


June 1, 2023

TO: Hon. Vedat Gashi, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer
Westchester County Executive 

RE: **Message Requesting Immediate Consideration: Act – Modify
Mamaroneck Valley Sanitary Sewer District, Harrison.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators June 5, 2023 Agenda.

Transmitted herewith for your consideration and approval is legislation which would modify the Mamaroneck Valley Sanitary Sewer District by removing four parcels of property.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for June 5, 2023, 2023 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

June 1, 2023

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

Dear Honorable Members:

I have been advised by the Commissioner of Environmental Facilities that the Town of Harrison (the "Town") has requested, pursuant to the attached Resolutions of the Town, that the Mamaroneck Valley Sanitary Sewer District (the "District") be modified to remove four (4) parcels of property more particularly described by street address and tax map designation as: 1 Mittman Road, Block 592, Lot 52; 2 Mittman Road, Block 592, Lot 51; 3 Mittman Road, Block 592, Lot 9; and 4 Mittman Road, Block 592, Lot 53 (the "Parcels"), from the District. The removal of the Parcels from the District is being requested because the Parcels are not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for these Parcels in the foreseeable future.

I am advised that the analysis prepared by the Department of Environmental Facilities in the attached feasibility report ("Feasibility Report") dated April 28, 2023 indicates that the proposed removal of the Parcels represents a net decrease of 0.0282% to the Equalized Full Value of the District. Therefore, the removal of the Parcels will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcels from the District is feasible because: (1) the proposed changes were requested by the Town; (2) the subject changes require no engineering modifications to the District facilities and there is no impact on the County facilities because the Parcels were never connected to the sewerage system; (3) the subject changes remove from ad valorem taxation properties that have not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town; (4) the subject changes free reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcels, once removed from the District, will be required to petition the County to re-enter the District and the County is not obligated to reserve any capacity for these Parcels once they have been removed; and (6) the subject Parcels were reviewed by the Westchester County Health Department.

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914)995-2900




As your Honorable Board knows, the County Administrative Code section 237.131 authorizes the alteration or change of a County Sanitary Sewer District. However, the Board of Legislators (the "Board") may only alter or change a district after a public hearing is held thereon by the Board, upon notice thereof given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

The Planning Department has advised that based upon its review, the proposed removal of the Parcels constitutes an Unlisted Action under the State Environmental Quality Review Act and its implementing regulations 6 NYCRR, Part 617 ("SEQR"). The Planning Department has prepared the attached Short Environmental Assessment Form to assist your Honorable Board in making the required determination of significance or non-significance pursuant to SEQR.

Based upon the foregoing, I respectfully recommend that your Board adopt a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code in such matters. In addition, I urge your Board to file with the Clerk of the Board, the Feasibility Report which details the Parcels involved in the proposed change to the District boundaries, and, after the public hearing, adopt an Act which will accomplish the removal of the Parcels from the District.

Sincerely,

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

George Latimer
County Executive

GL/VK/CJG/jpg
Attachments

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

Your Committee is in receipt of a transmittal from the County Executive in which the County Executive states that the Commissioner of Environmental Facilities has advised him that the Town of Harrison (the "Town") has requested, pursuant to the attached Resolutions of the Town, that the Mamaroneck Valley Sanitary Sewer District (the "District") be modified to remove four (4) parcels of property more particularly described by street address and tax map designation as: 1 Mittman Road, Block 592, Lot 52; 2 Mittman Road, Block 592, Lot 51; 3 Mittman Road, Block 592, Lot 9; and 4 Mittman Road, Block 592, Lot 53 (the "Parcels"), from the District. The removal of the Parcels from the District is being requested because the Parcels are not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for these Parcels in the foreseeable future.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities ("Feasibility Report") dated April 28, 2023 indicates that the proposed removal of the Parcels represents a net decrease of 0.0282% to the Equalized Full Value of the District. Therefore, the removal of the Parcels will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcels is feasible because: (1) the proposed changes were requested by the Town; (2) the subject changes require no engineering modifications to the District facilities and there is no impact on the County facilities because the Parcels were never connected to the sewerage system; (3) the subject changes remove from ad valorem taxation properties that have not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Towns; (4) the subject changes free reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcels, once removed from the District, will be required to petition the County to re-enter the District and the County is not obligated to reserve any capacity for these Parcels once they have been removed; and (6) the subject Parcels were reviewed by the Westchester County Health Department.

