



Public Works & Transportation Meeting Agenda

Committee Chair: Erika Pierce

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

Wednesday, April 12, 2023

10:00 AM

Committee Room

CALL TO ORDER

Joint with Budget & Appropriations

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Albany Post Road, Briarcliff, NY 10510.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Ste. 1, Peekskill, NY 10566.

MINUTES APPROVAL

Tuesday, April 4, 2023 at 10:00 a.m.

I. ITEMS FOR DISCUSSION

Guests: DEF:

1. [2023-125](#) BOND ACT-SY047-Yonkers Joint WRRF Primary & Secondary Settling Tank Rehab.

A BOND ACT authorizing the issuance of TWO MILLION, FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS in bonds of Westchester County to finance Capital Project SY047 - Yonkers Joint WRRF Primary & Secondary Settling Tank Rehabilitation.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Guest: Dept. of Environmental Facilities: Commissioner Vincent Kopicki

2. [2023-129](#) BOND ACT-SLI04-Mam'k WRRF BNR Media & Aeration Equip. Replace.

A BOND ACT authorizing the issuance of TWENTY-ONE MILLION (\$21,000,000) DOLLARS in bonds of Westchester County, making the total BOND ACT FORTY-ONE MILLION, FIVE HUNDRED THOUSAND (\$41,500,000) DOLLARS, to finance Capital Project SLI04 - Mamaroneck Water Resource Recovery Facility (WRRF) biological nutrient removal (BNR) Media and Aeration Equipment Replacement.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Guest: Dept. of Environmental Facilities: Commissioner Vincent Kopicki

II. OTHER BUSINESS

III. RECEIVE & FILE

1. [2023-136](#) HON. CATHERINE BORGIA - Ossining Sewer District Amendment - 1 Alexander Lane, Croton-on-Hudson

Forwarding correspondence regarding the removal of property located at 1 Alexander Lane, Croton-on-Hudson, from the Ossining Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

ADJOURNMENT

George Latimer
County Executive

March 27, 2023

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 a bond act (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the amount of \$2,500,000 to finance a component of the following capital project:

SY047 – Yonkers Joint WRRF Primary & Secondary Settling Tank Rehabilitation ("SY047").

The Bond Act, in the amount of \$2,500,000, would fund design and construction management associated with the structural and mechanical rehabilitation of the primary settling tanks and the final settling tanks at the Yonkers Water Resource Recovery Facility. The work will include removal and replacement of damaged concrete, sealing or repairing of expansion joints, and crack repair, as well as, the replacement of the sludge and scum/grease collection systems in and around the primary and final settling tanks.

Following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete and will be completed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board's approval of construction funding.

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 Bond Act is respectfully requested.

Sincerely,



George Latimer
County Executive

GL/VK/CJG/jpg

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

Your Committee is in receipt of a bond act (the “Bond Act”) in the amount of \$2,500,000, which, if adopted by your Honorable Board, would authorize the County of Westchester (“County”), to finance a component of Capital Project SY047 – Yonkers Joint WRRF Primary & Secondary Settling Tank Rehabilitation (“SY047”).

The Bond Act, which was prepared by the law firm of Norton Rose Fulbright US, LLP, will fund design and construction management associated with the structural and mechanical rehabilitation of the primary settling tanks and the final settling tanks at the Yonkers Water Resource Recovery Facility. Work will include removal and replacement of damaged concrete, sealing or repairing of expansion joints, crack repair, as well as the replacement of the sludge and scum/grease collection systems in and around the primary and final settling tanks.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete and will be completed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board’s approval of construction funding.

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 Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 2023
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SY047

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 \$ 2,500,000 PPU 5 Anticipated Interest Rate 2.55%

Anticipated Annual Cost (Principal and Interest): \$ 544,456

Total Debt Service (Annual Cost x Term): \$ 2,722,280

Finance Department: Interest rates from March 16, 2023 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

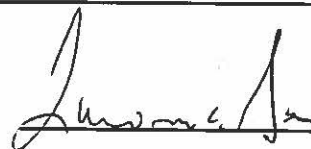
Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 3/17/23

Reviewed By: 

DV
3/22/23 Budget Director

Date: 3/22/23

ACT NO. _____ - 2023

BOND ACT DATED _____, 2023.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN AND CONSTRUCTION MANAGEMENT COSTS FOR THE REHABILITATION OF THE PRIMARY AND FINAL SETTLING TANKS AT THE YONKERS JOINT WATER RESOURCE RECOVERY FACILITY IN AND FOR THE COUNTY'S YONKERS JOINT SANITARY SEWER DISTRICT.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of the cost of such capital project allocable to the County's Yonkers Joint Sanitary Sewer District; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the \$2,500,000 estimated maximum cost of design and construction management for the rehabilitation of the primary and final settling tanks at the Yonkers Joint Water Resource Recovery Facility, including incidental expenses in connection therewith, there are hereby authorized to be issued \$2,500,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond Act are inconsistent with any details set forth in the current

Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$2,500,000, and that the plan for the financing thereof is by the issuance of the \$2,500,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's South Yonkers, Bronx Valley, Central Yonkers, Hutchinson Valley, North Yonkers, Saw Mill and Upper Bronx Sanitary Sewer Districts, as allocated by the County, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile

of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion, of the Commissioner of Finance to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be

determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this Bond Act 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
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said

County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2023

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

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on _____, 2023, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or Other News Media

Date Given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on _____, 2023.

