

# Westchester County

George Latimer  
County Executive

February 5, 2024

Westchester County Board of Legislators  
800 Michaelian Office Building  
White Plains, New York 10601

Dear Honorable Members:

I have been advised by the Commissioner of Environmental Facilities that the Village of Croton-on-Hudson (the "Village") has requested pursuant to the attached Resolution of the Village that the Ossining Sanitary Sewer District (the "District") be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 1 Alexander Lane, Section 79.05, Block 2, Lot 39 (the "Parcel"), from the District, which Parcel is not currently connected to the County sewer system. This removal is requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

I am advised that the analysis prepared by the Department of Environmental Facilities in the attached feasibility report ("Feasibility Report") dated January 22, 2024 indicates that the proposed removal of the Parcel represents a net decrease of 0.0083% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcel from the District is feasible because: (1) the proposed change was requested by the Village; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the District facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Village; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

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

Office of the County Executive

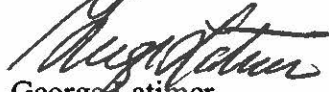
Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601

Telephone: (914)995-2900



Based upon the foregoing, I respectfully recommend that your Board adopt a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code in such matters. In addition, I urge your Board to file, with the Clerk of the Board, the feasibility report which details the Parcel involved in the proposed change to the District boundaries, and, after the public hearing, adopt an Act which will accomplish the removal of the Parcel from the District.

Sincerely,

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

George Latimer  
County Executive

GL/VK/MP/jpg  
Attachments

**HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a transmittal from the County Executive in which the County Executive states that the Commissioner of Environmental Facilities has advised him that the Village of Croton-on-Hudson (the “Village”) has requested, pursuant to the attached Resolution of the Village, that the Ossining Sanitary Sewer District (the “District”) be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 1 Alexander Lane, Section 79.05, Block 2, Lot 39 (the “Parcel”), from the District, which Parcel is not currently connected to the County sewer system. This removal is requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities (“Feasibility Report”) dated January 22, 2024 indicates that the proposed removal of the Parcel represents a net decrease of 0.0083% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcel is feasible because: (1) the proposed change was requested by the Village; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the District facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Village; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District, and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

Your Committee notes that Chapter 237.131 of the County Administrative Code authorizes the Board of Legislators to alter or change the sewer districts. However, the Board

of Legislators may only alter or change the districts after a public hearing is held thereon by the Board of Legislators, upon notice thereof given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

Your Committee notes that the removal of the Parcel would constitute an Unlisted Action under Article 8 of the Environmental Conservation Law, which requires an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (EAF) and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, the SEQRA regulations, to identify the relevant areas of environmental concern. For the reasons set forth in the attached EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the annexed resolution by which this Board would issue a Negative Declaration for this proposed action.

Based on the above facts, the Feasibility Report prepared by the Department of Environmental Facilities and the review by the Planning Department, your Committee concurs with the recommendation of the County Executive and recommends your Honorable Board adopt the annexed Resolution which will authorize Legal Notice for the public hearing which is required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the removal of said Parcel from the District. It should be noted that a vote of not less than a majority of the voting strength of the Board of Legislators is required to pass this Act.

Dated: \_\_\_\_\_, 2024

White Plains, New York

COMMITTEE ON

# FISCAL IMPACT STATEMENT

SUBJECT: 1 Alexander Ln, Ossining SSD, Croton on Hudson

NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one):  Current Appropriations  Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: \_\_\_\_\_

Potential Related Operating Budget Expenses: Annual Amount \$ -

Describe: None. Parcel is not connected to public sanitary sewer.

Potential Related Operating Budget Revenues: Annual Amount \$ -

Describe: Parcel represents 0.0083% of the Full Equalized Value of the Ossining SSD

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

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

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

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

Title: Director- Wastewater Treatment

Department: Environmental Facilities

Date: January 22, 2024

*wo*  
Reviewed By:

  
Budget Director

Date:

2/6/24

On motion of TRUSTEE HOROWITZ, seconded by TRUSTEE GALLELLI, the following resolution was adopted by the Board of Trustees of the Village of Croton- on-Hudson, New York, with a 5-0 vote.

Resolution #198-2023

WHEREAS on July 15, 2022, the Village Board of Trustees received a letter from Annie Mykyta requesting the Village petition Westchester County to remove the property located at 1 Alexander Lane from the Ossining Sanitary Sewer District, with the reasoning that the property is currently not connected to the sanitary sewer system and the closest sewer main is more than 200 feet from the property line, and

WHEREAS at the board meeting of August 1, 2022, the Village Board authorized the Village Manager to petition the County Legislature to start the process of removing the property located at 1 Alexander Lane, Croton-on-Hudson, from the Ossining Sanitary Sewer District, and

WHEREAS on August 29, 2023, the Engineering Department received a letter from the Westchester County Department of Environmental Facilities requesting additional documentation related to the property, including the adoption of a formal resolution,

NOW THEREFORE BE IT RESOLVED that the Village Board hereby affirms the previous request for the removal of 1 Alexander Lane, known as parcel 79.5-2-39 on the Village tax map, from the Ossining Sanitary Sewer District,

AND BE IT FURTHER RESOLVED that the Village Engineer is directed to provide the requested documentation to the Westchester County Department of Environmental Facilities.

