

ACT 204 - 2023

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

DRAFT
IMA ON FILE

Your Committee is in receipt of a transmittal from the County Executive recommending approval of an Act which, if approved, would authorize the County of Westchester (the “County”) to enter into an intermunicipal agreement (“IMA”) with the Town of Mamaroneck (the “Town”) pursuant to which the Town will conduct a study of the Town’s Stormwater sewer network.

Your Committee is advised that the Town, which is situated in a low-lying floodplain, is subject to frequent flooding during major storm events. This has resulted in extensive property damage and displacement of many residents from their homes. In an effort to combat this problem, the County has asked the Town, and the Town has agreed, to conduct a comprehensive study to evaluate the Town’s Stormwater sewer network (the “Study”). The Study will provide recommendations to create alternatives to reduce the frequency of flooding in known flood prone areas in the Town.

The IMA, a copy of which is attached, will set forth the responsibilities of the County and the Town in connection with the Study. The IMA will be for a term of two (2) years, commencing retroactive to January 1, 2023 and continuing through December 31, 2024. In consideration for performing the Study, the County will pay the Town the sum of One Hundred and Fifty Thousand (\$150,000.00) dollars per year, pursuant to an approved budget, for a total amount not-to-exceed Three Hundred Thousand (\$300,000.00) dollars.

The Planning Department has advised your Committee that based on its review, the above referenced capital project may be 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 environmental review is required. Your Committee has reviewed the annexed SEQRA documentation and concurs with this recommendation.

Please note that an affirmative vote of a majority of the voting strength of your Honorable Board is required to adopt the Act authorizing the IMA.

Based on the importance of this Study to the County, your Committee recommends favorable action on the annexed Act authorizing the IMA.

Dated: October 2nd, 2023

White Plains, New York

Amel Zaki John

David Brun

Nancy Pan

Cath Park

Jedat Fathi

Syrie Brand

StJ

Nancy Pan

Cath Park

Jedat Fathi

StJ

COMMITTEE ON

C:jpg/8.22.23

Budget & Appropriations

Public Works & Transportation

Dated: October 2, 2023
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.

Colin J. Smith

Colin J. Smith

COMMITTEES ON

Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

SUBJECT: IMA with Town of Mamaroneck 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 \$ 150,000

Total Current Year Revenue \$ -

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

Additional Appropriations Other (explain)

Identify Accounts: 19:101:0100:0100:4380

Potential Related Operating Budget Expenses: Annual Amount \$150,000

Describe: An ACT authorizing an Intermunicipal agreement with the Town of Mamaroneck which will provide the terms & conditions under the which will distribute funds to the Town from the Westchester Count (Planning Department) Operating Account.

Potential Related Operating Budget Revenues: Annual Amount 0

Describe: _____

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

Current Year: No Savings - It will impact the 2023 Opeating Budget by \$150,000.

Next Four Years: It will impact the 2024 Westchester County (Planning Department) Operating Budget by an additional \$150,000.00. The total cost for this project is projected to be \$300,000.

Prepared by: Erion Vela

Title: Coordinator of Fiscal Operations

Department: Planning

Date: September 11, 2023

Reviewed By: 
Budget Director

Date: 9/13/23

TO: Jeffrey Goldman, Senior Assistant County Attorney
Department of Law

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



DATE: September 8, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR TOWN OF
MAMARONECK STORMWATER SEWER STUDY**

PROJECT/ACTION: A comprehensive study to evaluate the Town of Mamaroneck's stormwater sewer network. The study will provide recommendations to create alternatives to reduce the frequency of flooding in known flood prone areas in the Town.

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 because the project/action:

- DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTIONS:**
- **617.5(c)(24):** information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action.
 - **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: None.

DSK/sed

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca Lopez, Acting Commissioner
Claudia Maxwell, Associate Environmental Planner

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Town of Mamaroneck in connection with a study of the Town's Stormwater sewer network

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

Section 1. The County of Westchester (the "County") is hereby authorized to enter into an intermunicipal agreement (the "IMA") with the Town of Mamaroneck (the "Town"), in substantially the form attached hereto, pursuant to which the Town will conduct a comprehensive study to evaluate the Town's Stormwater sewer network, to provide recommendations to create alternatives to reduce the frequency of flooding in known flood prone areas in the Town (the "Study").

§2. The term of the IMA shall be for a period of two (2) years commencing retroactive to January 1, 2023 and continuing through December 31, 2024.

§3. In consideration for performing the Study, the County will pay the Town an amount not-to-exceed One Hundred and Fifty Thousand (\$150,000.00) dollars per year, pursuant to an approved budget, for a total amount not-to-exceed Three Hundred Thousand (\$300,000.00) dollars.

§4. The County Executive or his authorized designee is empowered to execute any and all documents necessary and appropriate to effectuate the purposes hereof.

§5. This Act shall take effect immediately.

SCHEDULE "A"

SCOPE OF SERVICES/BUDGET

January 1, 2023 thru December 31, 2023

The Scope of Services for the Study shall include any work associated with the following tasks. Funds may be moved between tasks, subject to review and approval by the County. Reimbursements will be made in accordance with the requirements and procedures specified in this agreement. The total amount reimbursed by the County shall not exceed the maximum amount stated herein.

SCOPE TASK	COUNTY AMOUNT	TOWN AMOUNT
Task 1: Mapping existing drainage system and	\$150,000	\$33,650
Data collection (includes CCTV inspection of		
Approximately 30,000 linear feet of drainage		
pipes)		
TOTAL	\$150,000	\$33,650

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 204 - 2023, 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 October 2, 2023, and approved by the County Executive on October 4, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 5th day of October, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

