

**TOWN OF EASTCHESTER
MINUTES OF THE TOWN BOARD
January 18, 2022**

Minutes of a Meeting of the Town Board of the Town of Eastchester held on Tuesday, January 18, 2022 at 7:00 p.m., at the Town Hall, 40 Mill Road, Eastchester, New York.

The following announcement was included on the Meeting Agenda:

PLEASE NOTE THAT THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION (OCA) STILL REQUIRES ALL MUNICIPAL FACILITIES THAT ARE USED FOR COURT TO MAINTAIN SOCIAL DISTANCING AND MASKS FOR THOSE NOT VACCINATED. THE COURT ROOM SEATING HAS BEEN SPACED AND PARTIALLY RESTRICTED PER STATE GUIDELINES. THEREFORE, THE TOWN BOARD MEETINGS WILL CONTINUE TO FOLLOW THE COVID PROTOCOLS ESTABLISHED FOR THE LAST SEVERAL MONTHS (ANTE-ROOM, LIMITED ACCESS, LIMITED SEATING, ETC). UPON DISCONTINUANCE OF THE COVID RESTRICTIONS BY THE NYSOCA, THE TOWN BOARD MEETINGS IN THE COURT ROOM WILL RESUME FULL UNRESTRICTED CAPACITY AND PROCEDURE.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

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

IV. INTRODUCTION OF LOCAL LAW 1-2022

INTRODUCE AND SET A PUBLIC HEARING DATE ON A LOCAL LAW AMENDING LOCAL LAW 5-2000, LAST AMENDED BY LOCAL LAW NO. 1-2021, "THE ZONING LAW OF THE TOWN OF EASTCHESTER," TO REPEAL THE RESIDENCY PREFERENCES FOR SENIOR HOUSING DEVELOPMENT SPECIAL PERMIT USES INCLUDED AS SECTION 12H(27){A}{E} THEREOF AND TO AMEND SECTION 12H(27){B}{A} THEREOF TO REMOVE THE REFERENCE THEREIN TO SUCH PREFERENCE

Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to approve the INTRODUCTION of Proposed Local Law 1-2022 to amend the Zoning Law of the Town of Eastchester to repeal the residency preferences for senior housing development special permit uses and to schedule a Public Hearing for February 1, 2022 at 7:00p.m.

A copy of the Local Law will be included in the Minutes of the February 15, 2022 Town Board Meeting.

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

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

VI. PERSONNEL APPOINTMENTS

A) LABORERS – HIGHWAY DEPARTMENT

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve the probationary appointment of Cody Linnane of Eastchester, NY to the full-time position of Laborer (Group E, Step 2 Sch.3) at the annual salary of \$50,519 effective January 21, 2022.

If approved he will be required to serve a probationary period which will run not less than twelve weeks and not more than fifty-two weeks. The appointment is contingent on the successful completion of the background investigation and pre-employment testing. Funds are provided in the 2022 budget.

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

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve the probationary appointment of Alex Aloia of New Rochelle, NY to the full-time position of Laborer (Group E, Step 2 Sch.3) at the annual salary of \$50,519 effective January 21, 2022.

If approved he will be required to serve a probationary period which will run not less than twelve weeks and not more than fifty-two weeks. The appointment is contingent on the successful completion of the background investigation and pre-employment testing. Funds are provided in the 2022 budget.

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

VII. APPROVAL OF MINUTES

Councilman Marcoccia offered a motion that was seconded by Councilman Marcoccia to approve the Minutes of the December 21, 2021 Regular 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) POLICE DEPARTMENT REPORT

The Board reviewed and approved for filing the following reports for December 2021; 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 AN AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND FACILITIES MAINTENANCE CORPORATION

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the Supervisor to execute and deliver an Agreement between the Town of Eastchester and Facilities Maintenance Corporation so that they may provide cleaning and maintenance services for certain Town facilities.

