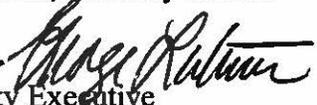


May 3, 2024

TO: Hon. Vedat Gashi, Chair  
Hon. Jose Alvarado, Vice Chair  
Hon. Tyrae Woodson-Samuels, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: **Message Requesting Immediate Consideration: CBA & Amended Bond Act – SY057 – Replacement of Tarrytown Force Main (Phase II) and Route 119 Gravity Sewer.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators May 6, 2024 Agenda.

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester (“County”) to amend its current year Capital Budget (“Capital Budget Amendment”), as well to as adopt a related amended bond act (“Amended Bond Act”) to finance the following capital project: SY057.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for May 6, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

May 1, 2024

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 Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget ("Capital Budget Amendment"), as well to as adopt a related amended bond act ("Amended Bond Act") to finance the following capital project:

**SY057 – Replacement of Tarrytown Force Main (Phase II) and Route 119 Gravity Sewer ("SY057").**

The proposed Capital Budget Amendment will amend the County's capital budget to increase the County share for SY057 by \$2,000,000 and modify the scope thereof to fund the design, construction management, and construction of an emergency bypass to a 1,500 linear foot section of the Tarrytown force main; and the design of the replacement of approximately 10,500 linear feet of the 30 inch diameter Tarrytown force main and the replacement or rehabilitation of the approximate 1,300 linear feet of 30 inch diameter Route 119 gravity sewer, and all associated manholes, air release vents, and other appurtenances.

The Amended Bond Act, in the total amount of \$7,000,000, which includes \$5,000,000 in previously authorized bonds of the County, would finance the cost of design, construction management and construction for the replacement or rehabilitation of portions of the Tarrytown force main and Route 119 gravity sewer, including construction of an emergency bypass to the Tarrytown force main, replacement or rehabilitation of associated manholes, air release vents and other appurtenances, and incidental expenses.

The Department of Environmental Facilities ("Department") has advised that the Tarrytown force main carries sewage approximately 2.75 miles under pressure from the Tarrytown Pumping Station in the Village of Tarrytown to the approximately 0.25-mile Route 119 gravity sewer which connects to the Saw Mill trunk sewer in the Village of Elmsford. The first 4,200 linear feet of the Tarrytown force main were replaced under Capital Project SY020 and was completed in 2017. The remaining section of force main and gravity sewer have reached the end of their useful life. A break in an original section of force main occurred on September 2, 2021 during Hurricane Ida and was repaired. A second force main break occurred on January 26, 2022 and was repaired. A third

Office of the County Executive

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

Telephone: (914) 995-2900

E-mail: [ceo@westchestercountyny.gov](mailto:ceo@westchestercountyny.gov)

break occurred on July 10, 2023 and was repaired. Future breaks in this pipe can be expected if the pipe is not replaced as expeditiously as possible. The Department received a Notice of Violation from the New York State Department of Environmental Conservation on July 13, 2023 which required the submission of a correction action plan. This CBA will help ensure the County meets the timelines specified in the corrective action plan.

Design is currently being undertaken by a consultant and is expected to be completed by the end of the fourth quarter of 2024. It is estimated that construction will take twelve months to complete the emergency repair and another twenty-four months to complete the rest of the construction and will begin after award and execution of the construction contracts.

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

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

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

Sincerely,



George Latimer  
Westchester County Executive

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

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related amended bond act (“Amended Bond Act”) which, if adopted, will authorize the County to issue up to \$2,000,000 in additional bonds of the County to finance capital project SY057 – Replacement of Tarrytown Force Main (Phase II) and Route 119 Gravity Sewer (“SY057”).

The proposed Capital Budget Amendment will amend the County’s capital budget to increase the County share for SY057 by \$2,000,000 and modify the scope thereof to fund the design, construction management, and construction of an emergency bypass to a 1,500 linear foot section of the Tarrytown force main; and the design of the replacement of approximately 10,500 linear feet of the 30 inch diameter Tarrytown force main and the replacement or rehabilitation of the approximate 1,300 linear feet of 30 inch diameter Route 119 gravity sewer, and all associated manholes, air release vents, and other appurtenances.

