

Environment, Energy & Climate

Meeting Agenda



Committee Chair: Erika Pierce

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Wednesday, September 28, 2022

10:00 AM

Committee Room

CALL TO ORDER

Joint with Budget & Appropriations, Public Works & Transportation, and Economic Development committees.

Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Boston Post Road, Briarcliff, NY 10510.

Please note: This meeting will be held in person at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 in the McPoland Conference Room # 824 and also remotely via WebEx. Legislators may participate in person or via video conferencing through WebEx. Members of the public are invited to attend the meeting in person at any of its locations or view it online at the Westchester Legislators website:

<https://westchestercountyny.legistar.com/Calendar.aspx>. This website also has links to the Agenda Packets containing documents to be discussed at the meeting.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2022-468](#) RES-Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022

A RESOLUTION supporting the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, ENVIRONMENT, ENERGY & CLIMATE, ECONOMIC DEVELOPMENT AND PUBLIC WORKS & TRANSPORTATION

Joint with Budget & Appropriations, Public Works & Transportation, and Economic Development committees

Guest: CE's Office: Peter McCartt, Director of Energy Conservation and Sustainability

2. [2022-426](#) PH-Sewer District Mod-Removal-Mount Pleasant

A RESOLUTION to set a Public Hearing on an ACT to modify the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt.

Pleasant. [Public Hearing set for _____, 2022 at _____ .m.] ACT INTO: 2022-428.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Budget & Appropriations and Public Works & Transportation committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa

3. [2022-427](#) ENV RES-Sewer District Mod-Removal-Mount Pleasant

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the removal of one (1) parcel of property from the Saw Mill Valley Sanitary Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Budget & Appropriations and Public Works & Transportation committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa

4. [2022-428](#) ACT-Sewer District Mod-Removal-Mount Pleasant

AN ACT to modify the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Budget & Appropriations and Public Works & Transportation committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa

5. [2022-474](#) PH-Sewer District Mod-Add-Cortlandt

A RESOLUTION to set a Public Hearing on an ACT to modify the Peekskill Sanitary Sewer District by the addition of two (2) parcels of property located in the Town of Cortlandt. [Public Hearing set for _____, 2022 at _____ .m.]. ACT INTRO: 2022-474.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Budget & Appropriations and Public Works & Transportation committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa

6. [2022-475](#) ACT-Sewer District Mod-Add-Cortlandt

AN ACT to modify the Peekskill Sanitary Sewer District by the addition of two (2) parcels of property located in the Town of Cortlandt.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Budget & Appropriations and Public Works & Transportation committees

Guests: DEF: Commissioner Vincent Kopicki, Deputy Commissioner Nat Federici, Associate Engineer (Construction) Christopher Gelardo, and Director of Maintenance Marian Pompa

7. [2022-463](#) BOND ACT-BPL35-Hilltop Hanover Farm & Environmental Center

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL35 - Hilltop Hanover Farm and Environmental Center.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Joint with Budget & Appropriations and Public Works & Transportation committees

Guests: Planning Dept.: Commissioner Norma Drummond and Assistant Commissioner David Kvinge

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

George Latimer
County Executive

August 31, 2022

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

Dear Members of the Board of Legislators,

Transmitted herewith for your review and approval is a resolution expressing that the passage of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 will improve many aspects of Westchester's water infrastructure and environment.

Westchester County has experienced the impact of climate change in severe storms such as the remnants of Hurricane Ida, Hurricane Sandy, and Hurricane Irene. These storms bring intense flooding, cost millions in property damage, and have claimed the lives of our residents.

The Environmental Bond Act of 2022 is the first environmental bond act in over 25 years. The Bond Act, if approved by voters, would authorize New York State to sell \$4.2 billion in State bonds to mitigate the effects of climate change across the state.

The Bond Act would make funding available to improve flood mitigation efforts in Westchester; it would also support efforts to combat climate change which, if successful, will prevent severe weather events from becoming more frequent and more damaging.

Due to the significance of this Environmental Bond Act to Westchester's residents, the County respectfully requests affirmative action on the proposed resolution.

Sincerely,



George Latimer
Westchester County Executive

GL/cc

Res _____ 2022

**Resolution supporting the Clean Water, Clean Air, Green Jobs
Environmental Bond Act of 2022**

WHEREAS, manmade climate change is increasing the frequency of severe storms, damaging our ecosystem, and threatening coastal regions, placing Westchester County at risk; and

WHEREAS, New York State urgently needs improved wastewater and drinking water infrastructure; critical water infrastructure is well past its intended lifespan and some systems are over 100 years old; and

WHEREAS, Westchester County has experienced severe flooding brought on by more frequent and severe storms; the remnants of Hurricane Ida caused between \$16 billion and \$24 billion in damage to our region, damaged or destroyed many homes and demonstrated vulnerabilities in municipal water infrastructure; and

WHEREAS, investing in our water infrastructure will reduce flooding, reduce exposure to lead and other hazardous substances, and create jobs and other tangible economic benefits; and

WHEREAS, the New York State Legislature has proposed the first environmental bond act in 20 years: The Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022, which will be on the ballot for approval by New York's voters on November 8, 2022; and

WHEREAS, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 would authorize \$4.2 billion in bonds to finance critical environmental restoration and action to mitigate the impact of climate change, to finance the protection of New York State's clean water reserves, to finance infrastructure projects rebuilding in areas damaged by flooding and projects that reduce the risk of flooding in the future; and

WHEREAS, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 provides the crucial resources necessary to respond to the crises facing our state and our county; now, therefore, be it

NOW THEREFORE BE IT RESOLVED, that the Westchester County Board of Legislators believes the passage of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 will be helpful to improve many aspects of Westchester's environment.