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

2. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING INSTITUTED BY COMPASS ONE, LLC AFFECTING THE PREMISES KNOWN AS 70 MARBLEDALE ROAD

Councilman Dooley offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Compass One, LLC, affecting premises known as Section 35, Block 2, Lots 1.E & 1.-T; 70 Marbledale Road, Eastchester, NY as follows:

Sec. 35, Block 2, Lots 1.E

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2017	2018	\$ 22,800	\$ 21,300	\$ 1,500
2018	2019	\$ 22,800	\$ 20,600	\$ 2,200
2019	2020	\$ 22,800	\$ 20,200	\$ 2,600
2020	2021	\$ 22,800	\$ 20,600	\$ 2,200
2021	2022	\$ 22,800	\$ 19,600	\$ 3,200

Tuckahoe School Approved
 TOTAL TOWN TAX REFUND.....\$ 312.12

Sec. 35, Block 2, Lots 1.T

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2017	2018	\$ 900	\$ 900	0
2018	2019	\$ 900	\$ 900	0
2019	2020	\$ 900	\$ 900	0
2020	2021	\$ 900	\$ 900	0
2021	2022	\$ 900	\$ 900	0

TOTAL TOWN TAX REFUND.....\$ 0

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

3. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING INSTITUTED BY LINDANDY REALTY, LLC AFFECTING THE PREMISES KNOWN AS 5 RAY PLACE, EASTCHESTER

Cm offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Lindandy Realty, LLC, affecting premises known as Section 60, Block 5, Lot 25; 5 Ray Place, Eastchester, NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2016	2017	\$ 25,000	\$ 12,200	\$ 12,800
2017	2018	\$ 20,000	\$ 11,700	\$ 8,300
2018	2019	\$ 15,000	\$ 11,300	\$ 3,700

Eastchester School Approval
To be bonded at a later date

TOTAL TOWN TAX REFUND.....\$ 8,343.89

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

4. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING INSTITUTED BY BROOKFIELD REALTY CORP AFFECTING THE PREMISES KNOWN AS 21 RAY PLACE, EASTCHESTER

Councilwoman Marcotte offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Brookfield Realty Corp., affecting premises known as Section 60, Block 5, Lot 25.C; 21 Ray Place, Eastchester, NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT	AMOUNT OF REDUCTION
2016	2017	\$ 15,000	\$ 6,950	\$ 8,050
2017	2018	\$ 12,000	\$ 6,670	\$ 5,330
2018	2019	\$ 9,300	\$ 6,440	\$ 2,860

Eastchester School Approval
To be bonded at a later date

TOTAL TOWN TAX REFUND.....\$ 5,468.68

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

C) HIGHWAY DEPARTMENT REPORT for December 2021 was received for filing.

D) RECEIVER OF TAXES REPORT for December 2021 was received for filing.

E) TOWN CLERK'S REPORT for November 2021 was received for filing.

IX. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: 2021 YEAR END BUDGET TRANSFERS

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve the following 2021 Year End Budget Transfers:

