


July 12, 2021

TO: Hon. Benjamin Boykin, Chair
Hon. Alfreda Williams, Vice Chair
Hon. MaryJane Shimsky, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act –WD104 –
Shaft 22 & Kensico Dam Performance Maintenance.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators July 12, 2021 Agenda.

Transmitted herewith for your review and approval is a legislative package which, if approved by your Honorable Board, would authorize the County of Westchester (“County”) to proceed with Capital Project WD104. In addition to related documents: PH, 2 ACTS.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for July 12, 2021 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

July 12, 2021

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a legislative package which, if approved by your Honorable Board, would authorize the County of Westchester ("County") to proceed with Capital Project WD104 – Shaft 22 & Kensico Dam Performance Maintenance ("WD104" or "Project"), for the benefit of County Water District No. 1 ("District"), subject to an order issued by the Comptroller of the State of New York ("State Comptroller") permitting the expenditure, as described herein. The Department of Environmental Facilities ("Department") has advised that WD104 provides for the cost of design and construction management for the rehabilitation of Shaft 22 in the City of Yonkers and additional rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. The Shaft 22 work will include replacement or rehabilitation of the following items: roofs, including removable panels, equipment such as chemical bulk storage tanks, pumps, HVAC, pumping, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors, and windows. Work will also include the installation of the following new equipment: leak detection systems, chemical sampling lines, ventilation systems, stairs, and storage area. The work at the Kensico Dam Chlorination Facility will include installation of new sampling piping in the grass and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports inside of the facility, repair of roof leaks inside the facility, replacement of the HVAC system, provide emergency lighting, provide leak monitoring between the bottom of the chemical storage tanks and the secondary containment floor, and repair of the chemical transfer area just outside the face of the dam, including installation of concrete and chemical resistant sealant, and incidental expenses in connection therewith, which is a specific object or purpose in and for the benefit of the District.

As you may recall, your Honorable Board, by Bond Act No. 353-2016, previously authorized the County to issue bonds in an amount not-to-exceed \$500,000 for the refurbishment of the chemical bulk storage tanks at the Kensico Dam 48-inch Kensico Bronx Pipeline. I am advised that this work has been completed and these bonds have been sold. It is now requested that your Honorable Board authorize the issuance of bonds of the County in an amount not-to-exceed \$2,000,000 for the design and construction management for the Project as previously described herein. It is estimated that design will take approximately twelve (12) months to complete. After design has been completed, a new request for the issuance of bonds of the County for the

construction component of the Project will be submitted to your Honorable Board. The total estimated cost for the entire Project is \$6,000,000.

The Department prepared a report dated July 1, 2021 (“District Report”) on behalf of the District, which recommends this Project. In its report, the Department advised that the Project is necessary in order to continue compliance with state, federal, and local drinking water regulations. These regulations require, but are not limited to, ensuring publicly owned water treatment facilities be maintained in a state of good repair and provide standards for the handling and storage of the chemicals used in water treatment. The Department has determined that the Project is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities. Based on its review, the Department has determined that the proposed Project is the best, most cost effective option for these purposes and is essential for maintaining the continued supply of compliant drinking water. A copy of the District Report is attached hereto for your Honorable Board’s review.

Your Honorable Board will recall that the District was duly established by Act No. 29-1964 (the “Act”), of the Westchester County Board of Supervisors. The District is comprised of the territorial limits of the Cities of White Plains, Mount Vernon and Yonkers and the Village of Scarsdale. This Act also approved the acquisition of a 48” pipeline owned by the City of New York (the “Kensico Bronx Pipeline”) for purposes of the District, the reconstruction and rehabilitation of said pipeline including direct connections to the Kensico Reservoir and the Delaware Aqueduct, and established zones of assessment and allocation of costs between zones of assessment. The four zones of assessment to assess District costs is as follows: White Plains 30%, Mount Vernon 28%; Yonkers 24%; and Scarsdale 18%.

As your Honorable Board may further recall, Article 5-A of the New York County Law (“Article 5-A”) imposes certain legal requirements on the County before projects can move forward. One such requirement is that your Honorable Board must conclude, after holding a public hearing that the proposed action is in the public interest. In this regard, a proposed resolution authorizing legal notice for the necessary public hearing is attached hereto (“Public Hearing Resolution”), which sets a date for a public hearing and annexes a copy of the notice to be published (“Notice”), as well as directing the Clerk to publish said Notice.

