

**RESOLUTION NO. 2025 –**

**RESOLVED**, that this Board hold a public hearing on the proposed modification to the Peekskill Sanitary Sewer District by the addition of one (1) parcel of property located in the Town of Cortlandt, more particularly described as 44 Regina Avenue, Sec. 24.10, Block 1, Lot 4, pursuant to Section 237.131 of the Laws of Westchester County. The public hearing will be held at \_\_\_\_\_ P.M. on the \_\_\_\_ day of \_\_\_\_\_, 2025 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 PEEKSKILL SANITARY SEWER DISTRICT BY THE ADDITION OF ONE (1) PARCEL OF PROPERTY IN THE TOWN OF CORTLANDT; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025 AT \_\_\_\_\_ P.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 PROPOSED ADDITION TO THE PEEKSKILL SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF CORTLANDT IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED DECEMBER 30, 2024, OF THE PARCEL LISTED BELOW BY STREET ADDRESS AND TAX MAP DESIGNATION.

44 REGINA AVENUE, SEC. 24.10, BLOCK 1, LOT 4

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.

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

Dated: \_\_\_\_\_, 2025  
White Plains, New York

**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.


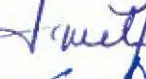
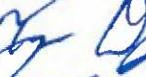



It should be noted that a vote of not less than a majority of the voting strength of the Board of Legislators is required to pass this Act.

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 28<sup>th</sup>, 2025

**White Plains, New York**

Amel Zekri Johnson  
Z. W.  
Smith  
J. W.  
J. W.  
Vedat Jaslin  
Doris Tubio

  
 Smt. S. S. S.  
  
 Smt. S. S. S.  
  
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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, reading "Colin J. Smith". The signature is written in a cursive style with a large, stylized "S" at the end.

**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**

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**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.

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**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  
YRKHOB  
**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



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 -**

**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.