

ACT 84 - 2025

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 (the "Commissioner") has advised him that the Town of Cortlandt ("Town") has requested pursuant to the attached resolution of the Town that the Peekskill Sanitary Sewer District ("District") be modified to add one (1) parcel of property more particularly described as 44 Regina Avenue, Sec. 24.10, Block 1, Lot 4 (hereinafter the "Parcel"), which Parcel is not currently in any County Sanitary Sewer District, having been removed from the District in 1998 for the 1999 tax year.

Your Committee is informed that the feasibility report prepared by the Department of Environmental Facilities (the "Department") dated December 30, 2024 and attached hereto, indicates that the proposed addition of the Parcel represents an increase of 0.048% to the Equalized Full Value of the District. The addition of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department, the proposal to add the Parcel is feasible because: 1) the matter was requested by the Town; 2) the facilities necessary to connect the Parcel to County facilities (i.e., gravity sewers) will be constructed at the total expense of the Town; 3) maintenance of the completed facilities will be the responsibility of the Town and not the District; 4) the Peekskill Water Resource Recovery Facility (the "Facility") has a design flow of 10 MGD and the present average daily flow is 6.1 MGD. The average daily flow the Parcel will generate after inclusion is 105 GPD. Therefore, the Facility and the County Trunk Sewer have sufficient capacity to accommodate the Parcel; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the Parcel proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten year period.

Your Committee notes that Section 237.131 of the Laws of Westchester County ("LWC") authorizes the alteration or change of a sewer district. However, your Honorable Board may only alter or change the district after it has held a public hearing after notice has been given by publication in such manner and for such time as the Board

shall direct. Therefore, attached hereto is a Resolution, which, if adopted by your Honorable Board, would authorize the date and time of the public hearing. Your Committee recommends adoption of said Resolution.

Furthermore, LWC Sections 237.131 and 237.141 confer authority to determine what charges, if any, will be assessed against the Parcel. Your Committee has been informed that the Department recommends that an aggregate surcharge of \$14,910.00 to be paid in each of ten equal annual installments of \$1,491.00, be assessed against the Parcel. This surcharge reflects capital costs incurred by the District from 1999 through 2024. This formula has been used in past legislation for parcels added to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Parcel may constitute a Type II action under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR, Part 617.5(c)(13), (26) and (33), and therefore no further environmental review is required. Your Committee has reviewed the annexed SEQRA documentation and concurs with this recommendation.

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.

Based on the above facts and the Feasibility Report prepared by the Department, your Committee concurs with the recommendation of the County Executive and recommends that your Honorable Board adopt the annexed Resolution which will authorize publication of the Legal Notice for the public hearing as required by the Laws of Westchester County in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the addition of the Parcel to the District.

Dated: April 28th, 2025

White Plains, New York

Amey. Zeller Johnson
Z. H.
Smith
J. H.
J. H.
Vedat Gahni
Doris J. Tubio

J. H.
Amey. Zeller Johnson
Z. H.
Smith
Vedat Gahni

COMMITTEE ON

Budget & Appropriations

Public Works & Transportation

Dated: April 28, 2025

White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

A handwritten signature in black ink, appearing to read "Colin J. Smith". The signature is written in a cursive, flowing style.

COMMITTEE ON

Budget & Appropriations

FISCAL IMPACT STATEMENT

SUBJECT: 44 Regina Peekskill SSD, Cortlandt (T)

☐ 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: 236-60-1610 9012

Potential Related Operating Budget Expenses: Annual Amount \$ -

Describe: Operating expenses related to process and treatment
plant expenses of additional flow from these parcels.

Potential Related Operating Budget Revenues: Annual Amount \$ 1,491

Describe: "Buy-in" revenue for parcel added to the Peekskill Sewer District each year
for the next 10 years

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

Current Year:

Next Four Years: Please see descriptions above

Prepared by: Steve Elie-Pierre, P.E.

Title: Director Of Wastewater Treatment

Department: Environmental Facilities

Date: December 4, 2024

Reviewed By: 

Budget Director

Date: 4/8/2025

TO: Vincent Kopicki, Commissioner
Department of Environmental Facilities

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



DATE: April 1, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR REINSTATEMENT
OF PROPERTY TO PEEKSKILL SANITARY SEWER DISTRICT –
44 REGINA AVENUE, TOWN OF CORTLANDT**

PROJECT/ACTION: The reinstatement of one parcel (Section 24.10, Block 1, Lot 4) located at 44 Regina Avenue in the Town of Cortlandt to the County's Peekskill Sanitary Sewer District. The property is approximately 18 acres in size and was consolidated from multiple parcels following approval for development as a self-storage facility. The owner is seeking reinstatement into the district in order to discharge sanitary sewage associated with restroom/office facilities on the premises.