George Latimer
County Executive

August 10, 2022

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 Mt. Pleasant (the "Town") has requested pursuant to the attached Resolution of the Town, that the Saw Mill Valley 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 625 Chappaqua Road, Section 91.17, Block 1, Lot 6 (the "Parcel") from the District, which Parcel is not currently connected to the County sewer system. This removal is being 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 June 23, 2022 indicates that the proposed removal of the Parcel represents a net decrease of 0.0073% 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 County 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 (the "Board") may only alter or change a district after a public hearing is held thereon by the Board, 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.

Office of the County Executive

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

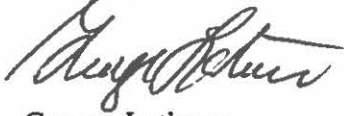
Telephone: (914)995-2900



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 and its implementing regulations 6 NYCRR, Part 617 ("SEQR"). 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 SEQR.

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/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 Mt. Pleasant (the "Town") has requested, pursuant to the attached Resolution of the Town, that the Saw Mill Valley 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 625 Chappaqua Road, Section 91.17, Block 1, Lot 6 (the "Parcel") from the District, which Parcel is not currently connected to the County sewer system. This removal is being 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 June 23, 2022 indicates that the proposed removal of the Parcel represents a net decrease of 0.0073% 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 Parcels 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 County 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 (the “Board”) to alter or change the sewer districts. However, the Board may only alter or change the districts after a public hearing is held thereon by the Board, 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 is advised 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 SEQR 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: _____, 2022
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: 25 Cecilia Lane, Saw Mill SSD, Mt. Pleasant

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 0.0073% of the Full Equalized Value of the Saw Mill 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 (Construction)

Department: Environmental Facilities

Date: June 23, 2022

WO
Reviewed By: Mark Medwid

Budget Director

Date: 7/29/2022



EMILY COSTANZA
Town Clerk

EXTRACT OF THE MINUTES
OF THE REGULAR MEETING
OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, NY
HELD FEBRUARY 22, 2022

REQUEST FOR REMOVAL FROM WESTCHESTER COUNTY SAW MILL SANITARY
SEWER – Mr. & Mrs. KAMAL MOHIDEEN 625 CHAPPAQUA ROAD, CHAPPAQUA,
NEW YORK, SECTION 91.17-1-6

RESOLUTION 114-22

Upon motion of Mr. Schulman, seconded by Mr. Sialiano and unanimously carried, it
was

WHEREAS, certain property owners(s) within the County of Westchester Sewer
District have requested removal of their property from the Westchester County Saw
Mill Sanitary Sewer District because their property is not serviced by sanitary sewers
and it is not anticipated that sanitary sewers will be construct in this area in the
foreseeable future, and

WHEREAS, certain properties are similarly situated,

NOW THEREFORE IT IS RESOLVED: That the County Board of Legislators is
requested to remove the following parcel and such other parcels as may be appropriate
from the Westchester County Saw Mill Sanitary Sewer District.

<u>Name</u>	<u>Tax Map</u>	<u>Address</u>
Mr.& Mrs. Kamal Mohideen	91.17-1-6	625 Chappaqua Road Chappaqua, NY

EMILY COSTANZA
TOWN CLERK
TOWN OF MOUNT PLEASANT

COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

June 23, 2022

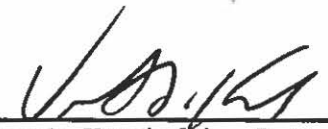
FEASIBILITY REPORT
IN THE MATTER OF

THE REMOVAL OF A CERTAIN PARCEL

IN THE

SAW MILL VALLEY SANITARY SEWER DISTRICT

TOWN OF MOUNT PLEASANT



VJK
Vincent Kopicki, P.E.
Commissioner
Environmental Facilities

The Town of Mount Pleasant has petitioned that one (1) property currently included in the Saw Mill Valley Sanitary Sewer District be removed from the Saw Mill Valley Sewer District.

A. The identification of the property presently within the Saw Mill Sewer District and to be removed is contained on the attached Town Resolution of the Town of Mount Pleasant, Request for Removal from the Saw Mill Valley Sanitary Sewer District as prepared by the Mount Pleasant Town Clerk. The Town of Mount Pleasant is petitioning to remove said property from the Saw Mill Valley Sewer District. The property to be removed is known as 625 Chappaqua Road, Section 91.17, Block 1, Lot 6.

