

(BOND) ACT 109 - 2025

Reference RBR07

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester ("County") of an amended bond act (the "Amended Bond Act") in the total amount of \$9,430,000, which includes \$8,730,000 in previously authorized bonds of the County, to finance capital project RBR07 Bronx River Pathway Reconstruction ("RBR07"). The Amended Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, is required to finance the cost of design associated with the reconstruction of the Bronx River Pathway from Crane Road South to Scout Field.

The Department of Parks Recreation and Conservation ("Department") has advised that according to a recent recreation preference survey, walking and bicycling continue to rank high among the top recreation activities enjoyed by Westchester County residents. The Bronx River Pathway, being the most heavily used pathway in the parks system, plays a critical role in supporting these activities. To maintain its popularity and usability, the Department is addressing the deterioration of older sections as part of a multi-year phased program aimed at rehabilitating the pathway.

Following bond authorization, design is anticipated to take eighteen (18) months to complete and will be performed by in-house staff and a consultant. It is anticipated that construction will take approximately eighteen (18) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board's further approval of construction funding for this section of the pathway.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for RBR07 as follows: Bond Act No. 225-2024 in the amount of \$8,730,000, which financed the cost of design, construction and construction management of improvements to the Bronx River Reservation pathway from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure. No bonds have been issued under Bond Act No. 225-2024. Accordingly, it is now requested that Bond Act No. 225-2024 be amended to increase the amount authorized by \$700,000, for a total authorized amount, as amended, of \$9,430,000, and to expand the scope of services to include design associated with the reconstruction of the pathway from Crane Road South to Scout Field.

The Department of Planning has advised your Committee that based on its review, RBR07 may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQR"). Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Amended Bond Act. Your Committee has carefully considered the Amended Bond Act and recommends approval of same.

Dated: May 28th, 20 25.
White Plains, New York

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COMMITTEE ON

s/jpg/03-28-25

Budget & Appropriations

Parks & Environment

Public Works &
Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RBR07

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 9,430,000 PPU 15 Anticipated Interest Rate 3.65%

Anticipated Annual Cost (Principal and Interest): \$ 815,460

Total Debt Service (Annual Cost x Term): \$ 12,231,900

Finance Department: Interest rates from April 16, 2025 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 103

Prepared by: Robert Lopane, RLA

Title: Director of Development II - PRC Planni

Department: Parks, Recreation & Conservation

Date: 4/16/25

Reviewed By: *[Signature]*

04/17/25
EW/MP


Budget Director

Date: 4/17/25



Memorandum
Department of Planning

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: April 11, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RBR07 BRONX RIVER PATHWAY RECONSTRUCTION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 03/25/2025 (Unique ID: 2897)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

COMMENTS: The current request is for design only.

DSK/oav

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. 109 - 2025

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED DECEMBER 7, 2021 AND AMENDED ON DECEMBER 11, 2023, AND FURTHER AMENDED ON OCTOBER 21, 2024 IN RELATION TO THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE BRONX RIVER RESERVATION PATHWAY, AT THE MAXIMUM ESTIMATED COST OF \$9,430,000. (Adopted 06/02 , 2025).

WHEREAS, this Board has heretofore duly authorized the issuance of \$8,730,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the reconstruction of the Bronx River Pathway, pursuant to Act No. 219-2021 duly adopted on December 7, 2021, as amended by Bond Act 248-2023 duly adopted on December 11, 2023 and further amended by Bond Act 225-2024 duly adopted on October 21, 2024; and

WHEREAS, it has been determined that additional funds are required for to pay for the cost of the Project, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such planning, now therefore

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section (A). The bond act duly adopted by this Board on December 7, 2021 and amended on December 11, 2023 further amended on October 21, 2024, entitled:

“ACT NO. 225-2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$8,730,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE BRONX RIVER RESERVATION PATHWAY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$8,730,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$8,730,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$9,430,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE BRONX RIVER RESERVATION PATHWAY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,430,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$9,430,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 06/02 , 2025)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto; \$9,430,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning, construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site work, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$9,430,000. The plan of financing includes the issuance of \$9,430,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$9,430,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends

to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$9,430,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$9,430,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit

of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

Section (B). The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

Section (C). This Act shall take effect in accordance with Section 107.21 of the Westchester County Charter.