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

- **617.5(c)(13):** extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- **617.5(c)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
- **617.5(c)(33):** adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list.

COMMENTS: The subject property was removed from the County sewer district in 1998, along with many other parcels that were not connected to sanitary sewers, at the request of the Town of Cortlandt. The parcel to be reinstated will be able to access the County sewer system via a connection to an existing local sewer line located at the north end of the property. The parcel is in the M-1 zoning district, is almost fully developed and a force main has been installed within the development and in a 15-foot wide sewer easement on the west side of Regina Avenue. The estimated sewage contribution for the parcel is 105 gallons per day (GPD) based on seven employees or up to 195 GPD at full buildout with a total of 13 employees. Sewage from the

Peekskill Sanitary Sewer District is treated at the Peekskill Water Resource Recovery Facility (WRRF). Since the Peekskill WRRF has a design flow of 10 million gallons per day (MGD) and the present average flow is 6.1 MGD, the treatment plant, as well as the County trunk sewer, have sufficient capacity to accommodate the additional flow.

DSK/cnm
Att.

cc: Joan McDonald, Director of Operations
Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca Lopez, Commissioner of Planning
Marian Pompa, Director of Wastewater Treatment, Dept. of Environmental Facilities
Steve Elie-Pierre, Director – Maintenance, Dept. of Environmental Facilities
Jeffrey Goldman, Senior Assistant County Attorney
Sean Curtin, Assistant County Attorney
Claudia Maxwell, Principal Environmental Planner

RESOLUTION

NUMBER 243-23

(RE: AUTHORIZE REQUEST TO HAVE A PARCEL LOCATED WITHIN THE TOWN REINSTATED INTO THE PEEKSKILL SANITARY SEWER DISTRICT AND FORWARD SAME TO WESTCHESTER COUNTY FOR CONSIDERATION)

WHEREAS, by letter dated June 22, 2023 from Mark Giordano, Owner of Section 24.10, Block 01, Lot 04 property described below was received by the Town Board of the Town of Cortlandt at the Town Board Meeting held July 26, 2023 for a parcel located at 44 Regina Avenue, Cortlandt Manor, New York 10567; and

WHEREAS, the owner(s) has requested the Town of Cortlandt petition the County of Westchester to have said property reinstated into the Peekskill Sanitary Sewer District; said property is designated as follows:

Section 24.10, Block 01, Lot 04
44 Regina Avenue
Cortlandt Manor, NY 10567

Owner(s): Mark Giordano

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cortlandt, on behalf of the above-mentioned owner and contract vendee in the Town of Cortlandt, does hereby petition the County of Westchester to reinstate said parcel designated above into the Peekskill Sanitary Sewer District; and

BE IT FURTHER RESOLVED, the Town Clerk shall notify the Town's Receiver of Taxes and Town Assessor upon reinstatement of the parcel in the County and Town sewer districts.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROE ROSE SHATZKIN
TOWN CLERK**

**Adopted July 26, 2023
At a Regular Meeting
Held at Town Hall**

Certified Copy
07/31/23 Date
Laroe Rose Shatzkin
Town Clerk and Registrar

COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

December 30, 2024

FEASIBILITY REPORT
IN THE MATTER OF

THE ENLARGEMENT FOR A CERTAIN PROPERTY

IN THE

PEEKSKILL SANITARY SEWER DISTRICT

TOWN OF CORTLANDT

A handwritten signature in black ink, appearing to read 'V. Kopicki', is positioned above the printed name.

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

The Town of Cortland has petitioned that one (1) property currently not included in the Peekskill Sanitary Sewer District be returned to the Peekskill Sanitary Sewer District. This parcel was removed from the County Sewer District in 1998 for the 1999 tax year.

A. The identification of the property not currently within the boundaries of the Peekskill Sanitary Sewer District and to be added is contained in the attached Resolution prepared by the Town Clerk, Town of Cortlandt. Said property is not currently in any County Sanitary Sewer District, and has never been in any County Sewer District in the past. The property is known as 44 Regina Avenue, designated as Section 24.10, Block 1, Lot 4.

