



# Westchester County

800 Michaelan Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
www.westchesterlegislators.com

## Public Works & Transportation

### Meeting Agenda

*Committee Chair: Vedat Gashi*

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Monday, January 25, 2021

10:00 AM

Committee Room

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#### CALL TO ORDER

Meeting joint with the Committees on Budget & Appropriations, Environment & Health, and Parks & Recreation.

#### MINUTES APPROVAL

January 11, 2021 10:00AM Minutes

#### I. ITEMS FOR DISCUSSION

1. [2021-12](#)      **PH-Sewer District Modification-Add 1 Parcel-Briarcliff Manor**  
A RESOLUTION to set a Public Hearing on "AN ACT to Modify the Saw Mill Sanitary Sewer District by the Addition of One (1) parcel of Property Located in the Village of Briarcliff Manor." [Public Hearing set for \_\_\_\_\_, 2020 at \_\_\_\_\_ .m.]. LOCAL LAW 2020-13080 (formerly MT # 13079)  
  
Joint with B&A and E&H.  
Guests: Commissioner Kopicki & Marian Pompa - Department of Environmental Facilities
  
2. [2021-13](#)      **Sewer District Modification-Add 1 Parcel-Briarcliff Manor**  
AN ACT to Modify the Saw Mill Sanitary Sewer District by the Addition of One (1) parcel of Property Located in the Village of Briarcliff Manor (formerly MT # 13080)  
  
Joint with B&A and E&H.  
Guests: Commissioner Kopicki & Marian Pompa - Department of Environmental Facilities

3. [2021-15](#) **PH-Sewer District Modification-Add 4 Parcels-Briarcliff Manor**  
A RESOLUTION to set a Public Hearing on "AN ACT to Modify the Ossining Sanitary Sewer District by the Addition of Four (4) parcels of Property Located in the Village of Briarcliff Manor." [Public Hearing set for \_\_\_\_\_, 2020 at \_\_\_\_\_ .m.]. LOCAL LAW INTRO 2020-13082 (formerly MT # 13081)  
  
Joint with B&A and E&H.  
Guests: Commissioner Kopicki & Marian Pompa - Department of Environmental Facilities
4. [2021-17](#) **Sewer District Modification-Add 4 Parcels-Briarcliff Manor**  
AN ACT to Modify the Ossining Sanitary Sewer District by the Addition of Four (4) parcels of Property Located in the Village of Briarcliff Manor (formerly MT # 13082)  
  
Joint with B&A and E&H.  
Guests: Commissioner Kopicki & Marian Pompa - Department of Environmental Facilities
5. [2021-8](#) **BOND ACT(Amended)-RMF02-Reconstruction of Memorial Field, Mount Vernon**  
A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of TWO MILLION, SIX HUNDRED SIXTY-SIX THOUSAND (\$2,666,000) DOLLARS to finance Capital Project RMF02 - Reconstruction of Memorial Field, Mt. Vernon for 2021(formerly MT # 13037)  
  
Joint with B&A and P&R.  
Guests: Commissioner Kathy O'Connor & Deputy Commissioner Peter Tartaglia-Department of Parks & Recreation; Commissioner Greechan & Robert Abbamont- Department of Public Works/Transportation
6. [2021-11](#) **BOND ACT(Amended)-RMAC3-V.E. Macy Park Site Work**  
[A BOND ACT (Amended) authorizing the issuance of additional bonds in the amount of TWO MILLION, TWO HUNDRED THOUSAND (\$2,200,000) DOLLARS in bonds of Westchester County to finance Capital Project RMAC3 - V.E. Macy Park Site Work (formerly MT # 13083)  
  
Joint with B&A and P&R.  
Guests: Commissioner Kathy O'Connor & Deputy Commissioner Peter Tartaglia-Department of Parks & Recreation; Commissioner Greechan & Robert Abbamont- Department of Public Works/Transportation

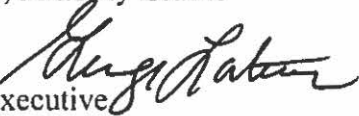
**II. OTHER BUSINESS**

**III. RECEIVE & FILE**

**ADJOURNMENT**

November 9, 2020

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: Act – Modify the Saw Mill SSD by Addition of 1 parcel of Property in the Village of Briarcliff Manor.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 9, 2020 Agenda.

I have been advised by the Commissioner of the Department of Environmental Facilities that the Village of Briarcliff Manor (“Village”) has requested pursuant to the attached Resolution of the Village that the Saw Mill Sanitary Sewer District (“District”) be modified to return one (1) parcel of property more particularly described by street address and tax map designation as 43 Chappaqua Road.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 9, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

October 30, 2020

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 the Department of Environmental Facilities that the Village of Briarcliff Manor ("Village") has requested pursuant to the attached Resolution of the Village that the Saw Mill Sanitary Sewer District ("District") be modified to return one (1) parcel of property more particularly described by street address and tax map designation as 43 Chappaqua Road, Section 90.17, Block 1, Lot 20 ("Returning Parcel") to the District. The Returning Parcel was previously part of the District but was removed from the District by your Honorable Board in 2001 for the 2002 tax year.

I am advised that the analysis prepared by the Department of Environmental Facilities dated September 25, 2020 and attached hereto indicates that the proposed addition of the Returning Parcel represents an increase of 0.000025 (0.0025%) to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to add the Returning Parcel to the District is feasible because: 1) the matter was requested by the Village; 2) the facilities necessary to connect the Returning Parcel to County facilities (i.e., Gravity Sewers) will be constructed at the total expense of the Village; 3) maintenance of the completed facilities will be the responsibility of the Village and not the District; 4) the Yonkers Joint Wastewater Treatment Facility has a design flow of 120 MGD and the present average daily flow is 84.8 MGD. The daily flow the Returning Parcel will generate after inclusion is 450 GPD. The plant and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcel; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten year period.

As your Honorable Board knows, County Administrative Code section 237.131 authorizes the alteration or change of a County Sanitary Sewer District. However, the Board of Legislators may only alter or change a district after it has held a public hearing

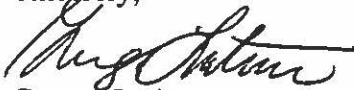
after notice has been given by publication in such manner and for such time as the Board of Legislators shall direct. Therefore, attached hereto is a Resolution which will authorize the date and time for the public hearing.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges will be paid by the Returning Parcel. The Department of Environmental Facilities recommends an aggregate surcharge of One Thousand Seven Hundred Ninety Dollars (\$1,790.00), or One Hundred Seventy-Nine Dollars (\$179.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 2002 through 2020, the years the Returning Parcel did not contribute to the District tax levies. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcels constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(13) and (33), and therefore no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the above facts and the feasibility study provided by the Department of Environmental Facilities, I respectfully recommend that your Board adopt a resolution which will authorize a date and time 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 and, after the public hearing, adopt an Act which will add the Returning Parcel to the District.

Sincerely,



George Latimer  
County Executive

GL/VK/MP/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 Village of Briarcliff Manor (“Village”) has requested, pursuant to the attached Resolution of the Village, that the Saw Mill Sanitary Sewer District (“District”) be modified to return one (1) parcel of property more particularly described by street address and tax map designation as 43 Chappaqua Road, Section 90.17, Block 1, Lot 20 (“Returning Parcel”) to the District. The Returning Parcel was previously part of the District but was removed from the District by your Honorable Board in 2001 for the 2002 tax year.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities dated September 25, 2020 and attached hereto, indicates that the proposed addition of the Returning Parcel represents an increase of 0.000025 (0.0025%) to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to add the Returning Parcel to the District is feasible because: 1) the matter was requested by the Village; 2) the facilities necessary to connect the Returning Parcel to County facilities (i.e., Gravity Sewers) will be constructed at the total expense of the Village; 3) maintenance of the completed facilities will be the responsibility of the Village and not the District; 4) the Yonkers Joint Wastewater Treatment Facility has a design flow of 120 MGD and the present average daily flow is 84.8 MGD. The daily flow the Returning Parcel will generate after inclusion is 450 GPD. The plant and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcel; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten year period.

Your Committee notes that Section 237.131 of the County Administrative Code authorizes the alteration or change of a sewer district. However, your Honorable Board may only alter or change the district after it has held a public hearing after notice has been given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution, which, if adopted by your Honorable Board, would set a date and time for the necessary public hearing. Your Committee recommends adoption of said Resolution.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges, if any, will be paid by the Returning Parcel. Your Committee has been informed that the Department of Environmental Facilities recommends that an aggregate surcharge of One Thousand Seven Hundred Ninety Dollars (\$1,790.00), or One Hundred Seventy-Nine Dollars (\$179.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 2002 through 2020, the years the Returning Parcel did not contribute to the District tax levies. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcel constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(13) and (33), and therefore no further environmental review is required. Your Committee has reviewed the attached SEQRA documentation and concurs with this conclusion.

Based on the above facts and the Feasibility Report prepared by the Department of Environmental Facilities, your Committee concurs with the recommendation of the County Executive and recommends that your Honorable Board adopt the annexed Resolution which will set a date and time for the public hearing as required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the addition of the Returning Parcel



to the Saw Mill Sanitary Sewer 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: \_\_\_\_\_, 2020  
White Plains, New York

COMMITTEE ON

K:JPG 9/30/2020

# FISCAL IMPACT STATEMENT

SUBJECT: 43 Chappaqua Rd, Saw Mill SSD, Briarcliff Manor

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: Operating expenses related to process and treatment  
plant expenses of additional flow from these parcels.

Potential Related Operating Budget Revenues: Annual Amount \$ \_\_\_\_\_ 179

Describe: "Buy-in" revenue for parcel added to the Saw Mill Sewer District each year  
for the next 10 years

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

Current Year: \_\_\_\_\_

Next Four Years: \_\_\_\_\_

Prepared by: Marian Pompa, Jr. P.E.

