

RESOLUTION NO. 129 – 2021

WHEREAS, by Act 32-1982 the Westchester County Board of Legislators (the “Board of Legislators”) duly established Refuse Disposal District No. 1 (the “District”) in the County of Westchester, New York, and adopted a comprehensive solid waste management plan (the “District Plan”) for the environmentally sound disposal of solid waste within the County; and

WHEREAS, the District Plan contemplated that the District would undertake to provide certain capital improvements and facilities necessary for the operation of the County solid waste management system; and

WHEREAS, at the time of the establishment of the District in 1982 the authorized maximum expenditure was \$45,000,000.00, which was subsequently increased from time to time; and

WHEREAS, by Act 78-1998 an increase and improvement of District facilities in the amount of \$44,950,000.00 and approved by order of the State Comptroller dated August 11, 1998, brought the maximum District expenditure for improvements to a total amount of \$184,324,431.00; and

WHEREAS, pursuant to the Solid Waste Agency Report dated March 2004 (the “2004 District Report”), the Board of Legislators, by Act 75-2004, reallocated capital expenditures for the District within the current maximum amount of \$184,324,431.00; and

WHEREAS, pursuant to the Solid Waste Agency Report dated March 2012 (the “2012 District Report”), the Board of Legislators, by Act 169-2012, reallocated capital expenditures for the District within the current maximum amount of \$184,324,431.00; and

WHEREAS, pursuant to the Solid Waste Agency Report dated February 10, 2014 (the “2014 District Report”), the Board of Legislators, by Act 57-2014, reallocated capital expenditures for the District within the current maximum amount of \$184,324,431.00; and

WHEREAS, pursuant to the Solid Waste Agency Report dated October 26, 2016 (the “District Plan”), the Board of Legislators, by Act 168-2017, submitted a petition to the New York State Comptroller to increase capital expenditures for the District by \$33,480,000, to the

current maximum amount of \$217,804,431.00, which was approved by order of the State Comptroller dated January 26, 2018; and

WHEREAS, the Westchester County Department of Environmental Facilities, Division of Solid Waste, acting as the Westchester County Solid Waste Agency has duly filed a report with this Board, dated August 17, 2021, recommending a modification of the District Plan to authorize reallocation of previously approved expenditures from capital project RD020 (Material Recovery Facility -Compressed Natural Gas Facilities) in the amount of \$1,800,000.00 and from capital project RD075 (Croton Landfill Station-Pump Stations Rehabilitation Program) in the amount of \$2,000,000.00, for a total of \$3,800,000 to RD021 (Haulage Vehicle and Solid Waste Equipment Phase VI) to fund necessary equipment replacement; and

WHEREAS, reallocation of approved expenditures will not exceed the previously approved maximum expenditure amount; and

WHEREAS, appropriations for this project will be included in the Westchester County Executive's 2022 Proposed Budget, and the debt authorization will be included with a package of debt authorizations to be submitted to your Honorable Board in conjunction with the Westchester County Executive's 2022 Budget Proposal; and

WHEREAS, in accordance with Article 5-A of the New York State County Law, this Board is required to schedule a public hearing upon the aforesaid proposal to modify the District Plan.

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing shall be held upon the proposal to amend the District Plan of Refuse Disposal District No. 1 in the County of Westchester to authorize reallocation of previously approved expenditures for improvements in accordance with the Report of the Solid Waste Agency dated August 17, 2021; said hearing to be held in the Board of Legislators Chambers, Room 800, Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 on the 8th day of November, 2021 at 7:30 p.m.; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and empowered take all necessary steps in furtherance hereof; and be it further