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2023 and approved by the County Executive on _____, 2023 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. _____-2023

A BOND ACT AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN AND CONSTRUCTION MANAGEMENT COSTS FOR THE REHABILITATION OF THE PRIMARY AND FINAL SETTLING TANKS AT THE YONKERS JOINT WATER RESOURCE RECOVERY FACILITY IN AND FOR THE COUNTY'S YONKERS JOINT SANITARY SEWER DISTRICT.

class of objects or purposes: design and construction management costs for design and construction management costs for the rehabilitation of the primary and final settling tanks at the Yonkers Joint Water Resource Recovery Facility

period of probable usefulness: five years


amount of obligations to be issued: \$2,500,000

Dated: _____, 2023
White Plains, New York

Clerk of the County Board of Legislators of the County of Westchester, New York



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

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

DATE: March 6, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SY047 Yonkers Joint WRRF Primary & Secondary Settling Tank
Rehabilitation**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 02-10-2023 (Unique ID: 2142)

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)(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.
-

COMMENTS: The current request is for design only.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Dianne Vanadia, Senior Budget Analyst
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

CAPITAL PROJECT FACT SHEET

Project ID:* SY047	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-25-2023
Fact Sheet Year:* 2023	Project Title:* YONKERS JOINT WRRF PRIMARY & SECONDARY SETTLING TANK REHABILITATION	Legislative District ID: 2, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 5, 3,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2142

Overall Project Description

This project will fund the complete structural and mechanical rehabilitation of the primary settling tanks and the final settling tanks.

- | | | |
|--|--|--|
| <input type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" 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	2023	2024	2025	2026	2027	Under Review
Gross	43,500	0	2,500	0	16,000	25,000	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	43,500	0	2,500	0	16,000	25,000	0	0

Expended/Obligated Amount (in thousands) as of : 0

Current Bond Description: Design and Construction Management for the structural and mechanical rehabilitation of the primary settling tanks and the final settling tanks, including removal and replacement of damaged concrete, sealing or repairing of expansion joints, and crack repair, as well as, the replacement of the sludge and scum/grease collection systems in and around the primary and final settling tanks.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	2,500,000
Cash:	0
Total:	\$ 2,500,000

SEQR Classification:
TYPE II

Amount Requested:
2,500,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	2,500,000	DESIGN AND CONSTRUCTION MANAGEMENT

Total Appropriation History:
2,500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
		0		0 YONKERS JOINT CONSTRUCT/INSTALL REPLACEMENT EQUIP
		0		0 YJTP - EQUIPMENT REPLACEMENT

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
02-10-2023

Department of Public Works
RJB4

Date
02-10-2023

Budget Department
DEV9

Date
02-16-2023

Requesting Department
JWBA

Date
02-16-2023

YONKERS JOINT WRRF PRIMARY & SECONDARY SETTLING TANK REHABILITATION (SY047)

User Department : Environmental Facilities
Managing Department(s) : Environmental Facilities ;
Estimated Completion Date: TBD
Planning Board Recommendation:

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	43,500			2,500		16,000	25,000		
Non County Share									
Total	43,500			2,500		16,000	25,000		

Project Description

This project will fund the complete structural and mechanical rehabilitation of the primary settling tanks and the final settling tanks.

Current Year Description

The current year request funds design and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	2,500,000			2,500,000

Impact on Operating Budget

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

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
Total				

George Latimer
County Executive

March 28, 2023

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 a consolidated bond act (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue additional bonds in the amount of \$21,000,000 to finance the following capital project:

SLI04 – Mamaroneck WRRF BNR Media and Aeration Equipment Replacement ("SLI04").

The Bond Act, in the total amount of \$41,500,000, which includes \$20,500,000 in previously authorized bonds of the County, would provide construction funding for the purchase and installation of integrated fixed film activated sludge ("IFAS") media in the aeration tanks, including modifications to the tank walls, sieves, and mixers, at the Mamaroneck Water Resource Recovery Facility (the "Facility"). Work will include all mechanical, electrical, controls, structural, and other appurtenances as necessary.

The Department of Environmental Facilities (the "Department") has advised that the biological nutrient removal ("BNR") IFAS media at the Facility has experienced irreparable damage and needs to be replaced. The damage is jeopardizing the Department's ability to meet U.S. Environmental Protection Agency's ("EPA") mandated nitrogen removal requirements, which the Department is required to do under EPA Consent Order No. CO -20080730-65.

Following bonding authorization, design, which is currently underway, is anticipated to take twelve (12) months to complete and is being performed by consultants. It is estimated that construction will take forty-eight (48) 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 in connection with project SLI04 as follows: Bond Act No. 3-2021, in the amount of \$7,000,000, which funded the cost of the acquisition and installation of IFAS media for aeration tanks and related work for BNR removal at the Facility; and Bond Act No. 27-2022 in the amount of \$13,500,000, which provided additional funding for the acquisition and installation of IFAS media for aeration tanks and related work for BNR removal at the Facility. No bonds were issued under Bond Act Nos. 3 -2021 and 27-2022. Accordingly, authority of your Honorable Board is now requested to supersede and combine Bond Act Nos. 3-2021 and 27-2022 with this Bond Act, and thereby increase the initial amount authorized under Bond Act Nos. 3 -2021 and 27-2022 by \$21,000,000, for a new total authorized amount of \$41,500,000.

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 Bond Act is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

George Latimer
County Executive

GL/VK/CJG/jpg

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

Your Committee is in receipt of a consolidated bond act (the “Bond Act”) which, if adopted, would authorize the County of Westchester (the “County”) to issue additional bonds in the amount of \$21,000,000, to finance Capital Project SLI04 - Mamaroneck WRRF BNR Media and Aeration Equipment Replacement (“SLI04”).

Your Committee is advised that the Bond Act, in the total amount of \$41,500,000, which includes \$20,500,000 in previously authorized bonds of the County, would provide construction funding for the purchase and installation of integrated fixed film activated sludge (“IFAS”) media in the aeration tanks, including modifications to the tank walls, sieves, and mixers, at the Mamaroneck Water Resource Recovery Facility (the “Facility”). Work will include all mechanical, electrical, controls, structural, and other appurtenances as necessary.

The Department of Environmental Facilities (the “Department”) has advised that the biological nutrient removal (“BNR”) IFAS media at the Facility has experienced irreparable damage and needs to be replaced. The damage is jeopardizing the Department’s ability to meet U.S. Environmental Protection Agency’s (“EPA”) mandated nitrogen removal requirements, which the Department is required to do under EPA Consent Order No. CO -20080730-65.