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 2022 levy pertinent to the subject parcels:

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUES</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Greenburgh	\$10,078,128,479	100.00%	\$10,078,128,479
-Mt. Pleasant-			
All except-			
(Briarcliff Manor)	\$153,827,617	1.31%	\$11,742,566,183
Mt. Pleasant-			
Briarcliff Manor	\$ 2,683,687	1.31%	\$ 204,861,603
New Castle	\$284,722,412	19.38%	\$1,469,155,893
-Ossining-			All
Except			
(Briarcliff Manor)	\$114,782,400	100.00%	\$ 114,782,400
Ossining-			
Briarcliff Manor	\$978,054,493	100.00%	\$ 978,054,493
Yonkers	\$ 84,378,344	2.09%	\$4,037,241,340
TOTAL:			\$28,624,790,391
(TOWN OF MOUNT PLEASANT)Total Value Removed:			<u>(-2,087,786)</u>
TOTAL FULL VALUE OF DISTRICT AS AMENDED:			\$28,622,702,605*

*Represents a 0.0073% decrease in the FEV of the District

C. Summary and Recommendations

The proposal to remove a certain parcel in the Saw Mill Valley Sanitary Sewer Districts is feasible because:

1. The proposed change was requested by the Town of Mount Pleasant.
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 Mount Pleasant.
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 Health Department.

FileName: FEAS_625_Chappaqua_Road.docx

RESOLUTION NO. – 2022

RESOLVED, that this Board hold a public hearing on the proposed modification to the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant, more particularly described by street address and tax map designation as 625 Chappaqua Road, Section 91.17, Block 1, Lot 6, pursuant to Section 237.131 of the Laws of Westchester County. The Public Hearing will be held at m. on the day of , 2022 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 SAW MILL VALLEY SANITARY SEWER DISTRICT BY THE REMOVAL OF ONE (1) PARCEL OF PROPERTY IN THE TOWN OF MT. PLEASANT; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE DAY OF , 2022 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 SAW MILL VALLEY SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF MT. PLEASANT IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED JUNE 23, 2022, BY STREET ADDRESS AND TAX MAP DESIGNATION AS FOLLOWS:

625 CHAPPAQUA ROAD, SECTION 91.17, BLOCK 1, LOT 6; and

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: , 2022

White Plains, New York

RESOLUTION NO -2022

WHEREAS, there is pending before this Honorable Board an Act to authorize the County to modify the Saw Mill Valley Sanitary Sewer District (the “District”) by removing one (1) parcel of property in the Town of Mt. Pleasant, which parcel is not currently connected to the County sewer system; and

WHEREAS, this Honorable Board has determined that the proposed removal would constitute an action under Article 8 of the Environmental Conservation Law, known as the State Environmental Quality Review Act (“SEQR”); and

WHEREAS, pursuant to SEQR and its implementing regulations (6 NYCRR Part 617), this project is classified as an “Unlisted” action, which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is the only involved agency for this action and, therefore, is assuming the role of Lead Agency; and

WHEREAS, in accordance with SEQR and its implementing regulations, a Short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached Short Environmental Assessment Form and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Short Environmental Assessment Form, to determine if this proposed action will have a significant adverse impact on the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:


RESOLVED, that based upon this Honorable Board’s review of the Short Environmental Assessment Form and the reasons set forth therein, this Board finds that

there will be no significant adverse impact on the environment from the removal of the one (1) parcel of property from the Saw Mill Valley Sanitary Sewer District; and be it further

RESOLVED, the Clerk of the Board of Legislators is authorized and directed to sign the Determination of Significance in the Short Environmental Assessment Form, which is attached and made a part hereof, as responsible officer in Lead Agency; to issue this “Negative Declaration” on behalf of this Board in satisfaction of SEQRA; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TO: Vincent Kopicki, P.E., Commissioner
Department of Environmental Facilities

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

DATE: July 26, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR MODIFICATION OF
SAW MILL VALLEY SANITARY SEWER DISTRICT – REMOVAL
625 CHAPPAQUA ROAD, TOWN OF MOUNT PLEASANT**

In response to your request for an environmental review of the above referenced action, the Planning Department has prepared the attached documentation.

The proposed removal of a parcel from the sewer district has been classified as an Unlisted action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR). A Short Environmental Assessment Form has been prepared for consideration by the Board of Legislators.

Please contact me if you require any additional information regarding these documents.

DSK/cnm
Att.

cc: Joan McDonald, Director of Operations
Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Norma Drummond, Commissioner
Jeffrey Goldman, Senior Assistant County Attorney
Marian Pompa, Director of Maintenance
C.J. Gelardo, Associate Engineer
Claudia Maxwell, Associate Environmental Planner

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Saw Mill Valley Sanitary Sewer District - Removal of One Parcel			
Project Location (describe, and attach a location map): 625 Chappaqua Road (Tax Map ID: 91.17-1-6), Chappaqua (Town of Mount Pleasant), Westchester County, New York			
Brief Description of Proposed Action: Removal of one parcel from the Saw Mill Valley Sanitary Sewer District. At the request of the property owners, the Town of Mount Pleasant has petitioned the County to remove the subject parcel from the County sewer district on the basis that the parcel is not serviced by sanitary sewers and the Town does not anticipate that sanitary sewers would be constructed in this area in the foreseeable future. The parcel is approximately 2.33 acres in size and is developed with a single-family residence. The residence is served by an on-site septic system. The proposed district modification will remove from ad valorem taxation, a property that has not, does not, nor is anticipated to receive district benefits.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400 E-Mail: dsk2@westchestergov.com	
Address: 148 Martine Avenue			
City/PO: White Plains		State: NY	Zip Code: 10601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

