

**MINUTES OF A SPECIAL TOWN BOARD MEETING  
July 11, 2023**

Minutes of a Special Meeting of the Town Board of the Town of Eastchester held on Tuesday, July 11, 2023 at 7:30 p.m., in the Supervisor's Conference Room, Town Hall, 40 Mill Road, Eastchester, New York.

Supervisor Colavita called the meeting to order at 7:30 p.m. noting the presence of the Town Board, Town Attorney Louis Reda and Comptroller Dawn Donovan.

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to move into Executive Session for the purpose of reviewing the findings of an employee disciplinary proceeding.

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

The Town Board reviewed and discussed the findings of a disciplinary proceeding of Employee #1596.

The Executive Session was adjourned at 7:55 p.m.

**MINUTES OF THE REGULAR TOWN BOARD MEETING  
July 11, 2023**

Minutes of a Meeting of the Town Board of the Town of Eastchester held on Tuesday, July 11, 2023 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 Joseph Dooley  
Councilwoman Theresa Nicholson  
Councilman Luigi Marcoccia  
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**

Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve the Minutes of the June 6, 2023 and the June 20, 2023 Regular Town Board Meetings and the June 29, 2023 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 Board reviewed and approved for filing the following reports for June 2023; Parking Summonses, Citation Activity Report, Statement of Accounts and the Traffic Report.

Chief Joseph Rodriguez asked that parents exercise patience as they drop off and pick up their children from Summer Camp. The Chief reported the Tuckahoe, Bronxville and Eastchester Police Departments joined together to participate in active shooter and shooter threat training.

**B) LAW DEPARTMENT REPORT**

**1. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND FUNDAMENTAL BUSINESS SERVICE, INC. FOR THE PROCESSING OF PARKING TICKETS**

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 Fundamental Business Service, Inc. (FBS) for the processing of parking tickets.

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

**2. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A CONTRACT MADE BETWEEN THE TOWN OF EASTCHESTER AND ABSOLUTE AUCTIONS & REALTY, INC. FOR THE SALE OF GOVERNMENT ASSETS BY ONLINE AUCTION**

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

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

**3. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY SCARSDALE TOWNHOUSES – 140-150 BROOK STREET**

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Scarsdale Townhouses, affecting premises known as Section 59, Block 7, Lots 12.1-12.12; 140-150 Brook Street, Eastchester, NY as follows:

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2018	2019	\$ 71,400	\$ 58,740	\$ 12,660
2019	2020	\$ 71,400	\$ 59,520	\$ 11,880
2020	2021	\$ 71,400	\$ 62,400	\$ 9,000
2021	2022	\$ 71,400	\$ 61,140	\$10,260
2022	2023	\$ 71,400	\$ 59,760	\$11,640

Eastchester School approved

To Be Bonded at a later date

TOTAL TOWN TAX REFUND.....\$ 19,525.73

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

**4. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER AN AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND KG&D ARCHITECTS, P.C. IN REALATION TO THEIR SERVICES FOR THE UPGRADING OF THE TOWN HALL BUILDING PROJECT**

Councilman Marcoccia offered a motion that was seconded by Councilwoman Marcotte to approve a RESOLUTION authorizing the Supervisor to execute and deliver an agreement between the Town of Eastchester and KG&D Architects, P.C. in relation to their services for the upgrading of the Town Hall building project.

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

**LATE FLYING ITEM**

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve the following RESOLUTION:

WHEREAS, disciplinary charges and specifications were preferred against Town employee #1596 on or about October 18, 2022; and

WHEREAS, a hearing was held regarding said charges before the Hearing Officer, Patrick J. Gunn, Esq. (the "Hearing Officer"), who was duly appointed in accordance with the provisions of the collective bargaining agreement between the Town and the Civil Service Employees Association; and

WHEREAS, the Hearing Officer issued the Hearing Officer's Findings and Recommendation, dated June 30, 2023, wherein the Hearing Officer found employee #1596 guilty of the charges of misconduct and incompetence preferred against him on or about October 18, 2022, and recommended termination of employee #1596 employment as a penalty; now, therefore, be it

RESOLVED, that the Town Board hereby adopts the findings and recommendations of Hearing Officer Gunn set forth in the Hearing Officer's Findings and Recommendation, dated June 30, 2023, and in accordance therewith terminates the employment of employee #1596 effective immediately.

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

**C) RECEIVER OF TAXES REPORT** for June 2023 was received for filing.

**VII. CORRESPONDENCE**

**A) MEMORANDUM FROM COMPTROLLER RE: BUDGET TRANSFERS**

Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve the following budget transfers:

From:

Buildings & Maint. - Equipment	(E.3250.201)	\$6,500.00
Buildings & Maint. – Small Equipment	(E.3250.203)	3,000.00
Pools – Small Equipment	(E.3300.203)	2,500.00
Golf Maint. – Contractual Services	(E.3520.450)	<u>5,000.00</u>
		<b>\$17,000.00</b>

To:

Buildings & Maint. – Materials & Supplies	(E.3250.401)	\$3,500.00
Pools – Materials & Supplies	(E.3300.401)	8,500.00
Golf Admin. – Contractual Services	(E.3515.450)	<u>5,000.00</u>
		<b>\$17,000.00</b>