Your Committee is advised that following bonding authorization, design, which is currently underway, is anticipated to take twelve (12) months to complete and is being performed by consultants. It is estimated that construction will take forty-eight (48) 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 in connection with project SLI04 as follows: Bond Act No. 3-2021, in the amount of \$7,000,000, which funded the cost of the acquisition and installation of IFAS media for aeration tanks and related work for BNR removal at the Facility; and Bond Act No. 27-2022 in the amount of \$13,500,000, which provided additional funding for the acquisition and installation of IFAS media for aeration tanks and related work for BNR removal at the Facility. No bonds were issued under Bond Act Nos. 3 -2021 and 27-2022. Accordingly, authority of your Honorable Board is now requested to supersede and combine Bond Act Nos. 3-2021 and 27-2022 with this Bond Act,

and thereby increase the initial amount authorized under Bond Act Nos. 3 -2021 and 27-2022 by \$21,000,000, for a new total authorized amount of \$41,500,000.

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 Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 2023
White Plains, New York

COMMITTEE ON

k/jpg/3/14/2023

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SLI04

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 \$ 41,500,000 PPU 30 Anticipated Interest Rate 3.37%

Anticipated Annual Cost (Principal and Interest): \$ 2,138,611

Total Debt Service (Annual Cost x Term): \$ 64,158,330

Finance Department: Interest rates from March 24, 2023 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: 451

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 3/28/23


Reviewed By: 

07/3/23/23

Budget Director

Date: 3/29/23

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

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

DATE: March 6, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SLI04 Mamaroneck WRRF BNR Media and Aeration Equipment Replacement**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 02-10-2023 (Unique ID: 2123)

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.

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Senior Budget Analyst
Christopher Gelardo, Associate Engineer, Dept. of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Dept. of Environmental Facilities
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2023

BOND ACT DATED _____, 2023

A BOND ACT AUTHORIZING THE ISSUANCE OF \$41,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY FOR THE ACQUISITION AND INSTALLATION COSTS OF THE BIOLOGICAL NITROGEN REMOVAL (BNR) AND INTEGRATED FIXED FILM ACTIVATED SLUDGE (IFAS) MEDIA, MIXERS, AND OTHER EQUIPMENT IN THE AERATION TANKS AND RELATED WORK AT THE MAMARONECK WATER RESOURCE RECOVERY FACILITY FOR THE BENEFIT OF THE BLIND BROOK, PORT CHESTER, MAMARONECK VALLEY AND NEW ROCHELLE SANITARY SEWER DISTRICTS, SUPERSEDING BOND ACT NOS. 3 -2021 and 27-2022.

WHEREAS, pursuant to Act No. 3 -2021, the Board previously authorized the issuance of \$7,000,000 bonds for paying the cost of the acquisition and installation of integrated fixed film activated sludge (IFAS) media for aeration tanks and related work, for biological nitrogen removal at the Mamaroneck Water Resource Recovery Facility; and

WHEREAS, pursuant to Act No. 27-2022, the Board previously authorized the issuance of an additional \$13,500,000 bonds for paying the cost of the acquisition and installation of integrated fixed film activated sludge (IFAS) media for aeration tanks and related work, for biological nitrogen removal at the Mamaroneck Water Resource Recovery Facility; and

WHEREAS, no obligations have been issued under Bond Act Nos. 3 -2021 and 27-2022;

WHEREAS, it has now been determined that (i) it would be beneficial to supersede and combine Bond Act Nos. 3-2021 and 27-2022 with this Bond Act and (ii) the estimated maximum cost for such specific object or purpose shall be increased from \$21,000,000 to \$41,500,000;

WHEREAS, \$41,500,000 has been duly appropriated in the capital budget of the County for the aforesaid specific object or purpose; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital purpose, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital purpose hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of additional costs of such capital project allocable to the County's Blind Brook, Port Chester, Mamaroneck Valley And New Rochelle Sanitary Sewer Districts; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators (the "Board") of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For the specific object or purpose of the acquisition and installation of the biological nitrogen removal (BNR) and integrated fixed film activated sludge (IFAS) media, mixers, and other equipment in the aeration tanks and related work at the Mamaroneck Water Resource Recovery Facility for the benefit of the Blind Brook, Port Chester, Mamaroneck Valley And New Rochelle Sanitary Sewer Districts, in and for the County, including incidental expenses in connection therewith, there are hereby authorized to be issued \$41,500,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid specific object or purpose set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$41,500,000, and that the plan for the financing thereof is by the issuance of the \$41,500,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's Blind Brook, Port Chester, Mamaroneck Valley and New Rochelle Sanitary Sewer Districts, as allocated by the County, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State

Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any

instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk and Administrative Officer of the County Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2023

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

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on _____, 2023, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or Other News Media</u>	<u>Date Given</u>
--	-------------------

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notices

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on _____, 2023.

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

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2023 and approved by the County Executive on _____, 2023 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 and Administrative Officer 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. _____-2023

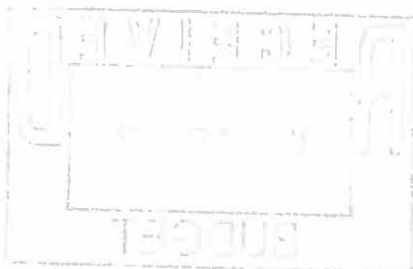
A BOND ACT AUTHORIZING THE ISSUANCE OF \$41,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY FOR THE ACQUISITION AND INSTALLATION COSTS OF THE BIOLOGICAL NITROGEN REMOVAL (BNR) AND INTEGRATED FIXED FILM ACTIVATED SLUDGE (IFAS) MEDIA, MIXERS, AND OTHER EQUIPMENT IN THE AERATION TANKS AND RELATED WORK AT THE MAMARONECK WATER RESOURCE RECOVERY FACILITY FOR THE BENEFIT OF THE BLIND BROOK, PORT CHESTER, MAMARONECK VALLEY AND NEW ROCHELLE SANITARY SEWER DISTRICTS, SUPERSEDING BOND ACT NOS. 3 -2021 and 27-2022.

