Minutes of a Meeting of the Town Board of the Town of Eastchester held on August 10, 2021 at 8:00 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 Lou Reda

IV. PUBLIC HEARING

A) PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW 4-2021 AMENDING LOCAL LAW 2-2018 KNOWN AS THE TELECOMMUNICATIONS FRANCHISING AND LICENSING LAW WITHIN THE TOWN OF EASTCHESTER

Councilwoman Marcotte offered a motion that was seconded by Councilman Dooley to Open the Public Hearing. The Supervisor reminded the audience the purpose of the Local Law is to extend the duration of future Telecommunication Franchise Agreements to 15 years.

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

Frank Sweeny and Charles Galanek discussed the unsightliness of excess cable wires hanging from poles throughout town. Supervisor Colavita responded that the matter is not, generally speaking, an issue for the franchise agreement negotiations and asked the Superintendent of Highways to reach out to the appropriate utility companies and asked that the wires be removed.

There being no further public comment, Councilman Marcoccia offered a motion that was seconded by Councilman Dooley to Close the Public Hearing.

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

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to Adopt Local Law 4-2021.

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

V. OPPORTUNITY TO ADDRESS THE BOARD ON AGENDA ITEMS - none

VI. APPOINTMENTS

A) APPOINTMENT – SR. OFFICE ASSISTANT (AUTOMATED SYSTEMS)
Per a request from Comptroller Dawn Donovan, Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the probationary appointment of Patricia George of Tuckahoe, New York to the position of Sr. Office Assistant (Automated Systems), effective August 20, 2021 at an annual salary of $61,252 (CSEA Grade V, Step 5). Patricia has successfully passed the civil service exam and her name appears on the Westchester County Civil Service List #02-416.

If approved, she will be required to serve a probationary period which will run not less than twelve weeks and not more than fifty-two weeks. Funds have been provided in the 2021 budget.

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

B) APPOINTMENT – SR. OFFICE ASSISTANT (AUTOMATED SYSTEMS)

Per a request from Comptroller Dawn Donovan, Supervisor Colavita offered a motion that was seconded by Councilwoman Marcotte to approve a RESOLUTION authorizing the contingent appointment of Antoinette Barisano of Eastchester, New York to the position of Sr. Office Assistant (Automated Systems), effective August 20, 2021 at an annual salary of $51,409 (CSEA Grade V, Step 3B). Antoinette has successfully passed the civil service exam and her name appears on the Westchester County Civil Service List #02-416.

If approved, she will be required to serve a probationary period which will run not less than twelve weeks and not more than fifty-two weeks. Funds have been provided in the 2021 budget.

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

VII. APPROVAL OF MINUTES

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve the Minutes of the June 15, 2021 Regular Town Board Meeting and the July 13, 2021 Regular Town Board Meeting as prepared by Town Clerk Linda Laird.

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

VIII. REPORTS OF DEPARTMENTS, BOARDS AND COMMISSIONS

A) POLICE DEPARTMENT REPORT

Lt. Joseph Rodriguez reported members of the Police Department are receiving first aid training as well as training that will aid in the distribution of Naloxone to the family of individuals struggling with opioid addiction. The kits are designed to have on hand to prevent an overdose, and include a dose of Naloxone nasal spray along with instructions for administering the medicine.

The Board reviewed and approved for filing the following reports for July 2021; Parking Summonses, Citation Activity Report, Patrol Activity Report, Statement of Accounts and the Traffic Accident Report.

B) LAW DEPARTMENT REPORT

1. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM BY BARBARA SESTI

Supervisor Colavita offered a motion that was seconded by Councilman Dooley to approve a RESOLUTION authorizing the settlement of claim by Barbara Sesti against the Town of Eastchester in the amount of $7,200 for damages sustained to Ms. Sesti’s property on September 30, 2020.

