

RESOLUTION NO. 2023 - _____

RESOLVED, that this Board hold a public hearing on the proposed modification to the Saw Mill Valley Sanitary Sewer District by the removal of four (4) parcels of property, two (2) of which are located in the Town of Mt. Pleasant and two (2) of which are located in the Town of New Castle, more particularly described by street address and tax map designation (for Mt. Pleasant) as: 1 Bristol Place, Section 99.6, Block 2, Lot 4; and 146 Hardscrabble Road, Section 99.17, Block 2, Lot 28; and (for New Castle) as: 42 Pond Hill Road, Section 92.18, Block 1, Lot 10; and 63 Brevoort Road, Section 100.8, Block 3, Lot 27.1, 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 SAW MILL VALLEY SANITARY SEWER DISTRICT BY THE REMOVAL OF FOUR (4) PARCELS OF PROPERTY, TWO (2) OF WHICH ARE LOCATED IN THE TOWN OF MT. PLEASANT AND TWO (2) OF WHICH ARE LOCATED IN THE TOWN OF NEW CASTLE; 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 SAW MILL VALLEY SANITARY SEWER DISTRICT OF LAND IN THE TOWNS OF MT. PLEASANT AND NEW CASTLE IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED NOVEMBER 29, 2022, BY STREET ADDRESS AND TAX MAP DESIGNATION AS FOLLOWS:

MT. PLEASANT PARCELS

1 BRISTOL PLACE, SECTION 99.6, BLOCK 2, LOT 4;
146 HARDSCRABBLE ROAD, SECTION 99.17, BLOCK 2, LOT 28;

NEW CASTLE PARCELS

42 POND HILL ROAD, SECTION 92.18, BLOCK 1, LOT 10;
63 BREVOORT ROAD, SECTION 100.8, BLOCK 3, LOT 27.1

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

**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 Towns of Mt. Pleasant and New Castle (the "Towns") have requested, pursuant to the attached Resolutions of the Towns, that the Saw Mill Valley Sanitary Sewer District (the "District") be modified to remove four (4) parcels of property from the District. Two (2) of the parcels are located in Mt. Pleasant and two (2) are located in New Castle. The parcels located in Mt. Pleasant are more particularly described by street address and tax map designation as: 1 Bristol Place, Section 99.6, Block 2, Lot 4; and 146 Hardscrabble Road, Section 99.17, Block 2, Lot 28. The parcels located in New Castle are more particularly described as: 42 Pond Hill Road, Section 92.18, Block 1, Lot 10; and 63 Brevoort Road, Section 100.8, Block 3, Lot 27.1 (All four parcels shall hereinafter be referred to collectively as the "Parcels"). The Parcels are not currently connected to the County sewer system. 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 November 29, 2022 indicates that the proposed removal of the Parcels represents a net decrease of 0.016% 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 Towns; (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 Article 8 of the Environmental Conservation Law, 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.

Westchester County

Dated: February 13, 2023

White Plains, New York

Cathy Parker
Nancy Pan
Budget Fed in
[Signature]
Henry Zell [Signature]
[Signature]

Cathy Parker
Nancy Pan
[Signature]
[Signature]

Cathy Parker
Nancy Pan
[Signature]
Henry Zell [Signature]

Budget & Appropriations

Public Works & Transportation

Environment,
Energy & Climate

COMMITTEE ON

Dated: February 13, 2023
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.

COMMITTEES ON

Budget & Appropriations

Public Works & Transportation

Environment, Energy & Climate

David Q. Iulio

David Q. Iulio

David Q. Iulio

Catherine Boy

FISCAL IMPACT STATEMENT

SUBJECT: Mt. Pleasant & New Castle, Saw Mill SSD

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. Parcels are not connected to public sanitary sewer.

Potential Related Operating Budget Revenues: Annual Amount \$ -

Describe: Parcel represents 0.016% of the Full Equalized Value of the Saw Mill 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 (Construction)

Department: Environmental Facilities

Date: November 29, 2022

Reviewed By: 

Budget Director

Date: 1/20/23



EMILY COSTANZA
Town Clerk

EXTRACT OF THE MINUTES
OF THE REGULAR MEETING
OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, NY
HELD JUNE 14, 2022

Authorization to Remove One Bristol Place, Chappaqua, NY from County Saw Mill Sewer District

RESOLUTION 249-22

Upon motion of Ms. Zaino, seconded by Ms. Smalley and unanimously carried, it was,

RESOLVED: That authorization is granted, per the request of homeowner Betsey Corbin, to remove 1 Bristol Place, Chappaqua, NY 10514 (99.06-2-4) from the County Saw Mill Sewer District.