Specific object or purpose: the acquisition and installation of the biological nitrogen removal (BNR) and integrated fixed film activated sludge (IFAS) media, mixers, and other equipment in the aeration tanks and related work at the Mamaroneck Water Resource Recovery Facility

period of probable usefulness: thirty years

amount of obligations to be issued: \$41,500,000

Dated: _____, 2023
White Plains, New York



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

CAPITAL PROJECT FACT SHEET

Project ID:* SLI04	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-17-2023
Fact Sheet Year:* 2023	Project Title:* MAMARONECK WRRF BNR MEDIA AND AERATION EQUIPMENT REPLACEMENT	Legislative District ID: 3, 11, 10, 7, 6, 5,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2123

Overall Project Description

This project will fund the replacement of the Biological Nitrogen Removal (BNR) and Integrated Fixed-Film Activated Sludge (IFAS) media, process blowers, and mixers in the aeration tanks and related work.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	41,500	20,500	21,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	41,500	20,500	21,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 7,221

Current Bond Description: Construction funding for the purchase and installation of integrated fixed film activated sludge (IFAS) media in the aeration tanks, including modifications to the tank walls, sieves, and mixers. Work will include all mechanical, electrical, controls, structural, and other appurtenances as necessary.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	21,000,000
Cash:	0
Total:	\$ 21,000,000

SEQR Classification:
TYPE II

Amount Requested:
21,000,000

Comments:

This equipment is vital to removing biological nitrogen from the Long Island Sound, which the Department is required to do under Consent Order CO -20080730-65.

Energy Efficiencies:
NONE

Appropriation History:

Year	Amount	Description
2021	7,000,000	CONSTRUCTION
2022	13,500,000	CONSTRUCTION
2023	21,000,000	CONSTRUCTION

Total Appropriation History:
41,500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	3	7,000,000		0 IFAS MEDIA FOR ALL 6 AERATION TANKS AND INSTALL OF MEDIA TANKS 2 & 5
22	27	13,500,000		0 BNR AND IFAS MEDIA AND AERATION EQUIPMENT REPLACEMENT

Total Financing History:

20,500,000

Recommended By:

Department of Planning
WBB4

Date
02-10-2023

Department of Public Works
RJB4

Date
02-10-2023

Budget Department
DEV9

Date
02-16-2023

Requesting Department
JWBA

Date
02-16-2023

MAMARONECK WRRF BNR MEDIA AND AERATION EQUIPMENT REPLACEMENT (SLI04)

User Department : Environmental Facilities
Managing Department(s) : Environmental Facilities ; 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	2023	2024	2025	2026	2027	Under Review
Gross	41,500	20,500	7,221	21,000					
Non County Share									
Total	41,500	20,500	7,221	21,000					

Project Description

This project will fund the replacement of the Biological Nitrogen Removal (BNR) and Integrated Fixed-Film Activated Sludge (IFAS) media, process blowers, and mixers in the aeration tanks and related work.

Current Year Description

The current year request funds an escalation for construction.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	21,000,000			21,000,000

Impact on Operating Budget

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

Appropriation History

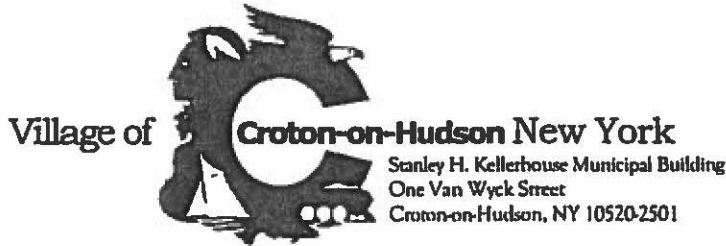
Year	Amount	Description	Status
2021	7,000,000	Construction	CONSTRUCTION
2022	13,500,000	Construction	CONSTRUCTION
Total	20,500,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	20,500,000	7,000,000	13,500,000
Total	20,500,000	7,000,000	13,500,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
3 21	7,000,000	12/01/22	6,314,613	
		12/01/22	685,387	
27 22	13,500,000			13,500,000
Total	20,500,000		7,000,000	13,500,000



Mayor
Brian Pugh
Trustees
Ann Gallelli
Sherry Horowitz
Nora Moriarty Nicholson
Len Simon
Village Manager
Bryan T. Healy
Village Treasurer
Daniel Tucker
Village Clerk
Pauline DiSanto

March 17, 2023

Honorable Catherine Borgia
148 Martine Avenue
White Plains, NY 10601

Re: Petition for Amendment to the Ossining Sewer District to remove property at 1 Alexander Lane, Croton-on-Hudson, New York 10520

Dear Ms. Borgia:

At the August 1, 2022, Board of Trustees meeting, I advised the Village Board that Ms. Annie Mykyta submitted a request to have her property located at 1 Alexander Lane, also know on the tax map of the Village as Section 79-5, Block 2, Lot 39 be removed from the Ossining Sewer District. After discussion, the Village Board passed a resolution authorizing me to petition the County Legislative Board to remove Ms. Mykyta's property from the Sewer District.

Per our Village Engineer, the nearest public sewer connection available to the owners of 1 Alexander Lane is located about 285 feet from the property boundary line. There would then be another 231 linear feet of pipe required on the lot for a total distance of greater than 516 feet. Also, since the manhole is uphill, a sewage pump station would be required to reach the home greatly increasing the cost to the Mykytas.

Enclosed you will find Ms. Mykyta's correspondence, the Village Board minutes from August 1, 2022, and email from our Village Engineer, Dan O'Connor, to review.

Accordingly, on behalf of the Village and pursuant to Chapter 237.131 of the County Administrative Code, I am writing to request that the Board of Legislators amend the Sewer District to remove the property.

Thank you for your consideration. Please feel free to contact me if you have any questions or if you need additional information.

Regards,

Bryan T. Healy
Village Manager

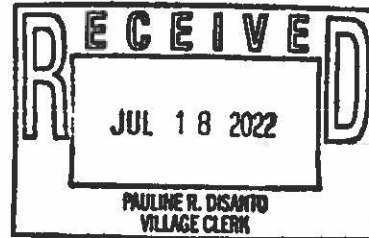
BOARD OF LEGISLATORS
CROTON-ON-HUDSON, NY

2023 APR -3 AM 10:49

RECEIVED

July 15, 2022

Mayor Pugh and Village Trustees
Village of Croton-on-Hudson
1 Van Wyck Street
Croton-on-Hudson, NY 10520



Dear Mayor Pugh and Village Trustees,

I am writing to you at the recommendation of Daniel O'Connor, Village Engineer, to formally request that you petition Westchester County to remove our property at 1 Alexander Lane from the Ossining Sanitary Sewer District since the nearest sanitary sewer main is more than 200 feet from our property line.

