

**TOWN OF EASTCHESTER  
MINUTES OF THE TOWN BOARD  
January 17, 2023**

Minutes of a Meeting of the Town Board of the Town of Eastchester held on Tuesday, January 17, 2023 at 7:00 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 Joseph Dooley  
Councilwoman Theresa Nicholson  
Councilman Luigi Marcoccia

Absent: Councilwoman Sheila Marcotte

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

**IV. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS - none**

**V. APPROVAL OF MINUTES**

Councilman Dooley offered a motion that was seconded by Supervisor Colavita to approve the Minutes of the January 3, 2023 Town Board Meeting as prepared by Town Clerk Linda Laird.

**On the roll call, all voted "AYE" except Councilwoman Marcotte who was absent. Motion carried.**

**VI. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS**

**A) POLICE DEPARTMENT REPORT**

The Board reviewed and approved for filing the following reports for December 2022; Parking Summonses, Citation Activity Report, Statement of Accounts and the Traffic Report. Chief Rodriguez reported on training as well as the development of an on-line form to better enforce parking on Garth Road.

**B) LAW DEPARTMENT REPORT**

**1. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND FACILITIES MAINTENANCE CORPORATION TO PROVIDE CLEANING AND MAINTENANCE SERVICES FOR TOWN FACILITIES**

Supervisor Colavita offered a motion that was seconded by Councilman Dooley 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" except Councilwoman Marcotte who was absent. Motion carried.**

**2. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY RALPH ELEFANTE & MATTHEW PERSANIS - 141 HILLSIDE AVENUE, EASTCHESTER, NY**

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Ralph Elefante & Matthew Persanis affecting premises known as Section 44, Block 7, Lot 8; 141 Hillside Avenue, Eastchester, NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2018	2019	\$ 12,700	\$10,485	\$ 2,215
2019	2020	\$ 12,700	\$10,485	\$ 2,215
2020	2021	\$ 12,700	\$10,485	\$ 2,215
2021	2022	\$ 12,700	\$10,485	\$ 2,215
2022	2023	\$ 12,700	\$10,485	\$ 2,215

Eastchester School Approval  
TOTAL TOWN TAX REFUND.....\$ 3,116.22

**On the roll call, all voted “AYE” except Councilwoman Marcotte who was absent. Motion carried.**

**3. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY TUCKAHOE DEVELOPERS INC., DIV., POUGHKEEPSIE SHOPPING CENTER – 62 MAIN STREET, EASTCHESTER, NY**

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Tuckahoe Developers Inc., Div., Poughkeepsie Shopping Center affecting premises known as Section 33, Block 9, Lot 10; 62 Main Street, Eastchester, NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2017	2018	\$ 15,245	\$ 12,580	\$ 2,665
2018	2019	\$ 15,245	\$ 12,150	\$ 3,095
2019	2020	\$ 15,245	\$ 11,930	\$ 3,315
2020	2021	\$ 15,245	\$ 11,860	\$ 3,385
2021	2022	\$ 15,245	\$ 10,690	\$ 4,555
2022	2023	\$ 15,245	\$ 10,200	\$ 5,045

Tuckahoe School Approval  
TOTAL TOWN TAX REFUND.....\$ 631.25

**On the roll call, all voted “AYE” except Councilwoman Marcotte who was absent. Motion carried.**

**4. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY ORANGE WORLD, LLC – 65 MAYNARD STREET, EASTCHESTER, NY**

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Orange World, LLC affecting premises known as Section 34, Block 4, Lot 10; 65 Maynard Street, Eastchester, NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2018	2019	\$ 7,700	\$ 5,100	\$ 2,600

Tuckahoe School Approval  
TOTAL TOWN TAX REFUND.....\$ 93.87

**On the roll call, all voted “AYE” except Councilwoman Marcotte who was absent. Motion carried.**

**C) HIGHWAY DEPARTMENT REPORT** for December 2022 was received for filing.

**D) RECEIVER OF TAXES REPORT** for December 2022 was received for filing.

**VII. CORRESPONDENCE**

**A) MEMORANDUM FROM COMPTROLLER RE: PART TIME EMPLOYEE**

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve the Part-time appointment of Thomas Marcotte to the part-time position of Rec Attendant in the Seniors Department at the rate of \$16. per hour, effective January 17, 2023.

