

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

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related amended bond act (“Amended Bond Act”) which, if adopted, will authorize the County to issue up to \$2,000,000 in additional bonds of the County to finance capital project SY057 – Replacement of Tarrytown Force Main (Phase II) and Route 119 Gravity Sewer (“SY057”).

The proposed Capital Budget Amendment will amend the County’s capital budget to increase the County share for SY057 by \$2,000,000 and modify the scope thereof to fund the design, construction management, and construction of an emergency bypass to a 1,500 linear foot section of the Tarrytown force main; and the design of the replacement of approximately 10,500 linear feet of the 30 inch diameter Tarrytown force main and the replacement or rehabilitation of the approximate 1,300 linear feet of 30 inch diameter Route 119 gravity sewer, and all associated manholes, air release vents, and other appurtenances.

The Amended Bond Act, in the total amount of \$7,000,000, which includes \$5,000,000 in previously authorized bonds of the County, would finance the cost of design, construction management and construction for the replacement or rehabilitation of portions of the Tarrytown force main and Route 119 gravity sewer, including construction of an emergency bypass to the Tarrytown force main, replacement or rehabilitation of associated manholes, air release vents and other appurtenances, and incidental expenses.

The Department of Environmental Facilities (“Department”) has advised that the Tarrytown force main carries sewage approximately 2.75 miles under pressure from the Tarrytown Pumping Station in the Village of Tarrytown to the approximately 0.25-mile Route 119 gravity sewer which connects to the Saw Mill trunk sewer in the Village of Elmsford. The first 4,200 linear feet of the Tarrytown force main were replaced under Capital Project SY020 and was completed in 2017. The remaining section of force main and gravity sewer have reached the end of their useful life. A break in an original section of force main occurred on September 2, 2021 during Hurricane Ida and was repaired. A second force main break occurred on January 26, 2022 and was repaired. A third break occurred on July 10, 2023 and was repaired. Future breaks in this

pipe can be expected if the pipe is not replaced as expeditiously as possible. The Department received a Notice of Violation from the New York State Department of Environmental Conservation on July 13, 2023 which required the submission of a correction action plan. This CBA will help ensure the County meets the timelines specified in the corrective action plan.

Design is currently being undertaken by a consultant and is expected to be completed by the end of the fourth quarter of 2024. It is estimated that construction will take twelve months to complete the emergency repair and another twenty-four months to complete the rest of the construction and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has authorized the County to issue bonds for SY057 as follows: Bond Act No. 222-2023 in the amount of \$5,000,000 to finance design and construction management costs for the replacement or rehabilitation of portions of the Tarrytown force main, including incidental expenses, in and for the County's Saw Mill Sanitary Sewer District, in connection with SY057. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 222-2023 be amended to increase the amount authorized by \$2,000,000, for a total authorized amount, as amended, of \$7,000,000 to revise the scope of Bond Act No. 222-2023 to include rehabilitation of portions of the Tarrytown force main and the Route 119 Gravity Sewer, including the construction of an emergency bypass to the Tarrytown force main, and to increase the period of probable usefulness of said bonds.

The Planning Department has advised your Committee that based on its review, SY057 may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

The Planning Department has advised that the Planning Board has previously reviewed SY057 and issued a report, and that since there are no substantial changes to the physical planning aspects of this project, no further action by the planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget

noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Amended Bond Act.

Dated: May 29th, 2024.
White Plains, New York

James B. Kelly, Jr.
[Signature]
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James B. Kelly, Jr.
[Signature]

COMMITTEE ON

s/mg/4-4-24

Budget & Appropriations

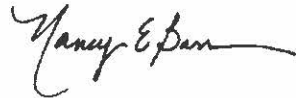
Public Works & Transportation

Dated: May 29, 2024
White Plains, New York

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

Committee(s) on:

Budget & Appropriations



Public Works & Transportation



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SY057

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 \$ 7,000,000 PPU 30 Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest): \$ 371,997