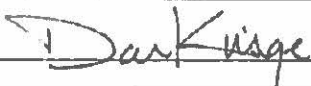
<p>5. Is the proposed action,</p> <p>a. A permitted use under the zoning regulations?</p> <p>b. Consistent with the adopted comprehensive plan?</p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>N/A</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</p> <p>If Yes, identify: _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels?</p> <p>b. Are public transportation services available at or near the site of the proposed action?</p> <p>c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?</p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p>9. Does the proposed action meet or exceed the state energy code requirements?</p> <p>If the proposed action will exceed requirements, describe design features and technologies:</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>10. Will the proposed action connect to an existing public/private water supply?</p> <p>If No, describe method for providing potable water: _____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>11. Will the proposed action connect to existing wastewater utilities?</p> <p>If No, describe method for providing wastewater treatment: _____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?</p> <p>b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?</p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p>13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?</p> <p>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?</p> <p>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	

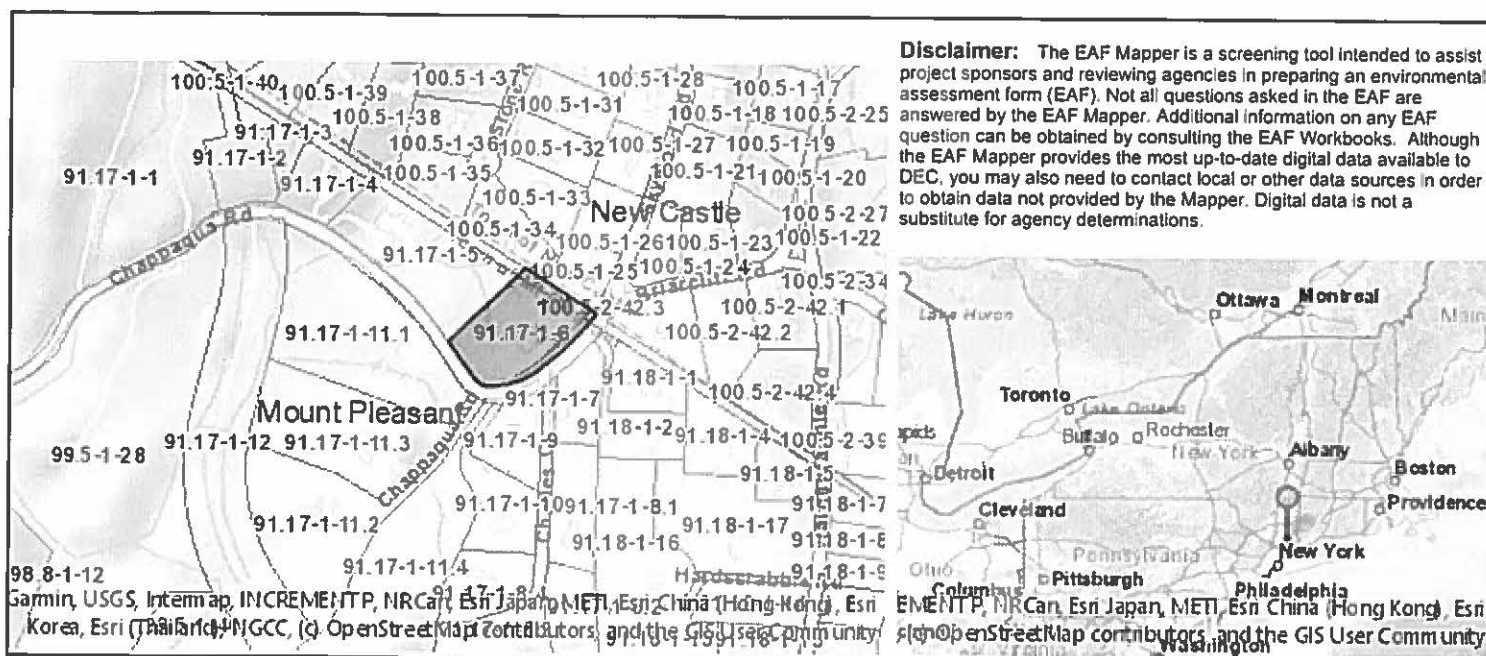
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO <input type="checkbox"/>	YES <input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input type="checkbox"/>	YES <input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input type="checkbox"/>	YES <input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>July 26, 2022</u>		
Signature: <u></u> Title: <u>Assistant Commissioner</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed action involves an act by the County Board of Legislators in order to modify a County-established sewer district, which is similar in nature to "the legislative adoption of a plan" in that there are no direct impacts to the environment because the action does not involve physical changes. The proposed action would remove from a district property that is not receiving nor is anticipated to receive district services. The parcel is already developed with a large residence that is served by a functioning on-site septic system. The Health Department has no record of septic problems or failures occurring at this site within the past five years, which may otherwise warrant inclusion in the district. The property is located in the Town's R-40 One Family Residential zoning district. At 2.33 acres, only one new residence may be developed under the present zoning, although unlikely due to the layout of the existing residential development which boasts a 6,000+ square-foot home. As such, no new development is anticipated that would warrant a sewer connection. The nearest local sewer is located over 1,000 feet away. The Town does not have any plans to extend its local sewer lines to serve this/these property. Since the property was never connected to the sewer system, its removal from the district will have no physical impact on the County's sewer infrastructure.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Westchester

Name of Lead Agency

Malika Vanderberg

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Clerk and Chief Administrator of the Board of Legislators

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

ACT NO. – 2022

AN ACT to Modify the Saw Mill Valley Sanitary Sewer District by the Removal of One (1) Parcel of Property located in the Town of Mt. Pleasant.