Further, as your Honorable Board may recall, pursuant to Article 5-A, approval of the New York State Comptroller’s Office (“State Comptroller”) is required in certain instances for the issuance of bonds to finance an increase and improvement of water district facilities. Section 268.3 of Article 5-A provides, in pertinent part, that:

“Whenever it is proposed or required that the county in which a district is located shall finance an expenditure or contract for the purposes authorized in this section by the issuance of the bonds...and the cost to the typical property or, if different, the typical one or two family home...is above the average estimated cost to the typical properties or or homes for similar types of expenditures as may be annually computed by the state comptroller, no such expenditure shall be made or contract let, unless the state comptroller, on behalf of the state, shall consent to such expenditure.” (Emphasis added).

In accordance with the above-referenced section, the State Comptroller typically issues annual guidelines setting forth average estimated costs with respect to, among other things, county water

districts. The guidelines designate cost thresholds for such special districts at or below which approval by the State Comptroller's Office is determined to be unnecessary. For 2021, the State Comptroller provided "there was insufficient data to calculate meaningful average estimated costs. Therefore, any type of district not listed above will be subject to applicable requirements for obtaining the State Comptroller's approval, irrespective of the cost to the typical property or home, if debt is proposed to be issued to finance the improvement." The State Comptroller's Office did not issue a 2021 cost threshold for water districts, so approval of the State Comptroller is required for this Project. A copy of the guidelines has been annexed hereto.

In order to comply with Article 5-A, and for the purposes of the public hearing, the Department, in conjunction with the Finance Department, has calculated that the issuance of \$6,000,000 in bonds of the County for capital project WD104 equates to an estimated highest single year debt service payment of \$271,180 which distributed over the 67,004 taxable parcels in the District equates to an estimated average increase in tax assessment of \$4.05 per parcel. Accordingly, the average cost to the typical District property, resulting from the proposed increase, addition and improvement of existing District facilities is approximately \$3.41 as more fully set forth in the District Report.

Further, in order to obtain the approval of the State Comptroller, State regulations require that the County submit a verified application ("Application") in the form prescribed by 2 NYCRR Part 85 ("State Regulations"), to the Office of the State Comptroller. The State Regulations further require that your Honorable Board adopt a resolution ("State Regulations Resolution") stating that it believes the following: the contents of the Application are accurate; that the proposed improvements are in the public interest; that said improvements will not constitute an undue burden on the property that will bear the cost thereof; and if the cost of the proposed improvements are to be assessed in whole or in part against benefited property, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property will be excluded. Should your Honorable Board, after the conclusion of the public hearing determine that the proposed increase and improvements are in the public interest, the Application and State Regulations Resolution are annexed hereto for your Honorable Board's review and approval.

The Department of Planning ("Planning") has advised that based on its review, the actions described in this legislation have been classified as "Type II" pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617.5(c)(27): "conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action". Therefore, no further environmental review is required. The SEQR status sheets prepared by Planning are annexed hereto. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

In order to proceed with the Project approval of your Honorable Board is needed as follows:

1. Public Hearing Resolution – authorizing a public hearing to be held;
2. Act – authorizing the County to proceed with the Project for the benefit of the District and to implement improvements necessary, subject to the approval of the State Comptroller;
3. Act - authorizing that a verified application be submitted to the State Comptroller;

4. State Regulations Resolution – as required by the State Regulations (2 NYCRR Part 85) in order to submit the verified application to the State Comptroller; and

5. Bond Act – authorizing the issuance of up to an additional \$2,000,000 in bonds to finance the design and construction management for WD104 subject to the consent of the State Comptroller authorizing such expenditure.

Accordingly, based upon the importance of WD104, I respectfully recommend that your Honorable Board adopt the Public Hearing Resolution. Furthermore, in the event that your Honorable Board should, following the hearing, conclude that the proposed actions are in the public interest, then I urge adoption of the Public Hearing Resolution, Acts, State Regulations Resolution, and Bond Act.

