Police Officer and promoted to Sergeant in 2018.

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

Upon appointment Sgt. Krause, Sgt. Dura and Lt. Bernstein thanked the Town Board for their support, acknowledged their families and fellow Officers of the Eastchester Police Department and expressed a commitment to serving the community.

Supervisor Colavita explained the Police Memorial and Accreditation Ceremony, traditionally held during Memorial Day Weekend, was cancelled this year due to the COVID 19 pandemic and proceeded to present the Awards to the following recipients:

- Police Officer Robert Krause, Class D citation
- Police Officer John Castellano, Class E citation

On December 5th 2019 at 10:08 p.m. headquarters received a call of a Burglary alarm from J&G Deli located on New Rochelle Rd. Officers Robert Krause and John Castellano were dispatched to the scene. Officer Krause arrived on scene and observed a broken front window and a suspicious vehicle parked in the parking lot. While containing a perimeter and awaiting back up, P.O. Krause observed a male inside the store near the broken window. P.O. Krause commanded the suspect to exit the building and drop to the ground. The suspect ignored P.O. Krause’s commands and began walking towards him. P.O. Krause immediately brought the suspect to the ground and detained him. P.O. John Castellano arrived on scene and assisted P.O. Krause detain and arrest the suspect.

The investigation revealed that the suspect had multiple previous felony arrests, and was in the middle of burglarizing the J&G deli. The vehicle that the suspect had driven to commit the burglary was also found to be stolen.

For his quick and decisive actions stopping a burglary in progress and his apprehension of a felon suspect, P.O. Robert Krause is to be awarded a class D citation.

For his assistance in arresting the felony suspect P.O. John Castellano is to be awarded a class E citation.

P.O. Michael Louros
Award: Class D Citation

On October 13th 2019 at 2:18 a.m. headquarters received a 911 call from a resident of 231 Main Street that the fire alarm in the building was sounding and there was smoke in the hallway. Officer Michael Louros was dispatched, and upon arriving on scene found that smoke was emanating from the building. Upon entering the common hallway Officer Louros met several residents who were fleeing the building due to a fire. They advised him that there were other occupied apartments in the building on the upper floors.

Officer Louros proceeded to the second and third floors of the building alerting residents that there was a fire and assisted several residents in evacuating the building.

For his bravery and quick actions in a dangerous situation, Police Officer Michael Louros is to be awarded a class D citation.
P.O. Michelle Castellano, P.O. Anthony Persico
CLASS C Life Saving Citation

On May 4th 2020 at 630 a.m. Headquarters received a call of a “Man Down” in front of a residence on Dorchester Road. The caller stated that the victim was unconscious and not breathing. Police Officers Michelle Castellano and Anthony Persico were dispatched to the scene.

Upon their arrival they found the patient had a slight pulse and had aspirated restricting his airway. The Officers immediately began CPR on the victim while setting up an Automated External Defibrillator. The patient was defibrillated and CPR was continued until the arrival of EVAC. The patient was transported to the Hospital where he was treated, survived and recovered.

For their professionalism and quick actions that resulted in the saving of a life, Officers Michelle Castellano and Anthony Persico are to be awarded a class “C” citation.

Supervisor Colavita introduced John Roland, the gentleman that had been aided by Officers Castellano and Persico. Mr. Roland publicly thanked the officers, calling them “true heros.”

C) LAKE ISLE ADVISORY BOARD

Councilman Marcoccia offered a motion that was seconded by Councilwoman Marcotte to approve the reappointment of Brian Connolly, Donna DeMarco, Joseph Santamaria and Al Kawer to the Lake Isle Advisory Board effective October 1, 2020 – September 30, 2022.

On the roll call, all voted “AYE.” Motion carried.

V. APPROVAL OF MINUTES

Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve the Minutes of the September 10, 2020 Special Town Board Meeting, September 15, 2020 Regular Town Board Meeting, September 29, 2020 Special Town Board Meeting and the October 7, 2020 Special Town Board Meeting.

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

VI. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A) POLICE DEPARTMENT REPORT

The Parking Summonses, Citation Activity Report, Patrol Activity Report Statement of Accounts and the Traffic Accident Report for the month of September 2020 was received for filing.