VOTE - AYES - Fulgenzi, Schulman, Sialiano, Smalley, Zaino

EMILY COSTANZA
TOWN CLERK
TOWN OF MOUNT PLEASANT



EMILY COSTANZA
Town Clerk

EXTRACT OF THE MINUTES
OF THE REGULAR MEETING
OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, NY
HELD OCTOBER 25, 2022

Authorization to Amend Section, Block and Lot on Resolution 292-22: Authorization to Remove 146 Hardscrabble Road, Briarcliff Manor from County Saw Mill Sewer District

RESOLUTION 406-22

Upon motion of Mr. Schulman, seconded by Ms. Zaino and unanimously carried, it was,

RESOLVED: That authorization is granted to amend previously approved Resolution 292-22 (Authorization to Remove 146 Hardscrabble Road, Briarcliff Manor from County Saw Mill Sewer District) Section, Block, and Lot from 99.9-1-49 to 99.17-2-28.

VOTE - AYES - Fulgenzi, Schulman, Sialiano, Smalley, Zaino

EMILY COSTANZA
TOWN CLERK
TOWN OF MOUNT PLEASANT



EMILY COSTANZA
Town Clerk

EXTRACT OF THE MINUTES
OF THE REGULAR MEETING
OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, NY
HELD JULY 12, 2022

Authorization to remove 146 Hardscrabble Road, Briarcliff Manor, from County Saw Mill Sewer District

RESOLUTION 292-22

Upon motion of Mr. Schulman, seconded by Ms. Zaino and unanimously carried, it was,

RESOLVED: That authorization is granted, per the request of homeowner Colin Winnicki, to remove 146 Hardscrabble Road, Briarcliff Manor, NY 10510 (99.9-1-49) from the County Saw Mill Sewer District.

VOTE - AYES - Fulgenzi, Schulman, Sialiano, Smalley, Zaino

EMILY COSTANZA
TOWN CLERK
TOWN OF MOUNT PLEASANT

**MINUTES OF A MEETING
OF THE TOWN BOARD
OF THE TOWN OF NEW CASTLE
TUESDAY, JULY 21, 2020**

PRESENT: Ivy Pool, Supervisor
Jeremy Saland, Deputy Supervisor
Lisa Katz, Council Member
Lauren Levin, Council Member
Jason Lichtenthal, Council Member

Authorization to Remove 42 Pond Hill Road from the Saw Mill Sewer District

Council Member Levin moved, seconded by Council Member Katz, to approve the following resolution:

RESOLVED, that the Supervisor be, and hereby is, authorized to execute the following Petition to the County of Westchester to remove from the Saw Mill Valley Sanitary Sewer District the real property located at 42 Pond Hill Road, Chappaqua, New York also identified as Section 92.18-1-10, on the New Castle Tax Maps and to take or cause to be taken by Town staff any other work necessary to implement this Resolution.

The Petition of Ivy Pool, as Town Supervisor of the Town of New Castle respectfully submits to the Westchester County Board of Legislators:

1. That the Town of New Castle is a municipal corporation duly organized and existing under the laws of the State of New York (the "Town") and located in the County of Westchester and State of New York.
2. That the Town submits this petition requesting that 42 Pond Hill Road, Chappaqua, New York also identified as Section 92.18-1-10 on the New Castle Tax Maps, a single family residential property more than 40,000 square feet, property class 210, consisting of 1.001 acres be removed from the Saw Mill Valley Sanitary Sewer District. A figure depicting the property is attached as Exhibit "A" and a listing of the Tax Map information for this property is attached as Exhibit "B".
3. That the Town Board concluded that because the property is not receiving services from the Saw Mill Valley Sewer District, nor is there any likelihood of the property receiving any such services in the future, and the property is located more than 100 feet from the nearest sewer, said property would benefit from its removal from the Saw Mill Valley Sanitary Sewer District.
4. Therefore, the Town of New Castle hereby petitions the Westchester County Board of Legislators, pursuant to a Resolution duly adopted by the New Castle Town Board to

remove 42 Pond Hill Road, Chappaqua, also identified as Section 92.18-1-10 on the New Castle Tax Maps and to take all steps as may be necessary to effectuate such removal.

VOTE	AYES	NAYS
Supervisor Pool	X	
Deputy Supervisor Saland	X	
Council Member Katz	X	
Council Member Levin	X	
Council Member Lichtenthal	X	

STATE OF NEW YORK)
) SS:

COUNTY OF WESTCHESTER)

I, CHRISTINA PAPES, Clerk of the New Castle Town Board, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said New Castle Town Board at a meeting duly called and held at the New Castle Town Hall, 200 South Greeley Avenue, Chappaqua, NY 10514 on July 21, 2020 by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the Town of New Castle, New York, this 28th day of July 2020.



Christina Papes, Town Clerk, Town of New Castle

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**MINUTES OF A REGULAR MEETING
OF THE TOWN BOARD
OF THE TOWN OF NEW CASTLE
TUESDAY, May 11, 2021**

PRESENT:

Ivy Pool, Supervisor
Jeremy Saland, Deputy Supervisor
Lisa Katz, Council Member
Lauren Levin, Council Member
Lori Morton, Council Member

**Authorization to Issue Petition In Support of Removal of Parcel from
Saw Mill Sewer District – 63 Brevoort Road**

Council Member Morton moved, seconded by Council Member Levin, to adopt the following resolution:

RESOLVED, that the Supervisor be, and hereby is, authorized to execute the following Petition to the County of Westchester to remove from the Saw Mill Valley Sanitary Sewer District the real property located at 63 Brevoort Road, Chappaqua, New York also identified as Section 100.8-3-27.1, on the New Castle Tax Maps and to take or cause to be taken by Town staff any other work necessary to implement this Resolution.

