Minutes of a Meeting of the Town Board of the Town of Eastchester held on Wednesday, November 3, 2021 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

IV. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS – none

V. APPROVAL OF MINUTES

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve the Minutes of the October 5, 2021 and October 19, 2021 Regular Town Board Meeting, as prepared by Town Clerk Linda Laird.

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

VI. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A) LAW DEPARTMENT REPORT

1. RESOLUTION AUTHORIZING THE SUPERVISOR AND THE TOWN BOARD TO RENDER A DETERMINATION AS TO THE EMPLOYMENT STATUS OF A TOWN EMPLOYEE

   Town Attorney Louis Reda stated the Town Board requires additional time to review the matter and asked that consideration of a Resolution be Tabled until the November 16, 2021 Town Board Meeting.

2. RESOLUTION AUTHORIZING THE TOWN BOARD TO ENGAGE THE SERVICES OF KENNEDYS TO SERVE AS SPECIAL COUNCIL REGARDING INSURANCE COVERAGE

   Councilwoman Marcotte offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the Town Board to engage the services of Kennedys to serve as Special Council regarding insurance coverage and be it further resolved that Kennedys will be compensated at the rate of $425/hour for partners and $325/hour for associates.

On the roll call, all voted "AYE." Motion carried.
3. RESOLUTION AUTHORIZING THE SETTLEMENT OF RECREATION FEE - 20 GREYSTONE CIRCLE – SECTION 83, BLOCK 1, LOT 21

Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve a RESOLUTION authorizing the settlement of a recreation fee for the property located at 20 Greystone Circle (Section 83, Block 1, Lot 21) Eastchester, NY, in the amount of $32,500.00.

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

4. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY 214 MAIN STREET REALTY CORP. – 214 MAIN STREET, EASTCHESTER

Councilwoman Marcotte offered a motion that was seconded by Councilman Dooley 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, 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>2016</td>
<td>2017</td>
<td>$9,250</td>
<td>$8,540</td>
<td>$710.00</td>
</tr>
<tr>
<td>2017</td>
<td>2018</td>
<td>$9,250</td>
<td>$8,307</td>
<td>$943.00</td>
</tr>
<tr>
<td>2018</td>
<td>2019</td>
<td>$9,250</td>
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<td>$1,001.00</td>
</tr>
<tr>
<td>2019</td>
<td>2020</td>
<td>$9,250</td>
<td>$8,270</td>
<td>$980.00</td>
</tr>
<tr>
<td>2020</td>
<td>2021</td>
<td>$9,250</td>
<td>$8,023</td>
<td>$1,227.00</td>
</tr>
</tbody>
</table>

Eastchester School Approved
TOTAL TOWN TAX REFUND.................................................................$1,680.73

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

5. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY ONE ELM STREET ASSOCIATES, LLC. – ONE ELM STREET, EASTCHESTER

Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by One Elm Street Associates, LLC, affecting premises known as Section 32, Block 3, Lot 2.1A; One Elm Street, 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>2018</td>
<td>2019</td>
<td>$49,350</td>
<td>$23,750</td>
<td>$25,600</td>
</tr>
<tr>
<td>2019</td>
<td>2020</td>
<td>$49,350</td>
<td>$22,750</td>
<td>$26,600</td>
</tr>
<tr>
<td>2020</td>
<td>2021</td>
<td>$49,350</td>
<td>$22,600</td>
<td>$26,750</td>
</tr>
</tbody>
</table>

*Tuckahoe School Approved
TOTAL TOWN TAX REFUND.................................................................$2,921.18

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

B) TOWN CLERK’S REPORT for September 2021 was received for filing.

Town Clerk Linda Laird congratulated Councilwoman Nicholson, Councilman Marcoccia and Supervisor Colavita on the strong show of support on Election Day and on being re-elected. Mrs. Laird referenced the List of Town Supervisors, 1838 to current, that was prepared for the Town’s 350th Anniversary and noted that the Mr. Colavita is the longest serving Supervisor in the town’s history. Supervisor Colavita took office on January 1, 2004 and has currently served for 17 years and 11 months.

VII. CORRESPONDENCE

A) MEMORANDUM FROM ASSESSOR RE: TAX REFUND APPLICATION - 71 MAPLE STREET

Per a request from Assessor Todd Huttunen, Supervisor Colavita offered a motion that was seconded by Councilwoman Nicholson to approve a RESOLUTION to approve a 2021/2022 Enhanced STAR refund in the amount of $1,832 for property located at 71 Maple Street, Scarsdale (Section 63H, Block 1, Lot14).
The refund, which has been approved by the Westchester County Tax Commission, is due to a clerical error on the 2020 Assessment Roll. An Enhanced STAR Exemption was approved but entered as BASIC STAR; therefore, producing an incorrect 2021/22 school tax bill.

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

VIII. MISCELLANEOUS BUSINESS - none

IX. COUNCIL MEMBER REPORTS

Note to reader: Councilwoman Nicholson, Councilman Marcoccia and Supervisor Colavita were re-elected during the November 2, 2021 General Election.