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CAPITAL PROJECT FACT SHEET

Project ID:*
RBR07

☐ CBA

Fact Sheet Date:*
03-19-2025

Fact Sheet Year:*
2025

Project Title:*
BRONX RIVER PATHWAY
RECONSTRUCTION

Legislative District ID:
3, 10, 5,

Category*
RECREATION FACILITIES

Department:*
PARKS, RECREATION &
CONSERVATION

CP Unique ID:
2897

Overall Project Description

This project will reconstruct approximately 10 miles of asphalt pathway from Kensico Dam Plaza to Greenacres Avenue and Crane Road to Scout Field. The project will also include reconstruction of just over 1 mile of stone dust pathway, pedestrian footbridge renovations, crosswalk improvements, fencing and guiderail improvements, culvert replacement, swale construction, stone masonry, signage, benches and associated site work and landscaping.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	18,630	8,730	700	0	9,200	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	18,630	8,730	700	0	9,200	0	0	0

Expended/Obligated Amount (in thousands) as of : 495

Current Bond Description: This request will fund design for the reconstruction of the Bronx River Pathway from Crane Road South to Scout Field.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	700,000
Cash:	0
Total:	\$ 700,000

SEQR Classification:

TYPE II

Amount Requested:

700,000

Expected Design Work Provider:

- ☒ County Staff ☐ Consultant ☐ Not Applicable

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,800,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2024	6,930,000	FUNDS PHASE I CONSTRUCTION

Total Appropriation History:

8,730,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	219	0		0 BRONX RIVER PATHWAY RECONSTRUCTION
23	248	0	0	
24	224	0	0	
24	225	8,730,000	0	

Total Financing History:

8,730,000

Recommended By:**Department of Planning**

MLLL

Date

03-25-2025

Department of Public Works

RJB4

Date

03-26-2025

Budget Department

DEV9

Date

03-28-2025

Requesting Department

RCL3

Date

03-28-2025

BRONX RIVER PATHWAY RECONSTRUCTION (RBR07)

User Department : Parks, Recreation & Conservation

Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project has historical implications. Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029	Under Review
Gross	18,630	8,730	486	700		9,200			
Non County Share									
Total	18,630	8,730	486	700		9,200			

Project Description

This project will reconstruct approximately 10 miles of asphalt pathway from Kensico Dam Plaza to Greenacres Avenue and Crane Road to Scout Field. The project will also include reconstruction of just over 1 mile of stone dust pathway, pedestrian footbridge renovations, crosswalk improvements, fencing and guiderail improvements, culvert replacement, swale construction, stone masonry, signage, benches and associated site work and landscaping.

Current Year Description

The current year request funds Phase 2 design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	700,000			700,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2022	1,800,000	Design, construction and construction management	DESIGN
2024	6,930,000	Funds Phase 1 construction	DESIGN
Total	8,730,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	8,730,000		8,730,000
Total	8,730,000		8,730,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
219 21				
248 23				
224 24				
225 24	8,730,000			8,730,000
Total	8,730,000			8,730,000

430 STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on June 2, 2025 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
May 28, 2025

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

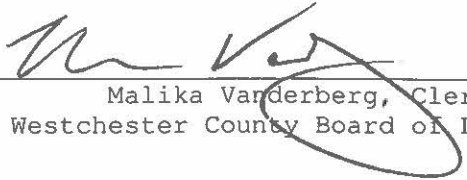
Designated Location(s)
of posted notice

Date of Posting
May 28, 2025

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on June 3, 2025.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Vedat Gashi
Legislator Judah Holstein
Legislator David Imamura
Legislator James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
Legislator Colin Smith
Legislator David Tubiolo
Legislator Emiljana Ulaj
Legislator Shanae Williams
Legislator Jewel Williams-Johnson
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

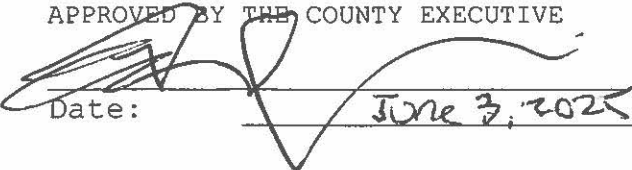
Legislator Margaret Cunzio

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE

Date:


June 3, 2025

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 109 - 2025, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on June 2, 2025, and approved by the County Executive on June 3, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 3rd day of June, 2025.

Malika Vanderberg

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