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

Section 1. The property located in the Town of Mt. Pleasant, more particularly described as 625 Chappaqua Road, Section 91.17, Block 1, Lot 6 (the “Parcel”), is hereby removed from the Saw Mill Valley Sanitary Sewer District (the “District”).

Section 2. The Parcel is to be forgiven its obligation for future debt service requirement and is to relinquish its equity in existing sewage facilities in the District, and in return the District is relieved of its responsibility to provide sanitary sewer service and sewerage facilities to the Parcel.

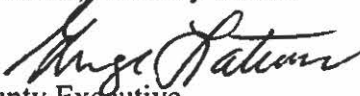
Section 3. This Act, and the assessment area of the District as so altered, changed, modified, reduced and/or enlarged hereby, shall become effective immediately and the assessment rolls filed after the next taxable status date shall show County sewer district assessments and taxes on the basis of such 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 parcels were assessed on the roll on which said tax is levied.

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

Section 5. This Act shall take effect immediately.

September 9, 2022

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 – Peekskill SSD
Modification, Cortlandt.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 12, 2022 Agenda.

Transmitted herewith for your review and approval is an Act which, if adopted by your Honorable Board, would authorize the County to modify the Peekskill Sanitary Sewer District by the addition of two parcels of property in the Town of Cortlandt.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 12, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

September 9, 2022

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 the Department of Environmental Facilities that the Town of Cortlandt ("Town") has requested pursuant to the attached Resolutions of the Town that the Peekskill Sanitary Sewer District ("District") be modified to return two (2) parcels of property more particularly described by street address and tax map designation as 1201 Oregon Road, Section 13.9, Block 3, Lot 5; and East Hill Road, Section 13.10, Block 1, Lot 62 ("Returning Parcels") to the District. The Returning Parcels were previously part of the District but were removed from the District by your Honorable Board in 1998 for the 1999 tax year.

I am advised that the analysis prepared by the Department of Environmental Facilities (the "Department") dated July 14, 2022 and attached hereto indicates that the proposed addition of the Returning Parcels represents an increase of 0.0144% to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcels will not cause significant changes in the tax rate of the District.

According to the Department, the proposal to add the Returning Parcels to the District is feasible because: 1) the matter was requested by the Town; 2) the facilities necessary to connect the Returning Parcels 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 has a design flow of 10 MGD and the present average daily flow is 6.5 MGD. The average daily flow the Returning Parcels will generate after inclusion is 1,550 GPD. The Facility and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcels; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory 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.

As your Honorable Board knows, 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 it has held a public hearing after notice has been 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 the date and time for the public hearing.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges will be paid by the Returning Parcels. The Department recommends an aggregate surcharge of Three Thousand Six Hundred Dollars (\$3,600.00), or Three Hundred Sixty Dollars (\$360.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 1999 through 2022, the years the Returning Parcels did not contribute to the District tax levies, and will be credited to the remaining properties in the District. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcels constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(11), (13), (26) and (33), and therefore no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the above facts and the feasibility study provided by the Department, I respectfully recommend that your Honorable Board adopt a resolution which will authorize a date and time 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 and, after the public hearing, adopt an Act which will add the Returning Parcels to the District.

Sincerely,

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

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 Cortlandt (“Town”) has requested, pursuant to the attached Resolutions of the Town, that the Peekskill Sanitary Sewer District (“District”) be modified to return two (2) parcels of property more particularly described by street address and tax map designation as 1201 Oregon Road, Section 13.9, Block 3, Lot 5; and East Hill Road, Section 13.10, Block 1, Lot 62 (“Returning Parcels”) to the District. The Returning Parcels were previously part of the District but were removed from the District by your Honorable Board in 1998 for the 1999 tax year.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities (the “Department”) dated July 14, 2022 and attached hereto, indicates that the proposed addition of the Returning Parcels represents an increase of 0.0144% to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcels will not cause significant changes in the tax rate of the District.

According to the Department, the proposal to add the Returning Parcels to the District is feasible because: 1) the matter was requested by the Town; 2) the facilities necessary to connect the Returning Parcels 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 has a design flow of 10 MGD and the present average daily flow is 6.5 MGD. The average daily flow the Returning Parcels will generate after inclusion is 1,550 GPD. The Facility and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcels; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory 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 County Administrative Code 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 set a date and time for the necessary public hearing. Your Committee recommends adoption of said Resolution.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges, if any, will be paid by the Returning Parcels. Your Committee has been informed that the Department recommends that an aggregate surcharge of Three Thousand Six Hundred Dollars (\$3,600.00), or Three Hundred Sixty Dollars (\$360.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 1999 through 2022, the years the Returning Parcels did not contribute to the District tax levies, and will be credited to the remaining properties in the District. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcels constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(11), (13), (26) and (33), and therefore no further environmental review is required. Your Committee has reviewed the attached SEQRA documentation and concurs with this conclusion.