Title: Associate Engineer

Department: Environmental Facilities

Date: September 25, 2020

*WAO 10/26/2020*  
Reviewed By: *James C. Jones*

Budget Director

Date: 10/27/20

TO: Vincent Kopicki, Commissioner  
Department of Environmental Facilities

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



DATE: November 5, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR REINSTATEMENT  
OF ONE PROPERTY TO SAW MILL SANITARY SEWER DISTRICT  
43 CHAPPAQUA ROAD, VILLAGE OF BRIARCLIFF MANOR**

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**PROJECT/ACTION:** The reinstatement of one parcel located in the Village of Briarcliff Manor, 43 Chappaqua Road (Section 90.17, Block 1, Lot 20). to the County's Saw Mill Sanitary Sewer District.

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 SECTIONS:**
- 617.5(c)(13):** extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list.
  - 617.5(c)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.
  - 617.5(c)(33):** adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list.

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**COMMENTS:** The subject parcel was removed from the County sewer district in 2001, along with many other parcels that were not connected to sanitary sewers, at the request of the Village of Briarcliff Manor. The parcel to be reinstated will be able to access the County sewer system via a connection to an existing local sanitary sewer line near the property. The parcel is approximately 1.5 acres in size and is developed with a single-family residence. The estimated total sewage contribution for the parcel is 450 gallons per day. Sewage from the Saw Mill Sanitary Sewer District is treated at the Yonkers Joint Treatment Facility. Since the Yonkers Joint Treatment Facility has a design flow of 120 million gallons per day (MGD) and the present average flow is 84.8 MGD, the plant has sufficient capacity to accommodate the additional flow.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Norma Drummond, Commissioner  
Marian Pompa, Associate Engineer  
Jeffrey Goldman, Senior Assistant County Attorney  
Claudia Maxwell, Associate Environmental Planner

VILLAGE OF  
BRIARCLIFF MANOR  
www.briarcliffmanor.org



1111 PLEASANTVILLE ROAD  
BRIARCLIFF MANOR, N.Y. 10510  
TELEPHONE: (914) 941-4800  
FAX: (914) 941-4837

**RESOLUTION**

STATE OF NEW YORK            )  
  SS:  
COUNTY OF WESTCHESTER    )

I, the undersigned Village Clerk of the Village of Briarcliff Manor, Westchester County, New York, DO HEREBY CERTIFY.

That I have compared the annexed resolution adopted by the Board of Trustees of the Village of Briarcliff Manor, at the meeting held on the 10<sup>th</sup> day of October 2019, with the original thereof on file in the office of the Village Clerk, and that the same is a true and correct copy therefrom.

I FURTHER CERTIFY that all members of the Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village the 26<sup>th</sup> day of August 2020.

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Christine Dennett, Village Clerk

VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 10, 2019

**6. ADDITION OF PARCELS TO OSSINING AND SAW MILL SANITARY SEWER DISTRICT**

**A. WHEREAS**, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 64 Old Sleepy Hollow Road, identified on the Village Tax Maps as Section 105, Plate 13, Block 1, Lot 64 ("Property"), was removed from the Ossining Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.

**B. WHEREAS**, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 131 Cedar Drive East, identified on the Village Tax Maps as Section 105, Plate 11, Block 1, Lot 13 ("Property"), was removed from the Ossining Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.

**C. WHEREAS**, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 190 Long Hill Road, identified on the Village Tax Maps as Section 105, Plate 7, Block 2, Lot 19.1 ("Property"), was removed from the Ossining Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.

D. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 22 Cedar Drive East, identified on the Village Tax Maps as Section 105, Plate 7, Block 2, Lot 19.2 ("Property"), was removed from the Ossining Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.

E. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 43 Chappaqua Road, identified on the Village Tax Maps as Section 90, Plate 17, Block 1, Lot 20 ("Property"), was removed from the Saw Mill Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Saw Mill Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Saw Mill Sanitary Sewer District.


COUNTY OF WESTCHESTER  
DEPARTMENT OF ENVIRONMENTAL FACILITIES

September 25, 2020

FEASIBILITY REPORT  
IN THE MATTER OF

THE ENLARGEMENT FOR A CERTAIN PARCEL  
IN THE  
SAW MILL SANITARY SEWER DISTRICT  
VILLAGE OF BRIARCLIFF MANOR, TOWN OF OSSINING

MP

  
Vincent F. Kopicki, P.E.  
Commissioner  
Environmental Facilities



The Village of Briarcliff Manor has petitioned that one (1) property currently not included in the Saw Mill Sanitary Sewer District be returned to the Saw Mill Sanitary Sewer District. This parcel was removed from the County Sewer District in 2001 for the 2002 tax year.

A. The identification of the one (1) property not currently within the boundaries of the Saw Mill Sanitary Sewer District and to be returned is contained in the attached Resolution prepared by the Village Clerk, Village of Briarcliff Manor. Said parcel is not currently in any County Sanitary Sewer District, having been removed from the County Sewer District in 2001 for the 2002 tax year. The identification of the one (1) property is as follows:

- 43 Chappaqua Road, Section 90.17, Block 1, Lot 20

B. 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 2020 tax levy pertinent to the subject parcel:

Full Value of District

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUE</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Greenburgh	\$9,395,388,923	100.00%	\$9,395,388,923
Mt, Pleasant	\$153,898,183	1.40%	\$10,992,727,357
Mt. Pleasant - Briarcliff	\$2,656,795	1.40%	\$189,771,071
New Castle	\$283,698,040	19.05%	\$1,489,228,556
City of Yonkers	\$85,479,727	2.29%	\$3,732,739,170
Ossining - Briarcliff Manor	\$954,117,004	100.00%	\$954,117,004
Ossining	\$107,759,700	100.00%	\$107,759,700

Total \$26,861,731,781

(Village of Briarcliff Manor) Total Value of the  
Parcels to be added + 674,900

Total Full Value of District as Amended: \$26,862,406,681

\* represents a 0.0025% increase in the FEV of the District

C. The Surcharge Calculation for the parcel which is not now in a County Sewer District and is proposed for inclusion in the Saw Mill Sanitary Sewer District is as follows:

If: e = added area's share in District equity or surcharge amount;

A = added area's f.e.v., 2020 Rolls

D = District f.e.v., 2020 rolls, before proposed additions

and E = District equity in existing facilities or the total of debt service and advances from district levies to pay the capital costs of those facilities for the period of time the parcels were not in any County Sewer District, from 2002 through 2020.

Then: 
$$e = \frac{A}{D+A} \times E$$

$$e = \frac{674,900}{26,861,731,781 + 674,900} \times \$71,393,314$$

$$e = \frac{674,900}{26,862,406,681} \times \$71,393,314$$

$$e = .0000251243 \times 71,393,314$$

$$e = \$1,793.25 \text{ (rounded to } \$1,790.00)$$

and:

in each of 10 annual installments, a total surcharge of \$179.00 is to be collected from the added property and credited to the remaining properties of all Municipalities in the District, in each of the ten years.

D. Summary and Recommendations.

The proposed Saw Mill Sanitary Sewer District Addition is feasible because:

1. The matter was requested by the Village of Briarcliff Manor.
2. The facilities necessary to connect the subject property to County facilities (i.e. Gravity Sewers) will be constructed at the total expense of the Village of Briarcliff Manor.
3. Maintenance of the completed facilities will be the responsibility of the Village of Briarcliff Manor but not the Saw Mill Sanitary Sewer District.
4. The Yonkers Joint Wastewater Treatment Facility has a design flow of 120.0 MGD and the present average daily flow is 84.8 MGD. The daily flow the parcels will generate after inclusion is 450 gallons per day. The Plant and the County Trunk Sewer have sufficient capacity to accommodate these parcels.
5. The subject expansion will not result in any significant effect on the tax structure of the district.
6. The Territory proposed to be added to the Saw Mill Sanitary Sewer District is not now in any County Sewer District and will be required to pay a surcharge over a ten year period.

File Name: Briarcliff\_Saw Mill SSD Return.docx

**RESOLUTION NO.     – 2020**

**RESOLVED**, that this Board hold a public hearing on the proposed modification to the Saw Mill Sanitary Sewer District by the addition of one (1) parcel of property located in the Village of Briarcliff Manor more particularly described as 43 Chappaqua Road, Section 90.17, Block 1, Lot 20, pursuant to Section 237.131 of the Laws of Westchester County. The public hearing will be held at \_\_\_\_\_ m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 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 SANITARY SEWER DISTRICT BY THE ADDITION OF ONE (1) PARCEL OF PROPERTY IN THE VILLAGE OF BRIARCLIFF MANOR; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE        DAY OF        , 2020 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 ADDITION TO THE SAW MILL SANITARY SEWER DISTRICT OF LAND IN THE VILLAGE OF BRIARCLIFF MANOR IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED SEPTEMBER 25, 2020, OF THE PARCELS AS LISTED BELOW BY STREET ADDRESS AND TAX MAP DESIGNATION:

43 CHAPPAQUA ROAD, SECTION 90.17, BLOCK 1, LOT 20

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.

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

Dated:                    , 2020  
                    White Plains, New York

**ACT NO. - 2020**

**AN ACT to Modify the Saw Mill Sanitary Sewer District by the Addition of One (1) parcel of Property Located in the Village of Briarcliff Manor.**

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

**Section 1.** The property known and designated as 43 Chappaqua Road, Section 90.17, Block 1, Lot 20 (“Returning Parcel”) on the assessment map of the Village of Briarcliff Manor is hereby added to the Saw Mill Sanitary Sewer District (the “District”).

**§ 2.** Pursuant to the provisions of Chapter 237 of the Laws of Westchester County, the Board levies and assesses against the Returning Parcel the aggregate sum of One Thousand Seven Hundred Ninety Dollars (\$1,790.00), which amount shall be payable in ten equal annual installments of One Hundred Seventy-Nine Dollars (\$179.00), and shall be credited to the remaining portion of the District.