Thank you for your time and consideration,
Annie Mykyta

A handwritten signature in cursive script that reads "Annie Mykyta".

1 Alexander Lane
Croton-on-Hudson, NY 10520
847-894-1088

lumber so they can incorporate it as part of their "125 Anniversary celebrations".

Resolution:

On motion by Trustee Simon and seconded by Trustee Horowitz the Board endorsed the various suggestions and recommendations for the "Merwin Oak" lumber. Motion was approved with a 4-0 vote.

- b. Letter from Annie Mykyta, formally requesting removal of the property at 1 Alexander Lane from the Ossining Sanitary Sewer District.

<https://play.champds.com/ATT/crotononhudsonny/2022-07/ff977c6c994587069c1147398a907f19733f43ba.pdf>

Village Manager Healy advised that now that we have a request from the homeowner, the Village can move forward to petition the County Legislature to start the process of removing this property from the "Sanitary Sewer District". Village Manager Healy explained that he believes that when the County created the "Sanitary Sewer District" they just lumped everyone into the Sewer District even if they did not have sewers, over the years properties have been removed.

Resolution:

On motion by Trustee Horowitz and seconded by Trustee Simon the Board of Trustees authorized the Village to petition the County Legislature to start the process of removing the property located at 1 Alexander Lane, Croton on Hudson, from the "Sanitary Sewer District". Motion was approved from the 4-0 vote.

- c. Email from Copernicus Crane, Assistant Director of Intergovernmental Relations of Westchester County, regarding upcoming public engagement sessions on bus mobility in Westchester County

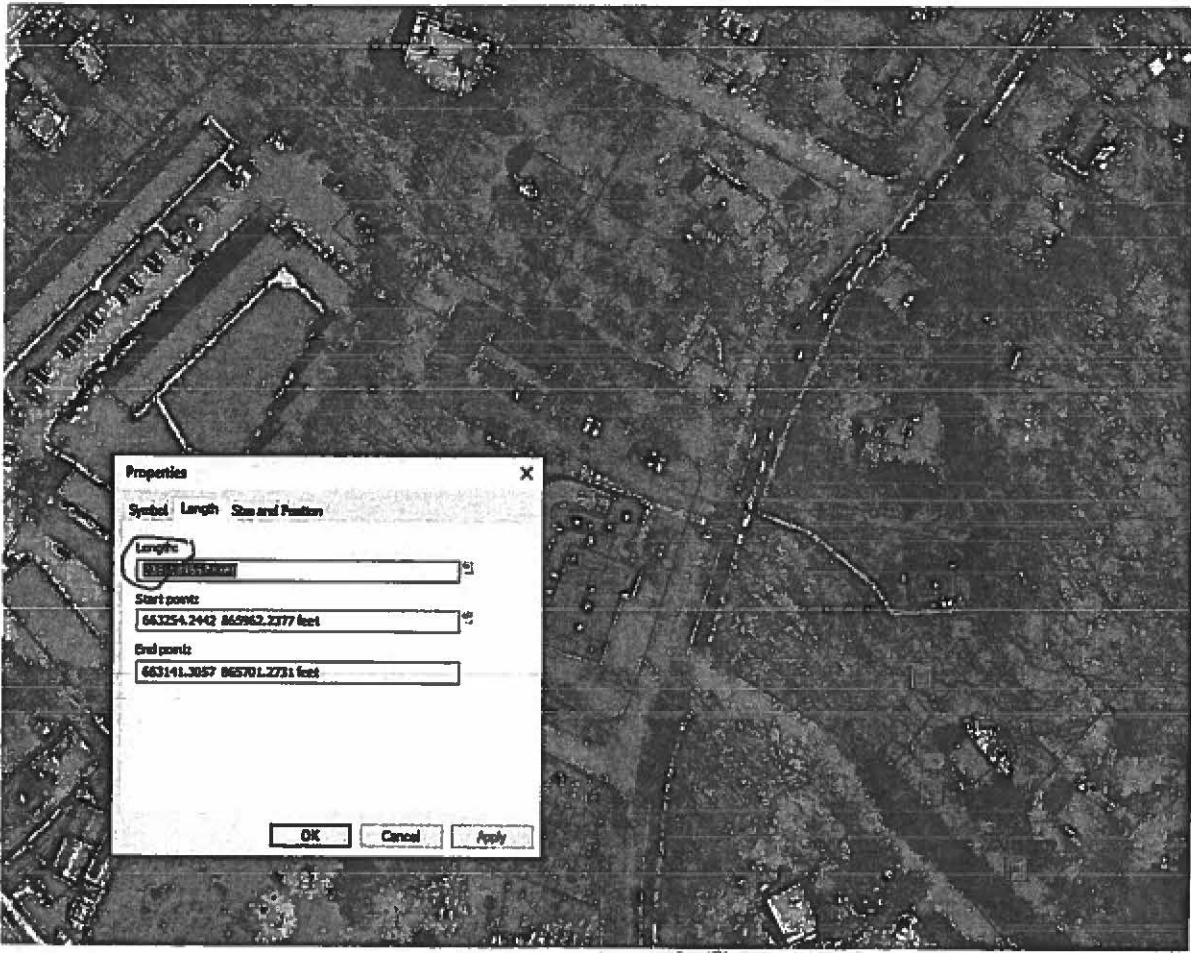
<https://play.champds.com/ATT/crotononhudsonny/2022-07/20469a7cefe66a04e06046e5c5ba7e39f988f5bd.pdf>

