



Committee Chair: Erika Pierce

800 Michaelian Office Bldg. 148 Martine Avenue, 8th Floor White Plains, NY 10601 www.westchesterlegislators.com

Monday, September 29, 2025

10:00 AM

Committee Room

Joint with B&A and PE

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website:

https://westchestercountyny.legistar.com/ This website also provides links to materials for all matters to be discussed at a given meeting.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. <u>2025-350</u> <u>BOND ACT-BLA1A-2944-Parkland and Historical Preservation</u>
Program

A BOND ACT authorizing the issuance of TWO MILLION, FIVE HUNDRED FIFTY THOUSAND (\$2,550,000) DOLLARS in bonds of Westchester County to finance Capital Project BLA1A - Parkland and Historical Preservation Program.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PARKS & ENVIRONMENT AND PUBLIC WORKS & TRANSPORTATION

Joint with PE and B&A

Guests: Planning Department
Chief Planner Susan Darling
Program Administrator Leonard Gruenfeld
Associate Planner Obed Varughese
Assistant Commissioner David Kvinge

Director of Countywide Administrative Services Chris Steers

2. <u>2025-351</u> <u>ACT-Purchase of 230 and 224 White Plains Road,</u> Tuckahoe-BLA1A-2944

AN ACT authorizing the County of Westchester to purchase two (2) parcels of real property located at 230 and 224 White Plains Road in Tuckahoe, New York.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PARKS & ENVIRONMENT AND PUBLIC WORKS & TRANSPORTATION

Joint with PE and B&A

Guests: Planning Department
Chief Planner Susan Darling
Program Administrator Leonard Gruenfeld
Associate Planner Obed Varughese
Assistant Commissioner David Kvinge

Director of Countywide Administrative Services Chris Steers

3. 2025-365 BOND ACT-BPL37-NHLA-632-636 South Broadway, Yonkers

A BOND ACT (A New Homes Land Acquisition Bond Act "NHLA") authorizing the issuance of FIVE MILLION, NINE HUNDRED THOUSAND (\$5,900,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL37.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, HOUSING & PLANNING AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A

Guests: Planning Department
Chief Planner Susan Darling
Program Administrator Leonard Gruenfeld
Associate Planner Obed Varughese
Assistant Commissioner David Kvinge

4. 2025-366 ACT-Land Acquisition-632-636 South Broadway, Yonkers

AN ACT authorizing the County of Westchester to purchase approximately +/- 16,640 square feet of real property located at 632-636 South Broadway in the City of Yonkers and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of contracting a new building with 160 affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, HOUSING & PLANNING AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A

Guests: Planning Department
Chief Planner Susan Darling
Program Administrator Leonard Gruenfeld
Associate Planner Obed Varughese
Assistant Commissioner David Kvinge

5. <u>2025-367</u> <u>BOND ACT-BPL1A-Infrastructure Improvements-632-636 South Broadway, Yonkers</u>

A BOND ACT authorizing the issuance of FOUR MILLION, FIFTY THOUSAND (\$4,050,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL1A.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, HOUSING & PLANNING AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A
Guests: Planning Department
Chief Planner Susan Darling
Program Administrator Leonard Gruenfeld
Associate Planner Obed Varughese
Assistant Commissioner David Kvinge

6. <u>2025-368</u> <u>ACT-IMDA-Yonkers & Macquesten Development, LLC-632-636</u> <u>South Broadway, Yonkers</u>

AN ACT authorizing the County of Westchester (the "County") to enter into an inter-municipal developer agreement with the City of Yonkers and Macquesten Development LLC, its successors or assigns, or any entity created to carry out the purposes of the transaction in order to fund certain infrastructure improvements and authorizing the County to grant and accept any property rights necessary in furtherance thereof, all for the purpose of constructing 160 affordable rental units that will affirmatively further fair housing at 632-636 South Broadway in the City of Yonkers and remain affordable for a period of not less than 50 years. COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, HOUSING & PLANNING AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A

Guests: Planning Department
Chief Planner Susan Darling
Program Administrator Leonard Gruenfeld
Associate Planner Obed Varughese
Assistant Commissioner David Kvinge

7. <u>2025-376</u> <u>CBA-BPL46-Glenview Mansion Improvements</u>

AN ACT amending the 2025 County Capital Budget Appropriations for Capital Project BPL46 - Glenview Mansion Improvements.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A

Guests: Planning Department Chief Planner Susan Darling Program Administrator Leonard Gruenfeld Associate Planner Obed Varughese Assistant Commissioner David Kvinge

Law Department Associate County Attorney Rachel Noe

8. <u>2025-377</u> BOND ACT-BPL46-Glenview Mansion Improvements

A BOND ACT authorizing the issuance of ONE MILLION, ONE HUNDRED FORTY-THREE THOUSAND (\$1,143,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL46 - Glenview Mansion Improvements.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A
Guests: Planning Department
Chief Planner Susan Darling
Program Administrator Leonard Gruenfeld
Associate Planner Obed Varughese
Assistant Commissioner David Kvinge

Law Department Associate County Attorney Rachel Noe

9. <u>2025-378</u> PH-Third Amendment to IMA-Yonkers-BPL46

A RESOLUTION to set a Public Hearing on "A LOCAL LAW authorizing the County of Westchester to enter into the Third Amendment to the intermunicipal agreement with the City of Yonkers concerning the Hudson River Museum Component of the Revised JFK Project to increase the County's contribution and the City's contribution for the Hudson River Component of the Revised JFK Project and extend the term of the lease from the City of the property, which is located along the northern portion of the City's waterfront at and adjacent to Trevor Park and the JFK Marina, for a period of at least the life of any County bonds issued to finance the Capital Project BPL46 - Glenview Mansion Improvements." [Public Hearing set for ________, 2025 at _________.m.]. LOCAL LAW INTRO: 2025-379.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A

Guests: Planning Department Chief Planner Susan Darling Program Administrator Leonard Gruenfeld Associate Planner Obed Varughese Assistant Commissioner David Kvinge

Law Department Associate County Attorney Rachel Noe

10. 2025-379 LOCAL LAW-Third Amendment to IMA-Yonkers-BPL46

A LOCAL LAW authorizing the County of Westchester to enter into the Third Amendment to the intermunicipal agreement with the City of Yonkers concerning the Hudson River Museum Component of the Revised JFK Project to increase the County's contribution and the City's contribution for the Hudson River Component of the Revised JFK Project and extend the term of the lease from the City of the property, which is located along the northern portion of the City's waterfront at and adjacent to Trevor Park and the JFK Marina, for a period of at least the life of any County bonds issued to finance the Capital Project BPL46 - Glenview Mansion Improvements.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A

Guests: Planning Department
Chief Planner Susan Darling
Program Administrator Leonard Gruenfeld
Associate Planner Obed Varughese
Assistant Commissioner David Kvinge

Law Department Associate County Attorney Rachel Noe

11. <u>2025-340</u> <u>BOND ACT-BPL26-2943-Flood Mitigation</u>

A BOND ACT authorizing the issuance of FOUR HUNDRED FIFTY THOUSAND (\$450,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL26 - Flood Mitigation.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS AND TRANSPORTATION

Joint with B&A

Guests: Planning Department
Chief Planner Susan Darling
Program Administrator Leonard Gruenfeld
Associate Planner Obed Varughese
Assistant Commissioner David Kvinge

12. <u>2025-341</u> IMA-Flood Mitigation-BPL26-2943-Greenburgh

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Town of Greenburgh in connection with a flood mitigation project - Capital Project BPL 26 - Unique ID #2943.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS AND TRANSPORTATION

Joint with B&A

Guests: Planning Department Chief Planner Susan Darling Program Administrator Leonard Gruenfeld Associate Planner Obed Varughese Assistant Commissioner David Kvinge

- II. OTHER BUSINESS
- III. RECEIVE & FILE

ADJOURNMENT



Kenneth W. Jenkins County Executive

August 1, 2025

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 consideration is an act (the "Act") which, if approved, would authorize the County of Westchester (the "County") to purchase two (2) parcels of real property located at 230 and 224 White Plains Road in Tuckahoe, New York. The properties, identified by tax map designation as Section 31, Block 3, Lot 13, and Section 31, Block 3, Lot C, respectively, consist of a two family dwelling, commonly known as the "Ward House", and a vacant residentially-zoned lot, adjacent to the dwelling. The Ward House, which dates back to the Revolutionary War, and the adjacent lot, will both be purchased as parkland.

I am also transmitting a proposed bond act (the "Bond Act") to authorize the issuance of up to \$2,550,000.00 in County bonds under capital project BLA1A – Parkland and Historical Preservation Program. The Bond Act will finance the \$980,000.00 purchase price of the two properties and associated costs, including closing costs and an environmental site assessment. Bond proceeds will also be used for design and construction costs associated with the renovation of the Ward House building and property, including site work and landscaping.

In compliance with Section 191.41 of the Laws of Westchester County ("LWC"), the required report of the Planning Commissioner in support of this property acquisition is attached herewith. In addition, pursuant to LWC Section 167.131, on June 3, 2025, the Westchester County Planning Board issued its report on the 2025 Capital Requests to designate this property for parkland acquisition and use \$2,550,000.00 from funds appropriated from capital project BLA1A Parkland and Historical Preservation Program, for the property purchases and related expenses described above. Accordingly, the necessary Planning Board report is herewith attached.

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

Kenneth W. Jenkins

Westchester County Executive

KWJ/BL/jpg

Michaelian Office Building 148 Martine Avenue White Plains, New York 10601

Telephone: (914) 995-2900

HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of a communication from the County Executive wherein he requests that your Honorable Board adopt the attached act (the "Act") that would authorize the County of Westchester to purchase two (2) parcels of real property located at 230 and 224 White Plains Road in Tuckahoe, New York. The properties, identified by tax map designation as Section 31, Block 3, Lot 13, and Section 31, Block 3, Lot C, consist of a two family dwelling, commonly known as the "Ward House", and a vacant residentially-zoned lot, adjacent to the dwelling. The Ward House, which dates back to the Revolutionary War, and the adjacent lot, will both be purchased as parkland.

The County Executive also requests the adoption of a bond act (the "Bond Act"), prepared by the law firm of Hawkins Delafield and Wood, LLP, that would authorize the issuance of up to \$2,550,000.00 in County bonds under capital project BLA1A – Parkland and Historical Preservation Program. The Bond Act will finance the \$980,000.00 purchase price of the two properties and associated costs, including closing costs and an environmental site assessment. Bond proceeds will also be used for design and construction costs associated with the renovation of the Ward House building and property, including site work and landscaping.

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

In compliance with Section 191.41 of the Laws of Westchester County ("LWC"), the required report of the Planning Commissioner in support of this land acquisition is attached herewith. In addition, pursuant to LWC Section 167.131, on June 3, 2025, the Westchester County Planning Board issued its report on the 2025 Capital Requests to designate these properties for parkland acquisition and use \$2,550,000.00 from funds appropriated from capital project BLA1A Parkland and Historical Preservation Program for the land purchases and related expenses described above. Accordingly, the necessary Planning Board report is herewith attached.

Your Committee is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Act to authorize the purchase of the properties, as well as to adopt the related Bond Act.

Your Committee has carefully considered the proposed Act and the related Bond Act, and recommends approval of both Acts.