Chief Bonci reported he recently attended a presentation from Hope Not Handcuffs, an initiative aimed at bringing law enforcement and community organizations together in an effort to find viable treatment options for individuals seeking help to reduce dependency with heroin, prescription drugs, and alcohol. It is a solution. A person struggling with any substance use disorder can come to any of the participating police agencies and be paired with a volunteer who will help get them into treatment. Chief Bonci will work to bring implement the Hope Not Handcuffs program in Eastchester.

B) LAW DEPARTMENT REPORT

1. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY LAWRENCE BOYLE

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the settlement of a claim by Lawrence Boyle against the Town of Eastchester in the amount of $1,000.00 for damages sustained to Mr. Boyle’s vehicle on September 25, 2020.

On the roll call, all voted “AYE.” Motion carried.

2. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY JOHN FIORELLO

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION
authorizing the settlement of a claim by John Fiorello against the Town of Eastchester in the amount of $951.70 for damages sustained to Mr. Fiorello's vehicle on September 15, 2020.

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

3. **RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A CONTRACT BETWEEN THE TOWN OF EASTCHESTER AND AUCTIONS INTERNATIONAL, INC. FOR THE SALE OF GOVERNMENT ASSETS BY ONLINE AUCTION**

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a **RESOLUTION** authorizing the Supervisor to execute and deliver a contract made between the Town of Eastchester and Auctions International, Inc. for the sale of government assets by online auction.

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

4. **RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY 497 REAL ESTATE CORP**

Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve a **RESOLUTION** authorizing the settlement of a certiorari proceeding instituted by 497 Real Estate Corp., affecting premises known as Section 80J, Block 3, Lot 18 – 497 New Rochelle Road, Eastchester, NY as follows:

<table>
<thead>
<tr>
<th>ASSESSMENT YEAR</th>
<th>TAX YEAR</th>
<th>ASSESSED VALUATION</th>
<th>PROPOSED SETTLEMENT A.V.</th>
<th>AMOUNT OF REDUCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>2020</td>
<td>$ 19,250</td>
<td>$ 15,000</td>
<td>$ 0</td>
</tr>
</tbody>
</table>

No School Approval Needed

The settlement of a one-year tax certiorari case for which the 2019 assessment was already reduced and requires no refund.

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

**C) HIGHWAY DEPARTMENT REPORT**

Superintendent of Highways, Rocco Latella, reported crews performed in-house tree pruning and performed routine maintenance on all leaf equipment in preparation for the upcoming leaf season. In addition, Highway Department personnel assisted the Eastchester Beautification Foundation’s award winning “Planting Pink” program. The program focused on the planting of pink and purple mums, through the fall of 2020; to express the community’s support for first responders and essential workers.

**D) RECEIVER OF TAXES REPORT** for September 2020 was received for filing.

**E) TOWN CLERK’S REPORT** for September 2020 was received for filing.

Town Clerk Linda Laird reported on Early Voting and changes to the Polling Locations for the General Election. Early voting will take place at the Eastchester Library, beginning on October 24th, and the locations are as follows:

<table>
<thead>
<tr>
<th>Election district</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,2,3,4, 23</td>
<td>Greenvale School, 1 Gabriel Rescigno Drive – Gym</td>
</tr>
<tr>
<td>5, 29, 36</td>
<td>LeRoy Gregory Post #979, 40 Bell Road</td>
</tr>
<tr>
<td>6, 25, 28, 37</td>
<td>Eastchester High School Gym, Lincoln Ave.</td>
</tr>
<tr>
<td>7, 15, 31, 35, 39</td>
<td>William E. Cottle School, 2 Siwanoy Blvd – Outside auditorium</td>
</tr>
<tr>
<td>8, 30, 38</td>
<td>Anne Hutchinson School, Mill Road</td>
</tr>
<tr>
<td>9, 24, 26</td>
<td>Waverly School, 45 Hall Avenue – Gym</td>
</tr>
<tr>
<td>27</td>
<td>Kenilworth Apts., 142 Garth Road - Board Room</td>
</tr>
<tr>
<td>34</td>
<td>Garth Essex Apt., 230 Garth Road - Board Room</td>
</tr>
</tbody>
</table>