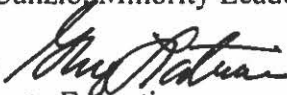
**§ 3.** This Act and the District and assessment areas as so altered, changed, modified, reduced and/or enlarged hereby, shall become effective immediately and the assessment rolls filed after the next taxable status date shall show County sewer district assessments and taxes on the basis of such revised District, and taxes levied on such rolls shall be based thereon, but any sewer district tax or assessment levied on any valid assessment rolls in effect prior to the next taxable status date, on any parcel affected by the revisions made by this Act shall continue valid as such or as a tax lien, until paid and the amount paid shall be credited to the sewer district in which such parcel was assessed on the role on which said tax is levied.

**§ 4.** The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and to take all action necessary and appropriate to accomplish the purposes hereof.

**§ 5.** This Act shall take effect immediately.

November 9, 2020

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: Act – Modify the  
Ossining SSD by Addition of 4 parcels of Property in the Village of  
Briarcliff Manor.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 9, 2020 Agenda.

I have been advised by the Commissioner of the Department of Environmental Facilities that the Village of Briarcliff Manor (“Village”) has requested pursuant to the attached Resolution of the Village that the Ossining Sanitary Sewer District (“District”) be modified to return four (4) parcels of property more particularly described by street address and tax map designation as 64 Old Sleepy Hollow Road.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 9, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

October 30, 2020

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 the Department of Environmental Facilities that the Village of Briarcliff Manor ("Village") has requested pursuant to the attached Resolution of the Village that the Ossining Sanitary Sewer District ("District") be modified to return four (4) parcels of property more particularly described by street address and tax map designation as 64 Old Sleepy Hollow Road, Section 105.13, Block 1, Lot 64; 131 Cedar Drive East, Section 105.11, Block 1, Lot 13; 190 Long Hill Road, Section 105.7, Block 2, Lot 19.1; and 22 Cedar Drive East, Section 105.07, Block 2, Lot 19.2 ("Returning Parcels") to the District. The Returning Parcels were previously part of the District but were removed from the District by your Honorable Board in 2001 for the 2002 tax year.

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I am advised that the analysis prepared by the Department of Environmental Facilities dated September 25, 2020 and attached hereto indicates that the proposed addition of the Returning Parcels represents an increase of 0.00053 (0.053%) to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcels will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to add the Returning Parcels to the District is feasible because: 1) the matter was requested by the Village; 2) the facilities necessary to connect the Returning Parcels to County facilities (i.e., Gravity Sewers) will be constructed at the total expense of the Village; 3) maintenance of the completed facilities will be the responsibility of the Village and not the District; 4) the Ossining Wastewater Treatment Facility has a design flow of 7 MGD and the present average daily flow is 4.9 MGD. The daily flow the Returning Parcels will generate after inclusion is 2,160 GPD. The plant and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcels; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten year period.



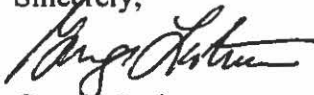
As your Honorable Board knows, County Administrative Code section 237.131 authorizes the alteration or change of a County Sanitary Sewer District. However, the Board of Legislators may only alter or change a district after it has held a public hearing after notice has been given by publication in such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

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges will be paid by the Returning Parcels. The Department of Environmental Facilities recommends an aggregate surcharge of Eighteen Thousand Five Hundred Seventy Dollars (\$18,570.00), or One Thousand Eight Hundred Fifty-Seven Dollars (\$1,857.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 2002 through 2020, the years the Returning Parcels did not contribute to the District tax levies. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcels constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(13) and (33), and therefore no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the above facts and the feasibility study provided by the Department of Environmental Facilities, I respectfully recommend that your Board adopt a resolution which will authorize a date and time 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 and, after the public hearing, adopt an Act which will add the Returning Parcels to the District.

Sincerely,



George Latimer  
County Executive

GL/VK/MP/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 Village of Briarcliff Manor (“Village”) has requested, pursuant to the attached Resolution of the Village, that the Ossining Sanitary Sewer District (“District”) be modified to return four (4) parcels of property more particularly described by street address and tax map designation as 64 Old Sleepy Hollow Road, Section 105.13, Block 1, Lot 64; 131 Cedar Drive East, Section 105.11, Block 1, Lot 13; 190 Long Hill Road, Section 105.7, Block 2, Lot 19.1; and 22 Cedar Drive East, Section 105.07, Block 2, Lot 19.2 (“Returning Parcels”) to the District. The Returning Parcels were previously part of the District but were removed from the District by your Honorable Board in 2001 for the 2002 tax year.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities dated September 25, 2020 and attached hereto, indicates that the proposed addition of the Returning Parcels represents an increase of 0.00053 (0.053%) to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcels will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to add the Returning Parcels to the District is feasible because: 1) the matter was requested by the Village; 2) the facilities necessary to connect the Returning Parcels to County facilities (i.e., Gravity Sewers) will be constructed at the total expense of the Village; 3) maintenance of the completed facilities will be the responsibility of the Village and not the District; 4) the Ossining Wastewater Treatment Facility has a design flow of 7 MGD and the present average daily flow is 4.9 MGD. The daily flow the Returning Parcels will generate after inclusion is 2,160 GPD. The plant and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcels; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory

proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten year period.

Your Committee notes that Section 237.131 of the County Administrative Code authorizes the alteration or change of a sewer district. However, your Honorable Board may only alter or change the district after it has held a public hearing after notice has been given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution, which, if adopted by your Honorable Board, would set a date and time for the necessary public hearing. Your Committee recommends adoption of said Resolution.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges, if any, will be paid by the Returning Parcels. Your Committee has been informed that the Department of Environmental Facilities recommends that an aggregate surcharge of Eighteen Thousand Five Hundred Seventy Dollars (\$18,570.00), or One Thousand Eight Hundred Fifty-Seven Dollars (\$1,857.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 2002 through 2020, the years the Returning Parcels did not contribute to the District tax levies. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcels constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(13) and (33), and therefore no further environmental review is required. Your Committee has reviewed the attached SEQRA documentation and concurs with this conclusion.

Based on the above facts and the Feasibility Report prepared by the Department of Environmental Facilities, your Committee concurs with the recommendation of the County Executive and recommends that your Honorable Board adopt the annexed Resolution which will set a date and time for the public hearing as required by the

Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the addition of the Returning Parcels to the Ossining Sanitary Sewer 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: \_\_\_\_\_, 2020  
White Plains, New York

COMMITTEE ON

K.JPG 9/30/2020

# FISCAL IMPACT STATEMENT

SUBJECT: Return of 4 parcels, Ossining SSD, Briarcliff Manor

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: Operating expenses related to process and treatment  
plant expenses of additional flow from these parcels.

Potential Related Operating Budget Revenues: Annual Amount \$ \_\_\_\_\_ 1,857

Describe: "Buy-in" revenue for parcels added to the Ossining Sewer District each year  
for the next 10 years

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

Current Year: \_\_\_\_\_

Next Four Years: \_\_\_\_\_

Prepared by: Marian Pompa, Jr. P.E.

Title: Associate Engineer

Department: Environmental Facilities

Date: September 25, 2020

Reviewed By: WAO 10/26/2020

Budget Director

Date: 10/23/20

TO: Vincent Kopicki, Commissioner  
Department of Environmental Facilities

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



DATE: November 5, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR REINSTATEMENT  
OF 4 PROPERTIES IN THE VILLAGE OF BRIARCLIFF MANOR TO  
OSSINING SANITARY SEWER DISTRICT**

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**PROJECT/ACTION:** The reinstatement of four parcels located in the Village of Briarcliff Manor- 64 Old Sleepy Hollow Road (Section 105.13, Block 1, Lot 64); 131 Cedar Drive East (Section 105.11, Block 1, Lot 13); 190 Long Hill Road (Section 105.07, Block 2, Lot 19.1); and 22 Cedar Drive East (Section 105.07, Block 2, Lot 19.2) - to the County's Ossining Sanitary Sewer District.

**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 SECTIONS:**  
**617.5(c)(13):** extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list.  
**617.5(c)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.  
**617.5(c)(33):** adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list.

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**COMMENTS:** These parcels were removed from the County sewer district in 2001, along with many other parcels that were not connected to sanitary sewers, at the request of the Village of Briarcliff Manor. The parcels to be reinstated will be able to access the County sewer system via connections to existing local sewer lines near each property. The subject parcels are between 0.9 and 1.3 acres in size. Two properties are developed with single-family residences. One property is currently undeveloped woodland and one property was previously developed with a residence that

was removed in 2017. The properties are all located in the R40B zoning district. The estimated total sewage contribution for these parcels is 2,160 gallons per day. Sewage from the Ossining Sanitary Sewer District is treated at the Ossining Wastewater Treatment Facility. Since the Ossining Wastewater Treatment Facility has a design flow of 7 million gallons per day (MGD) and the present average flow is 4.9 MGD, the plant has sufficient capacity to accommodate the additional flow

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Norma Drummond, Commissioner  
Marian Pompa, Associate Engineer  
Jeffrey Goldman, Senior Assistant County Attorney  
Claudia Maxwell, Associate Environmental Planner





VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 10, 2019

**6. ADDITION OF PARCELS TO OSSINING AND SAW MILL SANITARY SEWER DISTRICT**

**A. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and**

**WHEREAS, the property at 64 Old Sleepy Hollow Road, identified on the Village Tax Maps as Section 105, Plate 13, Block 1, Lot 64 ("Property"), was removed from the Ossining Sanitary Sewer District; and**

**WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and**

**NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.**

**B. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and**

**WHEREAS, the property at 131 Cedar Drive East, identified on the Village Tax Maps as Section 105, Plate 11, Block 1, Lot 13 ("Property"), was removed from the Ossining Sanitary Sewer District; and**

**WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and**

**NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.**

**C. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and**

WHEREAS, the property at 190 Long Hill Road, identified on the Village Tax Maps as Section 105, Plate 7, Block 2, Lot 19.1 ("Property"), was removed from the Ossining Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.

D. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 22 Cedar Drive East, identified on the Village Tax Maps as Section 105, Plate 7, Block 2, Lot 19.2 ("Property"), was removed from the Ossining Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.

E. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 43 Chappaqua Road, identified on the Village Tax Maps as Section 90, Plate 17, Block 1, Lot 20 ("Property"), was removed from the Saw Mill Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Saw Mill Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Saw Mill Sanitary Sewer District.

COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

September 25, 2020

FEASIBILITY REPORT  
IN THE MATTER OF

THE ENLARGEMENT FOR CERTAIN PARCELS

IN THE

OSSINING SANITARY SEWER DISTRICT

VILLAGE OF BRIARCLIFF MANOR, TOWN OF OSSINING

MP



Vincent F. Kopicki, P.E.  
Commissioner  
Environmental Facilities

The Village of Briarcliff Manor has petitioned that four (4) properties currently not included in the Ossining Sanitary Sewer District be returned to the Ossining Sanitary Sewer District. These parcels were removed from the County Sewer District in 2001 for the 2002 tax year.

A. The identification of the four (4) properties not currently within the boundaries of the Ossining Sanitary Sewer District and to be returned are contained in the attached Resolution prepared by the Village Clerk, Village of Briarcliff Manor. Said parcels are not currently in any County Sanitary Sewer District, having been removed from the County Sewer District in 2001 for the 2002 tax year. The identification of the four (4) properties are as follows:

- 64 Old Sleepy Hollow Road, Section 105.13, Block 1, Lot 64
- 131 Cedar Drive East, Section 105.11, Block 1, Lot 13
- 190 Long Hill Road, Section 105.07, Block 2, Lot 19.1
- 22 Cedar Drive East, Section 105.07, Block 2, Lot 19.2

B. 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 2020 tax levy pertinent to the subject parcels:

Full Value of District

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUE</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Cortlandt	\$18,669,722	1.56%	\$1,198,703,333
Mt. Pleasant	\$1,058,482	1.40%	\$75,605,857
New Castle	\$517,875	19.05%	\$2,718,504
Ossining	\$3,285,095,810	100.00%	\$3,285,095,810
Ossining- Briarcliff Manor	\$812,585,096	100.00%	\$812,585,096

Total \$5,374,708,600

(Village of Briarcliff Manor) Total Value of the  
Parcels to be added + 2,829,700

Total Full Value of District as Amended: \$5,377,538,300

\* represents a 0.053% increase in the FEV of the District

C. The Surcharge Calculation for the parcel which is not now in a County Sewer District and is proposed for inclusion in the Ossining Sanitary Sewer District is as follows:

If: e = added area's share in District equity or surcharge amount;

A = added area's f.e.v., 2020 Rolls

D = District f.e.v., 2020 rolls, before proposed additions

and E = District equity in existing facilities or the total of debt service and advances from district levies to pay the capital costs of those facilities for the period of time the parcels were not in any County Sewer District, from 2002 through 2020.

Then: 
$$e = \frac{A}{D+A} \times E$$

$$e = \frac{2,829,700}{5,374,708,600 + 2,829,700} \times 35,302,156$$

$$e = \frac{2,829,700}{5,377,538,300} \times 35,302,156$$

$$e = .00052621 \times \$35,302,156$$

$$e = \$18,576.25 \text{ (rounded to } \$18,570.00)$$

and:

in each of 10 annual installments, a total surcharge of \$1,857.00 is to be collected from the added property and credited to the remaining properties of all Municipalities in the District, in each of the ten years.

D. Summary and Recommendations.

The proposed Ossining Sanitary Sewer District Addition is feasible because:

1. The matter was requested by the Village of Briarcliff Manor.
2. The facilities necessary to connect the subject property to County facilities (i.e. Gravity Sewers) will be constructed at the total expense of the Village of Briarcliff Manor.
3. Maintenance of the completed facilities will be the responsibility of the Village of Briarcliff Manor but not the Ossining Sanitary Sewer District.
4. The Ossining Wastewater Treatment Facility has a design flow of 7.0 MGD and the present average daily flow is 4.9 MGD. The daily flow the parcels will generate after inclusion is 2,160 gallons per day. The Plant and the County Trunk Sewer have sufficient capacity to accommodate these parcels.
5. The subject expansion will not result in any significant effect on the tax structure of the district.
6. The Territory proposed to be added to the Ossining Sanitary Sewer District is not now in any County Sewer District and will be required to pay a surcharge over a ten year period.

File Name: Briarcliff\_Ossining SSD Return.docx

**RESOLUTION NO.     – 2020**

**RESOLVED**, that this Board hold a public hearing on the proposed modification to the Ossining Sanitary Sewer District by the addition of four (4) parcels of property located in the Village of Briarcliff Manor more particularly described as 64 Old Sleepy Hollow Road, Section 105.13, Block 1, Lot 64; 131 Cedar Drive East, Section 105.11, Block 1, Lot 13; 190 Long Hill Road, Section 105.7, Block 2, Lot 19.1; and 22 Cedar Drive East, Section 105.07, Block 2, Lot 19.2, pursuant to Section 237.131 of the Laws of Westchester County. The public hearing will be held at \_\_\_\_\_ m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 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 OSSINING SANITARY SEWER DISTRICT BY THE ADDITION OF FOUR (4) PARCELS OF PROPERTY IN THE VILLAGE OF BRIARCLIFF MANOR; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE        DAY OF        , 2020 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 ADDITION TO THE OSSINING SANITARY SEWER DISTRICT OF LAND IN THE VILLAGE OF BRIARCLIFF MANOR IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED SEPTEMBER 25, 2020, OF THE PARCELS AS LISTED BELOW BY STREET ADDRESS AND TAX MAP DESIGNATION:

- 64 OLD SLEEPY HOLLOW ROAD, SECTION 105.13, BLOCK 1, LOT 64
- 131 CEDAR DRIVE EAST, SECTION 105.11, BLOCK 1, LOT 13
- 190 LONG HILL ROAD, SECTION 105.07, BLOCK 2, LOT 19.1
- 22 CEDAR DRIVE EAST, SECTION 105.07, BLOCK 2, LOT 19.2

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.

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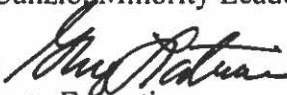
CLERK OF THE COUNTY  
BOARD OF LEGISLATORS  
WESTCHESTER COUNTY, NEW YORK

Dated:        , 2020  
White Plains, New York



November 9, 2020

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: Act – Modify the  
Ossining SSD by Addition of 4 parcels of Property in the Village of  
Briarcliff Manor.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 9, 2020 Agenda.

I have been advised by the Commissioner of the Department of Environmental Facilities that the Village of Briarcliff Manor (“Village”) has requested pursuant to the attached Resolution of the Village that the Ossining Sanitary Sewer District (“District”) be modified to return four (4) parcels of property more particularly described by street address and tax map designation as 64 Old Sleepy Hollow Road.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 9, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer  
County Executive

October 30, 2020

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 the Department of Environmental Facilities that the Village of Briarcliff Manor ("Village") has requested pursuant to the attached Resolution of the Village that the Ossining Sanitary Sewer District ("District") be modified to return four (4) parcels of property more particularly described by street address and tax map designation as 64 Old Sleepy Hollow Road, Section 105.13, Block 1, Lot 64; 131 Cedar Drive East, Section 105.11, Block 1, Lot 13; 190 Long Hill Road, Section 105.7, Block 2, Lot 19.1; and 22 Cedar Drive East, Section 105.07, Block 2, Lot 19.2 ("Returning Parcels") to the District. The Returning Parcels were previously part of the District but were removed from the District by your Honorable Board in 2001 for the 2002 tax year.

---

I am advised that the analysis prepared by the Department of Environmental Facilities dated September 25, 2020 and attached hereto indicates that the proposed addition of the Returning Parcels represents an increase of 0.00053 (0.053%) to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcels will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to add the Returning Parcels to the District is feasible because: 1) the matter was requested by the Village; 2) the facilities necessary to connect the Returning Parcels to County facilities (i.e., Gravity Sewers) will be constructed at the total expense of the Village; 3) maintenance of the completed facilities will be the responsibility of the Village and not the District; 4) the Ossining Wastewater Treatment Facility has a design flow of 7 MGD and the present average daily flow is 4.9 MGD. The daily flow the Returning Parcels will generate after inclusion is 2,160 GPD. The plant and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcels; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten year period.

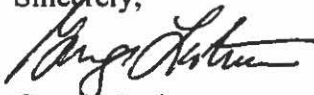
As your Honorable Board knows, County Administrative Code section 237.131 authorizes the alteration or change of a County Sanitary Sewer District. However, the Board of Legislators may only alter or change a district after it has held a public hearing after notice has been given by publication in such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

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges will be paid by the Returning Parcels. The Department of Environmental Facilities recommends an aggregate surcharge of Eighteen Thousand Five Hundred Seventy Dollars (\$18,570.00), or One Thousand Eight Hundred Fifty-Seven Dollars (\$1,857.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 2002 through 2020, the years the Returning Parcels did not contribute to the District tax levies. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcels constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(13) and (33), and therefore no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the above facts and the feasibility study provided by the Department of Environmental Facilities, I respectfully recommend that your Board adopt a resolution which will authorize a date and time 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 and, after the public hearing, adopt an Act which will add the Returning Parcels to the District.

Sincerely,



George Latimer  
County Executive

GL/VK/MP/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 Village of Briarcliff Manor (“Village”) has requested, pursuant to the attached Resolution of the Village, that the Ossining Sanitary Sewer District (“District”) be modified to return four (4) parcels of property more particularly described by street address and tax map designation as 64 Old Sleepy Hollow Road, Section 105.13, Block 1, Lot 64; 131 Cedar Drive East, Section 105.11, Block 1, Lot 13; 190 Long Hill Road, Section 105.7, Block 2, Lot 19.1; and 22 Cedar Drive East, Section 105.07, Block 2, Lot 19.2 (“Returning Parcels”) to the District. The Returning Parcels were previously part of the District but were removed from the District by your Honorable Board in 2001 for the 2002 tax year.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities dated September 25, 2020 and attached hereto, indicates that the proposed addition of the Returning Parcels represents an increase of 0.00053 (0.053%) to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcels will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to add the Returning Parcels to the District is feasible because: 1) the matter was requested by the Village; 2) the facilities necessary to connect the Returning Parcels to County facilities (i.e., Gravity Sewers) will be constructed at the total expense of the Village; 3) maintenance of the completed facilities will be the responsibility of the Village and not the District; 4) the Ossining Wastewater Treatment Facility has a design flow of 7 MGD and the present average daily flow is 4.9 MGD. The daily flow the Returning Parcels will generate after inclusion is 2,160 GPD. The plant and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcels; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory

proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten year period.