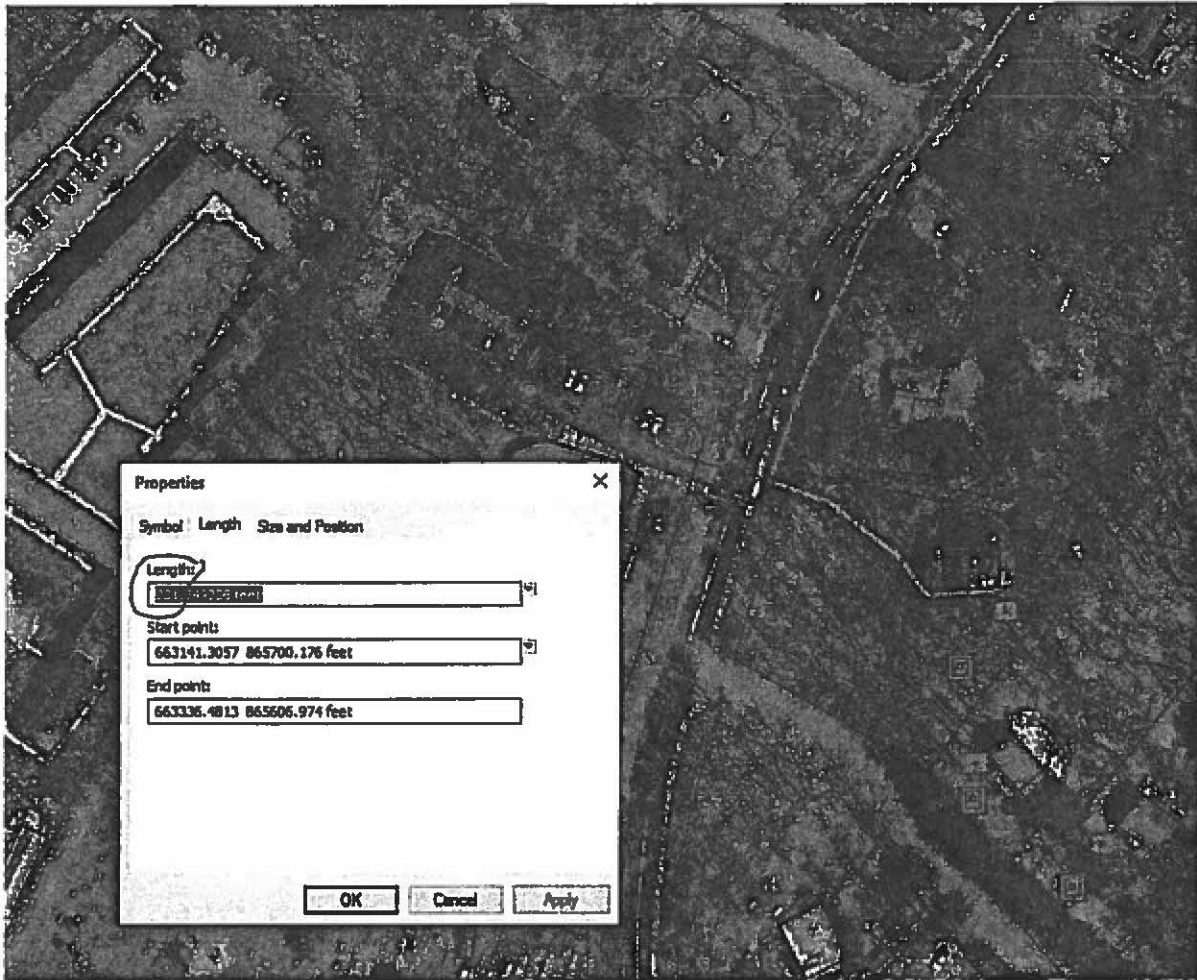
- d. Compilation of energy data from municipal buildings for 2021 in accordance with the Village's Benchmarking Policy

From: Dan O'Connor <doconnor@crotononhudson-ny.gov>
Sent: Monday, March 20, 2023 3:30 PM
To: Paula DiSanto <pdisanto@crotononhudson-ny.gov>
Cc: Bryan Healy <bhealy@crotononhudson-ny.gov>; Ronald Wegner <rwegner@crotononhudson-ny.gov>
Subject: Sewer charge on 1 Alexander Lane

Paula:

This is the email that you requested.





Thank you,

Dan



Daniel O'Connor, P.E.
Village Engineer/Building Inspector
Village of Croton-on-Hudson
1 Van Wyck Street
Croton-on-Hudson, NY 10520

914-271-4783 Tel
914-233-5657 Fax
Email: doconnor@crotononhudson-ny.gov
Web site: www.crotononhudson-ny.gov

"The best results are achieved through the cooperative efforts of different disciplines, all aimed at the same objective." -Andrew Grove.

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From: Dan O'Connor
Sent: Friday, July 8, 2022 11:35 AM
To: Bryan Healy <bhealy@crotononhudson-ny.gov>
Cc: Ronald Wegner <rwegner@crotononhudson-ny.gov>; Stefanie DeMattia <sdemattia@crotononhudson-ny.gov>; Emily Mancini <emancini@crotononhudson-ny.gov>
Subject: Sewer charge on 1 Alexander Lane

Bryan:

The nearest public sewer connection is located about 285 feet from the property boundary and there is about another 231 LF of pipe required on the lot for a total distance of greater than 516 feet. Also since the manhole is uphill a sewage pump station will be required greatly increasing the cost. The GIS software was not working when the previous email was sent so the previous distance numbers were less accurate and should be replaced by these distance numbers.

It is reasonable to request that the County remove this property from the OSSD since the Village (and County) have no plans to extend the sanitary sewer infrastructure in this area so that a connection point would be closer to the lot.

Also the sewer across the street in the Library property is a private sewer lateral and NOT a public sewer main.

If the Village Board is interested in entertaining a request from the owner of 1 Alexander Lane for removal of the property (tax lot #79.5-2-39) we can request the owner send in a formal letter requesting such.