Total Debt Service (Annual Cost x Term): \$ 11,159,910

Finance Department: Interest rates from May 2, 2024 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 76

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 5/2/24


Reviewed By: *James C. [Signature]*

05/2/24

Budget Director

Date: 5/3/24

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

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

DATE: April 26, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SY057 REPLACEMENT OF TARRYTOWN FORCEMAIN (PHASE II) AND
ROUTE 119 GRAVITY SEWER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 04-01-2024 (Unique ID: 2516)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required 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)(6):** street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;
- **617.5(c)(21):** minor temporary uses of land having negligible or no permanent impact on the environment;
- **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: While awaiting design for the replacement of the force main and gravity sewer, installation of an emergency bypass is needed for the section of the County's sewer line that has been determined to be most vulnerable and susceptible to fail. Except for where it must connect to the existing underground sewer line or cross a road or driveway, the emergency bypass will be aboveground, consisting of an approximately 24-inch diameter pipe that will run along the north side of Tarrytown Road, within the cleared right-of-way, adjacent to the existing sidewalks.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney

Dianne Vanadia, Associate Budget Director
Steve Elie-Pierre, Director of Maintenance, Dept. of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner



Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Susan Darling, Chief Planner 

Date: April 19, 2024

RE: **NO-ACTION MEMO - Capital Budget Amendment – SY057 Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer (2024 CBA)**

The County Executive is requesting an amendment to the 2024 Capital Budget to modify the funding of the above project. Capital project **SY057 Replacement of Tarrytown Forcemain (Phase II) and Route 119 Gravity Sewer (2024 CBA)** will fund the replacement of a section of the Tarrytown force main that was not replaced in the previous project under Capital Project SY020. The scope of work involves replacement and/or rehabilitation of approximately 10,500 linear feet of 30” diameter force main and 1,300 linear feet of 30” gravity sewer.

The capital budget amendment is needed because the design, construction management and construction funding portion is short funds from the original estimate. Construction management is needed to overlook the project while it is under construction. In addition, the project will modify the scope to include design, construction, and construction management of an emergency bypass to a 1,500 linear foot section of the Tarrytown Force Main. The 2023 Capital Budget Amendment was \$5M. The additional request is for \$2M.

This project was classified as a PL2, *“a project approved in concept, subject to review when more detailed studies or plans are prepared”* in the Planning Board Report for the 2023 Capital Budget Amendment (CBA) adopted September 6, 2023.

There are no substantial changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Blanca P. López, Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

An Act amending the 2024 County
 Capital Budget Appropriations for
 Capital Project SY057 REPLACEMENT
 OF TARRYTOWN FORCEMAIN
 (PHASE II) AND ROUTE 119 GRAVITY
 SEWER

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

Section 1. The Capital section of the 2024 County Budget is hereby amended as follows:

	Previous 2024 Appropriation	Change	Revised 2024 Appropriation
I. Appropriation	\$5,000,000	\$2,000,000	\$7,000,000

Section 2. The estimated method of financing in the Capital Section of the 2024 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$5,000,000	\$2,000,000	\$7,000,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$5,000,000	\$2,000,000	\$7,000,000

Section 3. The ACT shall take effect immediately.

ACT NO. 107 - 2024

BOND ACT DATED June 03, 2024.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 222-2023, WHICH PROVIDED FOR THE ISSUANCE OF \$5,000,000 BONDS TO PAY DESIGN AND CONSTRUCTION MANAGEMENT COSTS FOR THE REPLACEMENT OR REHABILITATION OF PORTIONS OF THE TARRYTOWN FORCE MAIN, IN AND FOR THE COUNTY'S SAW MILL SANITARY SEWER DISTRICT, TO EXPAND THE SCOPE OF THE PROJECT TO INCLUDE REHABILITATION OF PORTIONS OF THE GRAVITY SEWER AND CONSTRUCTION OF AN EMERGENCY BYPASS TO TARRYTOWN FORCE MAIN, AND TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$7,000,000, AN INCREASE OF \$2,000,000.