Very truly yours,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

GL/VK/LAC

Attachments

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the approval of a legislative package, which approved by your Honorable Board would authorize Transmitted herewith for your review and approval is a legislative package which, if approved by your Honorable Board, would authorize the County of Westchester (“County”) to proceed with Capital Project WD104 – Shaft 22 & Kensico Dam Performance Maintenance (“WD104” or “Project”), for the benefit of County Water District No. 1 (“District”), subject to an order issued by the Comptroller of the State of New York (“State Comptroller”) permitting the expenditure, as described herein. The Department of Environmental Facilities (“Department”) has advised that WD104 provides for the cost of design and construction management for the rehabilitation of Shaft 22 in the City of Yonkers and additional rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. The Shaft 22 work will include replacement or rehabilitation of the following items: roofs, including removable panels, equipment such as chemical bulk storage tanks, pumps, HVAC, pumping, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors, and windows. Work will also include the installation of the following new equipment: leak detection systems, chemical sampling lines, ventilation systems, stairs, and storage area. The work at the Kensico Dam Chlorination Facility will include installation of new sampling piping in the grass and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports inside of the facility, repair of roof leaks inside the facility, replacement of the HVAC system, provide emergency lighting, provide leak monitoring between the bottom of the chemical storage tanks and the secondary containment floor, and repair of the chemical transfer area just outside the face of the dam, including installation of concrete and chemical resistant sealant, and incidental expenses in connection therewith, which is a specific object or purpose in and for the benefit of the District.

As your Honorable Board may recall, by Bond Act No. 353-2016, your Honorable Board previously authorized the County to issue bonds in an amount not-to-exceed \$500,000 for the refurbishment of the chemical bulk storage tanks at the Kensico Dam 48-inch Kensico Bronx Pipeline. Your Committee has been advised that this work has been completed and these bonds

have been sold. It is now requested that your Honorable Board authorize the issuance of bonds of the County in an amount not-to-exceed \$2,000,000 for the design and construction management for the Project as previously described herein. It is estimated that design will take approximately twelve (12) months to complete. After design and has been completed, a new request for the issuance of bonds of the County for the construction component of the Project will be submitted to your Honorable Board. The total estimated cost for the entire Project is \$6,000,000.

The Department prepared a report dated July 1, 2021 (“District Report”) on behalf of the District, which recommends this Project. In its report, the Department advised that the Project is necessary in order to continue compliance with state, federal, and local drinking water regulations. These regulations require, but are not limited to, ensuring publicly owned water treatment facilities be maintained in a state of good repair and provide standards for the handling and storage of the chemicals used in water treatment. The Department has determined that the Project is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities. Based on its review, the Department has determined that the proposed Project is the best, most cost effective option for these purposes and is essential for maintaining the continued supply of compliant drinking water. A copy of the District Report is attached hereto for your Honorable Board’s review.

Your Honorable Board will recall that the District was duly established by Act No. 29-1964 (the “Act”), of the Westchester County Board of Supervisors. The District is comprised of the territorial limits of the Cities of White Plains, Mount Vernon and Yonkers and the Village of Scarsdale. This Act also approved the acquisition of a 48” pipeline owned by the City of New York (the “Kensico Bronx Pipeline”) for purposes of the District, the reconstruction and rehabilitation of said pipeline including direct connections to the Kensico Reservoir and the Delaware Aqueduct, and established zones of assessment and allocation of costs between zones of assessment. The four zones of assessment to assess District cots is as follows: White Plains 30%, Mount Vernon 28%; Yonkers 24%; and Scarsdale 18%.

As your Honorable Board may further recall, Article 5-A of the New York County Law (“Article 5-A”) imposes certain legal requirements on the County before projects can move forward. One such requirement is that your Honorable Board must conclude, after holding a public hearing that

the proposed action is in the public interest. In this regard, a proposed resolution authorizing legal notice for the necessary public hearing is attached hereto (“Public Hearing Resolution”), which sets a date for a public hearing and annexes a copy of the notice to be published (“Notice”), as well as directing the Clerk to publish said Notice.

Further, as your Honorable Board may recall, pursuant to Article 5-A, approval of the New York State Comptroller’s Office (“State Comptroller”) is required in certain instances for the issuance of bonds to finance an increase and improvement of water district facilities. Section 268.3 of Article 5-A provides, in pertinent part, that:

“Whenever it is proposed or required that the county in which a district is located shall finance an expenditure or contract for the purposes authorized in this section by the issuance of the bonds...and the cost to the typical property or, if different, the typical one or two family home...is above the average estimated cost to the typical properties or or homes for similar types of expenditures as may be annually computed by the state comptroller, no such expenditure shall be made or contract let, unless the state comptroller, on behalf of the state, shall consent to such expenditure.” (Emphasis added).