Dated:

,2025

White Plains, New York

COMMITTEE ON

c/jpg 07-10-25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	: BLA1A	NO FISCAL IMPACT PROJECTED							
	SECTION A - CAPITAL BUT To Be Completed by								
X GENERAL FUND	AIRPORT FUND	SPECIAL DISTRICTS FUND							
	Source of County Funds (check one):	X Current Appropriations							
		Capital Budget Amendment							
WARD HOUSE 230 V	WPR								
	SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance								
Total Principal	\$ 680,000 PPU	15 Anticipated Interest Rate 3.59%							
Anticipated An	nual Cost (Principal and Interest):	\$ 59,696							
Total Debt Service (Annual Cost x Term): \$ 895,440									
Finance Depart	ment: Interest rates from Bond Buy	ver 8/1/2025 - ASBA							
SE	ECTION C - IMPACT ON OPERATING BUD								
	To Be Completed by Submitting Departme	ent and Reviewed by Budget							
Potential Relate	ed Expenses (Annual): \$	E							
Potential Relate	ed Revenues (Annual): \$	-							
Anticipated sav	rings to County and/or impact of departr	ment operations							
(describe in de	tail for current and next four years):								
-	-								
	SECTION D - EMPLO	DYMENT							
As	per federal guidelines, each \$92,000 of a	appropriation funds one FTE Job							
Number of Full	Time Equivalent (FTE) Jobs Funded:								
Prepared by:	Susan Darling	- 1 1 10 -							
Title:	Chief Planner	Reviewed By: Charles languaty							
Department:	Planning	NV6.4.75 Budget Director							
Date:	8/1/25	Date: 8 4 25							

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	:BLA1A	NO FISCAL IMPACT PROJECTED						
	SECTION A - CAPITAL BUI To Be Completed by	Vinc. 45						
X GENERAL FUNI		SPECIAL DISTRICTS FUND						
1	Source of County Funds (check one):	X Current Appropriations						
WARD HOUSE 224	WPR	Capital Budget Amendment						
	SECTION B - BONDING AUT	THORIZATIONS						
	To Be Completed by							
Total Principal	\$ 610,000 PPU	30 Anticipated Interest Rate 4.61%						
Anticipated An	nnual Cost (Principal and Interest):	\$ 38,233						
Total Debt Serv	Total Debt Service (Annual Cost x Term): \$ 1,146,990							
Finance Depart	tment: Interest rantes from Bond Bu	yer - 8/1/2025 - ASBA						
S	ECTION C - IMPACT ON OPERATING BUD							
	To Be Completed by Submitting Departme	ent and Reviewed by Budget						
Potential Relat	ted Expenses (Annual): \$							
Potential Relat	ted Revenues (Annual): \$	*						
70	vings to County and/or impact of departr	ment operations						
(describe in de	etail for current and next four years):							
I.								
As	SECTION D - EMPLO per federal guidelines, each \$92,000 of a							
	Time Equivalent (FTE) Jobs Funded:	ppi opilation rando dilevi 2000						
Prepared by:	Susan Darling	AL 1 - 0						
Title:	Chief Planner	Reviewed By:						
Department:	Planning	OV8,478 Budget Director						
Date:	8/1/25	Date: 8 4 25						

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:BLA1A	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUI	
	To Be Completed by	Budget
X GENERAL FUN	AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
		Capital Budget Amendment
WARD HOUSE IMP	ROVEMENTS	
	SECTION B - BONDING AUT	
	To Be Completed by I	Finance
Total Principa	1,260,000 PPU	10 Anticipated Interest Rate 3.10%
Anticipated A	nnual Cost (Principal and Interest):	\$ 148,741
Total Debt Sei	rvice (Annual Cost x Term):	\$ 1,487,410
Finance Depar	rtment: Interest rates from Bond Buye	er 8/1/2025 - ASBA
	SECTION C - IMPACT ON OPERATING BUDG	NO. SEC. A SECRETARIA DE ANTIGO E SERVICIO DE PROCESSOR DE LA CONTRACTOR D
	To Be Completed by Submitting Departme	ent and Reviewed by Budget
Potential Rela	ated Expenses (Annual): \$	-
Potential Rela	ited Revenues (Annual): \$	*
Anticipated sa	avings to County and/or impact of departm	nent operations
1000	etail for current and next four years):	
v.*	STATE COMMISSION OF THE PROPERTY OF THE PROPER	
	SECTION D - EMPLO	VAACAIT
A	s per federal guidelines, each \$92,000 of a	
Number of Fu	ll Time Equivalent (FTE) Jobs Funded:	14
Prepared by:	Susan Darling	A
Title:	Chief Planner	Reviewed By: White Cary
Department:	Planning	Budget Director
Date:	8/1/25	Date: 814 25



TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney Carla Chaves, Senior Assistant County Attorney Maximilian Zorn, Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

June 17, 2025

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

BLA1A PARKLAND AND HISTORICAL PRESERVATION PROGRAM

(Ward House, Tuckahoe)

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

06-09-2025 (Unique ID: 2944)

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)(2): replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;
- 617.5(c)(8): maintenance of existing landscaping or natural growth;
- 617.5(c)(39): an agency's acquisition and dedication of 25 acres or less of land for parkland, or dedication of land for parkland that was previously acquired, or acquisition of a conservation easement.

COMMENTS: None.

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

Blanca P. Lopez, Commissioner of Planning

Dianne Vanadia, Associate Budget Director

Susan Darling, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Principal Environmental Planner



Kenneth W. Jenkins, Co Blanca P. Lopez, Comm Department of Planning

Memorandum Department of Planning

TO: Honorable Ken Jenkins

County Executive

FROM: Blanca P. Lopez, M.S.

Commissioner

DATE: July 3, 2025

SUBJECT: Acquisition of the Ward House and adjacent parcel, 230 and 224 White

Plains Road, Tuckahoe, NY.

Pursuant to Section 191.41 of the Laws of Westchester County ("LCWC"), this is the required report of the Commissioner of Planning on the proposed acquisition of the Ward House located at 230 White Plains Road and the adjacent vacant parcel located at 224 White Plains Road in the Village of Tuckahoe, New York. Currently, both properties are privately owned and identified as Section: 31, Block 3, Lot 13, and Section 31, Block 3, Lot C, respectively, on the tax maps of the Village of Tuckahoe. The Ward House has an area of 0.27 acres, and the vacant lot has an area of .15 acres.

The County will acquire these properties to designate them as parkland in order to protect and preserve their historic significance in Westchester County. The Ward House is a historic Revolutionary War-era house which once it is renovated by the County, will provide educational opportunities to offer a deeper understanding of our local and national history associated with this era.

The County Planning Board, pursuant to Section 167.131 of the County Charter, at their regular monthly meeting of June 3, 2025, amended its report on the 2025 Capital Budget, to designate this property for parkland acquisition and use \$2,550,000 from already appropriated funds from capital project BLA1A Parkland and Historical Preservation Program for the acquisition and renovation of the Ward House building and adjacent property.

Based on this record, I have no objection to the acquisition of these two properties known on the tax roll as 230 and 224 White Plains Road in the Village of Tuckahoe.

cc: John Nonna, County Attorney

Tami Altschiller, Deputy County Attorney Christopher Steers, Director of Real Estate Peter Tartaglia, First Deputy Commissioner

Susan Darling, Chief Planner Michael Lipkin, Associate Planner

BLA1A Parkland and Historical Preservation Program

Ward House Purchase and Improvements

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Approp- riated	2025	2026	2027	2028	2029	Under Review
Gross Less non-County	42,777	37,727						5,000
Shares Net	42,777	37,727						5,000

Project Description

This project continues Capital Project BLA01 Parkland Acquisition/Westchester Legacy Program. The Legacy Program is designed to aggressively pursue land acquisition for three major objectives:

- 1. Purchase parkland for active recreation such as baseball and soccer fields, trails and bike paths.
- 2. Preserve green space, protect natural habitats and protect rivers, streams, and lakes.
- 3. Preserve land for historic preservation and protection of our cultural landscape.

BLA1A Parkland and Historical Preservation Program is a general fund capital program which require a capital budget amendment when specific project site locations are identified.

The Ward House Purchase and Improvements project will utilize previously appropriated funds in **BLA1A**Parkland and Historical Preservation Program for the acquisition of the Ward House located at 230

White Plains Road (Section 31, Block 3, Lot 13) and the adjacent vacant parcel located at 224 White

Plains Road (Section 31, Block 3, Lot C) in the Village of Tuckahoe, New York. Funding will go toward

purchase of the building and parcels and associated costs including environmental site assessments. In

addition, funding will go toward the design and construction of the renovation of the Ward House building

including site work and landscaping. The house and property will be designated as parkland.

Appropriations/Requests

2020:	Funding for acquisition of properties for parkland and historic preservation (\$1,000,000)
2021:	Creation of a new park in Ludlow Park, Yonkers (\$10,000,000); 4th Street Playground, Mt.
	Vernon (\$2,000,000); RiverWalk Improvements, Yonkers (\$5,000,000)
2022:	Funding for environmental reviews for the design and construction of RiverWalk trail
	connections in Tarrytown (\$1,300,000)
2023:	Funding for a True Linear RiverWalk Park in Yonkers (\$5,000,000) and Flint Park Turf
	Field, Larchmont (\$1,000,000), Habirshaw County Park (2020 appropriations)
2024:	\$1,000,000 for Improvements to RiverWalk in Tarrytown. BOL add of \$2,000,000 for
	Silliman Park in Ardsley, BOL add of \$427,000 for Rye Town Interior Bathhouse,
	\$500,000 was added for general purposes and cost inflation
2025:	\$2,000,000 for the construction and CM of the Habirshaw County Park; \$3,000,000 for
	the construction and CM of improvements to RiverWalk in the Village of Tarrytown;
	\$100,000 for the acquisition of 311 Welcher Avenue, City of Peekskill from previously
	appropriated funds; BOL add of \$3,000,000 for Mount Vernon 4th Street Park Legacy
	Project; BOL add of \$2,550,000 for Ward House Purchase and Restoration, Village of
	Tuckahoe
Under Review:	\$5,000,000 additional funding for parkland preservation

Justification

The Westchester County park and open space system has contributed greatly to the quality of life in the County. Municipal officials and residents throughout Westchester have indicated that open space preservation remains a top priority. The acquisition and protection of lands for environmental protection helps to build on this legacy. The County has played an important role in expanding opportunities for active recreation; traditionally it was municipalities and school districts that developed athletic fields.

The 1999 Open Space Policies were adopted by both the Planning and Parks Boards. These policies have goals for a continued County park and open space acquisition program that includes:

- 1. Provision of opportunities for active and passive recreation, with emphasis on locations close to concentrations of the County's population;
- 2. Establishment of a series of open space linkages to provide a connected system of parklands;
- 3. Preservation of significant amounts of the Hudson River waterfront;
- 4. Protection of environmentally significant properties; and
- 5. Preservation of properties considered to be of historic significance.

Consistency with Programs or Plans

The project is consistent with the policies of *Westchester 2025*, the County's long-range land use policies, and the 1999 Open Space Polices in that it supports open space preservation, provides opportunities for active and passive recreation, promotes open space linkages, preserves environmentally significant properties and helps preserve properties considered to be of historic significance.

Planning Board Analysis

PL2: The Planning Board supports this project to improve parkland and recreational opportunities in the densely populated Village of Port Chester. The Planning Board supports projects with the goal to keep park facilities in a well-maintained state. Performing physical improvements on a priority basis reflects a comprehensive approach to undertaking capital improvements.

As per Westchester County policy, stormwater management must be addressed with every capital project. Designs should comply with the NYS Stormwater Management Design Manual and the NYS Standards and Specifications for Erosion and Sediment Control.

REFERENCE: BLA1A

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,550,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ACQUISITION OF THE WARD HOUSE LOCATED AT 230 WHITE PLAINS ROAD AND THE ADJACENT PROPERTY LOCATED AT 224 WHITE PLAINS ROAD, IN THE VILLAGE OF TUCKAHOE, FOR HISTORIC PRESERVATION AND THE ESTABLISHMENT OF PARKLAND UNDER THE WESTCHESTER LEGACY PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,550,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,550,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted , 20____)

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 the provisions of other laws applicable thereto, \$2,550,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance acquisition of the Ward House located at 230 White Plains Road (Section 31, Block 3, Lot 13) at the estimated maximum cost of \$680,000; acquisition of the adjacent vacant parcel located at 224 White Plains Road (Section

31, Block 3, Lot C), including related closing costs and site assessment, at the estimated maximum cost of \$610,000; and construction of improvements to the Ward House building and site, including design and related administration, at the estimated maximum cost of \$1,260,000; all for the purpose of historic preservation and the establishment of parkland under the Westchester Legacy Program, 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 \$2,550,000. The plan of financing includes the issuance of \$2,550,000 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 applicable to \$680,000 of said bonds, within the limitations of Section 11.00 a. 11(c) of the Law, is fifteen (15) years; the period of probable usefulness applicable to \$610,000 of said bonds, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years; and the period of probable usefulness applicable to \$1,260,000 of said bonds, within the limitations of Section 11.00 a. 12(a)(3) of the Law, is ten (10) 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 \$2,550,000. 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 \$2,550,000 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.

