Minutes of a Special Meeting of the Eastchester Town Board held on August 24, 2021 at 7:00 p.m. in the Community Room of Town Hall, 40 Mill Road, Eastchester.

Councilman Dooley called the remote meeting to order at 7:00 p.m. noting the presence of Councilwoman Marcotte and Councilwoman Nicholson. Councilman Marcoccia participated in the meeting remotely and Supervisor Colavita was absent. Also in attendance was Town Attorney Lou Reda and Town Clerk Linda Laird.

Town Attorney Lou Reda stated the purpose of the meeting is to review a License Agreement and Easement Agreement between Suez Water New York, Inc. and the Town of Eastchester for the premises known as 78 Dale Road (Section 65E, Block 3, Lot 105) and to conduct the SEQRA analysis. Further, for authorization for the Supervisor to execute same.

Mr. Reda explained Suez Water New York, Inc. provides drinking water to the Town of Eastchester as well as a number of other communities in Westchester County. The water is provided by the NYCDEP via the NYC Catskill and Delaware Aqueducts and is chlorinated at the Kensico Reservoir. The NYCDEP plans to cease continuous chlorination at the Kensico Reservoir after December 31, 2022. Subsequent to that date, Suez will be required to chlorinate the water prior to distribution. Therefore, the proposed project is necessary to replace aging pumping and electrical equipment and install permanent chlorination facilities to meet state and federal drinking water standards independent of treatment from the NYCDEP.

1. SEQRA NEGATIVE DECLARATION

Councilwoman Marcotte offered a motion that was seconded by Councilman Dooley to approve the following RESOLUTION:

WHEREAS, SUEZ Water New York Inc. is planning to construct a new Troublesome Brook Pump Station on Property it owns at 10 Leewood Drive and 197 Oakland Avenue in the Town of Eastchester (the “Proposed Action”); and

WHEREAS, Town approvals required for SUEZ to proceed with the Proposed Action include site plan and architectural approval from the Town’s Planning Board, variances from the Town’s Zoning Board of Appeals and the grant of the legal right from the Town Board to install certain improvements, including water distribution pipes, stormwater management facilities, an access driveway and landscaping on property owned by the Town of Eastchester located at 78 Dale Road; and

WHEREAS, the Proposed Action is an Unlisted Action under SEQRA and the Town’s agencies have undertaken an uncoordinated review of such Action; and

WHEREAS, SUEZ has prepared a detailed and comprehensive Full Environmental Assessment Form with supporting exhibits (collectively, the “Full EAF”) evaluating the environmental impacts of the Proposed Action; and

WHEREAS, after a careful and extensive review of the Proposed Action, the Planning Board and the Zoning Board of Appeals have adopted Negative Declarations of Environmental Significance for such Action; and

WHEREAS, the members of the Town Board have reviewed the Full EAF, and the exhibits annexed thereto, and the Negative Declarations and resolutions of approval adopted by the Planning Board and Zoning Board of Appeals, and based on such information, find that the Proposed Action does not have the potential to have any significant negative environmental impacts.

AND, NOW THEREFORE, BE IT RESOLVED that based on all of the above information, the Town Board of the Town of Eastchester hereby adopts a Negative Declaration of environmental significance for the Proposed Action.

On the roll call, all voted "AYE," except Supervisor Colavita, who was “ABSENT.” Motion carried.

2. Grant of License Agreement to SUEZ Water New York, Inc

Councilwoman Marcotte offered a motion that was seconded by Councilwoman Nicholson to approve a RESOLUTION authorizing the Supervisor to execute and deliver a License Agreement made between the Town of Eastchester and SUEZ Water New York Inc. which will grant SUEZ the right to enter onto the Town’s property located at 78 Dale Road to perform and complete a limited scope of work upon and around such property in relation to SUEZ’s project on Property it owns at 10 Leewood Drive and 197 Oakland Avenue commonly known as the Troublesome Brook Pump Station.
On the roll call, all voted "AYE," except Supervisor Colavita, who was “ABSENT.” Motion carried.

3. Grant of Easement Agreement to SUEZ Water New York, Inc

Councilwoman Marcotte offered a motion that was seconded by Councilwoman Nicholson to approve a RESOLUTION authorizing the Supervisor to execute and deliver an Easement Agreement made between the Town of Eastchester and SUEZ Water New York Inc. whereby the Town has agreed to grant SUEZ an easement over the Town's property located at 78 Dale Road to install, use and maintain improvements related to the construction and renovation of SUEZ’s Troublesome Brook Pump Station and to execute any other related documents necessary to enable such Easement Agreement to be recorded in the Office of the Westchester County Clerk. The terms and conditions of such Easement Agreement, including the consideration due to the Town for the grant of such easement, are included in the Easement Agreement attached hereto and made a part hereof. The property that is the subject of this Easement Agreement is not needed for Town purposes.

AND BE IT FURTHER RESOLVED that this Resolution is subject to a permissive referendum as provided in Town Law §64(2) and Town Law §91 and shall become effective at the time provided in Town Law §91.

Mr. Reda explained the Easement Agreement will remain in effect for 50 years during which time the Town will be paid an annual fee. The fee of $249,000 represents the total fee paid over the duration of the 50 years.

On the roll call, all voted "AYE," except Supervisor Colavita, who was “ABSENT.” Motion carried.

The meeting was adjourned at 7:20 p.m.

Minutes prepared by;

Linda Laird
Town Clerk