Councilman Marcoccia announced the Village of Tuckahoe is holding a walk in COVID vaccine clinic on Friday November 5th at the Tuckahoe Community Center. Pfizer vaccine will be available 5:30 to 6:30 pm and Moderna vaccine will be available from 6:30 pm to 7:30 pm. Seasonal flu vaccine will also be available for ages 5 years and older. Booster shots are available for those who meet NY State criteria as follows: 65 years and older, age 18+ who live in long-term care settings, age 18+ who have underlying medical conditions or age 18+ who work or live in high-risk settings. Second doses of Covid19 vaccine will be given at a later date at the Community Center Nov 30th for Pfizer and Dec 3 for Moderna. You do not need to be a Tuckahoe resident. We are asking people to sign up only so we can get an approximate idea of the amount of vaccine needed.

Councilman Marcoccia thanked the residents for their support in re-electing him to the position on the Town Board and committed to "doing his best" to work for all the residents of Eastchester, Bronxville and Tuckahoe in keeping services and the tax rate at current levels.

Councilman Dooley congratulated Supervisor Colavita, Councilman Marcoccia and Councilwoman Nicholson on their re-election and extended a 'thank you' to all those who worked on Election Day.

Councilwoman Nicholson thanked the voters for their confidence in re-electing her to another four years on the Town Board.

Councilwoman Marcotte encouraged the public to participate in the Veteran’s Day Ceremony at Memorial Park on Veteran's Day; November 11th at 11:00 a.m.

In addition, Mrs. Marcotte announced the following Bronxville events; the Reform Church clothing and tag sale will be held on November 13th from 9am – 2pm and the Green Committee will sponsor a “take back day” on November 6th followed by Shop Small Saturday on November 27th.

In closing, Councilwoman Marcotte issued a call for residents to volunteer as a Snow Angel this winter by signing up at snowangels@yahoo.com and assisting neighbors with snow clean-up.

Supervisor Colavita distributed the 2022 Preliminary Budget to the Town Board and reported the 2022 tax rate increase is zero (0%) for Town Outside and 0.51% for Townwide and provided an overview of the Budget:

The 2022 Tentative Budget marks the 11th straight year that Eastchester will deliver a budget within the 2% tax cap. Although some of us recall budgeting before the tax cap, the truth is that responsible municipal budgeting is the norm in Eastchester; it has been for the past decade and will continue to be going forward.

The 2022 tax levy cap set by the State of New York is 2%. Our allowable levy is $22,124,841 The 2022 Town of Eastchester tax levy is $1,198,531 less than that amount. The Board has had a conservative fiscal management of the Town’s finances. It has been the judgment of this administration to submit a budget with the most services at the minimum cost to the residents.

The total budget for 2022 is $36,685,056 which represents a $324,631 increase over the 2021 budget.

The total Townwide Tax levy for the 2022 budget is $3,838,306. Property taxes count for 42% of the Townwide revenue budget, 13% or $1,200,000 from fund balance with the remaining 45% mainly consisting of department revenue, and mortgage taxes. The 2022 Townwide budget will generate a 0.51% property tax rate increase, which amounts to an increase of $0.1936 per thousand dollars of assessed valuation. What this means is that: an average house in the Village
of Bronxville with an assessment of $21,500 will pay $4.16 more per year ($0.35 per month); an average house in the Village of Tuckahoe with an assessment of $7,100 will pay $1.37 more per year ($0.11 per month).

The total Town Outside Tax levy for the 2022 budget is $16,815,202. Property taxes account for 73% of the Town Outside revenue budget, 8% or $1,960,000 from fund balance and the remaining 19% mainly consisting of department revenue and sales taxes. The 2022 Town Outside budget will generate a 0% property tax rate increase, which amounts to an $0 per thousand dollars of assessed valuation. What this means is that an average house in the Town Outside portion of Eastchester with an assessment of $8,800 will pay an additional $0 per year.

The current and projected tax rates are as follows:

<table>
<thead>
<tr>
<th></th>
<th>TAX RATES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2022</td>
</tr>
<tr>
<td>Entire Town</td>
<td>38.0925</td>
</tr>
<tr>
<td>Town Outside</td>
<td>309.8173</td>
</tr>
<tr>
<td>Sewer Charge</td>
<td>7.4721</td>
</tr>
<tr>
<td>Garth Resident Parking District</td>
<td>49.6740</td>
</tr>
</tbody>
</table>

The Supervisor reported the budget utilizes $3,160,000 in fund balance. This is the same as in 2021. Health Insurance premiums will increase 4% in 2022.

One of the most significant obligations of the Town which has the greatest impact on this budget is our pension contribution. The 2022-23 pension contribution is estimated to be $2,366,894, which is a decrease from prior years.

The Office of the State Comptroller (OSC) reviews the Town’s fiscal stress on an annual basis. The Town of Eastchester continues to be in the no designation category. (top 3%). Moody’s has again reaffirmed our AAA rating which is key in keeping our borrowing rates low. The Supervisor concluded by stating he believes this tentative budget sets forth a fiscal responsible plan while still preserving and maintaining essential municipal services.

In closing, the Supervisor thanked the people of Eastchester, Tuckahoe and Bronxville for their strong support on Election Day and made a commitment to work hard for all residents.

**X. SECOND OPPORTUNITY TO ADDRESS THE BOARD - none**

There being no further public business, the meeting was adjourned 7:25 p.m.

Minutes prepared by;

Linda Laird
Town Clerk