The Petition of Ivy Pool, as Town Supervisor of the Town of New Castle respectfully submits to the Westchester County Board of Legislators:

1. That the Town of New Castle is a municipal corporation duly organized and existing under the laws of the State of New York (the “Town”) and located in the County of Westchester and State of New York.
2. That the Town submits this petition requesting that 63 Brevoort Road, Chappaqua, New York also identified as Section 100.8-3-27.1 on the New Castle Tax Maps, a single family residential property more than 40,000 square feet, property class 210, consisting of 5.19 acres be removed from the Saw Mill Valley Sanitary Sewer District. A figure depicting the property is attached as Exhibit “A” and a listing of the Tax Map information for this property is attached as Exhibit “B”.
3. That the Town Board concluded that because the property is not receiving services from the Saw Mill Valley Sewer District, nor is there any likelihood of the property receiving any such services in the future, and the property is located more than 100 feet from the nearest sewer, said property would benefit from its removal from the Saw Mill Valley Sanitary Sewer District.


Therefore, the Town of New Castle hereby petitions the Westchester County Board of Legislators, pursuant to a Resolution duly adopted by the New Castle Town Board to remove 63 Brevoort Road, Chappaqua, also identified as Section 100.8-3-27.1 on the New Castle Tax Maps and to take all steps as may be necessary to effectuate such removal.

VOTE	AYES	NAYS
Supervisor Pool	X	
Deputy Supervisor Saland	X	
Council Member Katz	X	
Council Member Levin	X	
Council Member Morton	X	

STATE OF NEW YORK)
) SS:
 COUNTY OF WESTCHESTER)

I, CHRISTINA PAPES, Clerk of the New Castle Town Board, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said New Castle Town Board at a meeting duly called and held at the New Castle Town Hall, 200 South Greeley Avenue, Chappaqua, NY 10514 on May 11, 2021 by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the Town of New Castle, New York, this 12th day of May, 2021.



 Christina Papes, Town Clerk, Town of New Castle

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COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

November 29, 2022

FEASIBILITY REPORT
IN THE MATTER OF

THE REMOVAL OF CERTAIN PARCELS

IN THE

SAW MILL VALLEY SANITARY SEWER DISTRICT

TOWNS OF MOUNT PLEASANT & NEW CASTLE



Vincent Kopicki, P.E.
Commissioner
Environmental Facilities

The Towns of Mount Pleasant and New Castle have petitioned that four (4) properties currently included in the Saw Mill Valley Sanitary Sewer District be removed from the Saw Mill Valley Sewer District.

A. The identification of the properties presently within the Saw Mill Sewer District and to be removed are contained on the attached Town Resolutions of the Town of Mount Pleasant and the Town of New Castle, Request for Removal from the Saw Mill Valley Sanitary Sewer District as prepared by the Mount Pleasant and New Castle Town Clerks. 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:

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUES</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Greenburgh	\$10,078,128,479	100.00%	\$10,078,128,479
-Mt. Pleasant-			
All except-			
(Briarcliff Manor)	\$153,827,617	1.31%	\$11,742,566,183
Mt. Pleasant-			
Briarcliff Manor	\$ 2,683,687	1.31%	\$ 204,861,603
New Castle	\$284,722,412	19.38%	\$1,469,155,893
-Ossining-			All
Except			
(Briarcliff Manor)	\$114,782,400	100.00%	\$ 114,782,400
Ossining-			
Briarcliff Manor	\$978,054,493	100.00%	\$ 978,054,493
Yonkers	\$ 84,378,344	2.09%	\$4,037,241,340
TOTAL:			\$28,624,790,391
(TOWNS OF MOUNT PLEASANT & NEW CASTLE)			
Total Value Removed:			<u>(-4,596,176)</u>
TOTAL FULL VALUE OF DISTRICT AS AMENDED:			\$28,620,194,215*

*Represents a 0.016% decrease in the FEV of the District

C. Table of Properties to be Removed

Town	Address	Section	Block	lot
Mt. Pleasant	1 Bristol Place	99.6	2	4
Mt. Pleasant	146 Hardscrabble Road	99.17	2	28
New Castle	42 Pond Hill Road	92.18	1	10
New Castle	63 Brevoort Road	100.8	3	27.1

D. Summary and Recommendations

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

1. The proposed changes were requested by the Towns of Mount Pleasant and New Castle.
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 Towns of Mount Pleasant and New Castle.
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_Saw Mill_1 Bristol Pl & 146 Hardscrabble Rd, Mt. Pleasant_42 Pond Hill Rd & 63 Brevoort Rd, New Caslte.docx