**BRONXVILLE:**

<table>
<thead>
<tr>
<th>Election district</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>16, 17</td>
<td>Concordia College's Sommer Center, 171 White Plains Rd - Lobby</td>
</tr>
<tr>
<td>18, 19, 21</td>
<td>Bronxville High School Gym, 177 Ponfield Road</td>
</tr>
<tr>
<td>20, 22</td>
<td>Lawrence Hospital, 55 Palmer Avenue - Lobby</td>
</tr>
</tbody>
</table>
TUCKAHOE:
11, 12 Church of the Assumption, 100 Pleasant Ave. - Fata Hall
10, 13, 14, 32, 33 Tuckahoe Community Center, 71 Columbus Avenue

VII. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: BUDGET TRANSFERS

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

From: Library – Salaries P.T. L7410.102 $ 18,000.00
To: Building Maint. Supplies L7410.404 $ 15,000.00
Programming Materials L7410.422 $ 3,000.00

From: Storm Emergencies DB5110.425 $ 30,000.00
To: Tree Purchase & Removal DB5140.433 $ 30,000.00

From: Contractual Services-Day Camps A7141.450 $30,000.00
To: Contractual Services-Rec. A7140.450 $30,000.00

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

B) MEMORANDUM FROM COMPTROLLER RE: PART TIME SEASONAL EMPLOYEES

Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve the Seasonal Appointments of David Giuliano and Michael Romano as Laborers in the Highway Department, effective October 16, 2020, at the hourly rate of $12.00.

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

C) MEMORANDUM FROM LIBRARY DIRECTOR RE: PERMISSION TO BID WINDOW REPLACEMENT PROJECT – EASTCHESTER PUBLIC LIBRARY

Per a request from Tracy Wright, Director of the Eastchester Public Library, Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the Eastchester Public Library to go out to bid for the Window Replacement Project at the Eastchester Public Library.

Supervisor Colavita explained funding in the amount of $100,000 has been approved under the 2021 Capital Budget with additional funding for the project being provided by a SAM Grant and a NYS Construction Grant.

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

D) MEMORANDUM FROM ASSESSOR RE: TAX REFUND APPLICATION – 35 JEFFERSON AVENUE

Supervisor Colavita reviewed a memo submitted by Assessor Todd Huttunen in which he requests approval for a Real Property Tax Refund for tax year 2019 for property located at 35 Jefferson Avenue (Section 28/Block 5/Lot 29). This refund, which has been approved by the Westchester County Tax Commission, totals $3,556.21 and is due to a clerical error on the 2018 Assessment Roll. An Enhanced STAR Exemption was removed therefore producing an incorrect school tax bill.

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION approving a 2019/20 Enhanced STAR refund in the amount of $3,556.21 for property located at 35 Jefferson Avenue (Section 28/Block 5/Lot 29).

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

E) MEMORANDUM FROM ASSESSOR RE: TAX REFUND APPLICATION - 141 OVERHILL ROAD

Supervisor Colavita reviewed a memo submitted by Assessor Todd Huttunen in which he requests approve for a Real
Property Tax Refund for tax year 2019 and 2020 for property located at 141 Overlook Road (Section 7.D/Block 2/Lot 4). This refund, which has been approved by the Westchester County Tax Commission, totals $1,852.79 and is due to a clerical error on the 2018 Assessment Roll. The total assessment for the property was reduced from $15,965 to $15,400 but was not entered on the Roll therefore producing an incorrect 2019 and 2020 County and Town tax bills and a 2019/20 school tax bill.

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION approving a 2019/20 Enhanced STAR refund in the amount of $3,556.21 for property located at 35 Jefferson Avenue (Section 28/Block 5/Lot 29).

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

F) MEMORANDUM FROM POLICE CHIEF RE: HOT LINE SYSTEM

Per a request from Chief Bonci, Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing Supervisor Colavita to sign an Agreement with the Westchester County to implement a new version of its longtime hotline system to facilitate communication of information and the coordination of operations.

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

G) MEMORANDUM FROM POLICE CHIEF RE: INTEROPERABILITY AGREEMENT BETWEEN THE METROPOLITAN TRANSPORTATION AUTHORITY (MTA) REPRESENTED BY THE MTA POLICE DEPARTMENT AND THE TOWN OF EASTCHESTER REPRESENTED BY THE EASTCHESTER POLICE DEPARTMENT (FIRST RESPONDER)

Per a request from Police Chief Bonci, Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the Supervisor to sign the Interoperability Agreement between the MTA and the Town of Eastchester. The MTA Police Department and the Eastchester Police Department shall provide access to their respective radio systems for an initial period of 15 years beginning 7/1/2020 and ending 6/30/2035. The radio system will enable the Eastchester Police Department to use the infrastructure of the MTA's police radio system and create enhanced radio capability for office safety. The Agreement represents a shared service at a minimal cost to the Town.

