

**61220**

Date: March 9, 2018

To: The Board of Acquisition and Contract

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

RE: Authority to amend a resolution approved on December 21, 2017, which authorized the County of Westchester to enter into agreements with the owners of record of the properties listed on Schedule "A", attached to the resolution, pursuant to which the County will issue to said owners Out-of-District Wastewater Discharge Permits which will allow the owners to discharge sanitary wastewater from their respective premises into the County Trunk Sewer System for a term of up to three (3) years commencing on January 1, 2018 and terminating on December 31, 2020 at annual permit fees to be determined based upon each parcel's full equalized value, by adding ten (10) new parcels to the list of parcels previously approved.

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By resolution approved on December 21, 2017 (the "December 21<sup>st</sup> Resolution"), your Honorable Board authorized the County of Westchester, acting on behalf of the New Rochelle Sanitary Sewer District ("District"), to enter into agreements (the "Agreements") with the owners of record of the properties listed by street address and/or tax map designation on Schedule "A", attached to the December 21<sup>st</sup> Resolution, or the owners of record of any subdivided parcels of such properties (the "Permittees"), pursuant to which the County would issue to the Permittees Out-of-District Wastewater Discharge Permits (the "Permits") to allow the Permittees to discharge sanitary wastewater from their respective premises, as set forth in Schedule "A", attached to the December 21<sup>st</sup> Resolution (the "Parcels"), into the County trunk sewer serviced by the District, for a term of up to three (3) years commencing on January 1, 2018 and terminating on December 31, 2020, at annual permit fees to be determined based upon each Parcel's full equalized value. As your Honorable Board may recall, the Parcels are all situated in the County of Bronx, New York (the "Bronx Service Area").

Due to an administrative oversight, ten (10) parcels situated in the Bronx Service Area, were mistakenly left off the list of Parcels previously approved by your Honorable Board under the December 21<sup>st</sup> Resolution. Accordingly, authority is respectfully requested to amend the December 21<sup>st</sup> Resolution for the limited purpose of adding the following ten (10) parcels to the list of Parcels previously approved by your Honorable Board under the December 21<sup>st</sup> Resolution:

<b><u>ADDRESS</u></b>	<b><u>BLOCK</u></b>	<b><u>LOT</u></b>
20 Shore Road	5651	1
18 Shore Road	5651	10
22 Shore Road	5651	30
Shore Road (Vacant)	5651	47
1436 Roosevelt Avenue	5651	62
1433 Roosevelt Avenue (Vacant)	5651	65
25 Elm Tree Lane	5651	230
Park Drive (P/O 1041 Peace Street)	5652	195
Park Drive (Vacant)	5652	198
Park Drive (Vacant)	5652	215

Except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the December 21<sup>st</sup> Resolution shall remain in full force and effect.

The Planning Department has advised that based on its review, the above referenced action has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQRA") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required.

The goals and objectives of these Agreements are to grant out-of-district discharge permits to Permittees to allow them to discharge sanitary wastewater from their premises into the County trunk sewer serviced by the District and for the County to be reimbursed for the costs associated with such treatment. The goals and objectives are in the best interests of the County in terms of public health and the environment and fiscal responsibility. The goals and objectives will be tracked and monitored through regular inspection by County officials.

The granting of out-of-district discharge permits under the County Sewer Act is not a procurement and therefore not subject to the County Procurement Policy.

Accordingly, I most respectfully recommend your favorable consideration of the annexed Resolution approving the proposed Permit Agreement.

TJL/JA/jpg

## RESOLUTION

Upon a communication from the Commissioner of the Department of Environmental Facilities, it is hereby:

**RESOLVED**, that the resolution approved on December 21, 2017 (the “December 21<sup>st</sup> Resolution”), which authorized the County of Westchester (“County”), acting on behalf of the New Rochelle Sanitary Sewer District (“District”), to enter into agreements (the “Agreements”) with the owners of record of the properties listed by street address and/or tax map designation on Schedule “A”, attached to the December 21<sup>st</sup> Resolution, or the owners of record of any subdivided parcels of such properties (the “Permittees”), pursuant to which the County would issue to the Permittees Out-of-District Wastewater Discharge Permits (the “Permits”) which would allow the Permittees to discharge sanitary wastewater from their respective premises as listed in Schedule “A” (the “Parcels”), into the County trunk sewer serviced by the District, for a term of up to three (3) years commencing on January 1, 2018 and terminating on December 31, 2020, at annual permit fees to be determined based upon each Parcel’s full equalized value, is hereby amended by adding the ten (10) parcels set forth below, to the list of Parcels previously approved by the Board of Acquisition & Contract and attached as Schedule “A” to the December 21<sup>st</sup> Resolution;

<b>ADDRESS</b>	<b>BLOCK</b>	<b>LOT</b>
20 Shore Road	5651	1
18 Shore Road	5651	10
22 Shore Road	5651	30
Shore Road (Vacant)	5651	47
1436 Roosevelt Avenue	5651	62
1433 Roosevelt Avenue (Vacant)	5651	65
25 Elm Tree Lane	5651	230
Park Drive (P/O 1041 Peace Street)	5652	195
Park Drive (Vacant)	5652	198
Park Drive (Vacant)	5652	215

; and be it further

**RESOLVED**, that except as otherwise specifically amended hereby, all remaining terms and conditions set forth in the December 21<sup>st</sup> Resolution shall remain in full force and effect; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to execute any and all appropriate contracts or documents necessary to effectuate the purposes of this resolution in the manner prescribed by law.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
221	60	0110:0081	9670		As per calculation

Budget Funding Year(s) 2018-2020 Start Date 1/1/2018 End Date 12/31/2020  
(must match resolution)

Funding Source

\$ As per calculation\_  
(must match resolution)

Tax Dollars \_\_\_\_\_  
State Aid \_\_\_\_\_  
Federal Aid \_\_\_\_\_  
Other \_\_\_\_\_ revenue \_\_\_\_\_

APPROVED BOARD OF ACQUISITION CONTRACT - 03/22/2018 - LISA MARIJAJ, SECRETARY