Your Committee has been advised that, in accordance with the above-referenced section, the State Comptroller typically issues annual guidelines setting forth average estimated costs with respect to, among other things, county water districts. The guidelines designate cost thresholds for such special districts at or below which approval by the State Comptroller’s Office is determined to be unnecessary. For 2021, the State Comptroller provided “there was insufficient data to calculate meaningful average estimated costs. Therefore, any type of district not listed above will be subject to applicable requirements for obtaining the State Comptroller’s approval, irrespective of the cost to the typical property or home, if debt is proposed to be issued to finance the improvement.” The State Comptroller’s Office did not issue a 2021 cost threshold for water districts, so approval of the State Comptroller is required for this Project. A copy of the guidelines has been annexed hereto.

Your Committee has been advised that in order to comply with Article 5-A, and for the purposes of the public hearing, the Department, in conjunction with the Finance Department, has calculated that the issuance of \$6,000,000 in bonds of the County for capital project WD104 equates to an estimated highest single year debt service payment of \$271,180 which distributed over the 67,004 taxable parcels in the District equates to an estimated average increase in tax assessment of \$4.05 per parcel. Accordingly, the average cost to the typical District property,

resulting from the proposed increase, addition and improvement of existing District facilities is approximately \$3.41 as more fully set forth in the District Report.

Your Committee is further advised that in order to obtain the approval of the State Comptroller, State regulations require that the County submit a verified application (“Application”) in the form prescribed by 2 NYCRR Part 85 (“State Regulations”), to the Office of the State Comptroller. The State Regulations further require that your Honorable Board adopt a resolution (“State Regulations Resolution”) stating that it believes the following: the contents of the Application are accurate; that the proposed improvements are in the public interest; that said improvements will not constitute an undue burden on the property that will bear the cost thereof; and if the cost of the proposed improvements are to be assessed in whole or in part against benefited property, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property will be excluded. Should your Honorable Board, after the conclusion of the public hearing determine that the proposed increase and improvements are in the public interest, the Application and State Regulations Resolution are annexed hereto for your Honorable Board’s review and approval.

The Department of Planning (“Planning”) has advised that based on its review, the actions described in this legislation have been classified as “Type II” pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617.5(c)(27): “conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action”. Therefore, no further environmental review is required. The SEQR status sheets prepared by Planning are annexed hereto. Your Committee has reviewed the status sheets prepared by Planning and concur with this conclusion.

WD104 has been classified as a “Type II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617 which is an action determined not to have a significant effect on the environment. Your Committee has reviewed the annexed SEQR status sheet prepared by the Planning and concurs with this conclusion.

In order to proceed with the Project approval of your Honorable Board is needed as follows:

1. Public Hearing Resolution – authorizing a public hearing to be held;

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WD104

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 2,000,000 PPU 40 Anticipated Interest Rate 1.52%

Anticipated Annual Cost (Principal and Interest): \$ 65,792

Total Debt Service (Annual Cost x Term): \$ 2,631,680

Finance Department: Interest rates from July 1, 2021 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 22

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: CJ Gelardo, P.E.

Title: Capital Program Coordinator

Department: Environmental Facilities

Date: 7/7/21

Reviewed By: [Signature]

DEP. Budget Director

Date: 7/9/21

2. Act – authorizing the County to proceed with the Project for the benefit of the District and to implement improvements necessary, subject to the approval of the State Comptroller;

3. Act; authorizing that a verified application be submitted to the State Comptroller;

4. State Regulations Resolution – as required by the State Regulations (2 NYCRR Part 85) in order to submit the verified application to the State Comptroller; and

5. Bond Act – authorizing the issuance of up to an additional \$2,000,000 in bonds to finance the design and construction management for WD104 subject to the consent of the State Comptroller authorizing such expenditure.

Please note that an affirmative vote of two thirds of the members of your honorable Board is required in order to adopt the Bond Act, while a majority vote is required to adopt the remainder of the legislative package.

Your Committee has carefully considered the proposed Project and based on its importance, it is recommended that your Honorable Board adopt the Public Hearing Resolution. Furthermore, in the event that your Honorable Board should, following the public hearing, conclude that the proposed actions are in the public interest, it is recommended that your Honorable Board adopt the remainder of the legislative package.

