

46922

To: The Board of Acquisition and Contract

From: Jay T. Pisco, P.E.  
Commissioner of Public Works and Transportation

Date: May 26, 2015

Re: Resolution authorizing the County of Westchester to modify an easement agreement to provide for the relocation of a portion of a storm water drainage system on property located along Washington Avenue in the Village of Pleasantville.  
(Agreement No. 15-933)

---

Transmitted herewith for your consideration is a resolution which, if adopted by your Honorable Board, would authorize the modification of an existing storm drainage easement agreement in the Town of Mount Pleasant, Village of Pleasantville. Pursuant to an easement agreement dated July 7, 1960, and recorded in the Westchester County Clerk's Office in Liber 6032 at page 476, the County has a drainage easement over a piece of property (the "Property") totaling approximately 0.25 acres in the Village of Pleasantville, which property is designated on the Town of Mount Pleasant Tax Map as Section 99.14, Block 1, Lot 8. The County maintains a system of drains and pipes to collect storm water from Washington Avenue and conveys it across the Property by way of underground pipes to the Saw Mill River. In order to improve the storm water conveyance system in connection with a planned residential redevelopment of a site across the street from the Property on the east side of Washington Avenue, the County needs to modify the location of the drainage easement by removing a portion of the drainage easement currently located in a ten (10) foot wide portion of the front yard of the Property to a new location on the Property within fifteen (15) feet of the Property's southernmost property line. The current owner of the Property has agreed to the relocation of the drainage pipes on the Property at no additional cost to the County. The developer of the site across the street from the Property will be paying the costs of the relocation work.

The objective and public purpose of this resolution is to relocate the existing sewer line to a more favorable location. Work under the agreement will be monitored by the Department of Public Works and Transportation.

It should be noted that execution of the easement modification agreement was approved by the County Board of Legislators by Act 84 - 2015. As I believe this agreement to be in the best interests of the County, I respectfully urge your Honorable Board to approve the attached resolution.

# RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, be it hereby

**RESOLVED**, that the County of Westchester is authorized to modify an easement agreement recorded in the Westchester County Clerk's Office in Liber 6032 at page 476 (the "Easement Agreement"), to provide for the relocation, at no cost to the County, of a portion of a storm water drainage system as approved by the Commissioner of Public Works and Transportation on property located along Washington Avenue in the Village of Pleasantville and designated on the Town of Mount Pleasant Tax Map as Section 99.14, Block 1, Lot 8; and be it further

**RESOLVED**, that all other terms of the Easement Agreement shall remain the same; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby authorized to execute the above agreement on behalf of the County of Westchester and to take all other action necessary to effectuate the purposes hereof.

Agreement No. 15-933

Account to be Charged/Credited	Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
			N/A			N/A

Budget Funding Year(s):   N/A        Start Date: \_\_\_\_\_      End Date: \_\_\_\_\_  
 (must match resolution)

Funding Source:    Tax Dollars    \_\_\_\_\_  
                          State Aid        \_\_\_\_\_  
  \$N/A              Federal Aid    \_\_\_\_\_  
 (must match resolution)    Other            \_\_\_\_\_