Your Committee notes that Section 237.131 of the County Administrative Code authorizes the alteration or change of a sewer district. However, your Honorable Board may only alter or change the district after it has held a public hearing after notice has been given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution, which, if adopted by your Honorable Board, would set a date and time for the necessary public hearing. Your Committee recommends adoption of said Resolution.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges, if any, will be paid by the Returning Parcels. Your Committee has been informed that the Department of Environmental Facilities recommends that an aggregate surcharge of Eighteen Thousand Five Hundred Seventy Dollars (\$18,570.00), or One Thousand Eight Hundred Fifty-Seven Dollars (\$1,857.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 2002 through 2020, the years the Returning Parcels did not contribute to the District tax levies. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcels constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(13) and (33), and therefore no further environmental review is required. Your Committee has reviewed the attached SEQRA documentation and concurs with this conclusion.

Based on the above facts and the Feasibility Report prepared by the Department of Environmental Facilities, your Committee concurs with the recommendation of the County Executive and recommends that your Honorable Board adopt the annexed Resolution which will set a date and time for the public hearing as required by the

Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the addition of the Returning Parcels to the Ossining Sanitary Sewer 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: \_\_\_\_\_, 2020  
White Plains, New York

COMMITTEE ON

K.JPG 9/30/2020

# FISCAL IMPACT STATEMENT

SUBJECT: Return of 4 parcels, Ossining SSD, Briarcliff Manor

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: Operating expenses related to process and treatment  
plant expenses of additional flow from these parcels.

Potential Related Operating Budget Revenues: Annual Amount \$ \_\_\_\_\_ 1,857

Describe: "Buy-in" revenue for parcels added to the Ossining Sewer District each year  
for the next 10 years

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

Current Year: \_\_\_\_\_

Next Four Years: \_\_\_\_\_

Prepared by: Marian Pompa, Jr. P.E.

Title: Associate Engineer

Department: Environmental Facilities

Date: September 25, 2020

*WAO 10/26/2020*

Reviewed By: *[Signature]*

Budget Director

Date: *12/23/20*

TO: Vincent Kopicki, Commissioner  
Department of Environmental Facilities

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



DATE: November 5, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR REINSTATEMENT  
OF 4 PROPERTIES IN THE VILLAGE OF BRIARCLIFF MANOR TO  
OSSINING SANITARY SEWER DISTRICT**

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**PROJECT/ACTION:** The reinstatement of four parcels located in the Village of Briarcliff Manor- 64 Old Sleepy Hollow Road (Section 105.13, Block 1, Lot 64); 131 Cedar Drive East (Section 105.11, Block 1, Lot 13); 190 Long Hill Road (Section 105.07, Block 2, Lot 19.1); and 22 Cedar Drive East (Section 105.07, Block 2, Lot 19.2) - to the County's Ossining Sanitary Sewer District.

**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 SECTIONS:**  
**617.5(c)(13):** extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list.  
**617.5(c)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.  
**617.5(c)(33):** adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list.

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**COMMENTS:** These parcels were removed from the County sewer district in 2001, along with many other parcels that were not connected to sanitary sewers, at the request of the Village of Briarcliff Manor. The parcels to be reinstated will be able to access the County sewer system via connections to existing local sewer lines near each property. The subject parcels are between 0.9 and 1.3 acres in size. Two properties are developed with single-family residences. One property is currently undeveloped woodland and one property was previously developed with a residence that



was removed in 2017. The properties are all located in the R40B zoning district. The estimated total sewage contribution for these parcels is 2,160 gallons per day. Sewage from the Ossining Sanitary Sewer District is treated at the Ossining Wastewater Treatment Facility. Since the Ossining Wastewater Treatment Facility has a design flow of 7 million gallons per day (MGD) and the present average flow is 4.9 MGD, the plant has sufficient capacity to accommodate the additional flow

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Norma Drummond, Commissioner  
Marian Pompa, Associate Engineer  
Jeffrey Goldman, Senior Assistant County Attorney  
Claudia Maxwell, Associate Environmental Planner



VILLAGE OF BRIARCLIFF MANOR  
BOARD OF TRUSTEES AGENDA  
OCTOBER 10, 2019

**6. ADDITION OF PARCELS TO OSSINING AND SAW MILL SANITARY SEWER DISTRICT**

**A. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and**

**WHEREAS, the property at 64 Old Sleepy Hollow Road, identified on the Village Tax Maps as Section 105, Plate 13, Block 1, Lot 64 ("Property"), was removed from the Ossining Sanitary Sewer District; and**

**WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and**

**NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.**

**B. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and**

**WHEREAS, the property at 131 Cedar Drive East, identified on the Village Tax Maps as Section 105, Plate 11, Block 1, Lot 13 ("Property"), was removed from the Ossining Sanitary Sewer District; and**

**WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and**

**NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.**

**C. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and**

WHEREAS, the property at 190 Long Hill Road, identified on the Village Tax Maps as Section 105, Plate 7, Block 2, Lot 19.1 ("Property"), was removed from the Ossining Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.

D. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 22 Cedar Drive East, identified on the Village Tax Maps as Section 105, Plate 7, Block 2, Lot 19.2 ("Property"), was removed from the Ossining Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Ossining Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Ossining Sanitary Sewer District.

E. WHEREAS, on May 21, 2001, the Westchester County Board of Legislators adopted legislation to modify the Ossining and Saw Mill Sanitary Sewer Districts by removing a total of 332 parcels of property not currently connected to the County sewer system and treated at the County operated wastewater treatment plants; and

WHEREAS, the property at 43 Chappaqua Road, identified on the Village Tax Maps as Section 90, Plate 17, Block 1, Lot 20 ("Property"), was removed from the Saw Mill Sanitary Sewer District; and

WHEREAS, the owner of the Property asked the Board of Trustees to request the Westchester County Board of Legislations to extend the Saw Mill Sanitary Sewer District to add the Property, but not adjacent property, to that sewer district; and

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village Engineer to submit a request to the Westchester County Board of Legislators for the addition of the Property into the Saw Mill Sanitary Sewer District.

COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

September 25, 2020

FEASIBILITY REPORT  
IN THE MATTER OF

THE ENLARGEMENT FOR CERTAIN PARCELS

IN THE

OSSINING SANITARY SEWER DISTRICT

VILLAGE OF BRIARCLIFF MANOR, TOWN OF OSSINING

MP

Vincent F. Kopicki, P.E.  
Commissioner  
Environmental Facilities

The Village of Briarcliff Manor has petitioned that four (4) properties currently not included in the Ossining Sanitary Sewer District be returned to the Ossining Sanitary Sewer District. These parcels were removed from the County Sewer District in 2001 for the 2002 tax year.

A. The identification of the four (4) properties not currently within the boundaries of the Ossining Sanitary Sewer District and to be returned are contained in the attached Resolution prepared by the Village Clerk, Village of Briarcliff Manor. Said parcels are not currently in any County Sanitary Sewer District, having been removed from the County Sewer District in 2001 for the 2002 tax year. The identification of the four (4) properties are as follows:

- 64 Old Sleepy Hollow Road, Section 105.13, Block 1, Lot 64
- 131 Cedar Drive East, Section 105.11, Block 1, Lot 13
- 190 Long Hill Road, Section 105.07, Block 2, Lot 19.1
- 22 Cedar Drive East, Section 105.07, Block 2, Lot 19.2

B. 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 2020 tax levy pertinent to the subject parcels:

Full Value of District

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUE</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Cortlandt	\$18,669,722	1.56%	\$1,198,703,333
Mt. Pleasant	\$1,058,482	1.40%	\$75,605,857
New Castle	\$517,875	19.05%	\$2,718,504
Ossining	\$3,285,095,810	100.00%	\$3,285,095,810
Ossining- Briarcliff Manor	\$812,585,096	100.00%	\$812,585,096

Total \$5,374,708,600

(Village of Briarcliff Manor) Total Value of the  
Parcels to be added + 2,829,700

Total Full Value of District as Amended: \$5,377,538,300

\* represents a 0.053% increase in the FEV of the District

C. The Surcharge Calculation for the parcel which is not now in a County Sewer District and is proposed for inclusion in the Ossining Sanitary Sewer District is as follows:

If: e = added area's share in District equity or surcharge amount;

A = added area's f.e.v., 2020 Rolls

D = District f.e.v., 2020 rolls, before proposed additions

and E = District equity in existing facilities or the total of debt service and advances from district levies to pay the capital costs of those facilities for the period of time the parcels were not in any County Sewer District, from 2002 through 2020.

Then: 
$$e = \frac{A}{D+A} \times E$$

$$e = \frac{2,829,700}{5,374,708,600 + 2,829,700} \times 35,302,156$$

$$e = \frac{2,829,700}{5,377,538,300} \times 35,302,156$$

$$e = .00052621 \times \$35,302,156$$

$$e = \$18,576.25 \text{ (rounded to } \$18,570.00)$$

and:

in each of 10 annual installments, a total surcharge of \$1,857.00 is to be collected from the added property and credited to the remaining properties of all Municipalities in the District, in each of the ten years.

D. Summary and Recommendations.

The proposed Ossining Sanitary Sewer District Addition is feasible because:

1. The matter was requested by the Village of Briarcliff Manor.
2. The facilities necessary to connect the subject property to County facilities (i.e. Gravity Sewers) will be constructed at the total expense of the Village of Briarcliff Manor.
3. Maintenance of the completed facilities will be the responsibility of the Village of Briarcliff Manor but not the Ossining Sanitary Sewer District.
4. The Ossining Wastewater Treatment Facility has a design flow of 7.0 MGD and the present average daily flow is 4.9 MGD. The daily flow the parcels will generate after inclusion is 2,160 gallons per day. The Plant and the County Trunk Sewer have sufficient capacity to accommodate these parcels.
5. The subject expansion will not result in any significant effect on the tax structure of the district.
6. The Territory proposed to be added to the Ossining Sanitary Sewer District is not now in any County Sewer District and will be required to pay a surcharge over a ten year period.