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

**B) MEMORANDUM FROM COMPOTROLLER RE: SEASONAL EMPLOYEES**

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve the following Seasonal Appointments:

LAST NAME	FIRST NAME	TITLE	RATE	EFF DATE	TYPE	DEPT
DeStefano	John	Recreation Attendant	14.00	7/12/2023	Rehire	Lake Isle
Marcucilli	Dylan	Recreation Attendant	11.00	7/12/2023	New Hire	Lake Isle
Connaughton	Neive	Lifeguard	14.00	7/12/2023	New Hire	Lake Isle
Salazar Fernandez	Elva	Recreation Attendant	15.00	7/12/2023	New Hire	Lake Isle
Fortunato	Dava	Recreation Attendant	18.00	6/26/2023	Rate Change	Rec.
Mackin-Berger	Gavin	Recreation Attendant	12.00	6/26/2023	New Hire	Rec.
Giamei	Sofia	Recreation Attendant	12.00	6/26/2023	New Hire	Rec.

Perez	Michael	Recreation Attendant	12.00	6/26/2023	New Hire	Rec.
Petrone	Natalie	Recreation Attendant	12.00	6/26/2023	New Hire	Rec.
Dunleavy	Amanda	Recreation Attendant	18.00	6/26/2023	Rate Charge	Rec.
O'Neill	Connell	Recreation Attendant	13.00	6/26/2023	Rate Charge	Rec.
Olivari	Aidan	Recreation Attendant	12.00	6/26/2023	New Hire	Rec.

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

**C) MEMORANDUM FROM COMPTROLLER RE: TOWN OF EASTCHESTER POLICE OFFICERS UNION MEMORANDUM OF AGREEMENT 2023-2024**

Per a request from Comptroller Dawn Donovan, Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to authorize a RESOLUTION to approve the Memorandum of Agreements for the Police Union for the years 2023-2024. The highlights of the agreements are as follows:

- Effective January 1, 2023 salary increase of 3.875%
- Effective January 1, 2024 salary increase of 3.875%.
- Increase longevity as follows:
  - 2023
    - Year 6 + \$100
    - Year 11 + \$150
    - Year 16 + \$200
  - 2024
    - Year 6 + \$100
    - Year 11 + \$150
    - Year 16 + \$200
- Vacation language clarification for Police and Sergeant
- Upon ratification the Union withdraws with prejudice their outstanding grievances regarding vacation and improper practice charge regarding body worn camera policy

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

**D) MEMORANDUM FROM POLICE CHIEF RE: EMERGENCY RESPONSE UNIT/MUTUAL AID INTERMUNICIPAL AGREEMENT BETWEEN THE EASTCHESTER AND TUCKAHOE POLICE DEPARTMENTS**

Per a request from Police Chief Rodriguez, Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the Police Mutual Aid/ERU Agreement between the Eastchester and Tuckahoe Police Departments, effective until 12/31/2028.

The agreement will allow the departments to provide assistance during times of emergencies, as well as non-emergency requests. The contract will also enable the departments to conduct joint investigations and responses to incidents that require a mutual agency tactical team.

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

**E) MEMORANDUM SENIOR PROGRAMS AND SERVICES RE: APPROVAL OF CONTRACT TO PROVIDE FUNDING FOR MEALS & NUTRITION RELATED SERVICES FOR THE ELDERLY FOR PROGRAM YEAR 2023**

Per a request from Sally Veltidi, Councilwoman Marcotte offered a motion that was seconded by Councilwoman Nicholson to approve a RESOLUTION authorizing Supervisor Colavita to sign an Agreement with Westchester County Department of Senior Programs and Services for IIIC and NSIP, including Schedules A, B, C, D, E, H and I.

The contract provides funding for the Congregate Meals program at the Lake Isle Senior Center and for the Home Delivered Meals program for frail, homebound residents. The periods covered are January 1, 2023 to December 31, 2023 for the III-C programs and October 1, 2022 to September 30, 2023 for NSIP. Total aggregate amount to be paid to the Town of Eastchester is \$88,008 and the total aggregate amount for the contractor match is \$24,906 for the III-C programs.

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

**VIII. MISCELLANEOUS BUSINESS - none**

**IX. COUNCIL MEMBER REPORTS**

Councilman Marcoccia had no report.

Councilman Dooley announced the Celtic Cross band will be performing at Lake Isle on July 12<sup>th</sup> at 8 pm.

Councilwoman Nicholson encouraged readers of all ages to participate in one of the Library's Summer Reading Programs.

Councilwoman Marcotte had no report.

Supervisor Colavita announced the 2023 Eastchester Cup Golf Outing will be held on September 11<sup>th</sup>. The outing and dinner support the scholarship funds of the Eastchester Irish-American Social Club and the Eastchester Italian-American Citizens Club, plus a portion of the proceeds from this year's event will benefit the Tunnel To Towers Foundation.

In closing, Supervisor Colavita commended Eastchester resident Anthony Giacobbe for his quick response in rescuing two individuals who were nearly electrocuted near a boat dock and who fell into the water.

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

There being no further public business the meeting was adjourned with a moment of silence for Al Kawer, a lifelong resident, owner of Tuckahoe Paint and Glass and active and instrumental member of the Lake Isle Advisory Board.

Minutes prepared by:

Linda Laird  
Town Clerk