



## New York City and State environmental officials have major questions about water filtration plant

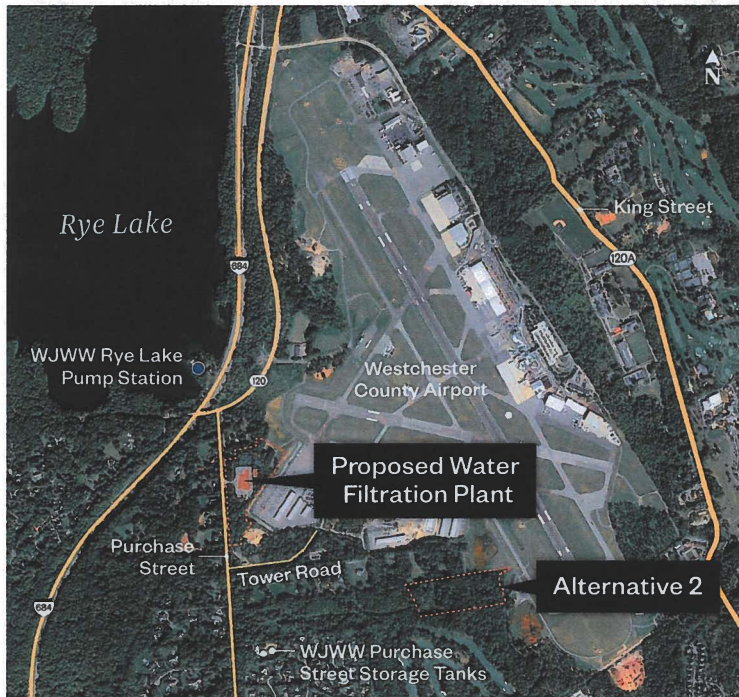
By Dick Hubert

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The nearly two-decade battle by the Westchester Joint Water Works (WJWW) to build its now court-mandated, \$138 million water filtration plant is not over.

Port Chester and Rye Brook residents who drink the unfiltered water could see their hopes for that clean water being available by 2027 dashed again.

The publicity release the WJWW put out over two weeks ago announcing the completion of all their legally mandated studies for building the plant, their Board approved selection of the Purchase Street location for that plant, and the legal process they thought they had successfully wrapped up as court-imposed fines for not building the plant reached the \$69 million mark, turned out to be premature.



This aerial view from Westchester Joint Water Works shows their ideal location for the water filtration plant on Purchase Street. The alternate site indicated was previously bitterly opposed by Purchase Environmental Protection Association and Sylvan Development, which now have done a 180-degree change in position and want the plant to be built in the 2005 location. Westchester Joint Water Works

The project has hit a major and unexpected roadblock: New York State and New York City environmental conservation departments are now in lockstep with the plant's arch enemies, the Purchase Environmental Protective Association (PEPA), over the plant's current proposed location.

### The land swap necessary for the plant's construction

At the core of the dispute at this juncture is the proposed land swap that would see the plant built on Purchase Street.

As a WJWW PR release stated:

"The proposed project calls for the construction and operation of a 30-million-gallon per day Dissolved Air Flotation/Filtration (DAFF) plant in the Town of Harrison on 13.4 acres of land with access to Purchase Street and directly adjacent to existing water transmission facilities located beneath the Purchase Street right of way. The land, currently owned by Westchester County, is planned to be apportioned from the Westchester County Airport property in exchange for a deed from WJWW for an equivalent 13.4-acre parcel it owns nearby. The exchange will result in no net loss or gain to Westchester County or WJWW."

When the Westmore News routinely forwarded the WJWW PR release to Catherine Cioffi, the County's Chief of Communications and the official spokesperson for the administration of County Executive George Latimer, and asked for comment on how quickly they and the County Legislature could approve the land swap, this provocative and unexpected reaction came back:

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"We are mindful that the Westchester Joint Water Works faces a mandate to construct a filtration plant to treat surface water, and we know fines are on the table if that mandate is not met. However, as with all decisions, we must do our due diligence and we must explore all issues thoroughly.

"It has recently come to our attention, by the NYSDEC (New York State Department of Environmental Conservation) and NYCDEP (New York City Department of Environmental Protection), that there are significant concerns about locating the facility on airport property. We rely on environmental expertise in this regard, in particular the stewardship of the New York City watershed. Since hearing about these concerns, the County is fully evaluating the land swap and will discuss these issues further with our environmental partners."

### ***Anger, frustration at WJWW***

The initial reaction of WJWW Manager Paul Kutzy to the Cioffi statement was to reveal that, indeed, the WJWW had received two letters in October from both entities.

The letters showed up well after the WJWW documents had been FedEx'd to NYCDEC. Kutzy supplied this newspaper with the FedEx shipping documents to prove his point.

No one from DEC had alerted Kutzy that they wanted more information than was in the supplied application, he said.

Two NYSDEC letters dated Oct. 14 and headed "Notice of Incomplete Application" detailed information the state bureaucrats insisted WJWW had never supplied.

The one NYC letter, dated Oct. 10, was brief and more to the point, stating that the explanation for not building the plant at the originally planned location and moving to the Purchase Street site was "inadequate."

The elephant in the room was, as the Westmore News reported Oct. 7, the ongoing and bitter opposition to building the plant in either location by the Purchase Environmental Protective Association (PEPA) and its leader, Michael Tokarz, who runs Sylvan Development. Sylvan's property adjoins the originally proposed WJWW plant location on land the water company owns.

Sylvan and PEPA blocked the original location through their political clout with the Harrison Board of Trustees, which initially had control of the environmental review process.

Then, when WJWW managed to get control of the review and figured out how to build the plant on airport property on Purchase Street, with the proposed land swap as a no cost solution, PEPA and team switched to being bitterly opposed to the new location and supporting the previous one.

### ***WJWW Board chairman on the current predicament***

If your head is spinning, so is that of WJWW Board Chairperson Thomas Murphy, also mayor of the Village of Mamaroneck.

In an exclusive interview with the Westmore News, Murphy had this dialogue:

TM: "Whenever you do a project and you do something substantial that's beneficial to the community, there are always roadblocks. And there are always obstacles you have to overcome. And these are a couple of bumps in the road that I am sure we will be able to work around. You can't predict what other people are going to do and how they're going to react or why they're going to act that way. They are certainly a little late to the game with these comments, but we will deal with them.

Westmore News (WN): Well, late to the game? Paul (Kutzy) was good enough to e-mail ... the FedEx backup materials. Apparently the NYSDEC had this for some time and never responded.

TM: THAT IS CORRECT. So why are they responding now?

WN: Don't they have any sense of embarrassment? Or what? I was shocked by that.

TM: Yeah, me too. But we're looking to work cooperatively with all of them and get this behind us. This is the preferred site, both environmentally and for the community, and I think when they take a closer look at it, they'll come to the same conclusions.

WN: Have you had any communications with the County regarding the statement they put out where they talk about the "significant" concerns. Have you told them what's really up?

TM: I know Paul (Kutzy) has reached out to them, but I have not.

WN: If we go to press before you reach out, is there anything you'd like to say to the County Executive team?

TM: I'm sure that any concerns they have can be ameliorated and explained upon closer examination.

WN: So you're still confident that the plant's construction timetable will go ahead and that the legislature will approve the land swap.

TM: I'm hopeful.

WN: You're hopeful?

TM: I don't have a crystal ball, but I'm hopeful."

The Westmore News asked County Legislators Nancy Barr (who represents Port Chester, Rye Brook, and the Purchase section of Harrison) and Rye City's Catherine Parker for comment on the WJWW proposal. They had not responded as of press time.

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