

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related amended bond act (“Amended Bond Act”) which, if adopted, will authorize the County to issue up to \$80,000,000 in additional bonds of the County to finance capital project SY057 – Replacement of Tarrytown Force Main (Phase II) and Route 119 Gravity Sewer (“SY057”).

The proposed Capital Budget Amendment will amend the County’s 2025 capital budget to increase the County share for SY057 by \$80,000,000, for a total revised 2025 appropriation of \$87,000,000. The 2026 programmed amount will not be needed upon approval of the 2025 Capital Budget Amendment requested.

The Amended Bond Act, prepared by the law firm of Norton Rose Fulbright, in the total amount of \$87,000,000, which includes \$7,000,000 in previously authorized bonds of the County, would finance the cost of design, construction management and construction associated with the replacement of approximately 10,500 linear feet of 30-inch diameter force main and either the rehabilitation or replacement of the additional 1,300 linear feet section of the 30-inch gravity sewer at the downstream end of the force main.

The Department of Environmental Facilities (“Department”) has advised that the Tarrytown force main carries sewage approximately 2.75 miles under pressure from the Tarrytown Pumping Station in the Village of Tarrytown to the approximately 0.25-mile Route 119 gravity sewer which connects to the Saw Mill trunk sewer in the Village of Elmsford. The first 4,200 linear feet of the Tarrytown force main were replaced under Capital Project SY020 and was completed in 2017. The remaining section of force main and gravity sewer have reached the end of their useful life. A break in an original section of force main occurred on September 2, 2021 during Hurricane Ida and was repaired. A second force main break occurred on January 26, 2022 and was repaired. A third break occurred on July 10, 2023 and was repaired. Future breaks in this pipe can be expected if the pipe is not replaced as expeditiously as possible. The Department received a Notice of Violation from the New York State Department of Environmental

Conservation on July 13, 2023 which required the submission of a correction action plan. This CBA will help ensure the County meets the timelines specified in the corrective action plan.

Your Committee is advised that design is currently being undertaken by a consultant and is expected to be completed by the third quarter of 2025. It is estimated that construction will take forty-two (42) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for SY057 as follows: Bond Act No. 222-2023 in the amount of \$5,000,000 which financed design and construction management costs for the replacement or rehabilitation of portions of the Tarrytown force main, including incidental expenses, in and for the County's Saw Mill Sanitary Sewer District; and Bond Act No. 107-2024, which amended Bond Act No. 222-2023 by increasing the amount authorized thereunder by \$2,000,000, for a total authorized amount, as amended, of \$7,000,000, and which further revised the scope of Bond Act No. 222-2023 to include rehabilitation of portions of the Tarrytown force main and the Route 119 Gravity Sewer, including the construction of an emergency bypass to the Tarrytown force main, and which increased the period of probable usefulness of said bonds. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 222-2023, as amended by Bond Act No. 107-2024, be further amended to increase the total amount authorized by \$80,000,000, for a new total authorized amount, as amended, of \$87,000,000.

The Planning Department has advised your Committee that based on its review, SY057 may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

The Planning Department has further advised that the Planning Board has previously reviewed SY057 and issued a report, and that since there are no substantial changes to the physical planning aspects of this project, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts,

noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Amended Bond Act.

Dated: May 12th, 2025
White Plains, New York

James J. Zulu
John
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Manuel
Vedat Gashi
[Signature]

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James J. Zulu
John
DD
Manuel
Vedat Gashi

Budget & Appropriations

Public Works & Transportation

Dated: May 12, 2025
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below

Committee(s) on:

Budget & Appropriations

A handwritten signature in black ink, appearing to read "Maitti", with a stylized flourish at the end.

Public Works & Transportation

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FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SY057

☐ 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 \$ 87,000,000 PPU 30 Anticipated Interest Rate 4.27%

Anticipated Annual Cost (Principal and Interest): \$ 4,861,063

Total Debt Service (Annual Cost x Term): \$ 145,831,890

Finance Department: Interest rates from April 16, 2025 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: 946

Prepared by: Jazmin Logan

Title: Environmental Project Director

Department: Environmental Facilities

Date: 4/16/25

Reviewed By: 

Date: 4/16/25

Budget Director

4/16/25

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM
Assistant Commissioner



DATE: March 24, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SY057 REPLACEMENT OF TARRYTOWN FORCEMAIN (PHASE II) AND
ROUTE 119 GRAVITY SEWER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
03-10-2025 (Unique ID: 2855)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no 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)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;
- **617.5(c)(5):** repaving of existing highways not involving the addition of new travel lanes;
- **617.5(c)(6):** street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities.

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Jazmin Logan, Environmental Project Director - Capital Programs, DEF
Robert Zambardino, Program Coordinator – Capital Programs, DEF
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner


Westchester County

Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Susan Darling, Chief Planner 

Date: March 27, 2025

RE: **NO-ACTION MEMO - Capital Budget Amendment – SY057 Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer (2025 CBA)**

The County Executive is requesting an amendment to the 2025 Capital Budget to modify the funding of the above project. Capital project **SY057 Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer (2025 CBA)** will fund the replacement of a section of the Tarrytown force main. The scope of work involves replacement and/or rehabilitation of approximately 10,500 linear feet of 30" diameter force main and 1,300 linear feet of 30" gravity sewer.

The capital budget amendment (CBA) in the amount of \$80M in FY 2025 is needed because portions of this force main are experiencing frequent line breaks. The critical area has been expedited as part of an emergency contract. The 2026 programmed amount of \$85M will be removed with the submission of the 2026 capital budget and show a corrected estimated cost of \$87M.

Over time, the force main has experienced several pipeline failures. More recently, there have been three (3) force main breaks since September 2021. The most notable and recent incident occurred on July 10, 2023, resulting in a sewage spill into the Hudson River. Due to these incidents, a Notice of Violation from the New York State Department of Environmental Conservation (NYSDEC) was received by WCDEF, which prompted the need for the force main and gravity sewer rehabilitation and/or replacement.

This project was classified as a PL2 in the Planning Board Report for the 2023 Capital Budget Amendment (CBA) adopted by the Planning Board on September 6, 2023 as well as a 2024 Capital Budget Amendment (CBA) adopted by the Board on April 19, 2024.

There are no substantial changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Blanca P. López, Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

An Act amending the 2025 County
Capital Budget Appropriations for
Capital Project SY057
REPLACEMENT OF TARRYTOWN
FORCEMAIN (PHASE II) AND
ROUTE 119 GRAVITY SEWER

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2025 County Budget is hereby amended as follows:

| | Previous 2025 Appropriation | Change | Revised 2025 Appropriation |
|------------------|--------------------------------|--------------|-------------------------------|
| I. Appropriation | \$7,000,000 | \$80,000,000 | \$87,000,000 |

Section 2. The estimated method of financing in the Capital Section of the 2025 Westchester County Capital Budget is amended as follows:

II. METHOD OF
FINANCING

| | | | |
|--------------------|--------------------|---------------------|---------------------|
| Bonds and/or Notes | \$7,000,000 | \$80,000,000 | \$87,000,000 |
| Non County Shares | \$0 | | \$0 |
| Cash | \$0 | | \$0 |
| Total | <u>\$7,000,000</u> | <u>\$80,000,000</u> | <u>\$87,000,000</u> |

Section 3. The ACT shall take effect immediately.