

Robert P. Astorino
County Executive

Department of Environmental Facilities

Thomas J. Lauro, P.E.
Commissioner

58556

TO: Board of Acquisition and Contract

FROM: Thomas J. Lauro, P.E.
Commissioner of Environmental Facilities

DATE: August 16, 2017

SUBJECT: Resolution to authorize the County of Westchester to enter into a Temporary Easement Agreement and a Permanent Easement Agreement with American Sugar Refining, Inc. in connection with Capital Project SY075; "South Yonkers Sanitary Sewer District – Ludlow Street Pumping Station, Piping and Force Main Replacement Project"

Authority is respectfully requested from your Honorable Board for the County of Westchester (the "County") to enter into a temporary easement agreement (the "Temporary Easement") and a permanent easement agreement (the "Permanent Easement") with American Sugar Refining, Inc. in connection with Capital Project SY075 "South Yonkers Sanitary Sewer District – Ludlow Street Pumping Station, Piping and Force Main Replacement Project" (the "Project") to replace the force main from the Ludlow Street Pumping Station to the 54 inch diameter North Yonkers Force Main. The existing piping is in poor condition which, if not replaced, could potentially cause the force main to break which could result in a failure of the system and thereby causing a sewage overflow emergency. Both the Temporary Easement and the Permanent Easement would be between the County and American Sugar Refining, Inc. (the "Owner"). The Temporary Easement would cover approximately 150 square feet and the Permanent Easement would cover approximately 24 square feet over a portion of the Owner's property located at 1 Federal Street, Yonkers, New York and identified on the City of Yonkers tax map as Parcel 1.625-1.

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Wastewater Treatment
Water Agency

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The area of acquisition for both of the easements will be located north of the Ludlow Pumping Station within a long and narrow rectangular paved portion of the larger parcel owned by the Owner situated to the west of the Metro-North railroad tracks.

The proposed Permanent Easement is for the installation of the necessary replacement piping and the repair and maintenance thereof. The proposed Temporary Easement is for the purpose of staging a work area while the installation of the piping is being undertaken and will terminate upon the completion of the installation, for a maximum term of one year. At the conclusion of the installation, the property will be restored to its pre-easement condition.

An appraisal of each easement was prepared by Beckmann Appraisals, Inc. The appraised value, according to the appraisal, is \$210.00 for the Temporary Easement and \$165.00 for the Permanent Easement for a total of \$375.00. In consideration of the easements, the County will compensate the Owner and the Owner has agreed to accept the appraised amount of \$375.00.

The County Board of Legislators authorized the easements on the 7th day of August, 2017, by Act No. 153-2017.

The easements are in the public's best interest and will serve a public purpose in that they will enable the County's contractor to construct and complete the Project to protect the force main so as to avoid a potential sewer overflow emergency.

The goals and objectives of these easements will be to enable the construction and completion of the Project.

The goals and objectives of these easements will be tracked and monitored by the Department.

As the easements are necessary and in the best interests of the County, I most respectfully request your Honorable Board to approve the attached resolution.

TJL/lac
Attachment

RESOLUTION

Upon a communication from the Commissioner of the Department of Environmental Facilities, be it

RESOLVED, that the County of Westchester (the "County") is authorized to enter into a temporary easement agreement for a term of up to one year (the "Temporary Easement") and a permanent easement agreement (the "Permanent Easement") with American Sugar Refining, Inc. (the "Owner") over a portion of the Owner's property located at 1 Federal Street, Yonkers, New York and identified as Parcel 1.625-1 on the city of Yonkers tax map for the purpose of the construction and completion of Capital Project SY075 "South Yonkers Sanitary Sewer District – Ludlow Street Pumping Station, Piping and Force Main Replacement Project"; and be it further

RESOLVED, that as consideration for the Temporary Easement, the County is authorized to pay \$210.00 to the Owner and as consideration for the Permanent Easement, the County is authorized to pay \$165.00 to the Owner, for a total not to exceed amount of \$375.00 based on an appraisal prepared by Beckmann Appraisals, Inc.; and be it further

RESOLVED, that the County Executive or his authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	322	60	SY07503C	6210-99	BA #119-2013	\$375.00

Budget Funding Year(s): 2017 Start Date: August 8, 2017 End Date: December 31, 2019
 (must match resolution)

Funding Source: Tax Dollars 100% County Contractor Federal I.D. No./ Social Security No.: _____

State Aid _____

\$375.00 Federal Aid _____ Vendor No.: _____
 (must match resolution)

Other _____ Encumbrance No.: _____

(must match resolution) Other _____