Your Committee notes that Chapter 237.131 of the County Administrative Code authorizes the Board of Legislators (the “Board”) to alter or change the sewer districts. However, the Board may only alter or change the districts after a public hearing is held thereon by the Board, upon notice thereof given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

Your Committee is advised that the removal of the Parcels would constitute an Unlisted Action under the State Environmental Quality Review Act and its implementing regulations 6 NYCRR, Part 617 (“SEQR”), which requires an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (EAF) and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, the SEQR regulations, to identify the relevant areas of environmental concern. For the reasons set forth in the attached EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the annexed resolution by which this Board would issue a Negative Declaration for this proposed action.

Based on the above facts, the Feasibility Report prepared by the Department of Environmental Facilities and the review by the Planning Department, your Committee concurs with the recommendation of the County Executive and recommends your Honorable Board adopt the annexed Resolution which will authorize Legal Notice for the public hearing which is required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the removal of said Parcels from the District. It should be noted that a vote of not less than a majority of the voting strength of the Board of Legislators is required to pass this Act.

Dated: _____, 2023
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: 1-4 Mittman Road, Mamaroneck SSD, Mt. Pleasant

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount \$ -

Describe: None. Parcel is not connected to public sanitary sewer.

Potential Related Operating Budget Revenues: Annual Amount \$ -

Describe: Parcel represents 0.0282% of the Full Equalized Value of the Blind Brook SSD

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: CJ Gelardo, P.E.

Title: Associate Engineer

Department: Environmental Facilities

Date: April 28, 2023

WJ
Reviewed By: _____

[Signature]
Budget Director

Date: 5/31/23

September 20, 2022

V -- 2022 -- 089

APPROVAL TO WITHDRAW BLOCK 592. LOT 52
FROM WESTCHESTER SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Brown.

it was,

RESOLVED to accept the request by. Town Engineer. Michael J. Amodeo, on behalf of the homeowner, to remove Block 592. Lot 52 also known as 1 Mittman Road, Rye NY, 10580 from the Westchester County Sewer District.

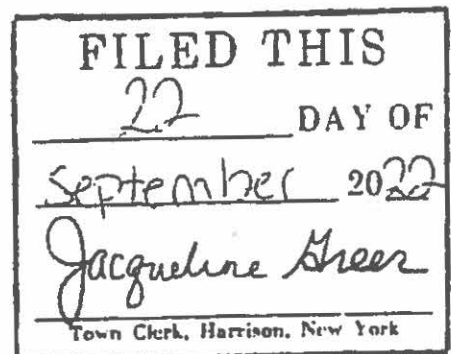
FURTHER RESOLVED to forward a copy of this Resolution to the Town Engineer and the Law Department.

Adopted by the following vote:

AYES: Trustees Brown, Sciliano, Leader and Evangelista
Mayor Dionisio

NAYS: None

ABSENT: None



September 20, 2022

V - - 2022 - - 090

APPROVAL TO WITHDRAW BLOCK 592. LOT 51
FROM WESTCHESTER SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Brown.

it was.

RESOLVED to accept the request by, Town Engineer, Michael J. Amodeo, on behalf of the homeowner, to remove Block 592, Lot 51 also known as 2 Mittman Road, Rye NY, 10580 from the Westchester County Sewer District.

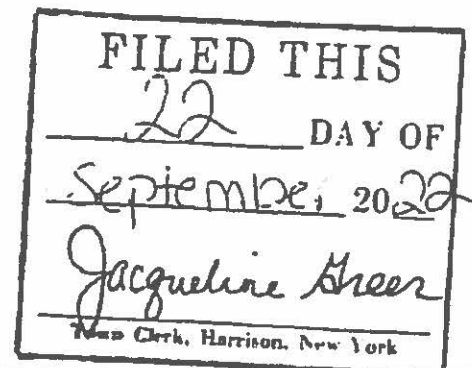
FURTHER RESOLVED to forward a copy of this Resolution to the Town Engineer and the Law Department.