Dated: _____, 2021
White Plains, New York

COMMITTEE ON:
c/lac/6.17.21

TO: Lynne Colavita, Senior Assistant County Attorney
Department of Law

FROM: David S. Kvinge, AICP, RLA, CFM
Director of Environmental Planning



DATE: June 17, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR COUNTY WATER DISTRICT NO. 1 INCREASE & IMPROVEMENTS – SHAFT 22 & KENSICO DAM PERFORMANCE MAINTENANCE (WD104)**

PROJECT/ACTION: The Department of Environmental Facilities has prepared a district report proposing an increase and improvement to facilities serving County Water District No. 1. The increase and improvements are needed to comply with federal mandates imposed by the United States Environmental Protection Agency, pursuant to the Long Term 2 Enhanced Surface Water Treatment (“LT2”) rule. Capital Project WD104 – County Water District No. 1 - Shaft 22 & Kensico Dam Performance Maintenance has been created in order to design and construct the proposed improvements, which involve rehabilitation of Shaft 22 in Yonkers, as well as rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. Pursuant to Article 5-A of the New York County Law, this district project requires authorization of the Board of Legislators, following a public hearing, as well as application to the New York State Comptroller to approve the expenditure of the estimated funds needed to implement the project. A resolution verifying the application is also required pursuant to State regulations 2 NYCRR Part 85. The aforementioned actions are needed in order to allow the project to proceed to design.

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required because the project/action:


- DOES NOT MEET THE DEFINITION OF AN “ACTION” AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.
-

COMMENTS: At this time, only bond approval to fund design is being requested. Subsequent bond approval will be needed to fund construction of the project, once designed, at which time appropriate environmental review will be undertaken in compliance with SEQR.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Norma Drummond, Commissioner
C.J. Gelardo, Capital Program Coordinator, Department of Environmental Facilities
Claudia Maxwell, Associate Environmental Planner

TO: Michelle Greenbaum, Assistant County Attorney
Jeffrey Goldman, Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: March 31, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WD104 COUNTY WATER DISTRICT NO.1 – SHAFT 22 & KENSICO DAM
PERFORMANCE MAINTENANCE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 01/26/2021 (Unique ID: 1610)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

COMMENTS: The current request allows for design only. Funds for construction administration will not be expended unless funding for construction is approved.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Director
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

NOTICE OF PUBLIC HEARING

Property owners in Westchester County Water District No. 1, comprised of the territorial limits of the Cities of White Plains, Mount Vernon and Yonkers and the Village of Scarsdale ("District") are hereby notified that legislation is currently before the Westchester County Board of Legislators ("Board") to carry out the following proposed capital project WD104 – County Water District No. 1 – Shaft 22 & Kensico Dam Performance Maintenance ("WD104") ("Capital Project"), which is a proposed increase, addition and improvement of District facilities that is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities, as more fully set forth herein and in the District Report dated July 1, 2021, as may be amended from time to time ("District Report"). The District Report is available for review from the Office of the Commissioner of the Westchester County Department of Environmental Facilities.

The issuance of bonds would finance the cost of design and construction management for the rehabilitation of Shaft 22 in the City of Yonkers and additional rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. The Shaft 22 work will include replacement or rehabilitation of the following items: roofs, including removable panels, equipment such as chemical bulk storage tanks, pumps, HVAC, pumping, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors, and windows. Work will also include the installation of the following new equipment: leak detection systems, chemical sampling lines, ventilation systems, stairs, and storage area. The work at the Kensico Dam Chlorination Facility will include installation of new sampling piping in the grass and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports inside of the facility, repair of roof leaks inside the facility, replacement of the HVAC system, provide emergency lighting, provide leak monitoring between the bottom of the chemical storage tanks and the secondary containment floor, and repair of the chemical transfer area just outside the face of the dam, including installation of concrete and chemical resistant sealant, and incidental expenses in connection therewith, which is a specific object or purpose in and for the benefit of the District.

The County is currently seeking authorization of a bond act to authorize the issuance of up to \$2,000,000, in additional bonds of the County, noting the estimated maximum cost of the Capital Project is \$6,000,000, including \$500,000 in previously authorized bonds of the County. The issuance of up to \$6,000,000 in bonds of the County for the Project equates to an estimated highest single year debt service payment of \$271,180 which distributed over the 67,004 taxable parcels in the District equates to an estimated average increase in tax assessment of \$4.05 per parcel. The average cost to the typical District property, resulting from the proposed increase, addition and improvement of existing District facilities is approximately \$3.41.