File Name: Briarcliff\_Ossining SSD Return.docx



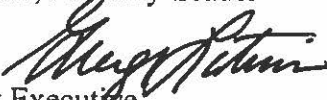
**RESOLUTION NO.     – 2020**

**RESOLVED**, that this Board hold a public hearing on the proposed modification to the Ossining Sanitary Sewer District by the addition of four (4) parcels of property located in the Village of Briarcliff Manor more particularly described as 64 Old Sleepy Hollow Road, Section 105.13, Block 1, Lot 64; 131 Cedar Drive East, Section 105.11, Block 1, Lot 13; 190 Long Hill Road, Section 105.7, Block 2, Lot 19.1; and 22 Cedar Drive East, Section 105.07, Block 2, Lot 19.2, pursuant to Section 237.131 of the Laws of Westchester County. The public hearing will be held at \_\_\_\_\_ m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 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.



October 19, 2020

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 (Amended) – RMF02 - Reconstruction of Memorial Field, Mount Vernon.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 19, 2020 Agenda.

Transmitted herewith for your review and approval is an amended Bond Act (“Amended Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue additional bonds in the amount of \$2,666,000 to finance the following capital project: RMF02.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 19, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

October 12, 2020

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 an amended Bond Act (“Amended Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue additional bonds in the amount of \$2,666,000 to finance the following capital project for 2021:

**RMF02 – Reconstruction of Memorial Field Mt. Vernon (“RMF02”).**

The Amended Bond Act, in the total amount of \$14,352,000, which includes \$11,686,000 in previously authorized bonds of the County, would finance all or a portion of the costs of the construction of recreational improvements at the Memorial Field recreation facility in the city of Mount Vernon (“Memorial Field”), including the installation of tennis courts, the installation of a skate park, the installation of an eight lane running track and bleacher seating with a capacity of approximately 3,900 spectators, and the installation of a multi-purpose synthetic turf field.

The Budget Department (“Department”) has advised that proposed 2021 Capital Budget amends the financing plan of RMF02 project to remove the cash transfer from the general fund and to finance that portion of the project with debt proceeds. This request would authorize the additional debt associated with the proposed financing change, resulting in no change to the total County share of \$19,750,000.

The project has begun construction and is anticipated to be completed in April, 2022.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance components of RMF02 as indicated in the annexed fact sheet and as follows:

- (i) Bond Act No. 43-2020 in the amount of \$365,000 to finance installation of tennis courts at Memorial Field;
- (ii) Bond Act No. 44-2020 in the amount of \$525,000 to finance the cost of the installation of a skate park at Memorial Field;
- (iii) Bond Act No. 45-2020 in the amount of \$5,398,000 to finance a portion of the cost of the installation of an eight lane running track and bleacher seating with a capacity of approximately 3,900 spectators at Memorial Field; and

Office of the County Executive

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

Email: [CE@westchestergov.com](mailto:CE@westchestergov.com)  
Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)

(iv) Bond Act No. 46-2020 in the amount of \$5,398,000 to finance a portion of the cost of the installation of a multi-purpose synthetic turf field at Memorial Field.

These bonds have not been sold. Accordingly, it is now requested that Bond Acts No. Act 43-2020, 44-2020 Act 45-2020 and 46-2020 be amended, effective January 1, 2021, to increase the total aggregate amount authorized by \$2,666,000 and to consolidate Bond Acts No. Act 43-2020, 44-2020 Act 45-2020 and 46-2020 into one Amended Bond Act for a total authorized amount, as amended, of \$14,352,000.

The Planning Department has advised that based on its review, the above-referenced capital project 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. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of this project to the County, favorable action on the proposed Amended Bond Act is respectfully requested.

Sincerely,



George Latimer  
County Executive

Attachments

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

Your Committee is in receipt of an amended bond act (“Amended Bond Act”) in the total amount of \$14,352,000 which includes \$11,686,000 in previously authorized bonds of the County of Westchester (“County”) to finance Capital Project RMF02 – Reconstruction of Memorial Field Mt. Vernon (“RMF02”) for 2021. The Amended Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, is required to finance all or a portion of the costs of the construction of recreational improvements at the Memorial Field recreation facility in the city of Mount Vernon (“Memorial Field”), including the installation of tennis courts, the installation of a skate park, the installation of an eight lane running track and bleacher seating with a capacity of approximately 3,900 spectators, and the installation of a multi-purpose synthetic turf field.

The Budget Department (“Department”) has advised that proposed 2021 Capital Budget amends the financing plan of RMF02 project to remove the cash transfer from the general fund and to finance that portion of the project with debt proceeds. This request would authorize the additional debt associated with the proposed financing change, resulting in no change to the total County share of \$19,750,000.

The project has begun construction and is anticipated to be completed in April, 2022.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance components of RMF02 as indicated in the annexed fact sheet and as follows:

(i) Bond Act No. 43-2020 in the amount of \$365,000 to finance installation of tennis courts at Memorial Field;

(ii) Bond Act No. 44-2020 in the amount of \$525,000 to finance the cost of the installation of a skate park at Memorial Field;

(iii) Bond Act No. 45-2020 in the amount of \$5,398,000 to finance a portion of the cost of the installation of an eight lane running track and bleacher seating with a capacity of approximately 3,900 spectators at Memorial Field; and

(iv) Bond Act No. 46-2020 in the amount of \$5,398,000 to finance a portion of the cost of the installation of a multi-purpose synthetic turf field at Memorial Field.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project 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. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Amended Bond Act. Your Committee recommends the adoption of the proposed Amended Bond Act.

Dated: \_\_\_\_\_, 20\_\_\_\_.  
White Plains, New York

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RMF02

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    \$            14,352,000            PPU    15            Anticipated Interest Rate    1.02%

Anticipated Annual Cost (Principal and Interest):            \$    1,039,984

Total Debt Service (Annual Cost x Term):            \$    15,599,760

Finance Department:            Interest rates from October 7, 2020 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:            156

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by:            Ken Uhle

Title:            Program Coord Capital Planning PRC

Department:            DPW&T

Date:            10/13/20


Reviewed By: 

Budget Director

Date:            10/14/20



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

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

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RMF02 RECONSTRUCTION OF MEMORIAL FIELD MT VERNON**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-17-2020 (Unique ID: 1557)

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)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.
- 

**COMMENTS:** The action involves a change in financing with no changes in the scope of the project.

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

ACT NO. -20\_\_\_\_\_

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT 43-2020 ADOPTED APRIL 14, 2020, ACT 44-2020 ADOPTED APRIL 14, 2020, ACT 45-2020 ADOPTED APRIL 14, 2020 AND ACT 46-2020 ADOPTED APRIL 14, 2020 IN RELATION TO THE CONSTRUCTION OF RECREATIONAL IMPROVEMENTS AT THE MEMORIAL FIELD RECREATION FACILITY IN MOUNT VERNON, AT THE MAXIMUM ESTIMATED COST OF \$15,160,000. (Adopted \_\_\_\_\_, 20\_\_\_\_\_).

WHEREAS, this Board has heretofore duly authorized the issuance of \$365,000 bonds to finance the cost of the installation of tennis courts at the Memorial Field recreation facility in the city of Mount Vernon, pursuant to Act No. 43-2020 duly adopted on April 14, 2020 (“Act 43-2020”); and

WHEREAS, this Board has heretofore duly authorized the expenditure of \$250,000 in grant funds and the issuance of \$525,000 bonds to finance the cost of the installation of a skate park at the Memorial Field recreation facility in the city of Mount Vernon, pursuant to Act No. 44-2020 duly adopted on April 14, 2020 (“Act 44-2020”); and

WHEREAS, this Board has heretofore duly authorized the expenditure of \$1,607,000 in County funds and the issuance of \$5,398,000 bonds to finance a portion of the cost of the installation of an eight lane running track and bleacher seating with a capacity of approximately 3,900 spectators at the Memorial Field recreation facility in Mount Vernon, pursuant to Act No. 45-2020 duly adopted on April 14, 2020 (“Act 45-2020”); and

WHEREAS, this Board has heretofore duly authorized the expenditure of \$1,059,000 in County funds, the expenditure of \$558,000 in grant funds and the issuance of \$5,398,000 bonds to finance a portion of the cost of the installation of a multi-purpose synthetic

turf field at the Memorial Field recreation facility in Mount Vernon, pursuant to Act No. 46-2020 duly adopted on April 14, 2020 (“Act 46-2020”, along with Act 43-2020, Act 44-2020 and Act 45-2020, the “Prior Acts”); and

WHEREAS, it has been determined that the expenditures heretofore authorized to be paid from said \$1,607,000 in County funds and said \$1,059,000 in County funds shall now be paid for by the issuance of a like amount of bonds to finance recreational improvements at the Memorial Field recreation facility in the city of Mount Vernon and that the Prior Acts shall be amended and shall be consolidated into one Act;

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

SECTION (A)(i) The bond act duly adopted by this Board on April 14, 2020, entitled:

“ACT NO. 43-2020

BOND ACT AUTHORIZING THE ISSUANCE OF \$365,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF TENNIS COURTS AT THE MEMORIAL FIELD RECREATION FACILITY IN THE CITY OF MOUNT VERNON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$365,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$365,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS”, and

(ii) The bond act duly adopted by this Board on April 14, 2020, entitled:

“ACT NO. 44-2020

BOND ACT AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF THE INSTALLATION OF A SKATE PARK AT THE

MEMORIAL FIELD RECREATION FACILITY IN THE CITY OF MOUNT VERNON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$775,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$525,000 BONDS HEREIN AUTHORIZED AND THE EXPENDITURE OF \$250,000 IN STATE GRANT FUNDS EXPECTED TO BE RECEIVED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS”, and