Thank you,

Dan



Daniel O'Connor, P.E.
Village Engineer/Building Inspector
Village of Croton-on-Hudson
1 Van Wyck Street
Croton-on-Hudson, NY 10520
914-271-4783 Tel
914-233-5657 Fax
Email: doconnor@crotononhudson-ny.gov
Web site: www.crotononhudson-ny.gov

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From: Bryan Healy <bhealy@crotononhudson-ny.gov>
Sent: Wednesday, July 6, 2022 4:02 PM
To: Dan O'Connor <doconnor@crotononhudson-ny.gov>
Cc: Ronald Wegner <rwegner@crotononhudson-ny.gov>; Stefanie DeMattia <sdemattia@crotononhudson-ny.gov>; Emily Mancini <emancini@crotononhudson-ny.gov>
Subject: RE: Sewer charge on 1 Alexander Lane

Dan,

I noticed this on the board of legislators' recent agenda:

C. LEGISLATORS

1. 2022-357 HON. MARGARET A. CUNZIO - Sewer District Removal - 1 Bristol Place, Chappaqua

Forwarding correspondence received from the Town of Mt. Pleasant requesting the removal of a parcel of property, One Bristol Place, Chappaqua, from the Westchester County Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

The backup is here:

<https://westchestercountyny.legistar.com/View.ashx?M=F&ID=11010620&GUID=A88D5FE9-C2D4-4BB2-8143-A17C8946DC52>.

Is it possible for us to request Catherine Borgia do the same? Please let me know your thoughts. Thank you.

Bryan T. Healy
Village Manager
Village of Croton-on-Hudson
1 Van Wyck Street, Croton-on-Hudson, N.Y. 10520
914-271-4848 / bhealy@crotononhudson-ny.gov
<http://www.crotononhudson-ny.gov/>



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From: Annie Mykyta <anne.mykyta@gmail.com>
Sent: Tuesday, June 21, 2022 10:51 AM
To: Dan O'Connor <doconnor@crotononhudson-ny.gov>
Cc: Alex <alexmykyta@gmail.com>; Bryan Healy <bhealy@crotononhudson-ny.gov>; Rachel Sibrizzi <rsibrizzi@crotononhudson-ny.gov>; Ronald Wegner <rwegner@crotononhudson-ny.gov>; Stefanie DeMattia <sdemattia@crotononhudson-ny.gov>
Subject: Re: Sewer charge on 1 Alexander Lane

CAUTION: External sender.

Dear Dan,

I just wanted to check in again on the petition to the County for removal of properties from the OSSD, as we were again charged for sewer usage that we do not use.

Thank you,
Annie Mykyta
1 Alexander Lane
Croton-on-Hudson, NY 10520
847-894-1088

On Tue, Mar 22, 2022 at 12:32 PM Annie Mykyta <anne.mykyta@gmail.com> wrote:
Okay, thank you!

On Tue, Mar 22, 2022 at 12:21 PM Dan O'Connor <doconnor@crotononhudson-ny.gov> wrote:

Annie:

I don't know when the petition will be made but you will be notified of the decision.

Thank you,

Dan



Daniel O'Connor, P.E.

Village Engineer/Building Inspector

Village of Croton-on-Hudson

1 Van Wyck Street

Croton-on-Hudson, NY 10520

914-271-4783 Tel

914-233-5657 Fax

Email: doconnor@crotononhudson-ny.gov

Web site: www.crotononhudson-ny.gov

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From: Annie Mykyta <anne.mykyta@gmail.com>
Sent: Tuesday, March 22, 2022 9:59 AM
To: Dan O'Connor <doconnor@crotononhudson-ny.gov>
Cc: Alex <alexmykyta@gmail.com>; Bryan Healy <bhealy@crotononhudson-ny.gov>; Rachel Sibrizzi <rsibrizzi@crotononhudson-ny.gov>; Ronald Wegner <rwegner@crotononhudson-ny.gov>; Stefanie DeMattia <sdemattia@crotononhudson-ny.gov>
Subject: Re: Sewer charge on 1 Alexander Lane

*****CAUTION: External sender.*****

Dear Dan,

Thank you very much. Can I ask when the decision will be made and if we will be notified of the decision?

Thanks again for your help,

Annie

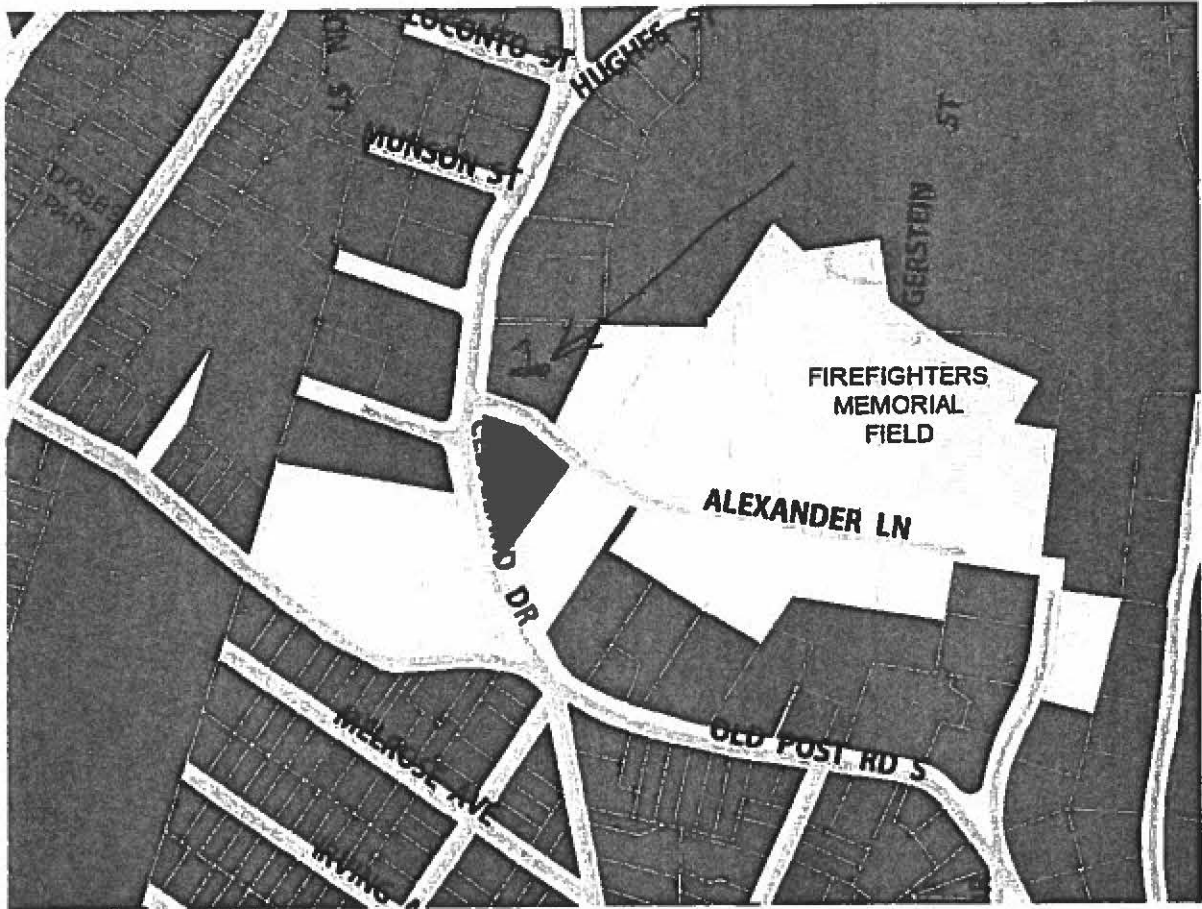
On Mon, Mar 21, 2022 at 5:14 PM Dan O'Connor <doconnor@crotononhudson-ny.gov> wrote:

Annie:

You are in the Ossining Sanitary Sewer District and therefore pay County sewer taxes that are collected by the Town and Village sewer rent which is collected by the Village.

1 Alexander Lane has been in the district since it was formed. About 20 years ago some properties were removed since they were located too far from a municipal or county sewer pipe and it was therefore deemed impractical/unfeasible to connect. The corner of your lot is about 280 feet from the nearest manhole on Cleveland Drive and another ~150 ft to your house (~430 ft total) which therefore is considered impractical/unfeasible to connect. Based on that I have included your property on the list of properties for the next petition to the County for removal of properties from the OSSD. Removal would be the decision of the County.

552203 VILLAGE OF CROTON	79.5-2-30	7.9005E+18 SD472	GILLESPIE NIAL PATRICK	95 OLD POST RD SO	1
552203 VILLAGE OF CROTON	79.5-2-31	7.9005E+18 SD472	TERBLANCHE VILLIERS & LOU	14 ALEXANDER LN	1
552203 VILLAGE OF CROTON	79.5-2-34	7.9005E+18 SD472	NY STATE ASSOCIATION	OLD POST RD SO	8
552203 VILLAGE OF CROTON	79.5-2-35	7.9005E+18 SD472	MARTIN LAURENCE & LISE	85 OLD POST RD SO	1
552203 VILLAGE OF CROTON	79.5-2-36	7.9005E+18 SD472	SCOLLINS SEAN K/LAUREN H	8 ALEXANDER LN	1
552203 VILLAGE OF CROTON	79.5-2-37.1	7.9005E+18 SD472	VULAJ NIKOLLA	6 ALEXANDER LN	1
552203 VILLAGE OF CROTON	79.5-2-37.2	7.9005E+18 SD472	VULAJ NIKOLLA	4 ALEXANDER LN	1
552203 VILLAGE OF CROTON	79.5-2-38	7.9005E+18 SD472	FERGUSON BEVERLY B	2 ALEXANDER LN	1
552203 VILLAGE OF CROTON	79.5-2-39	7.9005E+18 SD472	ROLNICK PAUL	1 ALEXANDER LN	1
552203 VILLAGE OF CROTON	79.5-2-40	7.9005E+18 SD472	ZEVIN EDWARD & KAREN	176 CLEVELAND DR	1
552203 VILLAGE OF CROTON	79.5-2-41	7.9005E+18 SD472	KIVISALU TOIVO & DEBORAH	178 CLEVELAND DR	1
552203 VILLAGE OF CROTON	79.5-2-42	7.9005E+18 SD472	BELLO JOHN & JEANETTE	180 CLEVELAND DR	1
552203 VILLAGE OF CROTON	79.5-2-43	7.9005E+18 SD472	MC VEETY CHRISTOPHER R	182 CLEVELAND DR	1
552203 VILLAGE OF CROTON	79.5-2-44	7.9005E+18 SD472	KENNELLY BRIAN T & JUDITH	184 CLEVELAND DR	1
552203 VILLAGE OF CROTON	79.5-2-45	7.9005E+18 SD472	REED FAMILY PROPERTIES LL	2 HUGHES ST	1
552203 VILLAGE OF CROTON	79.5-2-46	7.9005E+18 SD472	LUNTZ ROBERT & SUZANNE	4 HUGHES ST	1
552203 VILLAGE OF CROTON	79.5-2-47	7.9005E+18 SD472	GILLESPIE WORTHEN I /F	6 HUGHES ST	1



Thank you,

Dan



Daniel O'Connor, P.E.

Village Engineer/Building Inspector

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From: Annie Mykyta <anne.mykyta@gmail.com>

Sent: Monday, March 21, 2022 2:44 PM

To: Alex <alexmykyta@gmail.com>; Dan O'Connor <doconnor@crotononhudson-ny.gov>; Rachel Sibrizzi <rsibrizzi@crotononhudson-ny.gov>

Subject: Sewer charge on Alexander Lane

*****CAUTION: External sender.*****

Hi there,

I just spoke with Rachel, cc'ed here, about the sewer charge on our water bill because we are on a septic. She suggested I ask if you could please verify whether we are within the sewer district. Our address is 1 Alexander Lane.

Thank you,

Anne Mykyta



Legend

- ① Tax Map Boundary
- ② Lot Boundary
- ③ Building Footprint
- ④ Street Right-of-Way
- ⑤ Utility Right-of-Way
- ⑥ Easement
- ⑦ Other

① Tax Map Boundary
② Lot Boundary
③ Building Footprint
④ Street Right-of-Way
⑤ Utility Right-of-Way
⑥ Easement
⑦ Other

① Tax Map Boundary
② Lot Boundary
③ Building Footprint
④ Street Right-of-Way
⑤ Utility Right-of-Way
⑥ Easement
⑦ Other

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④ Street Right-of-Way
⑤ Utility Right-of-Way
⑥ Easement
⑦ Other



Village of Croton-on-Hudson
Westchester County, New York