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

2. RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AND DELIVER A LICENSE AGREEMENT BETWEEN THE TOWN OF EASTCHESTER AND NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS WHICH WILL ENABLE VERIZON THE RIGHT TO INSTALL AND OPERATE SMALL WIRELESS FACILITIES ON TELEPHONE POLES WITHIN THE TOWN’S RIGHT OF WAY

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION
authorizing the Supervisor to execute and deliver a License Agreement made between the Town of Eastchester and New York SMSA Limited Partnership d/b/a Verizon Wireless which will enable Verizon the right to install and operate small wireless facilities on telephone poles within the Town’s Right of Way, and to set a date for a public hearing for September 21, 2021 at 8:00 p.m.

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


Supervisor Colavita offered a motion that was seconded by Councilwoman Nicholson to approve a RESOLUTION authorizing the Supervisor to execute and deliver a Permit Agreement between the Town of Eastchester and the County of Westchester for the Town to operate and maintain Scout Field as a municipal recreation facility for the term August 15, 2021 through December 31, 2021.

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

4. **RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY MIDLAND GARDEN OWNERS, INC. – 25, 29 & 31 KRAFT AVENUE AND 7 MIDLAND 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 Midland Garden Owners, Inc., affecting premises known as Section 3, Block 3, Lots 1.A, 1.B, 1.C, 1.D & 14.A, 25, 29 & 31; Kraft Avenue & 7 Midland Avenue, 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>2015</td>
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<td>2016</td>
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<td>2020</td>
<td>2021</td>
<td>ATTACHED</td>
<td>ATTACHED</td>
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</tr>
</tbody>
</table>

No School Approval Needed
TOTAL TOWN TAX REFUND………………………………………………..$ 6,821.62

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

5. **RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY TAVOLILLA REALTY CORP. – 125 COLUMBUS AVENUE**

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Tavolilla Realty Corp., affecting premises known as Section 34, Block 5, Lot 1; 125 Columbus Avenue 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>
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<td>2015</td>
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<td>$ 8,510</td>
<td>$ 6,530</td>
<td>$ 1,980</td>
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<td>2018</td>
<td>$ 8,510</td>
<td>$ 6,260</td>
<td>$ 2,250</td>
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<tr>
<td>2018</td>
<td>2019</td>
<td>$ 8,510</td>
<td>$ 6,050</td>
<td>$ 2,460</td>
</tr>
<tr>
<td>2019</td>
<td>2020</td>
<td>$ 8,510</td>
<td>$ 5,940</td>
<td>$ 2,570</td>
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<tr>
<td>2020</td>
<td>2021</td>
<td>$ 8,510</td>
<td>$ 6,050</td>
<td>$ 2,460</td>
</tr>
</tbody>
</table>

Eastchester School Approval
TOTAL TOWN TAX REFUND………………………………………………..$ 391.13

On the roll call, all voted “AYE.” Motion carried.
6. RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTIORARI PROCEEDING BY TAVOLILLA REALTY CORP – 135 COLUMBUS AVENUE

Councilman Marcoccia offered a motion that was seconded by Supervisor Colavita to approve a RESOLUTION authorizing the settlement of a certiorari proceeding instituted by Tavolilla Realty Corp., affecting premises known as Section 38, Bl. 10, Lot 1.A; 135 Columbus Avenue, 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>2015</td>
<td>2016</td>
<td>$ 7,770</td>
<td>$ 6,790</td>
<td>$ 980</td>
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<tr>
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<td>$ 7,770</td>
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<tr>
<td>2017</td>
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<td>2018</td>
<td>2019</td>
<td>$ 7,770</td>
<td>$ 6,050</td>
<td>$ 1,720</td>
</tr>
<tr>
<td>2019</td>
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<td>$ 5,940</td>
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<tr>
<td>2020</td>
<td>2021</td>
<td>$ 7,770</td>
<td>$ 6,050</td>
<td>$ 1,720</td>
</tr>
</tbody>
</table>

Tuckahoe School Approval
TOTAL TOWN TAX REFUND……………………………………………………………….$ 259.85

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

C) HIGHWAY DEPARTMENT REPORT

Work under the 2021 Street Resurfacing Project & Sidewalk & Curb Replacement Project is in progress.