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 tax levy pertinent to the subject property:

Full Value of District

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUE</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Cortlandt	\$ 14,893,985	1.22%	\$1,220,818,443
Peekskill	123,230,717	2.39	5,156,096,946
Somers	64,641,224	9.71	665,718,064
Yorktown	53,940,666	1.72	3,136,085,233
Total			\$10,178,718,686
(Town of Cortlandt) Total Value of the parcels to be added			+ <u>4,932,377</u>
Total Full Value of District as Amended:			\$10,183,651,063

* represents a 0.048% increase in the FEV of the District

C. The Surcharge Calculation for the property which is not now in a County Sewer District and is proposed for inclusion in the Peekskill Sanitary Sewer District is as follows:

If: e = added area's share in District equity or surcharge amount;

A = added area's f.e.v., 2024 Rolls

D = District f.e.v., 2024 rolls, before proposed additions

and E = District equity in existing facilities or the total of debt service and advances from district levies to pay the capital costs of those facilities, for the period 1999 through 2024.

Then:
$$e = \frac{A}{D+A} \times E$$

$$e = \frac{4,932,377}{10,178,718,686 + 4,932,377} \times 30,805,869$$

$$e = \frac{4,932,377}{10,183,651,063} \times 30,805,869$$

$$e = 0.000484 \times \$30,805,869$$

$$e = \$14,910.040 \text{ (rounded to } \$14,910.00)$$

and: in each of 10 annual installments, a total surcharge of \$1,491.00 is to be collected from the added property and credited to the remaining properties of all Municipalities in the District, in each of the ten years.

D. Summary and Recommendations.

The proposed Peekskill Sanitary Sewer District Addition is feasible because:

1. The matter was requested by the Town of Cortlandt.
2. The facilities necessary to connect the property to County facilities (i.e. Gravity Sewers) will be constructed at the total expense of the Town of Cortlandt.
3. Maintenance of the completed facilities will be the responsibility of the Town of Cortlandt but not the Peekskill Sanitary Sewer District.
4. The Peekskill Water Resource Recovery Facility has a design flow of 10 MGD and the present average daily flow is 6.1 MGD. The average daily flow the parcels will generate is 105 gallons per day. The Facility and the County Trunk Sewer have sufficient capacity to accommodate this property.
5. The subject expansion will not result in any significant effect on the tax structure of the district.
6. The Territory proposed to be added to the Peekskill Sanitary Sewer District is not now in any County Sewer District and will be required to pay a surcharge over a ten year period.

ACT NO. 2025 - 84

AN ACT to Modify the Peekskill Sanitary Sewer District by the Addition of one (1) Parcel of Property Located in the Town of Cortlandt.

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

Section 1. The following property known and designated as 44 Regina Avenue, Sec. 24.10, Block 1, Lot 4 (the "Parcel") on the assessment maps of the Town of Cortlandt (the "Town") is hereby added to the Peekskill Sanitary Sewer District (the "District").

§ 2. Pursuant to the provisions of Chapter 237 of the Laws of Westchester County, the Board levies and assesses against the Parcel the aggregate sum of Fourteen Thousand Nine Hundred Ten Dollars (\$14,910.00) which amount shall be payable in ten equal annual installments of One Thousand Four Hundred Ninety-One Dollars (\$1,491.00) and shall be credited to the remaining portion of the District.

§ 3. This Act and the District and assessment areas as so altered, changed, modified, reduced and/or enlarged hereby, shall become effective immediately and the assessment rolls filed after the next taxable status date shall show County sewer district assessments and taxes on the basis of such revised District, and taxes levied on such rolls shall be based thereon, but any sewer district tax or assessment levied on any valid assessment rolls in effect prior to the next taxable status date, on any parcel affected by the revisions made by this Act, shall continue valid as such or as a tax lien, until paid and the amount paid shall be credited to the sewer district in which such parcel was assessed on the role on which said tax is levied.

§ 4. The County Executive or his authorized designee be and hereby is authorized and empowered to execute any and all instruments and to take all action necessary and appropriate to accomplish the purposes hereof.

§ 5. This Act shall take effect immediately.

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 84 - 2025, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on May 19, 2025, and approved by the County Executive on May 20, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 20th day of May, 2025.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

