

Resolution of the Northern Westchester Watershed Committee
Adopted July 7, 2016

**COMMITMENT TO EXPEND
EAST OF HUDSON WATER QUALITY INVESTMENT PROGRAM FUNDS FOR THE
KATONAH-BEDFORD HILLS SEWER PROJECT**

WHEREAS, the County of Westchester retained Savin Engineers P.C. in 1997 to undertake studies for the purpose of determining the technical and financial feasibility of managing wastewater from wastewater treatment plants (WWTP) and other identified areas (Focus Areas) that currently discharge wastewater into the Croton/Kensico watersheds; and

WHEREAS, the Northern Westchester Watershed Committee (NWWC), consisting of representatives from the twelve municipalities with land within the Croton/Kensico watersheds (Bedford, Cortlandt, Harrison, Lewisboro, Mount Pleasant, Mount Kisco, New Castle, North Castle, North Salem, Pound Ridge, Somers and Yorktown), agreed to support water quality improvement projects that would correct the biggest problems in the most cost effective manner; and

WHEREAS, the NWWC worked with Savin Engineers P.C. to review the studies and prioritize projects based on water quality impacts and economic feasibility and the following five Priority Projects were identified: 1) Hallocks Mill Sewer District in Yorktown; 2) Riverwoods and Random Farms WWTPs and the Stanwood and Yeshiva Focus Areas in New Castle and Bedford; 3) Bedford Hills/Katonah focus area in the Town of Bedford; 4) Lake Shenorock focus area in the Town of Somers; and, 5) Peach Lake focus area in the Town of North Salem; and

WHEREAS, on November 14, 2006, the NWWC recommended to the Westchester County Executive and the County Board of Legislators the allocation of \$50 million from the EOH WQIP Fund, in the amount of \$10 million to each project (the Town of Bedford's \$10,000,000 proposed allocation for its Priority Project hereafter is called "Bedford's \$10,000,000 Proposed Allocation"), to assist with the implementation of the five Priority Projects listed above; and

WHEREAS, on October 14, 2008, the NWWC adopted a resolution supporting the allocation of \$65,000 of EOH WQIP Funds to the Town of Bedford (Town) to assess the feasibility of forming a new sewer district to serve the hamlets of Bedford Hills and Katonah; and

WHEREAS, the Town contracted Malcom Pirnie who created a report titled "Wastewater Asset Condition Assessment and Valuation" (Report), dated June 2011, and the alternatives identified in the Report were cost prohibitive; and

WHEREAS, on May 13, 2015, the NWWC adopted a resolution supporting the allocation of \$3,500,000 of EOH WQIP Funds to the Town of Bedford to implement a town-wide septic repair program; and

WHEREAS, on October 9, 2015, an Intermunicipal Agreement (the "Septic Repair Program IMA") between the County of Westchester and the Town of Bedford was executed to distribute \$3,500,000 to the Town to implement a septic repair program; and

WHEREAS, pursuant to the IMA, the County has disbursed \$750,000 in EOH WQIP Funds for Town of Bedford's septic repair program, and \$2,750,000 has yet to be disbursed for the septic repair program; and

WHEREAS, the Town of Bedford's consulting engineer, Arcadis Design & Consultancy, prepared its Technical Memorandum, dated April 22, 2016, titled "Town of Bedford Sewer District Feasibility Study Update Preliminary Engineering Assessment" (the "Arcadis Report") that identified three new alternatives; and

WHEREAS, the Town of Bedford intends to implement Alternative No. 3 set forth in the Arcadis Report that will provide public sewers (the "Bedford Sewer Project") for the central business districts of Katonah and Bedford Hills, Katonah Elementary School and St. Mary's School (Katonah) and Bedford Park Apartments (Bedford Hills); and

WHEREAS, the Town's consulting engineer has estimated the total project construction costs of Alternative No. 3 to be approximately \$22,000,000.00; and

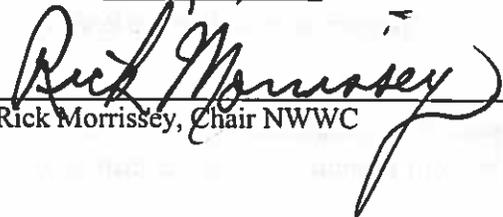
WHEREAS, the Town of Bedford is requesting a re-allocation of Bedford's \$10,000,000 Proposed Allocation as follows: \$9,250,000.00 toward the costs of the Bedford Sewer Project and \$750,000.00 for the septic system repair program; and

WHEREAS, the NWWC adopted a plan on May 31, 2016, to address water quality improvements in the NWWC municipalities with a recommended allocation of EOH WQIP funds that that included funding of \$9,250,000 for the Bedford Sewer Project; and

WHEREAS, the NWWC discussed the Bedford Sewer Project and supports the Town of Bedford's request for the re-allocation of Bedford's \$10,000,000 Proposed Allocation; and now therefore be it

RESOLVED that the NWWC requests that the Westchester County Board of Legislators: (1) amend the Septic Repair Program IMA to decrease the allocation to \$750,000 and (2) approve an allocation of \$9,250,000 from the East of Hudson Water Quality Investment Program Fund to the Town of Bedford for the Bedford Sewer Project.

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Rick Morrissey, Chair NWWC