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

H) MEMORANDUM FROM TOWN CLERK RE: REQUEST FOR APPROVAL OF THE 2021 PARKING MANAGEMENT PLAN FOR GRAYROCK ROAD COMMUTER LOT

Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve a RESOLUTION authorizing the Supervisor to sign the 2021 Parking Management Plan for the Grayrock Commuter Lot and approval of the 2021 Rules and Regulations.

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

VIII. MISCELLANEOUS BUSINESS

Due to the fact that Election Day falls on Tuesday, November 3, 2020, Supervisor Colavita offered a motion that was seconded by Councilman Dooley to change the date of the November 3, 2020 Town Board Meeting to Wednesday, November 4, 2020.

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

IX. COUNCIL MEMBER REPORTS

Councilman Marcoccia announced the indoor tennis season at Lake Isle has begun and the golf course will remain open through November. Mr. Marcoccia reminded residents that Gigante Restaurant remains open and offers both indoor and outdoor seating.

Councilman Dooley announced Census 2020 has concluded with a response rate 75.3% in Eastchester.

Councilwoman Nicholson announced the cancellation of the annual Rag-a-muffin parade and encouraged residents to join the fun of three other Halloween inspired events offered this year; Pumpkin Decorating Contest (Participants must be in
grades pre-K - 5. Include age/grade in submission), Pumpkin Carving (Work as a family to carve a wickedly good pumpkin) and Halloween Decorations (fill your lawns, porches and windows with the most Spooktacular decorations).

In closing, Mrs. Nicholson thanked the local Girl Scouts for their efforts to clean-up Parkway Oval.

Councilwoman Marcotte explained that this year, for the first time, Voters have the option of delivering their absentee ballot to a polling location instead of mailing to the Board of Elections. Absentee ballots will be accepted during early voting as well as on Election Day. In addition, "Social Distance Ambassadors" will be assigned to polling locations to help enforce mask wearing and social distancing requirements at the polls.

In closing, Councilwoman Marcotte announced a flu shot clinic will be held at the Tuckahoe Community Center on October 29th from 10 -1. The event is sponsored the Eastchester, Bronxville, Tuckahoe Community Fund.

Supervisor Colavita applauded the bravery and quick instincts of four young men who came upon the scene of a crashed airplane. Mark Tamburro, Rob Ballasedis, Michael Cupo and Angelo Sperandio were on their jet skis when they witnessed a single-engine seaplane break to pieces after it crashed. They were able to pull two of the survivors from the wreckage. The Supervisor and Town Board presented the "heros" with a Proclamation Ceremony earlier in the day.

X. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Jessie Slater submitted a petition that mirrored comments made by Marlo du Boulay at the September Town Board Meeting: "while never having a problem with the Town or Police; in light of national events, Mr. du Boulay asked the Town to review and establish guidelines and policies to help combat racism. Specifically, the formation of a citizens committee to develop a Diversity, Inclusion & Anti-Racism Charter, to review policies related to Town hiring, housing, Lake Isle pricing and a Code of Standard for employees to promote a climate of inclusion."

Ryan Damon, a graduate of Eastchester High School, reported she helped organize a Black Lives Matters rally at Town Hall and called on the Town to promote diversity.

Julia Fortier recommended the Town Board provide access to Town Board Meetings via Zoom or another remote access platform and asked if Halloween festivities are being cancelled.

Supervisor Colavita responded, unless there is a severe uptick in COVID cases, Town Board Meetings would continue to be held in person. Regarding Trick or Treating; the Supervisor recommended people present candy "creatively" to children on Halloween.

Donna Drake referenced a Back the Blue rally that was held on September 12th at Lake Isle and commented that it appeared to be a political rally organized, in part, by the Supervisor. Supervisor Colavita; responded that while he was invited to and spoke at the rally in support of the Police Department, he was not one of the organizers. The Town Board did review and issue a permit to hold the event as well as a firework permit – just like the Board had done relative to other events held throughout the years.

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

Minutes prepared by;

Linda Laird
Town Clerk