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 set a date and time for the public hearing as required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the addition of the Returning Parcels to the Peekskill Sanitary Sewer

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: _____, 2022
White Plains, New York

COMMITTEE ON

K:JPG 7/15/2022

FISCAL IMPACT STATEMENT

SUBJECT: 1201 Oregon Rd, East Hill Rd, 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 \$ _____ 360

Describe: "Buy-in" revenue for parcels 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: Marian Pompa, Jr. P.E.

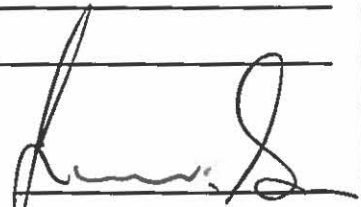
Title: Director of Maintenance

Department: Environmental Facilities

Date: July 14, 2022

NO

Reviewed By:



Budget Director

Date:

9/7/22

TO: Vincent Kopicki, Commissioner
Department of Environmental Facilities

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



DATE: August 31, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR REINSTATEMENT
OF TWO PROPERTIES TO PEEKSKILL SANITARY SEWER DISTRICT
1201 OREGON ROAD AND EAST HILL ROAD, TOWN OF CORTLANDT**

PROJECT/ACTION: Modification of the County's Peekskill Sanitary Sewer District to reinstate two parcels in the Town of Cortlandt—1201 Oregon Road, (Section 13.9, Block 3, Lot 5) and East Hill Road (Section 13.10, Block 1, Lot 62). The first parcel is approximately 1.6 acre in size and was formerly a residence that has been converted into 4 professional/medical office suites containing one doctor per suite. The second parcel is a vacant lot, approximately half acre in size, upon which a single-family home is proposed to be constructed. These parcels will be able to connect to existing sewer mains that are adjacent to their properties.

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)(11):** construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system or both, and conveyances of land in connection therewith;
 - **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 parcels were removed, along with over 3,000 other parcels, in 1999 at the request of the Town of Cortlandt on the premise that they were not connected nor were anticipated to connect to the sanitary sewer district in the foreseeable future. The parcels to be reinstated will be able to access local sanitary sewers that convey sewage to the County trunk sewer that eventually leads to the County's Peekskill Water Resource Recovery Facility (WRRF). The facility has a design flow of 10 million gallons per day (MGD), but is presently operating at an average daily flow of 6.5 MGD. Since the total estimated sewage contribution from the two parcels is approximately 1,550 gallons per day, both the WRRF and County trunk sewer have sufficient capacity to accommodate the return of these parcels to the County sewer district. Based on the small size of the parcels and local zoning, minimal additional development may occur that would contribute any significant increases in sewage.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Norma Drummond, Commissioner
Marian Pompa, Director of Maintenance
C.J. Gelardo, Associate Engineer
Jeffrey Goldman, Senior Assistant County Attorney
Claudia Maxwell, Associate Environmental Planner

RESOLUTION

NUMBER 141-22

(RE: RE - AUTHORIZE REQUEST OF BRUNO and ANGELA MAIDA TO HAVE TOWN PARCEL REINSTATED INTO THE PEEKSKILL SANITARY SEWER DISTRICT AND BE FORWARDED TO WESTCHESTER COUNTY FOR CONSIDERATION)

WHEREAS, by letter dated February 7, 2005 and received by the Town Board of the Town of Cortlandt at the Town Board Meeting held February 15, 2005, Bruno and Angela Maida, as the owners of a Town of Cortlandt parcel located at 1201 Oregon Road, have requested the Town of Cortlandt petition the County of Westchester to have said property be reinstated into the Peekskill Sanitary Sewer District; said property is designated as follows:

Section 13.9, Block 3, Lots
Owner: Bruno and Angela Maida

WHEREAS, the original request was transmitted by the Town to Westchester County for processing on May 5, 2005 and thereafter the parcel request for reinstatement into the Peekskill Sanitary Sewer District appears to have lapsed.

WHEREAS, the owners of the parcel, Bruno and Angela Maida were made aware of the lapse in reinstatement of the parcel in 2022 and asked that the information for reinstatement be transmitted to Westchester County again. Subsequent to the new request, the County has asked for an updated resolution with regard to the request for reinstatement of the parcel.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cortlandt, on behalf of the above mentioned resident in the Town of Cortlandt, does hereby petition the County of Westchester to include said parcel designated above be reinstated into the Peekskill Sanitary Sewer District.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUE SHATZKIN
Town Clerk**

**Adopted April 19, 2022
At a Regular Meeting
Held at the Town Hall**

Certified Copy
4/22/2022 Date
L. Shatzkin
Registrar

RESOLUTION

NUMBER 137-21

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

WHEREAS, by letter dated April 1, 2021 from Adalberto Aguilar and Joe Bellamy, Owner and Contract Vendee of Section 13.10, Block 01, Lot 62 property described below was received by the Town Board of the Town of Cortlandt at the Town Board Meeting held May 11, 2021 for a parcel located at East Hill Road, 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 included into the Peekskill Sanitary Sewer District; said property is designated as follows:

Section 13.10 Block 01, Lot 62
East Hill Road
Cortlandt Manor, NY 10567

Owner: Adalberto Aguilar
Contract Vendee: Joe Bellamy

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 include said parcel designated above into the Peekskill Sanitary Sewer District.