Year End Budget Transfers - 2021

Townwide	From			To	
A1110.103	Overtime	\$ 15,000	A1110.100	Salaries	\$ 777
A1325.420	Postage	10,000	A1110.450	Contractual Services	22,154
A1420.100	Salaries	10,000	A1220.100	Salaries	3,062
A1900.702	TAN Interest	40,000	A1315.100	Salaries	4,211
A6770.100	Salaries	75,000	A1315.402	Assoc. Dues & Meetings	5
A6872.407	Food (subcontracts)	90,000	A1345.414	Maint. & Repairs	1,000
A7140.102	Salaries - P.T./Seasonal	24,000	A1355.450	Contractual Services	644
A7140.401	Materials & Supplies	9,000	A1410.100	Salaries	2
A7140.491	Miscellaneous Events	40,000	A1420.462	Legal Expense	65,814
A7141.102	Salaries - P.T./Seasonal	90,910	A1650.428	Telecommunications	975
A7141.431	Transportation	50,000	A1900.301	Judgements & Claims	49,165
A7141.450	Contractual Services	21,725	A1900.450	Contractual Services	44,093
			A1900.461	Labor Negotiations	110,500
			A3320.102	PT Salaries/Seasonal	18,424
			A3320.103	Overtime	725
			A3325.423	Rent	7,598
			A6770.102	Salaries - P.T./Seasonal	19,444
			A6770.428	Telecommunications	202
			A6872.100	Salaries	20,682
			A6872.401	Materials & Supplies	5,962
			A7140.100	Salaries	121
			A7140.450	Contractual Services	51,249
			A7150.102	Salaries - P.T./Seasonal	7,107
			A7150.103	Overtime	3,596
			A7150.401	Materials & Supplies	5,594
			A9000.806	Health & Dental Insurance	32,529
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		\$ 475,635			\$ 475,635
Town Outside					
B1900.601	Principal-Debt Service	\$ 27,887	B1900.301	Judgements & Claims	\$ 126,266
B3120.104	Holiday	23,900	B1980.400	MTA Tax	136
B3120.402	Assoc. Dues & Meetings	500	B3120.100	Salaries	45,295
B3120.408	Gasoline	7,100	B3120.103	Overtime	128,314
B3620.100	Salaries	25,000	B3120.103P	Overtime Private Pa	120,757
B6410.102	Salaries - P.T./Seasonal	13,000	B3120.201	Equipment	55,318
B9000.801	State Retirement	380,000	B3120.203	Small Equipment	7,245
B9000.806	Health & Dental Insurance	40,000	B3120.401	Materials & Supplies	4,450
			B3120.415	Maint. & Repairs - Auto	10,972
			B3121.100	Salaries	3,827
			B3620.401	Materials & Supplies	86
			B3620.458	Consulting Services	13,062
			B8020.100	Salaries	2
			B8020.450	Contractual Services	1,042
			B8020.467	Secretarial Services	615
		<hr/>			<hr/>

\$ 517,387

\$ 517,387

Highway

D5110.100	Salaries	\$ 102,103	D5110.102	Salaries - P.T./Seasonal	\$ 30,900
			D5110.401	Materials & Supplies	17,177
			D5110.414	Maint. & Repairs	44
			D5130.451	Tires	750
			D5130.414	Maint. & Repairs	3,232
			D9950.900	Oper. Transfer	50,000
		<hr/>			<hr/>
		\$ 102,103			\$ 102,103

Lake Isle

E3250.450	Contractual Services	\$ 15,000	E3150.102	Salaries - P.T./Seasonal	10,128
E3600.601	Principal-Debt Service	73,820	E3300.450	Contractual Services	61,102
E3600.803	Social Security	11,800	E3515.450	Contractual Services	167
E3600.805	Unemployment Insurance	10,921	E3520.450	Contractual Services	9,516
		<hr/>	E3600.450	Contractual Services	30,628
		\$ 111,541			<hr/>
					111,541

Library

			L7410.103	Overtime	\$ 4,007
L7410.100	Salaries	\$ 8,657	L7410.401	Materials & Supplies	851
L7410.411	Heating Fuel	\$ 1,500	L7410.402	Assoc. Dues & Meetings	9
			L7410.406	Electricity	4,500
			L7410.422	Programming	460
			L7410.428	Materials	330
		<hr/>		Telecommunications	<hr/>
		\$ 10,157			\$ 10,157

Refuse

R8160.100	Salaries	\$ 53,550	R8160.401	Materials & Supplies	\$ 6,813
R9000.806	Health & Dental Insurance	13,750	R8160.408	Gasoline & Diesel	7,100
R9700.601	Principal-Debt Service	40,000	R8160.410	Hauling & Dumping	80,600
R8160.408	Gasoline	2,300	R8160.414	Maint. & Repairs	12,787
		<hr/>	R8165.414	Maint. & Repairs	2,300
		\$ 109,600			<hr/>
					\$ 109,600

Street Lights

L5182.414	Maint. & Repairs	\$ 5,900	L5182.406	Electricity	\$ 5,900
L 00599	App Fund Balance	\$ 23,815	L5182.406	Electricity	\$ 23,815

General Liability

M1935.305	Insurance Claims	205,195	M1935.462	Legal Expense	\$ 188,702
			M1935.502	Liability Insurance	16,493
		<hr/>			<hr/>
		\$ 205,195			\$ 205,195

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

B) MEMORANDUM FROM COMPTROLLER RE: SEASONAL EMPLOYEES

Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve the Seasonal Appointment of John Fallon and Joseph Grogen as Recreation Attendants in the Recreation Department at an hourly rate of \$15.00.