* * *

STATE OF NEW YORK)	
	: 1	ss.:
COUNTY OF NEW YORK)	
with the original on file in my of the whole of the said original Ac	fice, and the tite, which w	I have compared the foregoing Act No20hat the same is a correct transcript therefrom and of vas duly adopted by the County Board of Legislators 20 and approved by the County Executive
IN WITNESS WE	łereof,	I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of , 20
(SEAL)		The Clerk and Chief Administrative Office of th County Board of Legislators County of Westchester New York

LEGAL NOTICE

A Bond Act, a summary of v	which is published herewith, has been adopted by the Board of
Legislators on,	20 and approved by the County Executive on
, 20 and the va	alidity of the obligations authorized by such Bond Act may be
hereafter contested only if such oblig	gations were authorized for an object or purpose for which the
County of Westchester, in the State	e of New York, is not authorized to expend money or if the
provisions of law which should have	been complied with as of the date of publication of this Notice
were not substantially complied with	n, and an action, suit or proceeding contesting such validity is
	ter the publication of this Notice, or such obligations were
authorized in violation of the provision	ons of the Constitution.
inspection during normal business ho	nd Act summarized herewith shall be available for public burs at the Office of the Clerk of the Board of Legislators of the for a period of twenty days from the date of publication of this
Notice.	
ACT NO20	
, 	
	ISSUANCE OF \$2,550,000 BONDS OF THE COUNTY OF
AND ASSESSMENT ASSESSMENT AND ASSESSMENT OF THE ADDRESSMENT AND ASSESSMENT AS	THEREOF AS MAY BE NECESSARY, TO FINANCE THE
	WARD HOUSE LOCATED AT 230 WHITE PLAINS ROAD
	TY LOCATED AT 224 WHITE PLAINS ROAD, IN THE HISTORIC PRESERVATION AND THE ESTABLISHMENT
· · · · · · · · · · · · · · · · · · ·	
	WESTCHESTER LEGACY PROGRAM, STATING THE THEREOF IS \$2,550,000; STATING THE PLAN OF
	DES THE ISSUANCE OF \$2,550,000 BONDS HEREIN
	G FOR A TAX TO PAY THE PRINCIPAL OF AND
INTEREST ON SAID BONDS (Ado	
	•
	uisition of The Ward House located at 230 White Plains Road lock 3, Lot 13) at the estimated maximum cost of \$680,000;
	the adjacent vacant parcel located at 224 White Plains Road
Sea Sea Sea Segment Control of the C	Block 3, Lot C), including related closing costs and site
	the estimated maximum cost of \$610,000; and construction of
	to the Ward house building and site, including design and
	stration, at the estimated maximum cost of \$1,260,000; all for
	historic preservation and the establishment of parkland under
	er Legacy Program, as set forth in the County's Current Year
Capital Budget	
Amount of abligations to be investigated	
Amount of obligations to be issued	\$690,000, fifteen (15) years
and period of probable usefulness:	\$680,000 - fifteen (15) years
	\$610,000 - thirty (30) years \$1.360,000 - top (10) years
	\$1,260,000 – ten (10) years

Dated:	White Plains, New York	
		Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* BLA1A	⊠ CI	ВА			act Sheet 5-28-202					
Fact Sheet Year:*	Proje	ect Title:*		1	.eoislativ	District	ID:			
2025	PAR	PARKLAND AND HISTORICAL PRESERVATION PROGRAM				Legislative District ID: 10				
Category*	Depa	rtment:*	CP Unique ID:							
BUILDINGS, LAND & MISCELLANEOUS	- 5	NNING			944					
Overall Project Description										
The Legacy Program is designed a purchase parkland for active recrefield initiative is to partner with m funding. The development of Rive Program. A second major objective objective is to preserve land for he Project BLA01 Parkland Acquisit Capital Budget Amendment.	eation such as be nunicipalities of erWalk, the pro- ve is to protect of estoric preserva	aseball and soccer find the acquisition and posed promenade alour County's natural tion and protection of	ields, trail lor develo ong the H habitats a of our cult	ways and opment of udson Riv and protect ural herita	bike path ball fields er, is a ke t rivers, st ge. This p	s. A key c s to maxim ey compon reams and project con	omponent nize availa ent of the lakes. Th ntinues Ca	of the ball ble Legacy e third pital		
■ Best Management Practices	☐ En	ergy Efficiencies		x] Infrastru	cture				
☐ Life Safety	□ Pro	oject Labor Agreeme	ent		Revenue	:				
☐ Security	□ Ot	her								
FIVE-YEAR CAPITAL PROG	RAM (in thou	sands)								
	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review		
Gross	42,777	27,227	10,550	0	0	0	0	5,000		
Less Non-County Shares	0	0	0	0	0	0	0	0		
Net	42,777	27,227	10,550	0	0	0	0	5,000		
Expended/Obligated Amount (in	n thousands) a	s of: 2,413								
Current Bond Description: Thi Road (Section 31, Block 3, Lot 13 in the Village of Tuckahoe, New Vincluding environmental site assess Ward House building and property) and the adjac York. Funding ssments. In add	ent vacant parcel loo will go toward purch ition, funding will g	cated at 22 hase of the o toward t	4 White F building he design	lains Roa and parce and const	d (Section ls and asso ruction of	31, Block ociated con the renov	(3, Lot C) sts ation of the		
Financing Plan for Current Req	uest:									
Non-County Shares:		\$ 0								
Bonds/Notes:		2,550,000								
Cash:		0								
Total:		\$ 2,550,000				<i></i>				
SEQR Classification: TYPE II										
Amount Requested: 2,550,000										
Expected Design Work Provider County Staff	_	nsultant			Not App	licable				
Comments:										
Energy Efficiencies:										

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Appropriation History:

Year	Amount	Description					
2020	1,000,000	FUNDS THIS PROJECT					
2021	17,000,000	LUDLOW PARK (WATER ACCESS PARK), YONKERS, \$10,000,000; 4TH STREET PLAYGROUND, MT. VERNON, \$2,000,000 AND RIVERWALKIMPROVEMENTS, YONKERS, \$5,000,000					
2022	-700,000	DESIGN OF RIVERWALK IMPROVEMENTS IN TARRYTOWN \$1,300,000; 4TH STREET PLAYGROUND MT. VERNON APPROPRIATION REDUCTION (\$2,000,000)					
2023	6,000,000	A TURF FIELD AT FLINT PARK IN LARCHMONT \$1,000,000; A LINEAR PARK EXTENDING NORTH FROM THE YONKERS JOINT WATER RESOURCE RECOVERY FACILTY IN THE LUDLOW SECTION OF YONKERS \$5,000,000.					
2024	3,927,000	FUNDS THE REHABILITATION OF THE EXISTING RIVERWALK IN TARRYTOWN (\$1M) AND PROVIDES ADDITIONAL FUNDS TO THE PROJECT (\$500,000), AS WELL AS FUNDING FOR SILLIMAN PARK UPGRADES IN ARDSLEY (\$2M) AND RYE TOWN PARK BATHHOUSE UPGRADES (\$427,000)					
2025	15,550,000	FUNDS THE CONSTRUCTION OF HABIRSHAW PARK IMPROVEMENTS LOCATED IN THE CITY OF YONKERS (\$2M), THE CONSTRUCTION OF RIVERWALK IMPROVEMENTS LOCATED IN THE VILLAGE OF TARRYTOWN (\$3M), MT. VERNON 4TH STREET PARK IMPROVEMENTS (\$3M), AND WARD HOUSE PURCHASE					

Total Appropriation History:

42,777,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
23	227	200,000		0 PARKLAND AND HISTORICAL PRESERVATION PROGRAM
24	73	1,000,000		0 PARKLAND AND HISTORICAL PRESERVATION PROGRAM - ID # 2434
24	149	270,000		0 RIVERWALK
24	233	100,000		0 311 WELCHER AVE
25	11	427,000		0 RYE TOWN BATHHOUSE
25	61	15,000,000		0 RIVERFRONT PARK CITY OF YONKERS

Total Financing History:

16,997,000

Recommended By:

Department of Planning Date MLLL 06-09-2025 **Department of Public Works** Date RJB4 06-10-2025 **Budget Department** Date DEV9 06-10-2025 **Requesting Department** Date MLLL 06-10-2025

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PARKLAND AND HISTORICAL PRESERVATION PROGRAM (BLA1A)

User Department:

Planning

Managing Department(s):

Planning ;

Estimated Completion Date:

TBD

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

ETVE YEAD CADITAL DDOGDAM (in thousands)

 E LEWIS CONTINUE LL	III) PINNOUS	Liivusaiius)						
	Est Ult Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029 Under Review
Gross	42,777	27,227	2,324	10,550				5,000
Non County Share								
Total	42,777	27,227	2,324	10,550				5,000

Project Description

The Legacy Program is designed to aggressively pursue land acquisition for three major objectives. One major objective is to purchase parkland for active recreation such as baseball and soccer fields, trail ways and bike paths. A key component of the ball field initiative is to partner with municipalities on the acquisition and/or development of ball fields to maximize available funding. The development of RiverWalk, the proposed promenade along the Hudson River, is a key component of the Legacy Program. A second major objective is to protect our County's natural habitats and protect rivers, streams and lakes. The third objective is to preserve land for historic preservation and protection of our cultural heritage. This project continues Capital Project BLA01 Parkland Acquisition/ Westchester Legacy Program. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

The current year request funds the construction of Habirshaw Park improvements located in the City of Yonkers (\$2m), the construction of Riverwalk improvements located in the Village of Tarrytown (\$3m), Mt. Vernon 4th Street Park improvements (\$3m), and Ward House Purchase and Restoration in the Village of Tuckahoe (\$2.55m).

Current Yea	r Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2025	10,550,000			10,550,000

Impact on Operating Budget

The impact on the Operating Budget is the appropriation of Cash to Capital and the debt service associated with the issuance of bonds.

PARKLAND AND HISTORICAL PRESERVATION PROGRAM (BLA1A)

V		Passintian	Chalman
Year	Amount	Description	Status
2020	1,000,000	Funds this project	\$270,000 DESIGN; \$800,000 AWAITING BOND AUTHORIZATION
2021	17,000,000	Ludlow Park (Water Access Park), Yonkers, \$10,000,000; 4th Street Playground, Mt. Vernon, \$2,000,000 and Riverwalk Improvements, Yonkers, \$5,000,000	AWAITING BOND AUTHORIZATION
2022	(700,000)	Design of Riverwalk improvements in Tarrytown \$1,300,000; 4th Street Playground Mt. Vernon appropriation reduction (\$2,000,000)	\$1,300,000 DESIGN; (\$2,000,000) APPROPRIATION REDUCTION
2023	6,000,000	A turf field at Flint Park in Larchmont \$1,000,000; a linear park extending north from the Yonkers Joint Water Resource Recovery Facilty in the Ludlow section of Yonkers \$5,000,000.	\$1,000,000 IN PROGRESS; \$5,000,000 AWAITING BOND AUTHORIZATION
2024	3,927,000	Funds the rehabilitation of the existing Riverwalk in Tarrytown (\$1M) and provides additional funds to the project (\$500,000), as well as funding for Silliman Park upgrades in Ardsley (\$2M) and Rye Town Park Bathhouse upgrades (\$427,000)	\$270,000 DESIGN; \$100,000 PENDING PROPERTY ACQUISITION; \$3,557,000 AWAITING BOND AUTHORIZATION
Total	27,227,000		

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	25,927,000		25,927,000
Funds Revenue	1,300,000	1,300,000	
Total	27,227,000	1,300,000	25,927,000

Bonds Aut	thorize	ed			
Bond A	ct	Amount	Date Sold	Amount Sold	Balance
227	23	200,000			200,000
73	24	1,000,000			1,000,000
149	24	270,000			270,000
233	24	100,000			100,000
Total		1,570,000	- 77		1,570,000

ACT NO. ____ - 2025

AN ACT authorizing the County of Westchester to purchase two (2) parcels of real property located at 230 and 224 White Plains Road in Tuckahoe, New York.

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

Section 1. The County of Westchester (the "County") is hereby authorized to purchase two (2) parcels of real property located at 230 and 224 White Plains Road in Tuckahoe, New York, consisting of a two family dwelling, commonly known as the "Ward House", and a vacant residentially-zoned lot, adjacent to the dwelling. The properties shall be dedicated as parkland.

- §2. The amount to be paid for the purchase of the subject properties shall not exceed NINE HUNDRED EIGHTY THOUSAND and 00/100 (\$980,000.00) DOLLARS.
- §3. The County Executive or his authorized designee is hereby authorized and empowered to execute any and all documents and take all actions necessary and appropriate to effectuate the purposes hereof.
 - §4. This Act shall take effect immediately.



Kenneth W. Jenkins Westchester County Executive

August 15, 2025

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

Dear Honorable Members of the Board of Legislators:

As your Honorable Board is aware, to encourage the development of affordable housing that will affirmatively further fair housing ("AFFH") in Westchester County (the "County"), the County has established New Homes Land Acquisition III (2024-33) ("NHLA" or "Capital Project BPL37") and Housing Implementation Fund II ("HIF" or "Capital Project BPL1A") to provide funds to assist in the acquisition of property and construction of infrastructure improvements, respectively.