Manpower was assigned to water seasonal flowers, weed, mulch and prune shrubs within parklet areas and parking lots. A crew also performed tree trimming "in house."

Normal scheduled work consists of tree trimming, garbage pickup, collection of recyclables to include metal, commingled, newspapers, yard waste, branches & CRT’s. In addition, maintenance on the Town sanitary sewer system, street cleaning of town roadways, and maintenance of street lights, parking lots catch basins & right of ways was conducted.

D) TOWN CLERK’S REPORT for June 2021 was received and filed.

E) RECEIVER OF TAXES REPORT for June 2021 was received and filed.

IX. CORRESPONDENCE

A) MEMORANDUM FROM COMPTROLLER RE: PART TIME SEASONAL EMPLOYEES

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>JOB TITLE</th>
<th>APPOINTMENT</th>
<th>RATE</th>
<th>TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sophia Renzo</td>
<td>Recreation Attendant</td>
<td>Seasonal</td>
<td>10.00</td>
<td>New Hire</td>
</tr>
<tr>
<td>Richard Nardone</td>
<td>Parking Enforcement Officer</td>
<td>Part time</td>
<td>20.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>Kelly Gacio</td>
<td>Parking Enforcement Officer</td>
<td>Part time</td>
<td>20.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>Melissa Repaci</td>
<td>Parking Enforcement Officer</td>
<td>Part time</td>
<td>20.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>Stephen Bryson</td>
<td>Parking Enforcement Officer</td>
<td>Part time</td>
<td>20.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>Angelo Spadaro</td>
<td>Parking Enforcement Officer</td>
<td>Part time</td>
<td>20.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>John Caliendo</td>
<td>Parking Enforcement Officer</td>
<td>Part time</td>
<td>20.00</td>
<td>Rehire</td>
</tr>
<tr>
<td>Lydia Paez</td>
<td>Cleaner</td>
<td>PTA</td>
<td>18.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>Maureen Casey</td>
<td>Intermediate Clerk</td>
<td>Part time</td>
<td>25.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>Jennifer Jensen</td>
<td>Intermediate Clerk</td>
<td>Part time</td>
<td>25.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>Madeline Zappetti</td>
<td>Intermediate Clerk</td>
<td>Part time</td>
<td>25.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>Mary Spellman</td>
<td>Sr. Acct Clerk</td>
<td>Part time</td>
<td>28.00</td>
<td>Rate Change</td>
</tr>
<tr>
<td>John Fallen</td>
<td>Laborer</td>
<td>Seasonal</td>
<td>12.00</td>
<td>New Hire</td>
</tr>
</tbody>
</table>

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

B) MEMORANDUM FROM COMPTROLLER RE: REVISED EMPLOYEE HANDBOOK
Per a request from Comptroller Dawn Donovan, Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve the revised Town of Eastchester Employee Handbook.

The document, originally adopted on March 6, 2007, was revised with the assistance of Public Sector Consultants, Human Resource Consultants in conjunction the Town Labor Attorney’s office. The handbook has been reviewed by the CSEA and the Eastchester Police Union. The revision of the handbook has been a work in progress and is now ready for the Town Board to readopt it as the official Town of Eastchester Handbook.

The handbook contains the Town’s various personnel policies, and procedures, employee benefits, compliance policies, and other pertinent information governing employment related matters; and laws that govern how we handle employee and employment issues.