(iii) The bond act duly adopted by this Board on April 14, 2020, entitled:

“ACT NO. 45-2020

BOND ACT AUTHORIZING THE ISSUANCE OF \$5,398,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF THE INSTALLATION OF AN EIGHT LANE RUNNING TRACK AND BLEACHER SEATING AT THE MEMORIAL FIELD RECREATION FACILITY IN MOUNT VERNON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,005,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$5,398,000 BONDS HEREIN AUTHORIZED AND THE EXPENDITURE OF OTHER COUNTY FUNDS IN THE AMOUNT OF \$1,607,000; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS”, and

(iv) The bond act duly adopted by this Board on April 14, 2020, entitled:

“ACT NO. 46-2020

BOND ACT AUTHORIZING THE ISSUANCE OF \$5,398,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF THE INSTALLATION OF A MULTI-PURPOSE SYNTHETIC TURF FIELD AT THE MEMORIAL FIELD RECREATION FACILITY IN MOUNT VERNON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,015,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$5,398,000 BONDS HEREIN AUTHORIZED, AND THE EXPENDITURE OF \$558,000 IN STATE GRANT FUNDS EXPECTED TO BE RECEIVED AND THE FURTHER EXPENDITURE OF OTHER COUNTY FUNDS IN THE AMOUNT OF \$1,059,000; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS”,

are hereby amended and consolidated to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$14,352,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF VARIOUS RECREATIONAL IMPROVEMENTS AT THE MEMORIAL FIELD RECREATION FACILITY IN MOUNT VERNON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$15,160,000; STATING THE PLAN OF FINANCING SAID

COST INCLUDES THE ISSUANCE OF \$14,352,000 BONDS HEREIN AUTHORIZED, AND THE EXPENDITURE OF \$808,000 IN STATE GRANT FUNDS EXPECTED TO BE RECEIVED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_\_\_)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto; \$14,352,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance all or a portion of the costs of the construction of recreational improvements at the Memorial Field recreation facility in the city of Mount Vernon, including the installation of tennis courts, the installation of a skate park, the installation of an eight lane running track and bleacher seating with a capacity of approximately 3,900 spectators, and the installation of a multi-purpose synthetic turf field, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$15,160,000. The plan of financing includes the expenditure of \$808,000 in State grant funds expected to be received and issuance of \$14,352,000 bonds herein authorized; and any bond

anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the object or purpose for which said \$14,352,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$14,352,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$15,160,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and

relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect on January 1, 2021 and in accordance with Section 107.71 of the Westchester County Charter.

SECTION (B) The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken

pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

SECTION (C) This Act shall take effect on January 1, 2021 and in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*



STATE OF NEW YORK            )  
  : ss.:  
COUNTY OF NEW YORK        )

I HEREBY CERTIFY that I have compared the foregoing Act No. -20\_\_\_\_ with the original on file in my office, and that the same is a correct transcript therefrom and of the whole of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on \_\_\_\_\_, 20\_\_\_\_ and approved by the County Executive on \_\_\_\_\_, 20\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on April 14, 2020 and amended on \_\_\_\_\_, 20\_\_\_\_ and approved, as amended, by the County Executive on \_\_\_\_\_, 20\_\_\_\_ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$14,352,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF VARIOUS RECREATIONAL IMPROVEMENTS AT THE MEMORIAL FIELD RECREATION FACILITY IN MOUNT VERNON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$15,160,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$14,352,000 BONDS HEREIN AUTHORIZED, AND THE EXPENDITURE OF \$808,000 IN STATE GRANT FUNDS EXPECTED TO BE RECEIVED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on April 14, 2020 and amended on \_\_\_\_\_, 20\_\_\_\_)

object or purpose: to finance all or a portion of the costs of the construction of recreational improvements at the Memorial Field recreation facility in the city of Mount Vernon, including the installation of tennis courts, the installation of a skate park, the installation of an eight lane running track and bleacher seating with a capacity of approximately 3,900 spectators, and the installation of a multi-purpose synthetic turf field, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:  
and period of probable usefulness: \$14,352,000; fifteen (15) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

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

## RECONSTRUCTION OF MEMORIAL FIELD MT VERNON ( RMF02 )

**User Department :** Parks, Recreation & Conservation  
**Managing Department(s) :** Parks, Recreation & Conservation ; Public Works ;  
**Estimated Completion Date:** TBD  
**Planning Board Recommendation:** Project approved in concept but subject to subsequent staff review.

<b>FIVE YEAR CAPITAL PROGRAM (in thousands)</b>									
	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	25,000	25,000	24,887						
Non County Share	(5,250)	(5,250)							
<b>Total</b>	<b>19,750</b>	<b>19,750</b>	<b>24,887</b>						

### Project Description

This project provides funding for the reconstruction of the 12 acre Memorial Field recreation facility located in Mt. Vernon.

### Current Year Description

The current year request funds a change in financing.

<b>Current Year Financing Plan</b>				
Year	Bonds	Cash	Non County Shares	Total
2021	2,666,000	(2,666,000)		

### Impact on Operating Budget

The impact on the Operating Budget is the appropriation of Cash to Capital and the debt service associated with the issuance of bonds.

<b>Appropriation History</b>			
Year	Amount	Description	Status
2020	25,000,000	Funds this project	CONSTRUCTION
<b>Total</b>	<b>25,000,000</b>		

<b>Prior Appropriations</b>			
	Appropriated	Collected	Uncollected
Bond Proceeds	17,084,000		17,084,000
State Funds	5,250,000		5,250,000
Funds Revenue	2,666,000		2,666,000
<b>Total</b>	<b>25,000,000</b>		<b>25,000,000</b>

<b>Bonds Authorized</b>				
Bond Act	Amount	Date Sold	Amount Sold	Balance
43 20	365,000			365,000
44 20	525,000			525,000
45 20	5,398,000			5,398,000
46 20	5,398,000			5,398,000
47 20	5,398,000			5,398,000
<b>Total</b>	<b>17,084,000</b>			<b>17,084,000</b>

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
RMF02

CBA

**Fact Sheet Date:\***  
01-04-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
RECONSTRUCTION OF MEMORIAL  
FIELD MT VERNON

**Legislative District ID:**  
13,

**Category\***  
RECREATION FACILITIES

**Department:\***  
PARKS, RECREATION &  
CONSERVATION

**CP Unique ID:**  
1557

**Overall Project Description**

This project provides funding for the reconstruction of the 12 acre Memorial Field recreation facility located in Mt. Vernon.

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies     | <input type="checkbox"/> Infrastructure |
| <input type="checkbox"/> Life Safety                          | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue        |
| <input type="checkbox"/> Security                             | <input type="checkbox"/> Other                   |   |

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	25,000	25,000	0	0	0	0	0	0
<b>Less Non-County Shares</b>	5,250	5,250	0	0	0	0	0	0
<b>Net</b>	19,750	19,750	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of : 4**

**Current Bond Description:** The Executive Proposed 2021 Capital Budget amends the financing plan of this project to remove the cash transfer from the general fund and finance that portion of the project with debt proceeds. This request would authorize the additional debt associated with the proposed financing change, resulting in no change to the total County share of \$19,750,000.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	2,666,000
Cash:	<u>-2,666,000</u>
<b>Total:</b>	<b>\$ 0</b>

**SEQR Classification:**

TYPE I

**Amount Requested:**

2,666,000

**Comments:**

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2020	25,000,000	FUNDS THIS PROJECT

**Total Appropriation History:**

25,000,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
20	43	365,000	0	COST OF TENNIS COURTS CONSTRUCTION AT MEMORIAL FIELD, MT VERNON
20	44	525,000	0	PORTION OF THE COST OF SKATE PARK INSTALLATION AT MEMORIAL FIELD, MT VERNON
20	47	5,398,000	0	PORTION OF THE COST OF BUILDING CONSTRUCTIONS AT MEMORIAL FIELD, MT VERNON
20	46	5,398,000	0	PORTION OF THE COST OF SYNTHETIC TURF FIELD INSTALLATION AT MEMORIAL FIELD, MT VERNON
20	45	5,398,000	0	PORTION OF THE COST OF RUNNING TRACK AND BLEACHER SEATING INSTALLATION AT MEMORIAL FIELD, MT VERNON

**Total Financing History:**  
17,084,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-17-2020

**Department of Public Works**  
RJB4

**Date**  
09-17-2020

**Budget Department**  
GKGA

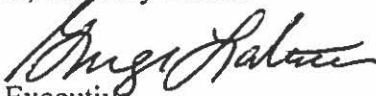
**Date**  
09-18-2020

**Requesting Department**  
KUU1

**Date**  
09-18-2020

November 6, 2020

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 (Amended) – RMAC3 – V.E. Macy Park Site Work.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 9, 2020 Agenda.

Transmitted herewith for your review and approval is an amended bond act (“Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue additional bonds in the amount of \$2,200,000 to finance the following capital project: RMAC3.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 9, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

November 6, 2020

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 an amended Bond Act (“Amended Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue additional bonds in the amount of \$2,200,000 to finance the following capital project:

RMAC3 – V.E. Macy Park Site Work (“RMAC3”).

The Amended Bond Act, in the total amount of \$2,510,000 which includes \$310,000 in previously authorized bonds of the County, would finance the cost of recreational area improvements to the County’s V.E. Macy Park in Ardsley (“Park”), including construction and construction management for the rehabilitation of the playground and group picnic areas, soccer, baseball fields and associated work.

The Department of Parks, Recreation and Conservation (“Department”) has advised that RMAC3 is necessary due to increased popularity of the Park and its programming which has occurred since the addition of soccer and baseball fields. The upgrades will help the Park keep up with its demand.

Design is currently underway and is expected to be completed by the first quarter of 2021. The design work will be completed by in-house staff. It is estimated that construction will take six 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 to finance RMAC3, as follows: Bond Act No. 340-2016 in the amount of \$310,000 to finance design of infrastructure and site work improvements including new score boards, equipment, curbing, bleachers, benches, dugouts, fencing, improvements to the soccer and baseball fields, accessory play structures, picnic facilities, irrigation system upgrades, stormwater controls and associated site work and landscaping. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 340-2016 be amended to increase the total amount authorized by \$2,200,000, for a total authorized amount as amended, of \$2,510,000 to revise the scope of Bond Act No. 340-2016 to include work associated with the construction phase of the project and to increase the period of probable usefulness of said bonds.

