

November 13, 2023

TO: Hon. Vedat Gashi, Chair
Hon. Nancy Barr, Vice Chair
Hon. Jose Alvarado, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer
Westchester County Executive



RE: Message Requesting Immediate Consideration: **CBA & Bond Act –
RMAC4 – Woodlands Lake Dam, V.E Macy Park.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 13, 2023 Agenda.

Transmitted herewith for your review and approval is an Act to amend the County of Westchester's (the "County") current-year capital budget (the "Capital Budget Amendment"), as well as a related bond act (the "Amended Bond Act,"), which, if adopted, would authorize the County to issue an additional \$3,000,000 in bonds to finance the following capital project: RMAC4.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 13, 2023 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

November 6, 2023

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act to amend the County of Westchester's (the "County") current-year capital budget (the "Capital Budget Amendment"), as well as a related bond act (the "Amended Bond Act,"), which, if adopted, would authorize the County to issue an additional \$3,000,000 in bonds to finance the following capital project:

RMAC4 – Woodlands Lake Dam at V.E. Macy Park ("RMAC4").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for RMAC4 by \$3,000,000. The Department of Parks, Recreation & Conservation (the "Department") has advised that the Capital Budget Amendment is required to fund the increased construction costs associated with this project.

The Amended Bond Act, in the total amount of \$8,000,000, which includes \$5,000,000 in previously authorized bonds of the County, would finance additional construction costs associated with modifications to the pedestrian footbridge foundation, earthwork operations and site utility changes. The Department has advised that the existing stone masonry dam structure which was intended to serve as the foundation for the new pedestrian bridge structure was deemed unsuitable to support the new pedestrian bridge. New reinforced concrete footings, piers and abutments are needed to support the new bridge structure. Additional excavation of sediment and filling of suitable backfill materials are needed to meet design elevations and to stabilize the edges of the new stone channel. Existing utility lines and structures could not be reused as initially intended and are in need of replacement.

The design work was completed by a consultant and the project is currently in construction. It is anticipated that the additional construction work will take approximately six (6) months to complete and will begin after award and execution of the construction contracts.

Office of the County Executive
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Telephone: (914)995-2900

Website: WestchesterCountyNY.gov

It should be noted that your Honorable Board has previously authorized the County to issue bonds which financed this project, as follows: Bond Act No. 64 -2021 in the amount of \$5,000,000 which funded the cost of removing a portion of the existing Woodlands Lake Dam at V. E. Macy Park in Ardsley, stabilizing and reconstructing the river adjacent to the dam, replacing the bridge and railing, as well as associated infrastructure and site work. Of the \$5,000,000 in bonds authorized under Bond Act No. 64 -2021, \$589,088 have been issued.

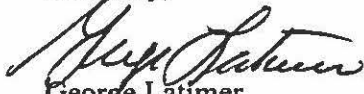
Accordingly, it is now requested that Bond Act No. 64-2021 be amended to increase the amount authorized thereunder by an additional \$3,000,000, from an amount of \$5,000,000, to a new amount of \$8,000,000, to finance the additional construction costs associated with this project.

The Planning Department has advised that based on its review, RMAC4 was previously reviewed by the County Board of Legislators, which classified the project as a Type I action under SEQR. In accordance with SEQR, a Full Environmental Assessment Form was prepared and, on April 26, 2021, a Negative Declaration was issued by the Board of Legislators (Resolution 89-2021). Since the current request is for an increase in funding to address issues encountered during construction due to unforeseen existing field conditions but the overall scope of work remains the same, the original Negative Declaration remains valid and no further environmental review is required.

Furthermore, the Planning Department has advised that the Planning Board has previously reviewed RMAC4 and issued a report, and that since there are no changes to the physical planning aspects of this project, no further action by the Planning Board is necessary at this time.

Based on the importance of this project to the County, favorable action on the proposed Capital Budget Amendment and Amended Bond Act is respectfully requested.

Sincerely,



George Latimer
County Executive

GL/KOC/cmc
Attachments

**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 act, which, if adopted, will amend the County’s current-year capital budget (the “Capital Budget Amendment”), as well as adoption of a related bond act (the “Amended Bond Act”) in the amount of \$3,000,000, to finance capital project RMAC4– Woodlands Lake Dam at V.E. Macy Park (“RMAC4”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for RMAC4 by \$3,000,000. The Department of Parks, Recreation & Conservation (the “Department”) has advised that the Capital Budget Amendment is required to finance the increased construction costs associated with this project.

The Amended Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, LLP, in the total amount of \$8,000,000, which includes \$5,000,000 in previously authorized bonds of the County, would finance additional construction costs associated with modifications to the pedestrian footbridge foundation, earthwork operations and site utility changes. The Department has advised that the existing stone masonry dam structure which was intended to serve as the foundation for the new pedestrian bridge structure was deemed unsuitable to support the new pedestrian bridge. New reinforced concrete footings, piers and abutments are needed to support the new bridge structure. Additional excavation of sediment and filling of suitable backfill materials are needed to meet design elevations and to stabilize the edges of the new stone channel. Existing utility lines and structures could not be reused as initially intended and are in need of replacement.

