

**ACT NO. 2024-\_\_\_\_**

**AN ACT** authorizing the County of Westchester to 1) convey to the Westchester Joint Water Works a parcel of County property that is currently part of the Westchester County Airport and located near the intersection of Tower Road and Purchase Street, in order to facilitate the plan to construct and operate a water filtration facility, subject to all necessary legal approvals, 2) accept from Westchester Joint Water Works a parcel adjacent to the Airport, and 3) grant to Westchester Joint Water Works an easement across Airport property permitting connection to the existing sanitary sewer line on Airport property.

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

**Section 1.** The County of Westchester (“County”) is authorized to convey to the Westchester Joint Water Works (“WJWW”) an approximately 13.4 acre parcel of County property identified as a portion of Parcel 971.-8 on the tax map of the Town of Harrison, currently part of the Westchester County Airport (“Airport”), and located near the intersection of Tower Road and Purchase Street (“County Parcel”), in order to facilitate WJWW’s plan to construct and operate a water filtration facility, subject to all necessary legal approvals.

**§2.** The County is further authorized to accept from WJWW the conveyance of an approximately 13.4 acre parcel adjacent to the Airport identified as Parcel 961.-1 on the tax map of the Town of Harrison (“WJWW Parcel”) to be incorporated into the Airport property in exchange for the County Parcel.

**§3.** The County is further authorized to grant to WJWW an easement across Airport property permitting a connection to the existing sanitary sewer line on Airport property. The sewer connection shall be designed and constructed by the County, with all costs to be reimbursed by

WJWW. Once constructed, the sewer improvements shall be maintained by the County with all repair costs reimbursed by WJWW.

§4. Following the conveyance of the County Parcel to the WJWW, the County Parcel shall remain in the New York State Department of Environmental Conservation (“NYSDEC”) Brownfield Cleanup Program and subject to NYSDEC’s jurisdiction and oversight. WJWW shall file a “change of use” application with NYSDEC relative to the construction of the water filtration facility, subject to NYSDEC’s approval and any conditions required by the NYSDEC.

§5. Following the conveyance of the County Parcel to WJWW, WJWW shall provide the County access to the County Parcel in order that the County may fulfill its obligations under its Brownfield Cleanup Agreement with NYSDEC and to construct the sewer connection.

§6. WJWW shall indemnify the County for any claims arising out of the design, construction or operation of the water filtration facility.

§7. The County Executive or his duly authorized designee, is hereby authorized to execute and deliver all instruments approved as to form and substance by the County Attorney as are necessary and appropriate to effectuate the purposes hereof.

§8. This Act shall take effect immediately.