

**TOWN OF EASTCHESTER
MINUTES OF THE TOWN BOARD
January 16, 2024**

Minutes of a Meeting of the Town Board of the Town of Eastchester held on Tuesday, January 16, 2024 at 7:30 p.m., at the Town Hall, 40 Mill Road, Eastchester, New York.

I. CALL TO ORDER

Supervisor Colavita called the Meeting to Order and lead the Pledge of Allegiance.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

Present: Town Clerk Joseph Dooley
Town Attorney Louis Reda
Chief Joe Rodriguez
Superintendent of Highways Rocco Latella

IV. SPECIAL PRESENTATION

Chief Rodriguez gave a brief presentation on the hiring process for a new police officer and the recommendations that he received on David McCain. Chief Rodriguez also thanked the Board for the hiring of Police Officer McCain. Supervisor Colavita then called for a motion for the approval of hiring of Officer McCain. Councilwoman Marcotte offered a motion that was seconded by Councilwoman Nicholson.

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

Supervisor Colavita then administered the Oath of Office to Police Officer David McCain who was previously appointed at the December 19, 2023 Town Board Meeting.

V. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS

There were no comments from the public.

VI. APPROVAL OF MINUTES

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve the Minutes of the December 19, 2023 Town Board Meeting of Eastchester, as prepared by Deputy Town Clerk Mary Swikata and the Minutes of the Reorganization Meeting of the Town of Eastchester of January 2, 2024, as prepared by Town Clerk Joseph Dooley

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

VII. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A). POLICE DEPARTMENT REPORT

The Board reviewed and approved for filing the following reports for December of 2023:

- Summary Report of V&T Violations, Parking Summonses, Ordinance Summonses, Arrests, Accidents, Medical Aided Cases, and Calls for Service
- The Detectives Report
- Statement of Accounts

The Board also reviewed and approved for filing the 2023 Annual Summary Report of V&T Violations, Parking Summonses, Ordinance Summonses, Arrests, Accidents, Medical Aided Cases, and Calls for Service.

Chief Rodriguez reported that the Traffic Unit has begun Directed Traffic Enforcement in specific neighborhoods. There is currently a focus in the Lake Isle Estates area. The main purpose is to slow people down. The Chief then mentioned that the elimination of the 2:00 a.m. to 6:00 a.m. street parking regulations worked well during the recent Snow Emergency and that summons have been issued for cars not moved.

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 Giacobbe 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 Westchester Funeral Home, Eastchester, NY affecting premises known as Section 74, Block 2, Lot 11; 190 Main Street, Eastchester, NY as follows:

Councilwoman Marcotte offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Westchester Funeral Home, Eastchester, NY affecting premises known as Section 74, Block 2, Lot 11; 190 Main Street, Eastchester, NY as follows:

Section 74, Block 2, Lot 11

ASSESSMENT YEAR	TAX YEAR	ASSESSED VALUATION **	PROPOSED SETTLEMENT A.V.	AMOUNT OF REDUCTION
2018	2019	\$ 18,253	\$ 17,967	\$ 286
2019	2020	\$ 18,253	\$ 17,649	\$ 604
2020	2021	\$ 18,253	\$ 17,967	\$ 286
2021	2022	\$ 18,253	\$ 17,550	\$ 703
2022	2023	\$ 18,253	\$ 17,304	\$ 949
2023	2024	\$ 18,253	\$ 16,685	\$ 1,568

TOTAL TOWN TAX REFUND.....\$ 999.88

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

C). HIGHWAY DEPARTMENT REPORT for December 2023 was received for filing

Superintendent of Highways Latella reminded residents to sign up to the Smart 911 Alert System for weather alerts. He noted that the 2024 sanitation recycling schedules have been mailed out and if anyone didn't receive one, please reach out to the Highway Department. He also noted that the highway maintenance garage addition has been completed and that it will help with repairs in-house. He also thanked the department for the great work that they are doing.

Supervisor Colavita noted that Superintendent of Highways Latella was recently elected as Vice President of the Westchester Putnam Counties Association of Towns Superintendents of Highways.