Transmitted herewith for your review and approval please find the following:

1. Land Purchase and Conveyance. An Act (the "Land Acquisition Act") to authorize the purchase and subsequent conveyance of approximately +/- 16,640 square feet of real property located at 632-636 South Broadway in the City of Yonkers (the "Property") to Macquesten Development, LLC, its successors, assigns, or any entity created to carry out the purposes of the proposed transaction (the "Developer"), as part of the County's program to support the construction of affordable rental housing units that affirmatively further fair housing (the "Affordable AFFH Units"). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants against the Property, to require that the Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible households earning at or below 50% and up to 80% of the Westchester County area median income ("AMI"). The AFFH Units will remain affordable for a period of not less than fifty (50) years, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer for One (\$1.00) Dollar for the Developer to construct a new building with one hundred sixty (160) Affordable AFFH Units (the "Development"). The Development will include 7 studios, 69 one-bedroom, 64 two-bedroom and 20 three-bedroom units, and 146 parking spaces

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

Telephone: (914)995-2900 E

Email: ceo@westchestercountyny.gov

and other related improvements.

- 2. Acquisition Financing. A New Homes Land Acquisition Bond Act (the "NHLA Bond Act") to authorize the issuance of bonds of the County, in a total amount not to exceed \$5,900,000, as a part of Capital Project BPL37 New Homes Land Acquisition III. The Department of Planning ("Planning") has advised that, subject to the approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$5,900,000 to purchase the Property from the current owner(s) of record for the construction of the Development.
- 3. Inter-Municipal Developer Agreement Act. An Act (the "IMDA Act") to authorize the County to enter into an Inter-Municipal Developer Agreement (the "IMDA") with the City of Yonkers ("City") and the Developer, its successors or assigns, or any entity created to carry out the purposes of the transaction, to finance the construction of a portion of the infrastructure improvements associated with the construction of 146 parking spaces in the Development. The infrastructure improvements will include, but not be limited to, new ramps, concrete flooring, drainage, electrical systems, fire suppression systems, signage, landscaping, waterproofing, construction management and County administrative costs (the "Infrastructure Improvements") in support of the Affordable AFFH Units as part of the County's program to ensure the development of new affordable housing. The term of the IMDA will be fifteen (15) years (commensurate with the period of probable usefulness of the HIF bonds as described herein). The IMDA will provide, amongst other things, that the City and/or the Developer, its successors or assigns, or any entity created to carry out the purposes of the transaction, will be responsible for all costs of operation and maintenance of the Infrastructure Improvements.

The IMDA will require the Developer, as a condition of the County's financing of the Infrastructure Improvements, to record a declaration of restrictive covenants approved by, and enforceable by, the County which will run with the land and bind the Property and any successor(s) in interest and will require that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty (50) years.

Planning has advised that the authorization of your Honorable Board is required to accept all necessary property rights required to construct the Infrastructure Improvements. The County will have an ownership interest in the Infrastructure Improvements through an easement until the expiration of the term of the HIF bonds, as described herein. However, the County will not be responsible for any costs related to the operation and maintenance of the Infrastructure Improvements.

4. Construction Financing. A Bond Act (the "HIF Bond Act") to authorize the issuance of bonds of the County in an amount not-to-exceed \$4,050,000, as a part of Capital Project BPL1A, to finance a portion of the Infrastructure Improvements for the Development. Planning has advised that, subject to the approval of your Honorable Board, the HIF Bond Act will authorize an amount not to exceed \$4,050,000 (the "County Funds") for the Infrastructure Improvements, which includes costs to cover the County's legal fees and staff costs.

Planning has further advised that additional funding for the Development, with an estimated total cost of approximately \$130,947,382 is anticipated to be provided through the following funding sources:

- a) New York State Housing Finance Agency ("HFA") first mortgage;
- b) New York State Homes and Community Renewal ("HCR") subsidy;
- c) Federal Low Income Housing tax credits;
- d) New York State Brownfield tax credits; and
- e) City of Yonkers HOME.

Planning has further advised that Section 167.131 of the Laws of Westchester County ("LWC") mandates that a Capital Budget Amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. On June 3, 2025, the Planning Board adopted Resolutions No. 25-13 and No. 25-14 which recommended the County provide HIF funding and NHLA funding respectively in connection with this project, which are annexed hereto for your Honorable Board's information. In addition, in accordance with LWC Section 191.41, the Commissioner of Planning has provided a report, which is also attached hereto for your Honorable Board's consideration.

Based on the importance of creating more affordable housing units that affirmatively further fair housing in the County of Westchester, your favorable action on the annexed Acts is respectfully requested.

Sincerely.

Kenneth W. Jenkins

Westchester County Executive

KWJ/BPL/LG/CC

Attachments

HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following acts:

1. <u>Land Purchase and Conveyance</u>. An Act (the "Land Acquisition Act") to authorize the purchase and subsequent conveyance of approximately +/- 16,640 square feet of real property located at 632-636 South Broadway in the City of Yonkers (the "Property") to Macquesten Development, LLC, its successors, assigns, or any entity created to carry out the purposes of the proposed transaction (the "Developer"), as part of the County's program to support the construction of affordable rental housing units that affirmatively further fair housing (the "Affordable AFFH Units"). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants against the Property, to require that the Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible households earning at or below 50% and up to 80% of the Westchester County area median income ("AMI"). The AFFH Units will remain affordable for a period of not less than fifty (50) years, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer for One (\$1.00) Dollar for the Developer to construct a new building with one hundred sixty (160) Affordable AFFH Units (the "Development"). The Development will include 7 studios, 69 one-bedroom, 64 two-bedroom and 20 three-bedroom units and 146 parking spaces and other related improvements.

2. Acquisition Financing. A New Homes Land Acquisition Bond Act (the "NHLA Bond Act") to

authorize the issuance of bonds of the County, in a total amount not to exceed \$5,900,000, as a part of Capital Project BPL37 New Homes Land Acquisition III. The Department of Planning ("Planning") has advised that, subject to the approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$5,900,000 to purchase the Property from the current owner(s) of record to allow for the construction of the Development.

3. Inter-Municipal Developer Agreement Act. An Act (the "IMDA Act") to authorize the County to enter into an Inter-Municipal Developer Agreement (the "IMDA") with the City of Yonkers ("City") and the Developer, its successors or assigns, or any entity created to carry out the purposes of the transaction, to finance the construction of a portion of the infrastructure improvements associated with the construction of 146 parking spaces in the Development. The infrastructure improvements will include, but not be limited to, new ramps, concrete flooring, drainage, electrical systems, fire suppression systems, signage, landscaping, waterproofing, construction management and County administrative costs (the "Infrastructure Improvements") in support of the Affordable AFFH Units as part of the County's program to ensure the development of new affordable housing. The term of the IMDA will be fifteen (15) years (commensurate with the period of probable usefulness of the HIF bonds as described herein). The IMDA will provide, amongst other things, that the City and/or the Developer, its successors or assigns, or any entity created to carry out the purposes of the transaction, will be responsible for all costs of operation and maintenance of the Infrastructure Improvements.

The IMDA will require the Developer, as a condition of the County's financing of the Infrastructure Improvements, to record a declaration of restrictive covenants approved by, and enforceable by, the County which will run with the land and bind the Property and any successor(s) in interest and will require that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty (50) years.

Planning has advised that the authorization of your Honorable Board is required to accept all necessary property rights required to construct the Infrastructure Improvements. The County will have an ownership interest in the Infrastructure Improvements through an easement until the

expiration of the term of the HIF bonds, as described herein. However, the County will not be responsible for any costs related to the operation and maintenance of the Infrastructure Improvements.

4. Construction Financing. A Bond Act (the "HIF Bond Act") to authorize the issuance of bonds of the County in an amount not-to-exceed \$4,050,000, as a part of Capital Project BPL1A, to finance a portion of the Infrastructure Improvements for the Development. Planning has advised that, subject to the approval of your Honorable Board, the HIF Bond Act will authorize an amount not to exceed \$4,050,000 (the "County Funds") for the Infrastructure Improvements, which includes costs to cover the County's legal fees and staff costs.

Planning has further advised that additional funding for the Development, with an estimated total cost of approximately \$130,947,382 is anticipated to be provided through the following funding sources:

- f) New York State Housing Finance Agency ("HFA") first mortgage;
- g) New York State Homes and Community Renewal ("HCR") subsidy;
- h) Federal Low Income Housing tax credits;
- i) New York State Brownfield tax credits; and
- j) City of Yonkers HOME.

Planning has further advised that Section 167.131 of the Laws of Westchester County ("LWC") mandates that a Capital Budget Amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. On June 3, 2025, the Planning Board adopted Resolutions No. 25-13 and No. 25-14 which recommended the County provide HIF funding and NHLA funding respectively in connection with this project, which are annexed hereto for your Honorable Board's information. In addition, in accordance with LWC Section 191.41, the Commissioner of Planning has provided a report, which is also attached hereto for your Honorable Board's consideration.

As your Honorable Board is aware, no action may be taken with regard to the proposed

legislation until the requirements of the State Environmental Quality Review Act ("SEQRA") have

been met. The Planning Department has advised that the City Zoning Board of Appeals ("ZBA")

classified this project as a Type I action. On November 17, 2022, the ZBA issued a notice of intent

to serve as lead agency, circulated Part 1 of a Full Environmental Assessment Form and circulated a

Full Environmental Assessment Form to involved agencies, including the Westchester County Board

of Legislators. On February 17, 2023, the ZBA issued a Negative Declaration for the project. Since

the City undertook coordinated review and the County was included as an involved agency, then, in

accordance with SEQRA and its implementing regulations (6 NYCRR Part 617), no further

environmental review is required by the County.

Based on the foregoing, your Committee believes that the Acts are in the best interest of the

County and therefore recommends their adoption, noting that the IMDA Act requires no more than

an affirmative vote of the majority of your Honorable Board, while the Land Acquisition Act, NHLA

Bond Act and HIF Bond Act require the affirmative vote of two-thirds of the members of your

Honorable Board.

Dated:

, 2025

White Plains, New York

COMMITTEE ON:

c/cmc/8.15.25

36

Memorandum



Department of Planning 432 Michaelian Office Building 148 Martine Avenue White Plains, NY 10601

TO:

Honorable Kenneth W. Jenkins

County Executive

FROM:

Blanca P. Lopez

Commissioner

DATE:

August 14, 2025

SUBJECT:

Acquisition of Real Property – 632-636 South Broadway – City of

Yonkers

Pursuant to Section 191.41 of the County Charter, submitted herewith is the required report of the Commissioner of Planning on the proposed acquisition and subsequent conveyance of +/-16,640 square feet of real property located at 632-636 South Broadway in the City of Yonkers, identified on the City tax maps as Section 1 Block 29 Lot: 1 (the "Property") for the purpose of creating 160 affordable housing units (the "Affordable AFFH Units"), that will affirmatively further fair housing ("AFFH"). The development will also provide approximately 146 parking spaces for residents.

The County of Westchester ("the County") intends to finance the purchase of the Property from the current owner in an amount not to exceed \$5,900,000 as a part of Capital Project BPL37 New Homes Land Acquisition III. Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units are marketed and leased in accordance with an approved affirmative fair housing marketing plan and will remain available to eligible households for a period of not less than 50 years. The County will then convey ownership of the Property to Macquesten Development LLC (the "Developer"), its successors or assigns, for One (\$1.00) Dollar.

The Developer proposes to construct one building of sixteen-stories on the Property that will include a mix of affordable studio, one, two and three-bedroom rental apartments that will be leased to households who earn at or below 50% and up to 80% of the area median income (collectively the "Development").

I recommend funding for acquisition and conveyance of the Property for the following reasons:

- 1. The acquisition of this Property will advance the County's efforts to provide fair and affordable housing;
- 2. The acquisition and subsequent conveyance of the Property to develop fair and affordable housing is consistent with development policies adopted by the County Planning Board as set forth in Westchester 2025 Context for County and Municipal Planning

- in Westchester County and Policies to Guide County Planning, adopted May 6, 2008, and amended January 5, 2010, and the recommended strategies set forth in Patterns for Westchester: The Land and the People, adopted December 5, 1995;
- 3. The Development is proposed to include green technology, such as energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operating and maintenance costs, minimize energy consumption and conserve natural resources. The Development is designed to meet the sustainability guidelines of New York State Homes and Community Renewal and is seeking the highest green building certification: Passive House;
- 4. The Development is consistent with the land use policies and regulations of the City of Yonkers; and
- 5. On June 3, 2025, the County Planning Board adopted a resolution to recommend County financing towards the purchase the Property to support the Development.