Adopted by the following vote:

AYES: Trustees Brown, Sciliano, Leader and Evangelista
Mayor Dionisio

NAYS: None

ABSENT: None



September 20, 2022

V - - 2022 - - 091

APPROVAL TO WITHDRAW BLOCK 592. LOT 9
FROM WESTCHESTER SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Brown.

it was,

RESOLVED to accept the request by Town Engineer, Michael J. Amodeo, on behalf of the homeowner, to remove Block 592. Lot 9 also known as 3 Mittman Road, Rye NY, 10580 from the Westchester County Sewer District.

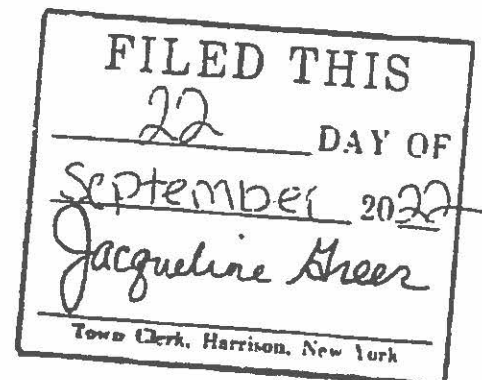
FURTHER RESOLVED to forward a copy of this Resolution to the Town Engineer and the Law Department.

Adopted by the following vote:

AYES: Trustees Brown, Sciliano, Leader and Evangelista
Mayor Dionisio

NAYS: None

ABSENT: None



September 20, 2022

V - - 2022 - - 092

APPROVAL TO WITHDRAW BLOCK 592. LOT53
FROM WESTCHESTER SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Brown.

it was,

RESOLVED to accept the request by, Town Engineer, Michael J. Amodeo, on behalf of the homeowner, to remove Block 592, Lot 53 also known as 4 Mittman Road, Rye NY, 10580 from the Westchester County Sewer District.

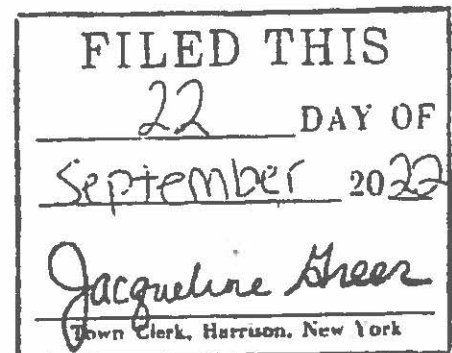
FURTHER RESOLVED to forward a copy of this Resolution to the Town Engineer and the Law Department.

Adopted by the following vote:

AYES: Trustees Brown, Sciliano, Leader and Evangelista
Mayor Dionisio

NAYS: None

ABSENT: None



COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

April 28, 2023

FEASIBILITY REPORT
IN THE MATTER OF

THE REMOVAL OF CERTAIN PARCELS

IN THE

MAMARONECK VALLEY SANITARY SEWER DISTRICT

TOWN OF HARRISON

afes



Vincent Kopicki, P.E.
Commissioner
Environmental Facilities

The Town of Harrison has petitioned that four (4) properties currently included in the Mamaroneck Valley Sanitary Sewer District be removed from the Mamaroneck Valley Sewer District.

A. The identification of the properties presently within the Mamaroneck Valley Sanitary Sewer District and to be removed are contained in the attached Town Resolutions of the Town of Harrison, as prepared by the Harrison Town Clerk. The properties to be removed are listed in Section C. Table of Properties to be Removed.