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pipe can be expected if the pipe is not replaced as expeditiously as possible. The Department received a Notice of Violation from the New York State Department of Environmental Conservation on July 13, 2023 which required the submission of a correction action plan. This CBA will help ensure the County meets the timelines specified in the corrective action plan.

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

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

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

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget

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

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

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SY057

NO FISCAL IMPACT PROJECTED

## SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 7,000,000 PPU 30 Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest): \$ 371,997

Total Debt Service (Annual Cost x Term): \$ 11,159,910

Finance Department: Interest rates from May 2, 2024 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

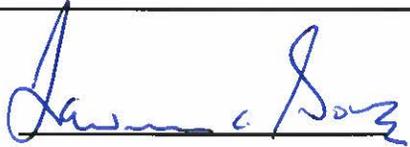
Number of Full Time Equivalent (FTE) Jobs Funded: 76

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 5/2/24

Reviewed By: 

*DU 5/2/24*

Budget Director

Date: 5/3/24

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

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

DATE: April 26, 2024

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

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 04-01-2024 (Unique ID: 2516)

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

- **617.5(c)(6):** street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- **617.5(c)(21):** minor temporary uses of land having negligible or no permanent impact on the environment;
- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

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**COMMENTS:** While awaiting design for the replacement of the force main and gravity sewer, installation of an emergency bypass is needed for the section of the County's sewer line that has been determined to be most vulnerable and susceptible to fail. Except for where it must connect to the existing underground sewer line or cross a road or driveway, the emergency bypass will be aboveground, consisting of an approximately 24-inch diameter pipe that will run along the north side of Tarrytown Road, within the cleared right-of-way, adjacent to the existing sidewalks.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Lawrence Soule, Budget Director  
Tami Altschiller, Assistant Chief Deputy County Attorney

**Dianne Vanadia, Associate Budget Director**  
**Steve Elie-Pierre, Director of Maintenance, Dept. of Environmental Facilities**  
**Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities**  
**Susan Darling, Chief Planner**  
**Michael Lipkin, Associate Planner**  
**Claudia Maxwell, Principal Environmental Planner**



Memorandum

**Department of Planning**

432 Michaelian Office Building  
White Plains, NY 10601

To: The Westchester County Planning Board

From: Susan Darling, Chief Planner

A handwritten signature in dark ink, appearing to be "SD", written over the name "Susan Darling".

Date: April 19, 2024

RE: **NO-ACTION MEMO - Capital Budget Amendment – SY057 Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer (2024 CBA)**

The County Executive is requesting an amendment to the 2024 Capital Budget to modify the funding of the above project. Capital project **SY057 Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer (2024 CBA)** will fund the replacement of a section of the Tarrytown force main that was not replaced in the previous project under Capital Project SY020. The scope of work involves replacement and/or rehabilitation of approximately 10,500 linear feet of 30" diameter force main and 1,300 linear feet of 30" gravity sewer.

The capital budget amendment is needed because the design, construction management and construction funding portion is short funds from the original estimate. Construction management is needed to overlook the project while it is under construction. In addition, the project will modify the scope to include design, construction, and construction management of an emergency bypass to a 1,500 linear foot section of the Tarrytown Force Main. The 2023 Capital Budget Amendment was \$5M. The additional request is for \$2M.

This project was classified as a PL2, "*a project approved in concept, subject to review when more detailed studies or plans are prepared*" in the Planning Board Report for the 2023 Capital Budget Amendment (CBA) adopted September 6, 2023.

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

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

An Act amending the 2024 County  
 Capital Budget Appropriations for  
 Capital Project SY057 REPLACEMENT  
 OF TARRYTOWN FORCEMAIN  
 (PHASE II) AND ROUTE 119 GRAVITY  
 SEWER

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

Section 1. The Capital section of the 2024 County Budget is hereby amended as follows:

	Previous 2024 Appropriation	Change	Revised 2024 Appropriation
I. Appropriation	\$5,000,000	\$2,000,000	\$7,000,000

Section 2. The estimated method of financing in the Capital Section of the 2024 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$5,000,000	\$2,000,000	\$7,000,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$5,000,000	\$2,000,000	\$7,000,000

Section 3. The ACT shall take effect immediately.