BPL/lg

cc: Richard Wishnie, Deputy County Executive Joan McDonald, Director of Operations John M. Nonna, County Attorney Westchester County Planning Board



WESTCHESTER COUNTY PLANNING BOARD

Housing Implementation Fund II Capital Project Funding Request 632-636 South Broadway, City of Yonkers

WHEREAS, the County has established Capital Project BPL1A Housing Implementation Fund II ("HIF") to assist municipalities with the cost of construction of public infrastructure improvements associated with the development of fair and affordable housing; and

WHEREAS, Macquesten Development LLC (collectively the "Developer"), its successors or assigns, desire to develop the real property located at 632-636 South Broadway in the City of Peekskill (the "City"), identified on the City tax maps as Section 1; Block 29; Lot I (the "Property") to create 160 residential units (collectively the "Development"). All 160 units will be affordable residential units that will affirmatively further fair housing (the "Affordable AFFH Units");

WHEREAS, the Developer desires the County to fund infrastructure improvements to support the construction of a sixteen-story building, with 160 affordable residential rental units and 146 parking spaces (the "Development"); and

WHEREAS, 59 rental units will be available to households who earn at or below 50% of Westchester County's Area Median Income ("AMI"), 82 rental units will be available to households who earn at or below 60% of AMI and 18 rental units will be available to households who earn at or below 80% of AMI.; and

WHEREAS, the Affordable AFFH Units will be leased to eligible households pursuant to an approved Affirmative Fair Housing Marketing Plan and remain affordable for a minimum of 50 years; and

WHEREAS, a not to exceed amount of \$4,050,000 is requested from Capital Project BPL1A Housing Implementation Fund II to fund a portion of the infrastructure improvements associated but not be limited to, construction of structured parking, on-site and off-site paving, curbing, sidewalks, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs; and

WHEREAS, the Development proposes to include green technology such as high efficiency windows, energy efficient appliances, lighting and heating systems and water-conserving fixtures to maximize energy efficiency, reduce heating and cooling costs and conserve natural resources; and

WHEREAS, the Development is subject to approvals by the City of Yonkers; and

WHEREAS, the Development has provided a revised development underwriting showing

NYS Brownfield Tax Credit Equity replacing Greenhouse Gas Reduction Fund as a funding source; and

WHEREAS, the funding to support the development of the Affordable AFFH Units is consistent with and reinforces Westchester 2025 – Policies to Guide County Planning, the County Planning Board's adopted long-range land use and development policies, by contributing to the development of "a range of housing types" "affordable to all income levels;" and

WHEREAS, the staff of the County Department of Planning have reviewed the proposal and recommend the requested funding associated with the construction of the infrastructure improvements; and

RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Development, supports the request to provide a not to exceed amount of \$4,050,000 for infrastructure improvements for the Development under the terms of the HIF Program, which will support the creation of 160 Affordable AFFH Units which will be available to households who earn at or below 50% and up to 80% of AMI, located at 632-636 South Broadway in the City of Yonkers; and

RESOLVED, that the Westchester County Planning Board amends its report on the 2025 Capital Project Requests to include 632-636 South Broadway in the City of Yonkers, as a new component project in Capital Project BPLIA under the heading of Buildings, Land and Miscellaneous.

Adopted this 3th day of June 2025.

Bernard Thombs, Chair

RESOLUTION 25-

WESTCHESTER COUNTY PLANNING BOARD

New Homes Land Acquisition II Capital Project Funding Request 632-636 South Broadway. City of Yonkers

WHEREAS, the County of Westchester (the "County") has established Capital Project BPL30 New Homes Land Acquisition II ("NHLA") to assist in the acquisition of property associated with the development and preservation of fair and affordable housing; and

WHEREAS, Macquesten Development LLC (the "Developer"), its successors or assigns, desires to develop the real property located at 632-636 South Broadway in the City of Yonkers (the "City"), identified on the tax maps as Section 1; Block 29; Lot: I (the "Property") to create 160 residential units (collectively the "Development"). All 160 units will be affordable residential units that will affirmatively further fair housing (the "Affordable AFFH Units"); and

WHEREAS, the County proposes to purchase the Property from the owner of record, for a not to exceed amount of \$5,900,000 with funds from NHLA and subsequently convey the Property to the Developer for One (\$1.00) Dollar to underwrite the cost of the land; and

WHEREAS, upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units constructed on the Property be leased to households who earn at or below 50% and up to 80% of the Westchester County Area Median Income ("AMI"); and

WHEREAS, the County will transfer ownership of the Property to the Developer to construct a mix of studio, one, two and three-bedroom apartments to be leased to eligible households, pursuant to an approved Affirmative Fair Housing Marketing Plan, for a minimum of 50 years; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend Capital Project BPL37 NHLA III to add the Property, 632-636 South Broadway; City of Yonkers, and authorize bonding in a not to exceed amount of \$5,900,000 to develop the Property; and

WHEREAS, the Development is subject to approvals by the City of Yonkers; and

WHEREAS, the Development will provide a revised development underwriting showing NYS Brownfield Tax Credit Equity replacing Greenhouse Gas Reduction Fund as a funding source; and

WHEREAS, the funding to support the development of the Affordable AFFH Units is

consistent with and reinforces Westchester 2025 - Policies to Guide County Planning, the County Planning Board's adopted long-range land use and development policies, by contributing to the development of "a range of housing types" "affordable to all income levels"; and

WHEREAS, the staff of the County Department of Planning have reviewed the proposal and recommend the requested funding associated with acquisition of the Property; and

RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Affordable AFFH Units, subject to an appraisal, recommends that the County provide financial assistance in a not-to-exceed amount of \$5,900,000 from BPL37 NHLA III for property acquisition; and be it further

RESOLVED, that the Westchester County Planning Board amends its report on the 2025 Capital Project requests to include 632-636 South Broadway in the City of Yonkers, as a new component project in Capital Project BPL37 NHLA III under the heading of Buildings, Land and Miscellaneous.

Adopted this 3th day of June 2025.

Bernard Thombs, Chair



TO:

Leonard Gruenfeld, Program Director

Division of Housing & Community Development

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

July 31, 2025

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR

BPL37 NEW HOMES LAND ACQUISITION III BPL1A HOUSING IMPLEMENTATION FUND II 632 AKA 636 SOUTH BROADWAY, YONKERS

Pursuant to your request, Environmental Planning staff has reviewed the above referenced project with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The action involves the provision of County funding under capital projects BPL37 – New Homes Land Acquisition III (Fact Sheet ID: 3002) and BPL1A – Housing Implementation Fund II (Fact Sheet ID: 3003) to facilitate the development of affordable housing at 632—also known as 636—South Broadway in the City of Yonkers. County BPL37 funds will be applied towards the purchase of approximately 0.38 acres of property, which will be transferred to a developer, who will create approximately 160 units of affordable rental housing that will affirmatively further fair housing. The project will include the construction of a new 16-story building and approximately 146 on-site parking spaces to serve the residents. BPL1A funds will be used towards infrastructure improvements, such as new ramps, concrete flooring, drainage, electrical systems fire suppression systems, signage, landscaping and waterproofing.

In accordance with SEQR, the City of Yonkers Zoning Board of Appeals (ZBA) classified this project as a Type I action. On November 17, 2022, the Yonkers ZBA sent out a notice of intent to serve as lead agency, along with Part 1 of a Full Environmental Assessment Form. On February 17, 2023, the Yonkers ZBA sent out a Negative Declaration notice for the project. Since the City undertook coordinated review and the County of Westchester was included in the coordinated review process, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

Please contact me if you require any additional information regarding this document.

DSK/cnm

Att.

cc: Blanca Lopez, Commissioner

Carla Chaves, Senior Assistant County Attorney

Susan Darling, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Principal Environmental Planner

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$5,900,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 632-636 SOUTH BROADWAY, IN THE CITY OF YONKERS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S NEW HOMES LAND ACQUISITION PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,900,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$5,900,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted , 20__)

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 other laws applicable thereto, bonds of the County in the aggregate amount of \$5,900,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase of approximately 16,640 square feet of real property located at 632-636 South Broadway, in the City of Yonkers and identified on the tax maps as Section 1: Block 29: Lot 1 (the "AFFH Property") from the current owner(s) of record at a cost of \$5,900,000, including acquisition and settlement

costs, in order to support the construction of 160 affordable housing units that will affirmatively further fair housing ("AFFH"). The County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is in support of the construction of 160 affordable AFFH rental units, including 146 parking spaces, at the aggregate estimated maximum cost of \$5,900,000 for the acquisition of the AFFH Property. The AFFH Property shall be acquired by the County, subjected to said Declaration of Restrictive Covenants and subsequently conveyed to Macquesten Development, LLC (the "Developer"), its successors or assigns. The County's acquisition of the AFFH Property is 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 and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,900,000. The plan of financing includes the issuance of \$5,900,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy and collection of a tax on taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness for which said \$5,900,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose 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 Bond Act, in the maximum amount of \$5,900,000. 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 \$5,900,000 as the estimated maximum cost of the aforesaid 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 section 30.00 relative to the authorization of the issuance of bond anticipation notes and the renewals thereof, and of sections 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, and 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 bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds and 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 section 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 and 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.

* * *

STATE OF NEW YORK) : ss.:	
COUNTY OF WESTCHESTER)	
I HEREBY CERTIFY that	I have compared the foregoing Act No20 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 ado	pted by the County Board of Legislators of the County of
Westchester on , 20 and approve	ed by the County Executive on , 20
IN WITNESS WHEREOF,	I have hereunto set my hand and affixed the corporate
	seal of said County Board of Legislators this day
	of ,20
	Clerk and Chief Administrative Officer of the County
	Board of Legislators of the County of Westchester, New York
(SEAL)	

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of
Legislators on, 20 and approved by the County Executive on
, 20 and the validity of the obligations authorized by such Bond Act may be
hereafter contested only if such obligations were authorized for an object or purpose for which the
County of Westchester, in the State of New York, is not authorized to expend money or if the
provisions of law which should have been complied with as of the date of publication of this Notice
were not substantially complied with, and an action, suit or proceeding contesting such validity is
commenced within twenty days after the publication of this Notice, or such obligations were
authorized in violation of the provisions of the Constitution. Complete copies of the Bond Act
summarized herewith shall be available for public inspection during normal business hours at the
Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period
of twenty days from the date of publication of this Notice.

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$5,900,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 632-636 SOUTH BROADWAY, IN THE CITY OF YONKERS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S NEW HOMES LAND ACQUISITION PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,900,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$5,900,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted .20)

Object or purpose:

to finance the cost of the purchase of approximately 16,640 square feet of real property located at 632-636 South Broadway, in the City of Yonkers and identified on the tax maps as Section 1: Block 29: Lot 1 (the "AFFH Property") from the current owner(s) of record at a cost of \$5,900,000, including acquisition and settlement costs, in order to support the construction of 160 affordable housing units that will affirmatively further fair housing ("AFFH"). The County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is in support of the construction of 160 affordable AFFH rental units, including 146 parking spaces, at the aggregate estimated maximum cost of \$5,900,000 for the acquisition of the AFFH Property. The AFFH Property shall be acquired by the County, subjected to said Declaration of Restrictive Covenants and subsequently conveyed to Macquesten Development, LLC (the

"Developer"), its successors or assigns. The County's acquisition of the AFFH Property is set forth in the County's Current Year Capital Budget, as amended.