Dated: September 12, 2023  
\*\*\*\*\*

State of New York            )  
  ss:  
County of Westchester        )

I, Pauline DiSanto, Clerk of the Village of Croton-on-Hudson, in the County of Westchester, State of New York, do hereby certify that the annexed resolution is a copy of an original on file in my office and has been duly adopted at a regular meeting of the Board of Trustees of said Village held on the 12<sup>th</sup> of September 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said Village this 13<sup>th</sup> day of September 2023.

  
Village Clerk

(Seal)

COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

January 22, 2024

**FEASIBILITY REPORT  
IN THE MATTER OF**

**THE REMOVAL OF A CERTAIN PARCEL**

**IN THE**

**OSSINING SANITARY SEWER DISTRICT**

**Village of Croton-on-Hudson**



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

MP

The Village of Croton-on-Hudson has petitioned that one (1) property currently included in the Ossining Sanitary Sewer District be removed from the Ossining Sanitary Sewer District.

**A.** The identification of the parcel presently within the Ossining Sanitary Sewer District and to be removed is contained on the attached Village Resolution of the Village of Croton-on-Hudson, Request for Removal from the Ossining Sanitary Sewer District as prepared by the Village Clerk. The Village of Croton-on-Hudson is petitioning to remove said parcel from the Ossining Sewer District. The property to be removed is known as 1 Alexander Lane, Section 79.05, Block 2, Lot 39.

**B. EFFECT ON SEWER DISTRICT TAX RATE:**

Full Equalized Valuations, which are assessed values adjusted for equalization rates, form the basis on which the sewer district tax levies are apportioned by the County Board of Legislators. The following are the full equalized valuations in the 2024 levy pertinent to the subject parcel:

Full Value of Ossining Sanitary Sewer District			
<u>CITIES/TOWNS</u>	<u>ASSESSED VALUES</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Cortlandt	\$ 19,007,412	1.22%	\$1,557,984,590
Mt. Pleasant	\$ 947,093	1.13%	\$ 83,813,540
New Castle	\$ 2,200,000	14.8%	\$ 15,000,000
Ossining (T)	\$4,299,563,300	100.00%	\$4,299,563,300
Ossining -Briarcliff Manor	\$952,531,449	100.00%	\$ 952,531,449
TOTAL:			\$ 6,908,892,879
(Village of Croton-on-Hudson) Total Value Removed:			<u>(- \$574,367)</u>
TOTAL FULL VALUE OF DISTRICT AS AMENDED:			\$ 6,908,318,512*

\*Represents a 0.0083% decrease in the FEV of the District



C. Summary and Recommendations

The proposal to remove a certain parcel in the Ossining Sanitary Sewer District is feasible because:

1. The proposed change was requested by the Village of Croton-on-Hudson.
2. The subject change requires no engineering modifications to the district facilities and there is no impact on the County facilities because this parcel was never connected to the sewerage system.
3. The subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town of Ossining.
4. The subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities.
5. The subject parcel once removed from the district will be required to petition the County to re-enter the district. The County is not obligated to reserve any capacity for this parcel once it has been removed.
6. The subject parcel was reviewed by the Westchester County Department of Health.

File Name: Feas\_1 Alexander Lane.docx

PUBLIC NOTICE

NOTICE OF HEARING: MODIFICATION TO THE OSSINING SANITARY SEWER DISTRICT BY THE REMOVAL OF ONE (1) PARCEL OF PROPERTY IN THE VILLAGE OF CROTON-ON-HUDSON; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024 AT \_\_\_\_\_.M. IN THE CHAMBERS OF THE WESTCHESTER COUNTY BOARD OF LEGISLATORS, 8TH FLOOR, 148 MARTINE AVENUE, WHITE PLAINS, NEW YORK FOR THE PURPOSE OF HEARING PERSONS OR PARTIES INTERESTED IN THE REMOVAL FROM THE OSSINING SANITARY SEWER DISTRICT OF LAND IN THE VILLAGE OF CROTON-ON-HUDSON IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED JANUARY 22, 2024, BY STREET ADDRESS AND TAX MAP DESIGNATION AS FOLLOWS:

1 ALEXANDER LANE, SECTION 79.05, BLOCK 2, LOT 39

A COPY OF THE REPORT AND MAP PREPARED BY THE COMMISSIONER OF ENVIRONMENTAL FACILITIES IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD OF LEGISLATORS AND MAY BE INSPECTED THERE BY ANY INTERESTED PARTY DURING BUSINESS HOURS.

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

Dated: \_\_\_\_\_, 2024

White Plains, New York

**RESOLUTION NO. 2024 - \_\_\_\_**

**RESOLVED**, that this Board hold a public hearing on the proposed modification to the Ossining Sanitary Sewer District by the removal of one (1) parcel of property located in the Village of Croton-on-Hudson more particularly described by street address and tax map designation as 1 Alexander Lane, Section 79.05, Block 2, Lot 39, pursuant to Section 237.131 of the Laws of Westchester County. The Public Hearing will be held at \_\_\_\_ m. on the \_\_\_\_ day of \_\_\_\_, 2024 in the Chambers of the Board of Legislators, 8<sup>th</sup> floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law. Such notice shall be substantially in the form attached hereto.