D). RECEIVER OF TAXES REPORT for December 2023 was received for filing.

E). TOWN CLERK'S REPORT for December 2023 was received for filing.

Town Clerk Dooley mentioned that he would be attending the 2024 Association of Towns Newly Elected Town Officials Training School in Albany.

VIII. CORRESPONDENCE –

A). MEMORANDUM FROM COMPTROLLER RE: PART TIME SEASONAL EMPLOYEES

Councilwoman Nicholson offered a motion that was seconded by Councilwoman Marcotte to approve the following part time employees:

NAME	JOB TITLE	APPOINTMENT TYPE	RATE	EFFECTIVE DATE	**RATE CHG N-NEW R-RATE/ TITLE CHG	DEPT.
Casey, Maureen	Intermediate Clerk	Part Time	\$26.50	1/17/2024	Rate Change	Seniors
Jensen, Jennifer	Recreation Attendant	Part Time	\$26.50	1/17/2024	Rate Change	Seniors
Zappetti, Madeline	Recreation Attendant	Part Time	\$26.50	1/17/2024	Rate Change	Seniors
Spellman, Mary	Sr. Acct Clerk-typist	Part Time	\$29.00	1/17/2024	Rate Change	Seniors
Piraino, Francis	Laborer	Part Time	\$20.00	1/17/2024	Rate Change	Bldg. Maint
Donovan, Dareen	Recreation Attendant	Seasonal	\$22.00	2/20/2024	Rehire	Rec.

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

B). MEMORANDUM FROM LIBRARY DIRECTOR RE: PERMISSION TO GO TO BID – CONVERSION OF TWO PUBLIC BATHROOMS TO ADA COMPLIANT RESTROOMS

Councilman Giacobbe offered a motion that was seconded by Councilwoman Marcotte to approve a RESOLUTION authorizing the Eastchester Public Library to go out to bid for the Conversion of Two Public Bathrooms into ADA Compliant Restrooms.

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

C). MEMORANDUM FROM SUPERINTENDENT OF HIGHWAYS RE: PERMISSION TO BID TREE SERVICE CONTRACT

Supervisor Colavita offered a motion that was seconded by Councilwoman Nicholson to approve a RESOLUTION authorizing the Highway Department to go out to bid for the Tree Service Contract.

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

D). MEMORANDUM FROM ASSESSOR RE: TAX MAP MAINTENANCE CONTRACT

Per a request from Assessor Liscio, Councilman Marcoccia offered a motion that was seconded by Councilman Giacobbe to approve a RESOLUTION authorizing Supervisor Colavita to sign the 2024 Tax Map Maintenance Services Agreement with MRB Group for a total cost of \$15,860.00.

Funds are available in the 2024 Budget.

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

E). MEMORANDUM FROM THE SUPERVISOR RE: FEBRUARY TOWN BOARD MEETING DATES

Councilwoman Marcotte offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION changing the date of the February Town Board Meetings to one meeting only for the month of February. The Town Board Meeting will be scheduled for Tuesday February 6th at 7:30pm.

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

IX. MISCELLANEOUS BUSINESS – none

X. COUNCIL MEMBER REPORTS –

Councilman Marcoccia mentioned that Eastchester Community Action Partnership ("ECAP") hosted its Martin Luther King Jr. Breakfast. It was a great event and well attended. This event acts as ECAP's fundraiser for activities such as its community food pantry, afterschool and outreach programs.

Councilwoman Nicholson gave a reminder to residents to slow down in our town and obey traffic signs while driving, and no texting while driving.

Councilwoman Marcotte mentioned that the senior program for estate planning, healthcare overview and elder care mediation that was originally scheduled for January 9th will be back on the schedule for some time in February, and directed anyone interested to check the Town's web-site for a definitive date. Mrs. Marcotte also mentioned that the Eastchester Student Council is holding its annual Senior Dance on Saturday, January 27th at 4 p.m. Mrs. Marcotte mentioned that approximately 75 Cottle School students attended an event at the One Room School House. Immaculate Conception students will be attending an event in February. Mrs. Marcotte also reminded anyone needing help with shoveling snow to sign-up with the Snow Angels Program in advance rather than wait until there is a storm. The program pairs volunteers with elderly neighbors to assist with snow clean up throughout Town. For those who wish to participate, please sign up for the program at tuckahoesnowangels@yahoo.com.