Amount of obligations to be issued and period of probable usefulness:

\$5,900,000 - thirty (30) years

Dated: ______, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:BPL37	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BU	
	To Be Completed by	Budget
X GENERAL FUN	ID AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
		Capital Budget Amendment
632-636 South Bro	adway, City of Yonkers	
	SECTION B - BONDING AU	THORIZATIONS
	To Be Completed by	Finance
Total Principa	s 5,900,000 PPU	30 Anticipated Interest Rate 4.54%
Anticipated A	nnual Cost (Principal and Interest):	\$ 367,772
Total Debt Se	rvice (Annual Cost x Term):	\$ 11,033,160
Finance Depa	rtment: Interest rates from August 18	3, 2025 Bond Buyer - ASBA
	SECTION C - IMPACT ON OPERATING BUD	GET (exclusive of debt service)
	To Be Completed by Submitting Department	ent and Reviewed by Budget
Potential Rela	ated Expenses (Annual): \$	-
Potential Rela	ted Revenues (Annual): \$	¥
Anticipated sa	avings to County and/or impact of departs	ment operations
Va 42 - Vitra - 10.91 - 14	etail for current and next four years):	
	SECTION D - EMPLO	DYMENT
A	s per federal guidelines, each \$92,000 of a	ppropriation funds one FTE Job
Number of Fu	Il Time Equivalent (FTE) Jobs Funded:	N/A
Prepared by:	Blanca P. Lopez	. //
Title:	Commissioner	Reviewed By:
Department:	Planning	N8.19.75 Budget Director
Date:	8/19/25	Date: 8 00 0 5

Capital Project Fact Sheet Form

JL.								
Project ID: * BPL37			✓ CBA Project Title	le:*		Fact Shee 07/15/20		
Fact Sheet Ye	ear *		NEW HOM	IES LAND A	CQUISTION	Legislativ	e District ID	:
2025			III (2024-			17		
2023			111 (2024	33)		17		
Category*			Departmer	14.*		Unique Id	lentifier	
BUILDINGS	LAND 9.		PLANNING			3002		
			EPAINIATIAC	3		3002		
MISCELLAN	EUUS							
purpose of for fair and associated through the appraisals,	t provides for the New Ho affordable I with, and of NHLA prog property su	inds to acquimes Land Anousing devi ten required ram. Such a	cquisition (lelopment. In for, site actions of the control of the	NHLA) Fund in addition to equisition m costs may in ssessments	to the acquis ay be consid aclude, but a , hazardous	se the inven ition cost of lered eligible re not limite	tory of avail properties, costs to be d to, closin	ilable properties , other costs e funded
Best Mana	agement		☐ Energy E	fficiencies		☐ Infrastru	cture	
Life Safet	y		Project L	abor Agreen	nent	Revenue	1	
Security			Other			Other Detai	ils	
Five Yea	ır Capita	Program	ı (in Tho	usands)				
	Estimate d Ultimate	Prior Appropri ation	2025	2026	2027	2028	2029	Under Review
у.	Total Cost							
Gross	220,000	25,000	25,000	25,000	25,000	25,000	25,000	70,000
Less Non- County Shares	0	0	0	0	0	0	0	0
Net	220,000	25,000	25,000	25,000	25,000	25,000	25,000	70,000

Expended Obligated Amount (in thousands) 0

onding is requent t 632-636 Sout ot: 1 (the "Prop	uest / Description: ested to finance the acquisition of the Broadway in the City of Yonker perty") in order to construct 160 or Further Fair Housing (the "Afford for residents.	s and identified on the tax maps units of rental housing (includes o	as Section 1: Block 29; one employee unit) that
Financing P	lan for Current Request:		
Bond/Notes:	5,900,000		
Cash:	0		
Non-county Shares:	0		
Total:	5,900,000		
EQR Classification YPE I Amount Requeste ,900,000			
PPU			
	Description	Amount	Years

Comments

☐ County Staff

☐ Consultant

A Capital Budget Amendment ("CBA") is requested to add the property to Capital Projects BPL37 and to authorize the County to purchase the land and structure from the current owner for an amount not to exceed \$5,900,000 to support the construction of a sixteen story residential building with 160 Affordable AFFH rental units (including one employee unit) and 146 parking spaces. Upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the units will be marketed to households who earn less than 50% and up to 80% of the County Area Median Income for a period of no less than 50 years, and further that the units will be leased and marketed to eligible households under an approved Affordable Housing Marketing plan. The County will then convey ownership to Macquesten Development, LLC (the "Developer") its successors or assigns for one dollar (\$1.00).

✓ Not Applicable

Energy Efficiencies:

THE BUILDING WILL BE CONSTRUCTED WITH ENERGY EFFICIENT APPLIANCES, LIGHTING, HEATING AND COOLING SYSTEMS, WATER CONSERVING FIXTURES. THE BUILDING WILL ALSO INCORPORATE THE USE OF HIGH PERFORMANCE ENVELOPE INSULATION AND AIR SEALING. WILL INCLUDE 6 LE

	*	Amount	Descript	ion
2	2024	25,000,000	FUNDS THIS	PROJECT
2	2025	25,000,000	CONTINUATION OF	THIS PROJECT
0,000 Appropr	iation History			
	History			
ncing	History Bond Act #	Amount	Issued Amount	Description
	Bond Act #	Amount	Issued Amount	Description

Recommended By:		
Department of Planning	Date	
MLLL	07/23/2025	
Department of Public Works	Date	
RJB4	07/29/2025	
Budget Department	Date	
DEV9	08/01/2025	
Requesting Department	Date	
MLLL	08/04/2025	

NEW HOMES LAND ACQUISTION III (2024-33) (BPL37)

User Department:

Planning

Managing Department(s):

Planning ;

Estimated Completion Date:

TBD

Planning Board Recommendation: 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	220,000	25,000		25,000	25,000	25,000	25,000	25,000	70,000
Non County Share									
Total	220,000	25,000		25,000	25,000	25,000	25,000	25,000	70,000

Project Description

This project provides funds to acquire property for the construction of fair and affordable housing. The purpose of the New Homes Land Acquisition (NHLA) Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Funds can be used in all municipalities.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing	o Plan	ı
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Year Bonds Cash Non County Total Shares

2025 25,000,000

25,000,000

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
2024 25,000,000 Funds this project

Status

AWAITING BOND AUTHORIZATION

Total 25,000,000

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	25,000,000		25,000,000
Total	25,000,000		25,000,000

ACT NO. - 2025

AN ACT authorizing the County of Westchester to purchase approximately +/- 16,640 square feet of real property located at 632-636 South Broadway in the City of Yonkers and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of constructing a new building with 160 affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

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

Section 1. The County of Westchester (the "County") is hereby authorized to purchase from the current owner(s) of record approximately +/- 16,640 square feet of real property located at 632-636 South Broadway in the City of Yonkers, (the "Property") to construct a new building with 160 affordable rental housing units that will affirmatively further fair housing (the "Affordable AFFH Units") as set forth in 42 U.S.C. Section 5304(b)(2).

- §2. The County is hereby authorized to purchase the Property from the current owner(s) of record for an amount not to exceed FIVE MILLION NINE HUNDRED THOUSAND (\$5,900,000) DOLLARS.
- §3. The County is hereby authorized to convey the Property to Macquesten Development, LLC, its successors or assigns or any entity created to carry out the purposes of the transaction, for One (\$1.00) Dollar to construct the Affordable AFFH Units that will be marketed and leased to households earning at or below 50% and up to 80% of the Westchester County area median income, that will remain affordable for a period of not less than fifty (50) years, and will be marketed and leased in accordance with an approved affirmative fair housing marketing plan, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

- §4. The County is hereby authorized to file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office, which will run with the land and bind the Property and any successor(s) in interest, requiring that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty (50) years.
- §5. The period of affordability of the Affordable AFFH Units shall be a minimum of fifty (50) years.
- **§6.** The County is hereby authorized to grant and accept any and all property rights necessary in furtherance hereof.
- §7. The transfers of the Property shall be by such deeds as approved by the County Attorney.
- §8. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.
 - **§9.** This Act shall take effect immediately.

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,050,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE **IMPROVEMENTS** ASSOCIATED WITH THE CONSTRUCTION OF AFFORDABLE RENTAL UNITS ON PROPERTY LOCATED AT 632-636 SOUTH BROADWAY, IN THE CITY OF YONKERS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S NEW HOMES LAND ACQUISITION PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,050,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,050,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted ,20)

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 other laws applicable thereto, bonds of the County in the aggregate amount of \$4,050,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of infrastructure improvements associated with the construction of affordable rental units on property located at 632-636 South Broadway, in the City of Yonkers and identified on the tax maps as Section 1: Block 29:

Lot 1 (the "AFFH Property") at a cost of \$4,050,000, including related costs incurred by the County, which may include construction management and engineering costs, and staff and legal fees, in order to support the construction of affordable housing units that will affirmatively further fair housing ("AFFH"). The infrastructure improvements may include, but shall not be limited to. new ramps, concrete flooring, drainage, electrical systems, fire suppression systems, signage, landscaping, waterproofing, construction management and County administrative costs. County will file a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is in support of the construction of 160 Affordable AFFH rental units at the aggregate estimated maximum cost of \$4,050,000 for said infrastructure improvements. The County shall enter into an Inter-municipal/Developer agreement with the City of Yonkers and Macquesten Development, LLC, (the "Developer"), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said 160 affordable AFFH rental units (the "Development"). The cost of infrastructure improvements for the AFFH Property is 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 and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,050,000. The plan of financing includes the issuance of \$4,050,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy and collection of a tax on taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness for which said \$4,050,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 91 of the Law, is fifteen (15) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose 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 Bond Act, in the maximum amount of \$4,050,000. 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 \$4,050,000 as the estimated maximum cost of the aforesaid 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 section 30.00 relative to the authorization of the issuance of bond anticipation notes and the renewals thereof, and of sections 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, and 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 bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds and 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 section 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 and 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.

* * *

STATE OF NEW YORK	
: ss.: COUNTY OF WESTCHESTER)	
original on file in my office, and that the	I have compared the foregoing Act No20 with the same is a correct transcript therefrom and of the whole of pted by the County Board of Legislators of the County of
Westchester on , 20 and approv	ed by the County Executive on , 20
IN WITNESS WHEREOF,	I have hereunto set my hand and affixed the corporate
	seal of said County Board of Legislators this day
	of , 20
	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York
(SEAL)	

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of
Legislators on, 20 and approved by the County Executive on
, 20 and the validity of the obligations authorized by such Bond Act may be
hereafter contested only if such obligations were authorized for an object or purpose for which the
County of Westchester, in the State of New York, is not authorized to expend money or if the
provisions of law which should have been complied with as of the date of publication of this Notice
were not substantially complied with, and an action, suit or proceeding contesting such validity is
commenced within twenty days after the publication of this Notice, or such obligations were
authorized in violation of the provisions of the Constitution. Complete copies of the Bond Act
summarized herewith shall be available for public inspection during normal business hours at the
Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period
of twenty days from the date of publication of this Notice.

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,050,000 BONDS OF THE COUNTY OF WESTCHESTER. OR SO MUCH THEREOF AS MAY BE NECESSARY, TO **FINANCE** THE COST OF INFRASTRUCTURE WITH THE CONSTRUCTION **IMPROVEMENTS** ASSOCIATED AFFORDABLE RENTAL UNITS ON PROPERTY LOCATED AT 632-636 SOUTH BROADWAY, IN THE CITY OF YONKERS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S NEW ACOUISITION PROJECT: STATING THE LAND MAXIMUM COST THEREOF IS \$4,050,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,050,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE ,20)PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted

Object or purpose:

to finance the cost of infrastructure improvements associated with the construction of affordable rental units on property located at 632-636 South Broadway, in the City of Yonkers and identified on the tax maps as Section 1: Block 29: Lot 1 (the "AFFH Property") at a cost of \$4,050,000, including related costs incurred by the County, which may include construction management and engineering costs, and staff and legal fees, in order to support the construction of affordable housing units that will affirmatively further fair housing ("AFFH"); the infrastructure improvements may include, but shall not be limited to, new ramps, concrete flooring, drainage, electrical systems, fire suppression systems, signage, landscaping, waterproofing, construction management and County administrative costs. The County will file a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years; the funding requested

herein is in support of the construction of 160 Affordable AFFH rental units at the aggregate estimated maximum cost of \$4,050,000 for said infrastructure improvements; the County shall enter into an Intermunicipal/Developer agreement with the City of Yonkers and Macquesten Development, LLC, (the "Developer"), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said 160 affordable AFFH rental units (the "Development"); the cost of infrastructure improvements for the AFFH Property is set forth in the County's Current Year Capital Budget, as amended.