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

C) MEMORANDUM FROM COMPTROLLER RE: HIGHWAY DEPARTMENT STIPEND

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION to implement an annual stipend of \$2,000 to Thomas DiLeo for the additional responsibilities for operating specialize highway equipment effective February 4, 2022.

Funds are available in the 2022 Budget.

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

D) MEMORANDUM FROM COMPTROLLER RE: HIGHWAY DEPARTMENT STIPEND

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION to implement an annual stipend of \$2,000 to Patrick Nigro for the additional responsibilities for operating specialize highway equipment effective February 4, 2022.

Funds are available in the 2022 Budget.

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

X. **MISCELLANEOUS BUSINESS** – none

XI. COUNCIL MEMBER REPORTS

Councilman Marcoccia presented tips regarding carbon monoxide detection and how to avoid hazards that contribute to carbon monoxide poisoning.

Councilman Dooley commended the Highway Department crews on their efforts to keep roads clear during a recent snow storm.

Councilwoman Nicholson had no report.

Councilwoman Marcotte reported the High School EIBL program registration is open for 9th- 12th graders. Additionally, information regarding the February Winter Break mini-camps is available on the town website.

Mrs. Marcotte encouraged the public to sign-up with the Federal Government for free covid test kits at www.covidtest.gov.

A heartfelt "thank you" was extended to all the *Snow Angels* who volunteered to help clear snow for elderly neighbors throughout town. For those who wish to participate, please the program at tuckahoesnowangel@yahoo.com.

In closing, Councilwoman Marcotte announced the 2022 St. Patrick's Day Parade will held on March 13th.

Supervisor Colavita announced the Receiver of Taxes Office will offer extended hours on Monday, January 31st from 8:00 am to 7pm on the final day for school tax collection.

The Supervisor reported the Girl Scout Hometown Hero Program will continue in 2022 to allow more families and the community to honor local veterans.

XII. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Tom Ashley explained that since his retirement from the Eastchester Police Department there has been confusion regarding payments received by both Workers Comp and the Retirement System. Town Attorney Lou Reda responded that he would review the matter.

There being no further public business, at 7:30 pm, Supervisor Colavita asked for the meeting to be closed with a moment of silence for lifelong resident and member of the 'Town Hall family,' Phil Pinto.

Philip A. Pinto Jr., passed away on January 8th, surrounded by his family who adored and loved him more than anything in this world. Phil fought a courageous battle against pancreatic cancer, and as with anything life presented him with, he did so with strength, dignity and grace.

Philip was born on March 24, 1967 to Philip A. and Joan Pinto Sr. He was raised in Eastchester, NY and dutifully served his community as a Captain in the Eastchester Fire Department for over 32 years. His leadership, dedication, and friendship was highly esteemed and admired by the community.

Phil was the most devoted to his family and friends. He took pride in always going above and beyond for those that he loved. He was passionate and proud of what he accomplished in his life, particularly raising a beautiful family and helping others in need, both in and out of uniform. Phil was the definition of a true hero.

Phil is survived and cherished by his wife of thirty years, Lisa, his children Lauren (Tim) and Philip, and his father Philip A. Pinto Sr. He is also survived by his siblings Anthony (Carol) Pinto and Diana (Thomas) DiCarlo, sister-in-law Pam Bruno, along with all of his nephews and nieces. He is predeceased by his mother, Joan, and his in-laws, John and Marilyn Bruno.

Phil's impactful legacy as an incredible husband, father, friend, colleague, and role model will continue to shine through his loved ones. Phil lived his life with gratitude and his faith at the forefront, and has instilled these morals in his family and friends.

Minutes prepared by:

Linda Laird
Town Clerk