Office of the County Executive

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

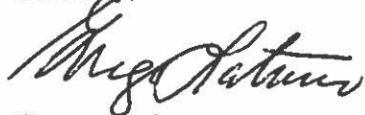
Email: [CE@westchestergov.com](mailto:CE@westchestergov.com)  
Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)

The Planning Department has advised that based on its review, the above-referenced capital project 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. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of this project to the County, favorable action on the proposed Amended Bond Act is respectfully requested.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Latimer".

George Latimer  
County Executive

Attachments



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

Your Committee is in receipt of an amended bond act (“Amended Bond Act”) in the total amount of \$2,510,000 which includes \$310,000 in previously authorized bonds of the County of Westchester (“County”) to finance Capital Project RMAC3 – V.E. Macy Park Site Work (“RMAC3”). The Amended Bond Act, which was prepared by the law firm Harris Beach, PLLC, is required to finance the cost of recreational area improvements to the County’s V.E. Macy Park in Ardsley (“Park”), including construction and construction management for the rehabilitation of the playground and group picnic areas, soccer, baseball fields and associated work.

The Department of Parks, Recreation and Conservation (“Department”) has advised that RMAC3 is necessary due to increased popularity of the Park and its programming which has occurred since the addition of soccer and baseball fields. The upgrades will help the Park keep up with its demand.

Design is currently underway and is expected to be completed by the first quarter of 2021. The design work will be completed by in-house staff. It is estimated that construction will take six 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 to finance RMAC3, as follows: Bond Act No. 340-2016 in the amount of \$310,000 to finance design of infrastructure and site work improvements including new score boards, equipment, curbing, bleachers, benches, dugouts, fencing, improvements to the soccer and baseball fields, accessory play structures, picnic facilities, irrigation system upgrades, stormwater controls and associated site work and landscaping. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 340-2016 be amended to increase the total amount authorized by \$2,200,000 for a total authorized amount, as amended, of \$2,510,000 to revise the scope of Bond Act No. 340-2016 to include work associated with the construction phase of the project and to increase the period of probable usefulness of said bonds.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project 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. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as an “Unlisted” action under the State Environmental Quality Review Act (“SEQR”). A Resolution, and proposed Negative Declaration, along with an Environmental Assessment Form, prepared by the Planning Department, are attached to assist your Honorable Board in complying with SEQR. Should your Honorable Board conclude that the proposed action will not have any significant impact on the environment; it must approve the Resolution adopting the Negative Declaration prior to enacting the aforementioned Amended Bond Act. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Amended Bond Act. Your Committee recommends the adoption of the proposed Amended Bond Act.

Dated: \_\_\_\_\_, 20\_\_\_\_.  
White Plains, New York

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RMAC3

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    \$                    2,510,000            PPU    15            Anticipated Interest Rate    1.04%

Anticipated Annual Cost (Principal and Interest):                    \$    182,245

Total Debt Service (Annual Cost x Term):                    \$    2,733,675

Finance Department:            Interest rates from October 27, 2020 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:                    27

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by:                    Ken Uhle

Title:                    Program Coord. Capital Planning PRC

Department:                    DPW&T


Date:                    11/2/20

Reviewed By: 

Budget Director

Date: 11/3/20

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

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

DATE: October 28, 2020

SUBJECT: STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RMAC3 V.E. MACY PARK SITE WORK

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-14-2020 (Unique ID: 1505)

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)(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)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.
- 

**COMMENTS:** None.

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

ACT NO. -20\_\_

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED NOVEMBER 14, 2016 IN RELATION TO FINANCING THE COST OF RECREATIONAL AREA IMPROVEMENTS TO V.E. MACY PARK IN ARDSLEY; AT THE TOTAL ESTIMATED COST OF \$2,510,000. (Adopted , 20\_\_).

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance planning recreational area improvements to V.E. Macy Park in Ardsley, at the estimated maximum cost of \$310,000, pursuant to Act No. 340-2016 duly adopted on November 14, 2016, and it has now been determined that the period of probable usefulness for such planning may be increased so that it shall be equal to the period of probable usefulness for such improvements; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the appropriation for such project by \$2,200,000 for estimated costs of such improvements;

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

**Section (A).** The bond act duly adopted by this Board on November 14, 2016, entitled:

“(BOND) ACT NO. 340-2016

BOND ACT AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING RECREATIONAL AREA IMPROVEMENTS TO V.E. MACY PARK IN ARDSLEY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$310,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$310,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. ”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,510,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF RECREATIONAL AREA IMPROVEMENTS TO V.E. MACY PARK IN ARDSLEY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,510,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,510,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted, \_\_\_\_\_, 20\_\_)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$2,510,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of recreational area improvements to V.E. Macy Park in Ardsley, including construction and construction management for the rehabilitation of the playground and group picnic areas, soccer, baseball fields and associated work; all as set forth in the County's current year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the current year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated

maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$2,510,000. The plan of financing includes the issuance of \$2,510,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$2,510,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and



contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §2.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

**Section (B).** The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

**Section (C).** This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*

STATE OF NEW YORK )  
 : ss.:  
COUNTY OF WESTCHESTER )

I HEREBY CERTIFY that I have compared the foregoing Act No. -20\_\_ with the original on file in my office, and that the same is a correct transcript therefrom and of the whole of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on , 20\_\_ and approved by the County Executive on , 20\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of , 20\_\_.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on November 14, 2016 and amended on \_\_\_\_\_, 20\_\_ and approved, as amended, by the County Executive on \_\_\_\_\_, 20\_\_ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,510,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF RECREATIONAL AREA IMPROVEMENTS TO V.E. MACY PARK IN ARDSLEY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,510,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,510,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose: to finance the cost of recreational area improvements to V.E. Macy Park in Ardsley, including construction and construction management for the rehabilitation of the playground and group picnic areas, soccer, baseball fields and associated work, at the estimated maximum cost of \$2,510,000; all as set forth in the County's current year Capital Budget, as amended.

amount of obligations to be issued: \_\_\_\_\_  
and period of probable usefulness: \$2,510,000; fifteen (15) years

Dated: \_\_\_\_\_, 20\_\_  
White Plains, New York

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

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> RMAC3	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 09-02-2020
<b>Fact Sheet Year:*</b> 2020	<b>Project Title:*</b> V.E. MACY PARK SITE WORK	<b>Legislative District ID:</b> 12.
<b>Category*</b> RECREATION FACILITIES	<b>Department:*</b> PARKS, RECREATION & CONSERVATION	<b>CP Unique ID:</b> 1505

**Overall Project Description**

The project provides design and construction for site work and rehabilitation of the playground and group picnic areas at the park.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies     | <input checked="" type="checkbox"/> Infrastructure |
| <input checked="" type="checkbox"/> Life Safety               | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue                   |
| <input type="checkbox"/> Security                             | <input type="checkbox"/> Other                   |  |

**FIVE-YEAR CAPITAL PROGRAM (In thousands)**

	Estimated Ultimate Total Cost	Appropriated	2020	2021	2022	2023	2024	Under Review
<b>Gross</b>	2.760	2.760	0	0	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	2.760	2.760	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 232

**Current Bond Description:** This request will fund construction and construction management for the rehabilitation of the playground and group picnic areas as well as the soccer and baseball fields.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	2,200,000
Cash:	0
<b>Total:</b>	<b>\$ 2,200,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
2,200,000

**Comments:**  
This request is to amend bond act 340-2016 upward and add construction.

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2014	250,000	DESIGN AND CONSTRUCTION FOR REPLACEMENT OF EXISTING PLAYGROUND AND RESERVED PICNIC AREAS
2016	310,000	DESIGN - UPGRADES TO IRRIGATION SYSTEM, REHABILITATION OF BALL FIELDS, LOOP PATH, AND STORM WATER CONTROL
2017	2,200,000	CONSTRUCTION.

**Total Appropriation History:**  
2,760,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
14	146	250,000	108,531	V.E. MACY PARK SITE WORK
16	340	310,000		0 PLANNING RECREATIONAL AREA IMPROVEMENTS

**Total Financing History:**

560,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-14-2020

**Department of Public Works**  
RJB4

**Date**  
09-14-2020

**Budget Department**  
GKGA

**Date**  
09-18-2020

**Requesting Department**  
KUU1

**Date**  
09-21-2020

## V.E. MACY PARK SITE WORK ( RMAC3 )

**User Department :** Parks, Recreation & Conservation  
**Managing Department(s) :** Parks, Recreation & Conservation ; Public Works ;  
**Estimated Completion Date:** TBD  
**Planning Board Recommendation:** Project approved in concept but subject to subsequent staff review.

### FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2020	2021	2022	2023	2024	Under Review
Gross	2,760	2,760	232						
Non County Share									
<b>Total</b>	<b>2,760</b>	<b>2,760</b>	<b>232</b>						

### Project Description

The project provides design and construction for site work and rehabilitation of the playground and group picnic areas at the park.

### Current Year Description

There is no current year request.

### Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

### Appropriation History

Year	Amount	Description	Status
2014	250,000	Design and construction for replacement of existing playground and reserved picnic areas	DESIGN
2016	310,000	Design - upgrades to irrigation system, rehabilitation of ball fields, loop path, and storm water control	DESIGN
2017	2,200,000	Construction.	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>2,760,000</b>		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,760,000	108,531	2,651,469
<b>Total</b>	<b>2,760,000</b>	<b>108,531</b>	<b>2,651,469</b>

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
146 14	250,000	12/15/17	19,162	141,469
		12/15/17	3,518	
		12/15/17	30	
		12/10/18	85,820	
340 16	310,000			310,000
<b>Total</b>	<b>560,000</b>		<b>108,531</b>	<b>451,469</b>