Councilman Giacobbe thanked the Highway Department and the crews for their work on the recent storm. He mentioned that he recently took a tour of the Highway Department with Superintendent of Highways Latella and was able to see the crews preparing for the upcoming storm. Mr. Giacobbe also recently met with Superintendent of Parks & Recreation Sally Veltidi and was advised that they are working on Summer Camps, and information on these camps will be available in early February. He directed residents to the Recreation Department's Instagram page @eastchesterrecreation or the Parks & Recreation section on the Town's web-site www.eastchester.org for more information. Mr. Giacobbe

mentioned that now is a good time to start thinking about the various sports leagues around town for the spring, so keep an eye out for news on these leagues. Mr. Giacobbe also mentioned that the Eastchester Middle School Players club is performing Beauty and the Beast over the weekend.

Supervisor Colavita mentioned that he would like to close the meeting with a moment of silence for retired Eastchester Police Department Sergeant Chris Shoureck who passed away recently. He will be missed, he was a great officer.

Regarding the sports leagues in Town, there has been much opinion and commentary about the Town's enforcement of the non-resident ineligibility policy for permitted sports leagues and recreation programs which use Town owned taxpayer funded fields. To begin with, the Town has spent and continues to spend millions of Eastchester, Tuckahoe, and Bronxville taxpayer dollars on Town owned fields that are used by sports leagues and Town sponsored sporting events. We have excellent fields because of the constant renovations and improvements made to each of the fields, courtesy of the taxpayers of Eastchester, Tuckahoe, and Bronxville. Unfortunately, we have a very limited number of fields and no gyms. If you are or have been involved in one of the many leagues in Town as many us have been, you are acutely aware of the shortage of field space and the wear and tear on the fields each season. A lot of the leagues now have fall, spring, and summer programming in addition to their primary season. Also, there are significant parking and traffic issues around the fields and a lot of the residents bear the brunt of this.

The Eastchester Sports Council was formed as a result of the pirating of fields years ago because of the shortage of space. There are a lot of non-residents that have enrolled in the sports programs within the Town and it is very impactful. If you were to take, let's say, 200 non-residents and that number is a very conservative number from what we are understanding and those 200 kids are spread across all of the leagues and you divide by about 12 or 14 which is the number of an average team, you get about 15 extra teams each season. Each of those 15 teams needs about 30 hours of practice time, probably more, and about 30 hours of game time (that comes to about 2 hours for practice and 2 hours for a game). All of that adds up to approximately 900 hours each season of required practice time and game time. Now if you drop that in half because you used two-hour increments, that's 450 units of practice and game time required over and above for non-residents. Yet we still have the same number of fields to accommodate everyone and there are not enough. Clearly there are not enough fields to accommodate both residents and non-residents. And also, this is not a new policy, this has been in effect for decades going back to when I was a player. It is also the policy of all the surrounding towns and cities to Eastchester. The law is well settled, towns have the right to limit the use of town owned facilities for town residents only on permitted events. We are not talking about open parks, we are not talking about festivals, or parades, or other special events but rather permitted time on very limited number of Town owned taxpayer fields. The Town has the right, the obligation to determine usage.