Notice is hereby given that a public hearing will be held by the Board of Legislators of Westchester County on the ___ day of _____, 2021 at _____.m. in the chambers of the Westchester County Board of Legislators, 8th floor, 148 Martine Avenue, White Plains, New York for the purpose of hearing persons or parties interested in the aforementioned increase and improvement of facilities for the District.

Dated: _____, 2021
White Plains, New York

Clerk and Chief Administrative Officer of the County
Board of Legislators Westchester County, New York

RESOLUTION NO. ____ – 2021

WHEREAS, the Westchester County Board of Supervisors, now known as the Westchester County Board of Legislators (“Board”) duly established County Water District No. 1 (“District”) in 1964 pursuant to Article 5-A of the New York State County Law (“Article 5-A”) by Act No. 29-1964; and

WHEREAS, the District is comprised of the territorial limits of the Cities of White Plains, Mount Vernon and Yonkers and the Village of Scarsdale; and

WHEREAS, the District includes four zones of assessment as follows: White Plains 30%; Mount Vernon 28%; Yonkers 24% and Scarsdale 18%, noting that said zones of assessment relate to the apportionment of District costs; and

WHEREAS, the Department of Environmental Facilities (“Department”) has prepared and submitted to this Honorable Board a report dated July 1, 2021, as may be amended from time to time (“District Report”), which recommends capital project: WD104 – County Water District No. 1 – Shaft 22 & Kensico Dam Performance Maintenance (“WD104” or “Capital Project”), which represents an increase and improvement of District facilities that is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities; and

WHEREAS, WD104 will finance the costs of design and construction management for the rehabilitation of Shaft 22 in the City of Yonkers and additional rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. The Shaft 22 work will include replacement or rehabilitation of the following items: roofs, including removable panels, equipment such as chemical bulk storage tanks, pumps, HVAC, pumping, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors, and windows. Work will also include the installation of the following new equipment: leak detection systems, chemical sampling lines, ventilation systems, stairs, and storage area. The work at the Kensico Dam Chlorination Facility will include installation of new sampling piping in the grass

and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports inside of the facility, repair of roof leaks inside the facility, replacement of the HVAC system, provide emergency lighting, provide leak monitoring between the bottom of the chemical storage tanks and the secondary containment floor, and repair of the chemical transfer area just outside the face of the dam, including installation of concrete and chemical resistant sealant, and incidental expenses in connection therewith, which is a specific object or purpose in and for the benefit of the District; and

WHEREAS, the County is currently seeking authorization of the issuance of up to \$2,000,000 in bonds of the County to finance the design and construction management for WD104, stating the estimated maximum cost of the entire Capital Project is \$6,000,000; noting that the financing plan of the WD104 includes \$500,000 in bonds previously authorized by Act No. 353-2016; and

WHEREAS, the Department has advised that in order to comply with Article 5-A, and for the purposes of the public hearing, the Department, in conjunction with the Finance Department, has calculated that the issuance of \$6,000,000 in bonds of the County for WD104 equates to an estimated highest single year debt service payment of \$271,180 which distributed over the 67,004 taxable parcels in the District equates to an estimated average increase in tax assessment of \$4.05 per parcel. Accordingly, the average cost to the typical District property, resulting from the proposed increase, addition and improvement of existing District facilities is approximately \$3.41 as more fully set forth in the District Report; and

WHEREAS, in accordance with Article 5-A, this Board is required to schedule a public hearing.

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing shall be held upon the proposed increase and improvement of facilities for the District, as more fully set forth in the District Report dated July 1, 2021 as may be amended from time to time; said hearing to be held in the Board of Legislators

Chambers, Room 800, Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 on the _____ day of _____, 2021 at _____.; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and empowered take all necessary steps in furtherance hereof; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to cause notice of such public hearing to be published in the official newspapers of the County of Westchester having a general circulation in the District and in the manner required by law, the first publication thereof to be not less than ten (10) or more than twenty (20) days before the date set forth above for the public hearing. Such Notice shall be substantially in the form attached hereto; and be it further

RESOLVED, that this Resolution shall take effect immediately