B. EFFECT ON SEWER DISTRICT TAX RATE:

Full Equalized Valuations, which are assessed values adjusted for equalization rates, form the basis on which the sewer district tax levies are apportioned by the County Board of Legislators. The following are the full equalized valuations in the 2022 levy pertinent to the subject parcels:

Full Value of Mamaroneck District

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUES</u>	<u>EQ. PERCENT</u>	<u>FULL EQ. VALUE</u>
Harrison	\$ 111,505,150	1.42%	\$7,852,475,352
Mamaroneck	\$ 7,230,699,898	100.0%	\$7,230,699,898
New Rochelle	\$ 32,886,960	2.34%	\$1,405,425,641
North Castle	\$ 275,700	2.24%	\$ 12,308,036
Rye (City)	\$ 19,837,916	1.66%	\$1,195,055,181
Rye (Town)	\$ 1,876,754,867	100.0%	\$1,876,754,867
Scarsdale	\$ 3,361,609,424	100.0%	\$3,361,609,424
White Plains	\$ 171,561,607	2.66%	\$6,449,684,473
TOTAL:			\$29,384,012,873
(TOWN OF HARRISON)			
Total Value Removed:			<u>(-8,281,690)</u>
TOTAL FULL VALUE OF DISTRICT AS AMENDED:			\$29,375,731,183*

*Represents a 0.0282% decrease in the FEV of the District

C. Table of Properties to be Removed

Town	Address	Section	Block	lot
Harrison	1 Mittman Road	N/A	592	52
Harrison	2 Mittman Road	N/A	592	51
Harrison	3 Mittman Road	N/A	592	9
Harrison	4 Mittman Road	N/A	592	53

D. Summary and Recommendations

The proposal to remove certain parcels in the Mamaroneck Valley Sanitary Sewer Districts is feasible because:

1. The proposed changes were requested by the Town of Harrison.
2. The subject changes require no engineering modifications to the district facilities and there is no impact on the County facilities because these parcels were never connected to the sewerage system.
3. The subject changes remove from ad valorem taxation properties that have not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town of Harrison.
4. The subject changes free reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities.
5. The subject parcels once removed from the district will be required to petition the County to re-enter the district. The County is not obligated to reserve any capacity for these parcels once they have been removed.
6. The subject parcels were reviewed by the Westchester County Health Department.

FileName: FEAS_Mamaroneck_1-4 Mittman Road_Harrison.docx

RESOLUTION NO. 2023 - _____

RESOLVED, that this Board hold a public hearing on the proposed modification to the Mamaroneck Valley Sanitary Sewer District by the removal of four (4) parcels of property, located in the Town of Harrison, more particularly described by street address and tax map designation as: 1 Mittman Road, Block 592, Lot 52; 2 Mittman Road, Block 592, Lot 51; 3 Mittman Road, Block 592, Lot 9; and 4 Mittman Road, Block 592, Lot 53, pursuant to Section 237.131 of the Laws of Westchester County. The Public Hearing will be held at m. on the day of , 2023 in the Chambers of the Board of Legislators, 8th floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law. Such notice shall be substantially in the form attached hereto.

PUBLIC NOTICE

NOTICE OF HEARING: MODIFICATION TO THE MAMARONECK VALLEY SANITARY SEWER DISTRICT BY THE REMOVAL OF FOUR (4) PARCELS OF PROPERTY, LOCATED IN THE TOWN OF HARRISON; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE _____ DAY OF _____, 2023 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 REMOVAL FROM THE MAMARONECK VALLEY SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF HARRISON IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED APRIL 28, 2023, BY STREET ADDRESS AND TAX MAP DESIGNATION AS FOLLOWS:

- 1 MITTMAN ROAD, BLOCK 592, LOT 52;
- 2 MITTMAN ROAD, BLOCK 592, LOT 51;
- 3 MITTMAN ROAD, BLOCK 592, LOT 9;
- 4 MITTMAN ROAD, BLOCK 592, LOT 53;

A COPY OF THE REPORT AND MAP PREPARED BY THE COMMISSIONER OF ENVIRONMENTAL FACILITIES IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD OF LEGISLATORS AND MAY BE INSPECTED THERE BY ANY INTERESTED PARTY DURING BUSINESS HOURS.

CLERK OF THE COUNTY
BOARD OF LEGISLATORS
WESTCHESTER COUNTY, NEW YORK

Dated: _____, 2023

White Plains, New York