The problem started when the leagues permitted non-resident enrollments and it was never the policy of the Town to permit non-resident enrollment in their sports leagues. It's completely contrary to the residency requirements that have been in effect and the leagues knew better. In 2022 the leagues were advised that the non-residency eligibility was going to be enforced in 2024 and that non-resident kids would be grandfathered in until 2024. That should have been disclosed by the leagues to the non-resident families so that they could start to move over to other sports programs in surrounding communities. Also, the Town is not bound by the regulations of the Babe Ruth League, Pop Warner, or Little League International. We have our own policy here and those policies do not circumvent the Town's policy. I actually spoke with Little League International about the subject matter because they had reached out to the Town to ask about what was going on as parents were complaining, but of course they got half of the facts from the parents and as soon as the gentlemen from Little League International understood that these are Town owned taxpayer funded fields, he said no problem, we have no issues, do what you have to do, we are OK, we have no problem with this. As I mentioned earlier the Town uses fields and gyms owned by the three public school districts and they require the Town as a condition of using their facilities to permit enrollment of their non-resident students who attend their schools, whether it be the child of a teacher or administrator/employee of the school district or through tuition. Presently there is a small number of students in that category and I don't believe more than 1 or 2 are actually enrolled in

sports programs in the Town. There is virtually no impact whatsoever for that category and the schools require it as a condition of the Town using their facilities. The schools also use the Town's facilities, but they want to include those students. I also want to mention that we have all experienced parents expressing their frustrations to us about the non-resident policy and they don't want to go to the league to complain because they don't want to have a problem with the league or have their kid not playing anymore but they have all indicated that they are tired of non-residents playing while their kids sit on the bench on a field that they pay for or that the non-resident kids are making travel teams and their kids are at home. There is a whole dynamic that the parents are very frustrated about.

If you saw some of the e-mail chains going around and some of the stuff that is out there you would be very upset as it is very toxic. This is not about race, this is not about attacking parochial school kids, or any other nonsense peddled out there by these people. The Town is simply solving field shortage issues by ensuring taxpayer funded fields are available to our residents which is our right under the law and our obligation. People should not have an expectation or a sense of entitlement that your child can play in a league where you don't reside in the town. When I was a kid I went to Immaculate Heart of Mary, a Catholic School, in Scarsdale. I didn't have any expectation or sense of entitlement to play Scarsdale Little League even though all of the kids in my school were predominately Scarsdale kids, why, because I didn't live there, it was pretty simple. There was no expectation that I had a right to do that. Now unfortunately the leagues have let everyone in even though they shouldn't have and that has created a lot of ill will because these parents are now being told that they can't participate.

I want to mention that this is not easy to do, but necessary. By no means are we not appreciative of all the efforts of non-residents that have spent time coaching or doing whatever they had to do in supporting the league, this is not about that. This is not about sending a message not to come to our stores or restaurants, It's nothing like that. It is just saving field time for the people that own the fields and pay for those fields. We fortunately have tons of little leagues, basketball leagues, and football leagues in all the communities that surround us and there is no reason that a young person can't go out and have a great time in playing sports for a team in a place that they reside.

I just wanted to address a couple of those issues, there is a lot more that we could talk about and that we could go over but we just want to be clear that that this is the Town's policy as ratified by the Sports Council, the Eastchester Recreation Advisory Board, and this Town Board. I hope that this clarifies the issue and that people are not speaking about things in a false sense.

XI. SECOND OPPORTUNITY TO ADDRESS THE BOARD

Shawn Nealis of 24 Crawford Street: Asked for an update on the Crawford Street water issues. Supervisor Colavita mentioned that the reports are in and calculations are being made. Mr. Colavita mentioned that he would reach out to Mr. Cermele who is working on the calculations, to see where things are in the process. Mr. Nealis also asked if there is a committee that they could get on so that they are current on everything, and the Supervisor mentioned that it would be best for the Town to provide updates as progress is made. Mr. Nealis then suggested putting pressure on Iona as he didn't think that they were cooperating. Supervisor Colavita mentioned that if he hears that the Village of Bronxville is having trouble on that front that he would get involved and pull in the people that he knows at Iona. Mr. Nealis concluded his comments by commending the Highway Department for their work in the area.

XII. ADJOURNMENT

There being no further public business the meeting was adjourned at 8:05 p.m. with a moment of silence for Eastchester Police Department Sergeant Chris Shoureck.

Minutes prepared by:

Joseph Dooley
Town Clerk