Amount of obligations to be issued and period of probable usefulness:

\$4,050,000 - fifteen (15) years

Dated: _____, 20___ White Plains, New York

Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	BPL1A	NO FISCAL IMPACT PROJECTED						
	SECTION A - CAPITAL BU	TO TUTE SECUL LOCALE						
	To Be Completed by	y Budget						
X GENERAL FUNI	AIRPORT FUND	SPECIAL DISTRICTS FUND						
	Source of County Funds (check one):	X Current Appropriations						
632-636 South Broa	adway, City of Yonkers	Capital Budget Amendment						
	SECTION B - BONDING AU To Be Completed by							
Total Principal	\$ 4,050,000 PPU	15 Anticipated Interest Rate 3.50%						
Anticipated Ar	inual Cost (Principal and Interest):	\$ 352,999						
Total Debt Ser	vice (Annual Cost x Term):	\$ 5,294,985						
Finance Depar	tment: Interest rates from August 1	8, 2025 Bond Buyer - ASBA						
S	ECTION C - IMPACT ON OPERATING BUT	OGET (exclusive of debt service)						
	To Be Completed by Submitting Departm	nent and Reviewed by Budget						
Potential Relat	ed Expenses (Annual): \$	-						
Potential Relat	ed Revenues (Annual): \$	-						
Anticipated sa	vings to County and/or impact of depart	ment operations						
	tail for current and next four years):							
	SECTION D - EMPL	TYMENT						
As	SECTION D - EMPLOYMENT As per federal guidelines, each \$92,000 of appropriation funds one FTE Job							
Number of Full	Time Equivalent (FTE) Jobs Funded:	n/a /						
Prepared by:	Blanca P. Lopez							
Title:	Commissioner	Reviewed By:						
Department:	Planning	DV 8.19.75 Budget Director						
Date:	8/19/25	Date: 8 30 35						

Capital Project Fact Sheet Form

- A										
Project ID: *			✓ CBA				et Date: *			
DILLIA			Project Title:*			07/15/2025				
Fact Sheet Y	ear *		HOUSING	S IMPLEME	NOITATI	Legislati	Legislative District ID:			
2025			FUND II			17				
Category *			Departme	nt*		Unique l	ldentifier			
BUILDINGS, LAND & MISCELLANEOUS			PLĀNNIN	G		3003				
This project previously municipalit sewer, roac	funded unde ies with fund I and site im	the funding er BPL01. H ds for public aprovements	IF is a union in its infrastruction in its income in its i	que housing ture and im o facilitate t	incentive provements the construction	ing Impleme rogram esta such as wai tion or rehal lect to a Cap	blished to p ter, sanitary pilitation of	provide and storm		
Best Man	agement		☐ Energy Efficiencies ☐ Project Labor Agreement			☐ Infrastructure				
Life Safe	ty					Revenue				
Security			✓ Other		Other Details					
Five Yea	ar Capita	l Progran	n (in The	ousands)	25-0					
	Estimate d Ultimate Total Cost	Prior Appropri ation	2025	2026	2027	2028	2029	Under Review		
Gross	86,060	86,060	0	0	0	0	0	0		
Less Non- County Shares	0	0	0	0	0	0	0	0		
Net	86,060	86,060	0	0	0	0	0	0		

Expended Obligated Amount (in thousands) 32,056

ordable AFFH	uest / Description: ested to provide fundin apartment building at on-site for residents.	g for certain infrastructure improvements for 632-636 South Broadway in the City of Yon	or a 160 unit 100% kers. 146 Parking sp
nancing P	lan for Current R	equest:	
ond/Notes:	4,050,000		
ash:	0		
on-county hares:	0		
otal:	4,050,000		
QR Classificatio			
QR Classification PE I ount Requeste 50,000	on		
QR Classificatio PE I ount Requeste	on	Amount	Years
QR Classification PE I ount Requeste 50,000	on d		Years

Comments

The County will enter into an Inter-Municipal/Developer Agreement with the City of Yonkers, and Macquesten Development LLC, its successors or assigns (the "Developer") to finance eligible infrastructure improvements associated with multi-family development to be constructed at 632-636 South Broadway in the City of Yonkers (the "City"), identified on the tax maps as Section 1, Block 29, Lot 1 (the "Property"). The City will be responsible for operation and maintenance of the infrastructure and the County shall own the infrastructure improvements for the life of the County bonds. The developer will construct a sixteen-story building with 160 apartments all of which will affirmatively furthering fair housing (the "Affordable AFFH Units") which will be affordable to households who earn at or below 50% and up to 80% of Westchester County's Area Median Income.

The building will have two elevators and residential amenities such as a fitness center, an onsite management office, a resident lounge, bicycle storage and laundry facilities. The building will have 7 studios, 69 one-bedroom, 64 two-bedroom, and 20 three-bedroom apartments and 146 on-site parking spaces reserved for residents.

A total of \$4,050,000 will finance the construction of infrastructure improvements that may include but will not be limited to: new ramps, concrete flooring, drainage, electrical systems, fire suppression systems, signage, landscaping, waterproofing, construction management and County administrative costs.

A deed restriction will be filed against the Property to require that the Affordable AFFH Units be marketed and leased in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years.

Energy Efficiencies:

THE BUILDING WILL BE CONSTRUCTED WITH ENERGY EFFICIENT APPLIANCES, LIGHTING, HEATING AND COOLING SYSTEMS, WATER CONSERVING FIXTURES. THE BUILDING WILL ALSO INCORPORATE THE USE OF HIGH PERFORMANCE ENVELOPE INSULATION AND AIR SEALING. WILL ALSO INCLUDE

Appropriation Year	Amount	Description	
2014	5,000,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS	
2015	3,000,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS	
2016	2,500,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS	
2017	3,500,000	GREENBURGH MANHATTAN AVE REDEVELOPMENT SENIOR HOUSING - \$1,000,000; CONTINUATION OF THIS PROJECT -\$2,500,000	
2018	4,150,000	CONTINUATION OF THIS PROJECT.	
2019	5,910,000	CONTINUATION OF THIS PROJECT	
2020	10,000,000	CONTINUATION OF THIS PROJECT	
2021	12,000,000	CONTINUATION OF THIS PROJECT \$10,000,000; INFRASTRUCTURE BROADBAND \$2,000,000	
2022	25,000,000	CONTINUATION OF THIS PROJECT	
2023	15,000,000	CONTINUATION OF THIS PROJECT	

Total Appropriation History 86,060,000

	ncing Bond		Issued	
Year	Act #	Amount	Amount	Description
15	164	0	0	INFRASTRUCTURE IMPROVEMENTS AT 16 ROUTE 6 IN TOWN OF SOMERS
15	170	2,400,000	2,399,394	FAH DEVELOPMENT AT 150 NORTH STREET AND THEODORE FREMD AVE IN CITY OF RYE
15	206	500,000	494,505	147, 165 AND 175 RAILROAD AVENUE, BEDFORD HILLS INFRASTRUCTURE IMPROVEMENTS
17	174	2,250,000	2,222,696	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS TO 1847 CROMPOND ROAD PEEKSKILL
17	210	0	0	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS AT 501 BROADWAY IN VILLAGE OF BUCHANAN
18	84	2,400,000	2,110,035	CONSTRUCTION OF CERTAIN PUBLIC INFRASTRUCTION IMPROVEMENTS IN SUPPORT OF HIDDEN MEADOWS DEVELOPMENT
18	156	0	0	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS FOR DEVELOPMENT OF AFFORDABLE HOUSING IN NEW ROCHELLE
18	188	1,300,000	1,155,841	INFRASTRUCTURE ASSOCATED WITH CONSTRUCTION OF AFFORDABLE UNITS AT 25 SOUT REGENT ST IN PORT CHESTER
18	183	4,400,000	4,147,688	INFRASTRUCTURE ASSOCIATED WITH AFFORDABLE HOUSING AT 135 S. LEXINGTON AVE IN WHITE PLAINS
19	72	0	0	RESCINDING ACT NO. 156-2018, INFRASTRUCTURE IMPROVEMENTS IN NEW ROCHELLE
19	180	0	0	RESCINDS BOND ACT 210-2017
19	179	2,500,000	0	CONSTRUCTION OF AFFORDABLE RENTAL UNITS AT 11 GRADEN STREET, NEW ROCHELLE
19	152	5,760,000	5,760,004	CONSTRUCTION OF AFFORDABLE RENTAL UNITS AT 645 MAIN STREET IN PEEKSKILL
20	51	5,000,000	5,000,008	COST OF INFRASTRUCTURE IMPROVEMENTS OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE
20	97	5,000,000	3,829,041	COST OF INFRASTRUCTURE IMPROVEMENTS OF AFFORDABLE HOUSING UNITS IN YONKERS
20	201	2,500,000	0	INFRASTRUCTURE IMPROVEMENTS FOR AFFORDABLE HOUSING UNIT AT 48 MANHATTAN AVE., GREENBURG

Year	Bond Act #	Amount	Issued Amount	Description
22	28	3,500,000	1,704,823	AFFH AND HIF 23 MULBERRY STREET, YONKERS 60 RENTAL UNITS
23	147	5,555,000	0	HOUSING IMPLEMENTATION FUND II - 345 MCLEAN AVE YONKERS
23	58	2,750,000	0	HOUSING IMPLEMENTATION FUND II - 65 LAKE STREET WHITE PLAINS
24	145	8,134,000	0	

100	m	es!	75	L	88	-	杏	0	200	20
w	(Cl	si	1	F	11	3	L	U	Г	У

Year	Amount	Description	

Financing History Total 53,949,000

	Mark Control
Recommended	20 10 27 10
	- W C

Department of Planning	Date	
MLLL	07/23/2025	
Department of Public Works	Date	
RJB4	07/23/2025	
Budget Department	Date	
DEV9	07/24/2025	
Requesting Department	Date	
MLLL	07/29/2025	



HOUSING IMPLEMENTATION FUND II (BPL1A)

User Department:

Planning

Managing Department(s):

Planning;

Estimated Completion Date:

TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

Gross Non County Share	Est Ult Cost 86,060	Appropriated 86,060	Exp / Obl 32,047 72	2025	2026	2027	2028	2029	Under Review
Total	86,060	86,060	32,119						

Project Description

This project continues the funding for the Westchester County Housing Implementation Fund (HIF) previously funded under BPL01. HIF is a unique housing incentive program established to provide municipalities with funds for public infrastructure and improvements such as water, sanitary and storm sewer, road and site improvements needed to facilitate the construction or rehabilitation of fair and affordable housing. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

There is no current year request.

Impact on Operating Budget

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

ppropriation	History		
Year	Amount	Description	Status
2014	5,000,000	Public infrastructure improvements	COMPLETE
2015	3,000,000	Public infrastructure improvements	COMPLETE
2016	2,500,000	Public infrastructure improvements	COMPLETE
2017	3,500,000	Greenburgh Manhattan Ave Redevelopment Senior Housing - \$1,000,000; continuation of this project -\$2,500,000	COMPLETE
2018	4,150,000	Continuation of this project.	COMPLETE
2019	5,910,000	Continuation of this project	COMPLETE
2020	10,000,000	Continuation of this project	IN PROGRESS
2021	12,000,000	Continuation of this project \$10,000,000 ; Infrastructure Broadband \$2,000,000	IN PROGRESS
2022	25,000,000	Continuation of this project	\$8,000,000 IN PROGRESS; \$17,000,000 AWAITING BOND AUTHORIZATION
2023	15,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	86,060,000		

HOUSING IMPLEMENTATION FUND II (BPL1A)

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	86,060,000	26,648,042	59,411,958
Others		(71,958)	71,958
Total	86,060,000	26,576,084	59,483,916

onds Aut		ALL DE CONTRACTOR OF THE PARTY			
Bond Ad	ct 15	Amount	Date Sold	Amount Sold	Balance
170 15	2,400,000	12/15/17	1,053,460	605	
		12/15/17	193,426		
		12/15/17	1,634		
			12/10/18	551,30 9	
			12/10/19	271,876	
			12/10/19	53,689	
			12/01/22	249,231	
			12/01/22	24,769	
206	206 15	500,000	12/15/17	262,311	5,494
: T.T.T. (T.T.)	# (Cabo) 60 (#)	12/15/17	48,163		
			12/15/17	407	
			12/10/18	183,625	
174	174 17	2,250,000	12/10/18	24,138	27,303
			12/10/19	127,644	
		12/10/19	25,207		
			04/30/20	192,926	
			10/28/20	985,486	
			10/28/20	138,079	
			10/28/20	38,077	
			10/28/20	(38,077)	
			12/01/21	445,116	
		12/01/22	258,419		
		12/01/22	25,682		
210	17		25	20 - 1999 ▼ 2010 (1994 - 1995)	
84 18	2,400,000	12/10/19	270,781	437,986	
		12/10/19	53,472	enne mys en B atter (1976-1997)	
		04/30/20	560,358		
		10/28/20	389,869		
		10/28/20	54,626		
		10/28/20	15,064		
		10/28/20	(15,064)		
		12/01/21	632,909		

HOUSING IMPLEMENTATION FUND II (BPL1A)

				18	156
144,159	27,188	04/30/20	1,300,000	18	188
	487,032	10/28/20			
d same of the	68,239	10/28/20			
	18,818	10/28/20			
	294,989	12/01/21			
	207,794	12/01/22			
	20,651	12/01/22			
	28,340	11/30/23			
n. p.b. place	2,792	11/30/23			
399,018	1,765,006	12/01/21	4,400,000	18	183
	1,282,442	12/01/22			
	127,450	12/01/22			
	752,011	11/30/23			
	74,073	11/30/23			
				19	72
(5)	2,419,574	12/01/21	5,760,000	19	152
	2,776,495	12/01/22			
	275,931	12/01/22			
	262,180	11/30/23			
	25,825	11/30/23			
2,500,000			2,500,000	19	179
				19	180
(9)	148,675	12/01/21	5,000,000	20	51
	3,943,713	12/01/22			
	391,930	12/01/22			
	469,449	11/30/23			
	46,241	11/30/23			
1,641,751	43,723	12/01/21	5,000,000	20	97
	1,122,890	12/01/22			
1	111,594	12/01/22			
	1,893,528	11/30/23			
	186,513	11/30/23			

HOUSING IMPLEMENTATION FUND II (BPL1A)

To	tal	53,949,000		26,594,902	27,354,098
145	24	8,134,000			8,134,000
147	23	5,555,000			5,555,000
58	23	2,750,000			2,750,000
			11/30/23	21,628	
28	22	3,500,000	11/30/23	219,576	3,258,796

ACT NO. - 2025

AN ACT authorizing the County of Westchester (the "County") to enter into an inter-municipal developer agreement with the City of Yonkers and Macquesten Development, LLC, its successors or assigns, or any entity created to carry out the purposes of the transaction in order to fund certain infrastructure improvements and authorizing the County to grant and accept any property rights necessary in furtherance thereof, all for the purpose of constructing 160 affordable rental units that will affirmatively further fair housing at 632-636 South Broadway in the City of Yonkers and remain affordable for a period of not less than 50 years.