The major updates of the handbook include the following:

Section 405 – Corrective Action & Discipline – Add marijuana products
Section 905 – Drug Free Workplace – Add marijuana products
NEW- Section 968 – Reproductive Health Decision Making
NEW – App. B – Public Health Emergency Operation Plan

Once approved, the Town of Eastchester Employee Handbook will be distributed to all new employees at the time of hire. The handbook will be put in the groupshare folder and each employee will be provided with a hard copy of the Handbook

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

C) MEMORANDUM FROM SUPERINTENDENT OF HIGHWAYS RE: INTERMUNICIPAL AGREEMENT - RESIDENTIAL FOOD SCRAP TRANSPORTATION & DISPOSAL PROGRAM

Supervisor Colavita reviewed a memo submitted by Superintendent of Highways, Rocco Latella, in which he requests the town participate in the Residential Food Scrap Recycling Program. In order to do so the town must enter into an Intermunicipal Agreement with the County of Westchester. This voluntary program involves separating food scraps from your household trash. These items would be placed in a compostable BPI Certified bag purchased by the resident and periodically transferred into a 64-gallon container “Toter” at a dedicated Drop off Location. The food scraps would be picked up from the Drop off location on a weekly basis by a county contractor and disposed of at the same rate as solid waste, $29.83 per ton. The tonnage fee will be calculated using the average maximum weight of 200lbs per Toter. There will be no adjustment or reduction for partially filled Toters. The tonnage fee will be subject to an Adjustment Factor each subsequent year of the term of this agreement.

The Town will be responsible for the purchase of the Toters, approximately $175.00 per Toter. Container liners will also be required

This agreement would terminate on September 23, 2023, however can be terminated anytime by mutual agreement of the parties or upon thirty (30) days written notice by one party to the other party.

Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve a RESOLUTION authorizing the execution of an Inter-Municipal Agreement (IMA) with Westchester County to participate in the Residential Food Scrap Transportation & Disposal Program and for the Town Supervisor to be designated as the authorized representative.

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

D) MEMORANDUM FROM SUPERINTENDENT OF PARKS AND RECREATION RE: CONTRACT FOR WIN (WELLNESS IN NUTRITION) AND NSIP (NUTRITION SERVICES INCENTIVE PROGRAM) BETWEEN THE TOWN OF EASTCHESTER AND WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES FOR PROGRAM YEAR 2021-2022

Per a request from Sally Veltidi, Superintendent of Parks and Recreation, Councilman Marcoccia offered a motion that was seconded by Councilwoman Marcotte to approve a RESOLUTION authorizing Supervisor Colavita to sign an Agreement between the Town of Eastchester and Westchester County Department of Senior Programs and Services for Wellness in Nutrition (WIN) and Nutrition Services Incentive Program (NSIP), including Schedules A, B, C, D, E and F, for the period April 1, 2021 through March 31, 2022. The NY State Office for Aging grant will be in an aggregate amount not
to exceed $46,682. It is comprised of $37,914 in funding for the WIN program and $8,768 in estimated funding for the NSIP program.

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

X. MISCELLANEOUS BUSINESS

Due to Rosh Hashanah falling on the first Tuesday of September, Supervisor Colavita offered a motion that was seconded by Councilman Marcoccia to approve to conduct one Town Board Meeting in the month of September on September 21, 2021 at 8:00 p.m.

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

XI. COUNCIL MEMBER REPORTS

Councilman Marcoccia announced Lake Isle members are able to “lock-in” the 2021 rate for 2022 if their membership is renewed prior to August 15th and that the next Lake Isle Advisory Board Meeting will be held on September 22nd at 8:00 p.m.

Councilman Marcoccia announced the Library is fully opened with a variety of programs and events plans.

Councilman Dooley commented that the Highway and Parks Departments have done a great job maintaining the plantings throughout town and that the golf course at Lake Isle remains in great shape thanks to the summer staff.

Mr. Dooley stated that he will work towards renaming of Lower Scout Field in honor of former Town Board Member, Glenn Bellitto.