WHEREAS, pursuant Act No. 222-2023, dated October 16, 2023, the Board previously authorized the issuance of \$5,000,000 bonds to pay the cost of design and construction management for the replacement or rehabilitation of portions of the Tarrytown force main, including incidental expenses in connection therewith, in and for the County's Saw Mill Sanitary Sewer District; and

WHEREAS, no obligations have been issued under Act No. 222-2023; and

WHEREAS, it has now been determined that (i) the aforesaid purpose should now be expanded to include costs of design, construction management and construction for the replacement or rehabilitation of portions of the Route 119 gravity sewer and construction of an emergency bypass to the Tarrytown force main, and (ii) the period of probable usefulness of the class of objects or purposes should be increased to forty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law, (iii) the estimated maximum cost thereof is now \$7,000,000, an increase of \$2,000,000, and (iv) the amount of bonds authorized should be increased to \$7,000,000; and

WHEREAS, \$7,000,000 has been appropriated in the Capital Budget of the County for the aforesaid class of objects or purposes;

WHEREAS, the cost of said class of objects or purposes shall be specially assessed against properties in the County's Saw Mill Sanitary Sewer District, which are specially benefitted by said class of objects or purposes; and

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 (A): The bond act duly adopted by this Board entitled

ACT NO. 222-2023

A BOND ACT AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN AND CONSTRUCTION MANAGEMENT COSTS FOR THE REPLACEMENT OR REHABILITATION OF PORTIONS OF THE TARRYTOWN FORCE MAIN, IN AND FOR THE COUNTY'S SAW MILL SANITARY SEWER DISTRICT.

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COSTS OF DESIGN CONSTRUCTION MANAGEMENT, AND CONSTRUCTION FOR THE REPLACEMENT OR REHABILITATION OF PORTIONS OF THE TARRYTOWN FORCE MAIN AND THE ROUTE 119 GRAVITY SEWER, INCLUDING CONSTRUCTION OF AN EMERGENCY BYPASS TO THE TARRYTOWN FORCE MAIN, IN AND FOR THE COUNTY'S SAW MILL SANITARY SEWER DISTRICT.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of the cost of such capital project allocable to the County's Saw Mill Sanitary Sewer District; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the costs of design, construction management and construction for the replacement or rehabilitation of portions of the Tarrytown force main and Route 119 gravity sewer, including construction of an emergency bypass to the Tarrytown force main, replacement or rehabilitation of associated manholes, air release vents and other appurtenances, and incidental expenses in connection therewith, there are hereby authorized to be issued \$7,000,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond Act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$7,000,000, and that the plan for the financing thereof is by the issuance of the \$7,000,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due

and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's Saw Mill Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to

the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or portions thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service

and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Section (B). The amendments of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

Section (C). This Act shall take effect immediately upon approval by the County Executive.

CAPITAL PROJECT FACT SHEET

Project ID:* SY057	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 03-21-2024
Fact Sheet Year:* 2024	Project Title:* REPLACEMENT OF TARRYTOWN FORCEMAIN (PHASE II) AND ROUTE 119 GRAVITY SEWER	Legislative District ID: 2, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 5, 3,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2516

Overall Project Description

This project provides for the replacement of the section of the Tarrytown force main that was not replaced in the previous project under Capital Project SY020. The scope of work involves replacement and/or rehabilitation of approximately 10,500 linear feet of 30" diameter force main and 1,300 linear feet of 30" gravity sewer. The Tarrytown force main carries sewage under pressure approximately 2.75 miles from the Tarrytown Pumping Station in the Village of Tarrytown to a ¼ mile section of gravity sewer that connects to the Saw Mill Trunk Sewer in the Village of Elmsford.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	92,000	5,000	0	0	85,000	0	0	2,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	92,000	5,000	0	0	85,000	0	0	2,000