**On the roll call, all voted “AYE” except Councilwoman Marcotte who was absent. Motion carried.**

## **B) MEMORANDUM FROM COMPTROLLER RE: REVISED CREDIT CARD USE POLICY**

Supervisor Colavita offered a motion that was seconded by Councilman Dooley approve a RESOLUTION to Adopt the following Credit Card Use Policy:

### Credit Card Use Policy

#### Purpose:

To establish guidelines for purchasing goods and services by means of a Town of Eastchester credit card, to document the purchasing and internal control practices of the Town with respect to the use of a credit card and to identify the roles and responsibilities of the individuals involved in purchasing. The use of a credit card would only be permitted in situations where a vendor will not accept a check or purchase order in payment for goods or services.

#### Policy:

Credit cards will be issued in the name of the Town of Eastchester with the Town Comptroller, Superintendent of Recreation and the Library Director identified on the card. The credit card issued shall be with one of the authorized Town depositories. Credit card use pursuant to this policy is limited to on-line purchases and Town Comptroller approved in-person purchases, which standard Town payment methods (i.e. purchase order, check) are unavailable. Each issuer maintains custody of their credit card. The issuer will be fully responsible and liable for the use of the card including in circumstances where a subordinate is making the purchase.

#### Cardholder Responsibilities:

Ensure that the credit card is used in compliance with the Town's Purchasing Policies. Town Comptroller must approve such transactions prior to making such purchases. Only authorized employees of the Town of Eastchester may use the town credit card. The town credit card may be used for the purchase of goods or services for only official business of the Town of Eastchester. The employee using the credit card must submit receipts, documentation detailing the goods or services purchased, cost, date of the purchase and the official business explanation thereof. Receipts and documentation must be submitted to the Town Comptroller's Office within two (2) business days of making a purchase. The employee issued the card is responsible for its protection and custody and shall immediately notify the Town Comptroller, in writing, if the card is lost or stolen. Town credit card users must notify vendors or merchants that the credit card transaction should be exempt from New York State Sales and Use Taxes if it is used for the purchase of goods or services in the State of New York. The credit card may not be used for cash advances, personal use or any other type of purchase not permitted under the Town's Purchasing Policy. Employees must immediately surrender the card upon termination of employment. Fraudulent use of the credit card by an employee may result in the following actions: Immediate suspension of card privileges; Criminal investigation and prosecution; Employee reimbursement to the Town via check payable to the Town of Eastchester within 48 hours of notification, and Formal disciplinary action including the termination of employment.

Prohibited Transactions: splitting of total purchase cost, singly or between cardholders to avoid transaction limits, personal purchases, non-municipal use, cash advances, money orders, bank drafts, etc. temporary help, maintenance contracts, long term agreements, rentals or leasing of equipment (with the exception of short-term emergency situations, or vehicle rentals required for travel.)

#### Disputed Charges, Returns, and Assistance:

In the event of disputed charges, or if a cardholder has any questions, the cardholder should contact the appropriate financial institution directly. In the event there are returns, the cardholder must check to ensure that credit notices are issued by the vendor, and submit the credit slip to the Town Comptroller's Office. If a credit slip was not obtained, attach other documentation explaining the return. If credit does not appear by the second subsequent statement, the cardholder must contact the financial institution directly.

The cardholder must also advise the Town Comptroller's Office if there is a dispute. The cardholder must ensure that all required steps to register a dispute are followed. Any charge to be disputed must be identified within 30 days of the statement date. The cardholder is responsible for the transactions identified on the statement. If an audit is conducted on a cardholder's account, receipts must be produced and/or other proof that the transaction occurred. If an error is discovered, the cardholder is responsible to show that the error or dispute resolution process has been invoked.

