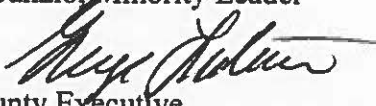


January 23, 2023

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: Act – Modify Blind
Brook Sanitary Sewer District, Harrison.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators January 23, 2023 Agenda.

Transmitted herewith for your consideration and approval is legislation which would modify the Blind Brook Sanitary Sewer District by removing one parcel of property.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for January 23, 2023 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

January 23, 2023

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 Town of Harrison (the "Town") has requested pursuant to the attached Resolution of the Town that the Blind Brook 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 2481 Purchase Street, Block 641, Lot 3 (the "Parcel"), 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 November 29, 2022 indicates that the proposed removal of the Parcel represents a net decrease of 0.0173% 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 Town; (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 Town; (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



The Planning Department has advised that based upon its review, the proposed removal of the Parcel constitutes an Unlisted Action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations 6 NYCRR, Part 617. The Planning Department has prepared the attached Short Environmental Assessment Form to assist your Honorable Board in making the required determination of significance or non-significance pursuant to SEQRA.

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 black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

GL/VK/CJG/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 Town of Harrison (the "Town") has requested, pursuant to the attached Resolution of the Town, that the Blind Brook 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 2481 Purchase Street, Block 641, Lot 3 (the "Parcel"), 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 November 29, 2022 indicates that the proposed removal of the Parcel represents a net decrease of 0.0173% 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 Town; (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 Town; (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: _____, 2023

White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: 2481 Purchase Street, Blind Brook SSD, Harrison

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 0.0173% of the Full Equalized Value of the Blind Brook SSD

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

Current Year: _____

Next Four Years: _____

Prepared by: CJ Gelardo, P.E.

Title: Associate Engineer (Construcion)

Department: Environmental Facilities

Date: November 29, 2022

108
Reviewed By: 

Budget Director

Date: 1/20/23

June 16, 2022

V -- 2022 -- 059

AUTHORIZATION TO REMOVE 2481 PURCHASE STREET (BLOCK 641, LOT 3)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Sciliano,

it was,

RESOLVED to accept the request by, Town Engineer, Michael Amodeo, on behalf of homeowners, Mark and Elizabeth Altman, that their property identified as 2481 Purchase Street (Block 641, Lot 3) be removed from the Westchester County Sewer District. The property is not connected to any public or private sewer systems.

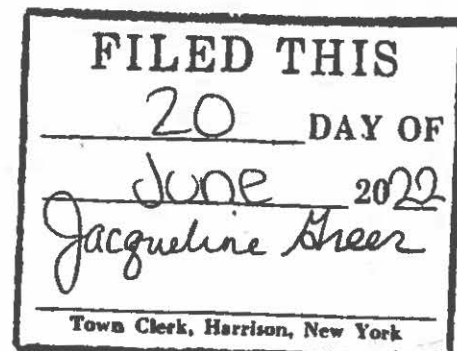
FURTHER RESOLVED to forward a copy of this Resolution to Westchester County Sewer District and the Engineering Department.

Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano
Mayor Dionisio

NAYS: None

ABSENT: None



COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

November 29, 2022

FEASIBILITY REPORT
IN THE MATTER OF

THE REMOVAL OF A CERTAIN PARCEL

IN THE

BLIND BROOK SANITARY SEWER DISTRICT

TOWN OF HARRISON



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

The Town of Harrison has petitioned that one (1) property currently included in the Blind Brook Sanitary Sewer District be removed from the Blind Brook Sewer District.

A. The identification of the parcel presently within the Blind Brook Sanitary Sewer District and to be removed is contained on the attached Town Resolution of the Town of Harrison, Request for Removal from the Blind Brook Sanitary Sewer District as prepared by the Harrison Town Clerk. The Town of Harrison is petitioning to remove said parcel from the Blind Brook Sewer District. This parcel is known as 2481 Purchase Street (Block 641, Lot 3).

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 valuation in the 2022 levy pertinent to the subject parcel:

Full Value of Blind Brook District

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUES</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Harrison	\$ 32,050,764	1.42%	\$2,257,096,056
North Castle	\$ 3,934,234	2.24%	\$ 175,635,446
Rye (City)	\$ 142,641,293	1.66%	\$8,592,848,976
Rye Town	\$ 3,194,744,197	100.0%	\$3,194,744,197
TOTAL:			\$14,220,324,675
(TOWN OF Harrison) Total Value Removed:			<u>(-2,461,268)</u>
TOTAL FULL VALUE OF DISTRICT AS AMENDED:			\$14,217,863,407*

*Represents a 0.0173% decrease in the FEV of the District

C. Summary and Recommendations

The proposal to remove a certain parcel in the Blind Brook Sanitary Sewer Districts is feasible because:

1. The proposed change was requested by the Town of Harrison.
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 Harrison.
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 were reviewed by the Westchester County Health Department.

RESOLUTION NO. 2023 - ____

RESOLVED, that this Board hold a public hearing on the proposed modification to the Blind Brook Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Harrison more particularly described by street address and tax map designation as 2481 Purchase Street, Block 641, Lot 3, pursuant to Section 237.131 of the Laws of Westchester County. The Public Hearing will be held at ____ m. on the ____ day of ____, 2023 in the Chambers of the Board of Legislators, 8th floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law. Such notice shall be substantially in the form attached hereto.

PUBLIC NOTICE

NOTICE OF HEARING: MODIFICATION TO THE BLIND BROOK SANITARY SEWER DISTRICT BY THE REMOVAL OF ONE (1) PARCEL OF PROPERTY IN THE TOWN OF HARRISON; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE DAY OF , 2023 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 BLIND BROOK SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF HARRISON IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED NOVEMBER 29, 2022, BY STREET ADDRESS AND TAX MAP DESIGNATION AS FOLLOWS:

2481 PURCHASE STREET, BLOCK 641, LOT 3

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: , 2023

White Plains, New York