Your Committee is advised that the design work was completed by a consultant and the project is currently in construction. It is anticipated that the additional construction work will take approximately six (6) months to complete and will begin after award and execution of the construction contracts.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds which financed this project, as follows: Bond Act No. 64 -2021 in the amount of \$5,000,000 which funded the cost of removing a portion of the existing Woodlands Lake Dam at V. E. Macy Park in Ardsley, stabilizing and reconstructing the river adjacent to the dam, replacing the bridge and railing, as well as associated infrastructure and site work. Of the \$5,000,000 in bonds authorized under Bond Act No. 64 -2021, \$589,088 have been issued. Accordingly, it is now requested that Bond Act No. 64-2021 be amended to increase the amount authorized by an additional \$3,000,000, from an amount of \$5,000,000, to a new amount of \$8,000,000, to finance the additional construction costs associated with this project.

The Planning Department has advised your Committee that based on its review, RMAC4 was previously reviewed by the County Board of Legislators, which classified the project as a Type I action under SEQR. In accordance with SEQR, a Full Environmental Assessment Form was prepared and, on April 26, 2021, a Negative Declaration was issued by the Board of Legislators (Resolution 88-2021). Since the current request is for an increase in funding to address issues encountered during construction due to unforeseen existing field conditions but the overall scope of work remains the same, the original Negative Declaration remains valid and no further environmental review is required.

The Planning Department has also advised your Committee that the Planning Board has previously reviewed RMAC4 and issued a report, and that since there are no changes to the physical planning aspects of this project, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed

Acts, noting that the Amended Bond Act may only be enacted following adoption of the Capital Budget Amendment. It should also be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Amended Bond Act.

Dated: _____, 2023
White Plains, New York

COMMITTEE ON
C:cmc/11.06.2023

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RMAC4

☐ 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 \$ 8,000,000 PPU 30 Anticipated Interest Rate 4.55%

Anticipated Annual Cost (Principal and Interest): \$ 460,951

Total Debt Service (Annual Cost x Term): \$ 13,828,538

Finance Department: maab 11-8-23

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: 87

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Robert C. Lopane

Title: Program Coordinator-Capital Planning

Department: Public Works & Transportation

Date: 11/8/23


Reviewed By: 

01/11/23

Budget Director

Date: 11/8/23

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: November 1, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT
RMAC4 WOODLANDS LAKE DAM AT V.E. MACY PARK**

The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 2397) in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

This project was previously reviewed by the Westchester County Board of Legislators, which classified the project as a Type I action under SEQR. In accordance with SEQR, a Full Environmental Assessment Form was prepared and, on April 26, 2021, a Negative Declaration was issued by the Board of Legislators (Resolution 89-2021). The current request is for an increase in funding to address issues encountered during construction due to unforeseen existing field conditions. The overall scope remains the same; as such, the original Negative Declaration remains valid and no further environmental review is required.

Please do not hesitate to contact me if you have any questions regarding this matter.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Blanca P. Lopez, Commissioner of Planning
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Dianne Vanadia, Associate Budget Director
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Blanca P. López

Date: November 2, 2023



RE: **Capital Budget Amendment –
RMAC4 Woodlands Lake Dam at V.E Macy Park**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project RMAC4 Woodlands Lake Dam at V.E Macy Park includes rebuilding existing masonry, bridge structure repairs, repointing and grouting, installation of shot-crete, concrete and reinforcement bars, waterproofing, railing replacement, paving, and other site work and safety item installation. The capital budget amendment will fund the additional costs associated with modifications to the pedestrian footbridge foundation, earthworks, and site utilities. The existing dam structure was deemed to be unsuitable to support the pedestrian bridge and new footings, piers and abutments are needed, as well as additional stabilization and replacement of utilities.

A Capital Budget Amendment in the amount of \$3,000,000 is being requested to provide additional funding to address increased costs due to existing site conditions. This project was classified as a PL2, a project with physical planning aspects by the Planning Board in the 2017 Report on the Capital Project Requests adopted July 12, 2016.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: David S. Kvinge, Assistant Commissioner
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Douglas Wessells, Planner

An Act amending the 2023 County
Capital Budget Appropriations for
Capital Project RMAC4 Woodlands
Lake Dam at V.E. Macy Park

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2023 County Budget is hereby amended as follows:

	Previous 2023 Appropriation	Change	Revised 2023 Appropriation
I. Appropriation	\$5,000,000	\$3,000,000	\$8,000,000

Section 2. The estimated method of financing in the Capital Section of the 2023 Westchester County Capital Budget is amended as follows:

II. METHOD OF
FINANCING

Bonds and/or Notes	\$5,000,000	\$3,000,000	\$8,000,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$5,000,000	\$3,000,000	\$8,000,000

Section 3. The ACT shall take effect immediately.