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

Current Bond Description: A Capital Budget Amendment (CBA) to add an additional \$2,000,000 to previous Bond Act 221-2023 and modify the scope thereof to fund the design, construction management, and construction of an emergency bypass to a 1,500 linear foot section of the Tarrytown Force Main; and the design of the replacement of approximately 10,500 linear feet of the 30 inch diameter Tarrytown Force Main and the replacement or rehabilitation of the approximate 1,300 linear feet of 30 inch diameter Route 119 Gravity Sewer, and all associated manholes, air release vents, and other appurtenances.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	2,000,000
Cash:	0
Total:	\$ 2,000,000

SEQR Classification:

TYPE II

Amount Requested:

2,000,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|--|---|
| <input type="checkbox"/> County Staff | <input checked="" type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|---------------------------------------|--|---|

Comments:

The Tarrytown Force Main carries sewage approximately 2.75 miles under pressure from the Tarrytown Pumping Station in the Village of Tarrytown to the approximately 0.25-mile Route 119 Gravity Sewer which connects to the Saw Mill Trunk Sewer in the Village of Elmsford. The first 4,200 linear feet of the Tarrytown Force Main was replaced under Capital Project SY020 and was completed in 2017. The remaining section of force main and gravity sewer have reached the end of their useful life. A break in an original section of force main occurred on 9/2/21 during Hurricane Ida and was repaired. A second force main break occurred on 1/26/22 and was repaired. A third break occurred on 7/10/23 and was repaired. Future breaks in this pipe can be expected if the pipe is not replaced as expeditiously as possible. WCDEF received a Notice of Violation from the New York State Department of Environmental Conservation on July 13, 2023 which required the submission of a correction action plan. This CBA will help ensure WCDEF meets the timelines specified in the corrective action plan.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	5,000,000	DESIGN AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

5,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
23	222	5,000,000		0 REPLACEMENT OF TARRYTOWN FORCEMAIN (PHASE II) AND ROUTE 119 GRAVITY SEWER

Total Financing History:

5,000,000

Recommended By:

Department of Planning	Date
MLLL	04-01-2024

Department of Public Works	Date
RJB4	04-03-2024

Budget Department	Date
DEV9	04-04-2024

Requesting Department	Date
JWBA	04-04-2024

REPLACEMENT OF TARRYTOWN FORCEMAIN (PHASE II) AND ROUTE 119 GRAVITY SEWER (SY057)

User Department : Environmental Facilities
Managing Department(s) : Environmental Facilities ; Public Works ;
Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	90,000	5,000				85,000			
Non County Share									
Total	90,000	5,000				85,000			

Project Description

This project provides for the replacement of the section of the Tarrytown force main that was not replaced in the previous project under Capital Project SY020. The scope of work involves replacement and/or rehabilitation of approximately 10,500 linear feet of 30" diameter force main and 1,300 linear feet of 30" gravity sewer. The Tarrytown force main carries sewage under pressure approximately 2.75 miles from the Tarrytown Pumping Station in the Village of Tarrytown to a ¼ mile section of gravity sewer that connects to the Saw Mill Trunk Sewer in the Village of Elmsford.

Current Year Description

There is no current year request.

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2023	5,000,000	Design and construction management	DESIGN
Total	5,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	5,000,000		5,000,000
Total	5,000,000		5,000,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
222 23	5,000,000			5,000,000
Total	5,000,000			5,000,000

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on June 3, 2024 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
May 30, 2024

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting
May 30, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on June 4, 2024.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES: Legislator Jose Alvarado
 Legislator Nancy Barr
 Legislator Benjamin Boykin
 Legislator Terry Clements
 Legislator Margaret Cunzio
 Legislator Vedat Gashi
 Legislator Judah Holstein
 Legislator David Imamura
 Legislator James Nolan
 Legislator Catherine Parker
 Legislator Erika Pierce
 Legislator David Tubiolo
 Legislator Emiljana Uraj
 Legislator Shanae Williams
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels


NOES:

ABSENT: Legislator Colin Smith

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 6-5-24

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 106 - 2024, and (Bond) Act No. 107 - 2024, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on June 3, 2024, and approved by the County Executive on June 5, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 5th day of June, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