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

**Adopted May 11, 2021
At a Regular Meeting
Held via Zoom**

Certified Copy
06/09/2021 Date
JR Shatzkin
Town Clerk and Registrar

COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

July 14, 2022

FEASIBILITY REPORT
IN THE MATTER OF

THE ENLARGEMENT FOR CERTAIN PROPERTIES

IN THE

PEEKSKILL SANITARY SEWER DISTRICT

TOWN OF CORTLANDT

MP

Vincent F. Kopicki (for)

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

The Town of Cortlandt has petitioned that two (2) properties currently not included in the Peekskill Sanitary Sewer District be added to the Peekskill Sanitary Sewer District.

A. The identification of the two properties 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 parcels are not currently in any County Sanitary Sewer District having been removed from the Peekskill Sewer District in 1998 for the 1999 tax year. The properties are known as 1201 Oregon Road, designated as Section 13.9, Block 3, Lot 5 and East Hill Road, Section 13.10, Block 1, Lot 62.

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 2022 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	\$ 13,831,506	1.50%	\$ 922,100,400
Peekskill	122,213,638	2.86	4,273,204,126
Somers	31,841,110	11.85	268,701,350
Yorktown	53,357,413	2.12	2,516,859,104
Total			\$7,980,864,980
(Town of Cortlandt) Total Value of the property to be added			+ <u>1,151,667</u>
Total Full Value of District as Amended:			\$7,982,016,647

* represents a 0.0144% 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., 2022 Rolls

D = District f.e.v., 2022 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 2021.

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

$$e = \frac{1,151,667}{7,980,864,980 + 1,151,667} \times 25,530,247$$

$$e = \frac{1,151,667}{7,982,016,647} \times 25,530,247$$

$$e = .000144283 \times \$25,530,247$$

$$e = \$3,683.57 \text{ (rounded to } \$3,600.00)$$

and: in each of 10 annual installments, a total surcharge of \$360.00 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 properties 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 6.5 MGD. The average daily flow the parcels will generate is 1,550 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.

The two (2) properties in the Town of Cortlandt to be returned to the Peekskill SSD are as follows:

<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Annual Surcharge</u>
13.9	3	5	1201 Oregon Road	\$177
13.10	1	62	East Hill Road	\$183

Total annual surcharge for two (2) properties for 10 years \$360

RESOLUTION NO. – 2022

RESOLVED, that this Board hold a public hearing on the proposed modification to the Peekskill Sanitary Sewer District by the addition of two (2) parcels of property located in the Town of Cortlandt more particularly described as 1201 Oregon Road, Section 13.9, Block 3, Lot 5; and East Hill Road, Section 13.10, Block 1, Lot 62, pursuant to Section 237.131 of the Laws of Westchester County. The public hearing will be held at _____ m. on the _____ day of _____, 2022 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 TWO (2) PARCELS OF PROPERTY LOCATED 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 _____, 2022 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 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 JULY 14, 2022, OF THE PARCELS AS LISTED BELOW BY STREET ADDRESS AND TAX MAP DESIGNATION:

1201 OREGON ROAD, SECTION 13.9, BLOCK 3, LOT 5

EAST HILL ROAD, SECTION 13.10, BLOCK 1, LOT 62

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: _____, 2022
White Plains, New York

AN ACT to Modify the Peekskill Sanitary Sewer District by the Addition of Two (2) parcels of Property Located in the Town of Cortlandt.

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

Section 1. The properties known and designated as 1201 Oregon Road, Section 13.9, Block 3, Lot 5; and East Hill Road, Section 13.10, Block 1, Lot 62 (the “Returning Parcels”) on the assessment map of the Town of Cortlandt are 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 Returning Parcels the aggregate sum of Three Thousand Six Hundred Dollars (\$3,600.00), which amount shall be payable in ten equal annual installments of Three Hundred Sixty Dollars (\$360.00), 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 instruments and to take all action necessary and appropriate to accomplish the purposes hereof.

§ 5. This Act shall take effect immediately.

George Latimer
County Executive

August 31, 2022

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$1,000,000 to finance the following capital project:

BPL35 – Hilltop Hanover Farm and Environmental Center ("BPL35").

The Bond Act, in the amount of \$1,000,000, would finance the cost of construction of improvements to the County's Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues, rehabilitation and replacement of livestock fencing and deer fencing, building security upgrades, including emergency generators for walk-in coolers, upgrading the existing irrigation system including a potential new well, and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant.

The Department of Planning ("Department") has advised that the infrastructure, buildings and accessory structures at Hilltop Hanover Farm continue to require rehabilitation, replacement and upgrades in order to meet the existing and planned facility programming and activity needs, including the existing crop and livestock programs, as well as a growing native plant program. BPL35 will address health, safety and security issues for visitors, staff and livestock at the site.

Some project components, such as addressing security issues and installing emergency generators will not require design. Following bonding authorization, those projects will be moved forward to implementation. Design for more substantive projects will be scheduled and completed by a combination of in-house staff and consultants for different project components. It is anticipated that design will take six to twelve months to complete for different project components, and it is estimated that construction will take an additional six to twelve months to complete, which will begin after award and execution of construction contracts.