Councilwoman Nicholson announced the final two summer concerts; Bookends performing at the Garth Road Park on August 11th and Celtic Cross performing at Lake Isle on August 18th. Mrs. Nicolson also announced the Annual Eastchester 5K race will return on Sunday, September 26th at 9:00 a.m.

In closing Councilwoman Nicholson announced the return of Early Morning Swim and the reopening of the Nutrition Center at Lake Isle.

Councilwoman Marcotte discussed a growing safety concern that has been reported to TPAC. Residents from several neighborhoods have reported an increase in the number of students on motor bikes and motor scooters driving on the streets. TPAC hopes to remind the public that helmets are required to be worn by cyclists and riders should remain on the sidewalks whenever possible.

Supervisor Colavita encouraged the public to remain informed of changes to the Suez Pump Station project as traffic patterns will be announced on the Towns’ website and via email. The following is the Project Description currently provided on the website along with the Landscape and Project Renderings:

Suez Pump Station Project Description
On December 3, 2020, Suez Water Westchester (Suez) received Site Plan Approval to construct a new pump and disinfection station at 10 Leewood Drive (the Troublesome Brook Pump Station). The proposed plans were extensively reviewed by the Town’s Zoning Board of Appeals, Architectural Review Board and Planning Board, the Eastchester Fire Department, Town staff (Highway, Police and Building & Planning Departments) and the Town’s engineering and traffic consultants. All of the meetings before the Boards were public hearings and residents had an opportunity to participate. Information regarding the scope of work, purpose of the project, facility operations, construction activities, email notifications, and contact information are provided below.

Scope of Work: Suez will demolish the existing pump station and garage, build a new 5431 square foot singlestory pump and disinfection station, install a 6-foot high fence around the new building, install new stormwater management facilities and other underground utilities, and construct a new driveway providing vehicular access from both Leewood Drive and Dale Road. A comprehensive landscape plan will be installed as well. As a result, building coverage will increase from 1713 square feet to 5431 square feet and the building height will increase from 22 feet (the highest point on the ridge) to 26 feet (the top of the parapet). You can view rendered images of the building and the proposed landscape plan by clicking on the link on the Home Page of the Town’s website (www.eastchester.org).

Purpose of the Project: Suez 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.

Facility Operations: The new Troublesome Brook Pump Station will include an Onsite Hypochlorite Generation System (OSHG). OSHG technology combines water, salt and electricity to produce 0.8% Sodium Hypochlorite (bleach). The facility will be unmanned but will be monitored remotely 24 hours per day. An operator will visit the station, during normal business hours, for approximately one hour on weekdays. Salt will be delivered to the station six time per year. An emergency generator, located within the building, will be tested once per month.

Construction Activities: During the first phase of construction, the tunnel to the Bronx River Parkway at Leewood Drive will be closed (for both east- and west-bound traffic). Signage has been placed on the Parkway and at various locations in Town to inform residents of the closure. At limited times during the construction process, the eastbound or westbound lane on Leewood Drive adjacent to the construction site may be closed and traffic will be detoured down Dale Road to Cross Hill Road and/or Benedict Avenue and onto Oakland Avenue back to Leewood Drive (or vice versa). At these times, Eastchester Police Officers will be coordinating with the contractor and will be directing traffic.

Email Notifications: If you would like to be notified of the lane closures or other relevant information related to the construction activities, you can register for updates on the Home page of the Town’s website. Simply click on the link entitled "Register for Suez Pump Station Construction Updates" and you will be prompted to provide your email address. You can also call the Supervisor’s office at (914) 771-3304 to register.

Contact Information: If you have any questions or concerns about the project or construction activities, feel free to email Margaret Uhle, Director of Building & Planning at muhle@eastchester.org or call her at (914) 771-3317.

XII. SECOND OPPORTUNITY TO ADDRESS THE BOARD - none

There being no further public business, the meeting was adjourned at 9:00 p.m.

Minutes prepared by:

Linda Laird
Town Clerk