#### Lost or Stolen Cards

The card assigned is the property of the Town of Eastchester and should be secured as a personal credit card would be. If the card is lost or has been stolen, or if the number becomes the knowledge of someone else, notify the Town Comptroller immediately.

**On the roll call, all voted "AYE" except Councilwoman Marcotte who was absent. Motion carried.**

#### **C) MEMORANDUM FROM SUPERINTENDENT OF PARKS AND RECREATION RE: APPROVAL OF AMERICAN RESCUE PLAN ACT CMC6-HDC6 GRANT FUNDS FOR TITLE III-C NUTRITION PROGRAM CONTRACT FOR APRIL 1, 2021 THROUGH SEPTEMBER 30, 2024**

Councilman Dooley offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing Supervisor Colavita to sign the Agreement with Westchester County Department of Senior Programs and Services for the American Rescue Plan Act CMC6-HDC6 grant funds for Title III-C-2 Nutrition Programs Contract including Schedules A, B, C, D, and E for April 1, 2021 and continuing through September 30, 2024.

The American Rescue Plan funding for the program will be in the amount of \$54,182, comprised of \$27,701 in CMC6 funds, and \$32,481 in HDC6 funds and \$2,411 CMC6 and \$3,610 HDC6 in Contractor matching funds. The services that will be covered under these grant funds are Consumable Supplies, Meals, Equipment/Supplies, Repairs & Vehicle Expenses and In-Home Contact and Support.

**On the roll call, all voted "AYE" except Councilwoman Marcotte who was absent. Motion carried.**

#### **D) MEMORANDUM FROM LIBRARY DIRECTOR RE: PERMISSION TO BID – PASSENGER ELEVATOR REPLACEMENT AT THE EASTCHESTER PUBLIC LIBRARY**

Councilwoman Nicholson offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the Eastchester Public Library to go out to bid for the Replacement of the Passenger Elevator Project.

Funding for the Project has been provided by a New York State Construction Grant. Matching funds have been provided from the Eastchester Public Library's fund balance.

**On the roll call, all voted "AYE" except Councilwoman Marcotte who was absent. Motion carried.**

#### **E) MEMORANDUM FROM SUPERVISOR RE: 2023 ASSOCIATION OF TOWNS – VOTING DELEGATE**

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to appoint Councilwoman Marcotte as a Voting Delegate to the NYS Association of Towns Annual Meeting to be held in New York City February 19-23, 2023.

**On the roll call, all voted "AYE" except Councilwoman Marcotte who was absent. Motion carried.**

#### **F) MEMORANDUM FROM SUPERVISOR RE: FEBRUARY & APRIL 2023 TOWN BOARD MEETING DATES**

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION setting the February and April Town Board Meeting Schedule, to include one meeting for both February and April, as follows: February 7, 2023 at 7:00 p.m. and April 18, 2023 at 8:00 p.m.

**On the roll call, all voted "AYE" except Councilwoman Marcotte who was absent. Motion carried.**

**VIII. MISCELLANEOUS BUSINESS -none**

**IX. COUNCIL MEMBER REPORT**

Councilman Marcoccia attended the recent Eastchester/Tuckahoe Chamber of Commerce Meeting and reported the organization is recruiting both new members as well as business owners willing to serve on the Board of Directors.

Councilman Dooley announced the 2023 St. Patrick's Day Parade will be held on Sunday, March 12<sup>th</sup>.

Councilwoman Nicholson announced a Blood Drive, sponsored by relay For Life, will be held at the Tuckahoe Community Center on February 24<sup>th</sup>. In addition, Mrs. Nicholson encouraged residents to reference the Library website for the monthly classes and events.

Supervisor Colavita announced the Town had been notified that the annual comprehensive financial report for the fiscal year ended December 31, 2021 qualifies the Town for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. The Supervisor thanked Comptroller Dawn Donovan for her efforts and congratulated her on the achievement.

Supervisor Colavita announced a workshop meeting with the Leewood Park Civic Association will be held at the Community Center at Lake Isle on January 25<sup>th</sup> to discuss the renovation of Leewood Park.

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

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

Minutes prepared by:

Linda Laird  
Town Clerk