The Planning Department has advised that based on its review, BPL35 has been 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 further environmental review is

required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of this project to the County, favorable action on the proposed Bond Act is respectfully requested.

Sincerely,

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

George Latimer
County Executive

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$1,000,000 to finance capital project BPL35 – Hilltop Hanover Farm and Environmental Center (“BPL35”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of construction of improvements to the County’s Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues, rehabilitation and replacement of livestock fencing and deer fencing, building security upgrades, including emergency generators for walk-in coolers, upgrading the existing irrigation system including a potential new well, and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant.

The Department of Planning (“Department”) has advised that the infrastructure, buildings and accessory structures at Hilltop Hanover Farm continue to require rehabilitation, replacement and upgrades in order to meet the existing and planned facility programming and activity needs, including the existing crop and livestock programs, as well as a growing native plant program. BPL35 will address health, safety and security issues for visitors, staff and livestock at the site.

Some project components, such as addressing security issues and installing emergency generators will not require design. Following bonding authorization, those projects will be moved forward to implementation. Design for more substantive projects will be scheduled and will be completed by a combination of in-house staff and consultants for different project components. It is anticipated that design will take six to twelve months to complete for different project components, and it is estimated that construction will take an additional six to twelve months to complete, which will begin after award and execution of construction contracts.

The Planning Department has advised your Committee that based on its review, BPL35 has been 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 further

environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 20____
White Plains, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL35

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,000,000 PPU 5 Anticipated Interest Rate 1.86%

Anticipated Annual Cost (Principal and Interest): \$ 211,192

Total Debt Service (Annual Cost x Term): \$ 1,055,960

Finance Department: Interest rates from August 9, 2022 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

No impact to department operations. Project will fund analysis, design and implementation of rehabilitation of physical assets and infrastructure at a County facility.

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Planning


Date: 8/23/22

Reviewed By: 

Budget Director

Date: 8/24/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

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

DATE: July 26, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL35 HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 07-25-2022 (Unique ID: 1894)

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 for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;
 - **617.5(c)(4):** agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;
 - **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/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lawrence Soule, Budget Director
Lorraine Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE CONSTRUCTION OF IMPROVEMENTS TO HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$1,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the construction of improvements to Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues; rehabilitation and replacement of livestock fencing and deer fencing; building security upgrades, including emergency generators for walk-in coolers; upgrading the existing irrigation system including a potential new well; and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master

consultant, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which the \$1,000,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.89 of the Law, is five (5) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,000,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$1,000,000 as the estimated total cost of the aforesaid objects or purposes is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of

the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)
 : ss.:
COUNTY OF WESTCHESTER)

I HEREBY CERTIFY that I have compared the foregoing Act No. -20___ 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 _____, 20___ and approved by the County Executive on _____, 20___.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this _____ day of _____, 20___.

Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20____, and approved by the County Executive on _____, 20____, and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE CONSTRUCTION OF IMPROVEMENTS TO HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

object or purpose: to finance the cost of the construction of improvements to Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, addressing drainage issues; rehabilitation and replacement of livestock fencing and deer fencing; building security upgrades, emergency generators for walk-in coolers; upgrading the existing irrigation system including a potential new well; and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued and period of probable usefulness: \$1,000,000; five (5) years

Dated: _____, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York



Project ID:*
BPL35

CBA

Fact Sheet Date:*
06-28-2022

Fact Sheet Year:*
2022

Project Title:*
HILLTOP HANOVER FARM AND
ENVIRONMENTAL CENTER

Legislative District ID:
4, 2

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PLANNING

CP Unique ID:
1894

Overall Project Description

This project will fund rehabilitation, renovation and other improvements of buildings and infrastructure at Hilltop Hanover Farm and Environmental Center in Yorktown, NY.

Best Management Practices

Energy Efficiencies

Infrastructure

Life Safety

Project Labor Agreement

Revenue

Security

Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review
Gross	3.500	0	1,000	0	0	0	0	2,500
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3.500	0	1,000	0	0	0	0	2,500

Expended/Obligated Amount (in thousands) as of : 0

Current Bond Description: The current request is for needed rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues; rehabilitation and replacement of livestock fencing and deer fencing; building security upgrades, including emergency generators for walk-in coolers; upgrading the existing irrigation system including a potential new well; and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,000,000
Cash:	0
Total:	<u>\$ 1,000,000</u>

SEQR Classification:

TYPE II

Amount Requested:

1,000,000

Comments:

These repairs are needed to maintain existing operations and plans for growth, to address safety and security issues at the site, and to initiate implementation of the master plan. Previous appropriations for the property were under other capital projects.

Energy Efficiencies:

Total Financing History:

0

Department of Planning
WBB4

Date
07-25-2022

Department of Public Works
GGKK

Date
07-26-2022

Budget Department
LMY1

Date
07-26-2022

Requesting Department
DSK2

Date
07-26-2022

HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER (BPL35)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project has historical implications. Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	3,500			1,000					2,500
Non County Share									
Total	3,500			1,000					2,500

Project Description

This project will fund rehabilitation, renovation and other improvements of buildings and infrastructure at Hilltop Hanover Farm and Environmental Center in Yorktown, NY.

Current Year Description

The current year request funds design, construction and construction management for parking improvements and high tunnel for additional crops. Study for building and utility scope development.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,000,000			1,000,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.