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

Section 1. The County of Westchester (the "County") is hereby authorized to enter into an inter-municipal developer agreement (the "IMDA") with the City of Yonkers and Macquesten Development, LLC (the "Developer"), its successors or assigns or any entity created to carry out the purposes of the transaction in order to finance the construction of a portion of the infrastructure improvements associated with the construction of 146 parking spaces and will include, but not be limited to, new ramps, concrete flooring, drainage, electrical systems, fire suppression systems, signage, landscaping, waterproofing, construction management and County administrative costs (the "Infrastructure Improvements") in support of 160 affordable rental units (the "Affordable AFFH Units") which will affirmatively further fair housing ("AFFH") at 632-636 South Broadway in the City of Yonkers, as part of the County's program to ensure the development of new affordable housing. The term of the IMDA will be fifteen (15) years and the County will contribute an amount not to exceed FOUR MILLION FIFTY THOUSAND (\$4,050,000) DOLLARS to finance a portion of the Infrastructure Improvements. The County will have an ownership interest in the Infrastructure Improvements through an easement for a term of fifteen (15) years and will provide that the City of Yonkers, the Developer, its successors or assigns, will be responsible for any and all costs of operation and maintenance of the Infrastructure Improvements.

- §2. The IMDA shall require the Developer, its successors or assigns, or any entity created to carry out the purposes of the transaction, as a condition of the County's financing a portion of the Infrastructure Improvements, to record a declaration of restrictive covenants, approved and enforceable by the County, which shall run with the land and bind the property and any successor(s) in interest and will require that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty (50) years.
- §3. The period of affordability of the Affordable AFFH Units shall be a minimum of fifty (50) years.
- **§4.** The County is hereby authorized to grant and accept any property rights necessary in furtherance of the IMDA and the Affordable AFFH Units.
- §5. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.
 - **§6.** This Act shall take effect immediately.



Kenneth W. Jenkins County Executive

September 4, 2025

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review are the following Acts and Local Law, which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") as follows:

- (i) 2025 Capital Budget Amendment. An Act to amend the County's 2025 Capital Budget to add an appropriation for Capital Project BPL46 Glenview Mansion Improvements in the amount of One Million, One Hundred Forty-Three Thousand (\$1,143,000) Dollars (the "Capital Budget Amendment").
- (ii) <u>Bond Act.</u> A proposed Bond Act (the "Bond Act") in the total amount of One Million, One Hundred Forty-Three Thousand (\$1,143,000) Dollars to finance Capital Project BPL46. The proposed Bond Act is necessary to finance the costs of improvements to the Glenview Historic home in Yonkers, New York, including mechanical, electrical, plumbing and fire and safety system improvements and roof, masonry, windows and door improvements and replacements.
- (iii) Local Law to Authorize a Third Amendment to the Intermunicipal Agreement with the City of Yonkers. A proposed local law (the "Local Law") which would authorize the County to enter into a third amendment (the "Third Amendment") to the Intermunicipal Agreement ("IMA"), as amended, with the City of Yonkers (the "City") to amend the County's contribution for the Hudson River Museum Component of the Revised JFK Project by \$227,924.28 from \$6,200,000 to \$6,427,924.28, increase the City's contribution for the Hudson River Museum Component of the Revised JFK Project by \$1,691,352.59 from \$5,453,000 to \$7,144,352.59 and increase the total cost for the Hudson River Museum Component of the Revised JFK Project by \$1,919,276.87 from \$12,283,000 to \$14,202,276.87.

Office of the County Executive

Michaelian Office Building 148 Martine Avenue White Plains, New York 10601

Email: CE@westchestergov.com Telephone: (914) 995-2900

Email: ceo@westchestercountyny.gov

The Original Agreement.

By Act 59-2008 duly adopted on April 28, 2008, your Honorable Board authorized the County to enter into the IMA with the City whereby the County agreed to, *inter alia*:

- (i) Provide funding to the City for the design of a new amphitheater, parking structure and improvements to JFK Memorial Drive (the "JFK Project");
- (ii) Design at the County's cost and expense of a portion of the County's Riverwalk trailway (the "Riverwalk Project"); and
- (iii) Bond up to Eight Hundred Thousand (\$800,000) Dollars for the design and permitting of the JFK Project and Two Hundred Thousand (\$200,000) Dollars for the design of Riverwalk Project.

By Act No. 56-2008 duly adopted on April 28, 2008, your Honorable Board authorized an Amendment to the County's 2008 Capital Budget to increase the appropriation for the JFK Project by Seven Million, Five Hundred Thousand (\$7,500,000) Dollars.

By Bond Act No. 57-2008 duly adopted on April 28, 2008, your Honorable Board authorized the County to issue Eight Hundred Thousand (\$800,000) Dollars in bonds of the County to finance the first phase of the JFK Project whereby the County would finance the City's design and permitting of the JFK Project.

By Bond Act No. 58-2008 duly adopted on April 28, 2008, your Honorable Board authorized the County to issue Two Hundred Thousand (\$200,000) Dollars in bonds of the County to finance the design of the Riverwalk Project.

The IMA was duly executed between the County and the City on or about December 16, 2008.

The First Amendment.

By Local Law No. 15-2010 duly adopted on September 7, 2010, your Honorable Board authorized the County to amend the IMA with the City (the "First Amendment") to, *inter alia*:

- (i) provide the City with additional funding in the amount of Six Million, Seven Hundred Thousand (\$6,700,000) Dollars for construction costs for the JFK Project for a total amount not to exceed Seven Million, Five Hundred Thousand (\$7,500,000) Dollars including the previously approved design costs;
- (ii) take away the City's obligation to construct the Riverwalk Project and reassign said obligation to the County;
- (iii) construct the Riverwalk Project at an anticipated total amount not to exceed of One Million (\$1,000,000) dollars, which included Two Hundred Thousand (\$200,000) Dollars in previous design funding;

- (iv) require the Projects be available to all Westchester County residents, and the fees charged for use of any part of the Projects to non-residents of the City not exceed double the fees charged to the City's residents; and
- (v) incorporate a lease of the City-owned property located along the northern portion of the City's waterfront at and adjacent to Trevor Park and the JFK Marina (the "Property") and authorize the County to enter into said lease with the Municipality, whereby the Municipality would grant to the County the right to use and occupy the Property for the term of any bonds issued by the County.

By Bond Act No. 112-2010 duly adopted on September 7, 2010, your Honorable Board authorized the County to amend Bond Act No. 57-2008 to increase the initial amount authorized by Six Million, Seven Hundred Thousand (\$6,700,000) Dollars in bonds of the County to finance the construction of the JFK Project for a total authorized amount, as amended, of Seven Million, Five Hundred Thousand (\$7,500,000) Dollars.

By Bond Act No. 113-2010 duly adopted on September 7, 2010, your Honorable Board authorized the County to amend Bond Act 58-2008 to increase the initial amount authorized by Eight Hundred Thousand (\$800,000) Dollars in bonds of the County to finance construction of the Riverwalk Project for a total authorized amount, as amended, of One Million (\$1,000,000) Dollars.

The First Amendment to the IMA was duly executed between the County and the City on or about April 12, 2011.

Under the First Amendment, the new amphitheater was successfully constructed. The parking structure, road improvements and Riverwalk Project did not go forward.

The Second Amendment.

By Local Law No. 2019-9 duly adopted on September 16, 2019, your Honorable Board authorized the County to further amend the IMA with the City (the "Second Amendment") to, *inter alia*:

- (i) remove the construction of the parking structure by the City;
- (ii) remove the design and construction of the road improvements to the JFK Memorial Drive by the City;
- (iii) add that the City would undertake improvements to the Hudson River Museum in Yonkers, including expansion of the Museum's west wing for additional exhibition gallery space, storage space and a 50 to 125-seat theater. Improvements would also be made to the existing museum building, planetarium and Glenview Historic home, including mechanical, electrical, plumbing and fire and safety system improvements, roof, masonry, windows and door improvements and replacements ("Hudson River Museum Component") with the Hudson River Museum Component to be undertaken in two (2)

phases. Phase 1 being the "Museum Structure Subcomponent," and Phase 2 being the "Glenview Structure Subcomponent."

(collectively, (i) through (iii) referred to as the "Revised JFK Project");

- (iv) provide funding to the City for the design and construction of the Hudson River Museum Component up to a total amount not to exceed Six Million, Two Hundred Thousand (\$6,200,000) with the City agreeing to fund a portion of the cost of the Hudson River Museum Component in the amount of Five Million, Four Hundred Fifty-Three Thousand (\$5,453,000) Dollars, and the City being responsible to obtain funding from the State of New York to fund a portion of the cost of the Hudson River Museum Component in the amount of Six Hundred Thirty Thousand (\$630,000) Dollars, for a total budgeted amount for the Revised JFK Project, when added to the amount of Six Million, Two Hundred Thousand (\$6,200,000) Dollars in funds being provided by the County, of Twelve Million, Two Hundred Eighty-Three Thousand (\$12,283,000) Dollars.
- (v) remove the design and construction of the Riverwalk Project by the County and all obligations on the part of the County to finance or fund any portion of the JFK Project and the Riverwalk Project;
- (vi) require the facilities under the Revised JFK Project be open to all Westchester County residents and any fees charged to non-residents, including any admission fees for the Hudson River Museum, not exceed the fees charged to the City's residents; and
- (vii) extend the term of the County's lease of the Property for at least the term of the County bonds issued in connection with the Hudson River Museum Component.

By Act No. 2019-157 duly adopted on September 16, 2019, your Honorable Board authorized an Amendment to the County's 2019 Capital Budget to increase the appropriation for BPL32 – Yonkers Waterfront Plan, Phase II by Six Million, Two Hundred Thousand (\$6,200,000) Dollars.

By Bond Act No. 2019-158 duly adopted on September 16, 2019, your Honorable Board authorized the County to issue Six Million, Two Hundred Thousand (\$6,200,000) Dollars in bonds of the County to finance Capital Project BPL32 – Yonkers Waterfront Plan, Phase II.

The Second Amendment to the IMA was duly executed between the County and the City on or about October 23, 2019.

The Museum Structure Subcomponent was completed under the Second Amendment.

The Proposed Third Amendment.

I have been advised that the cost of the Museum Structure Subcomponent exceeded the budget set forth in the Second Amendment. As a result, the County's contribution increased by \$227,924.28 from \$5,057,250 to \$5,285,174.28, and the City's contribution increased by \$841,352.59 from \$5,453,000 to \$6,294,252.59. The contribution from the State of New York remained the same.

I have been further advised that the Glenview Structure Subcomponent has not been completed and as such, the City' contribution for Glenview Structure Subcomponent will increase by \$850,000 from \$0.00 to \$850,000, and the County's contribution for the Glenview Structure Subcomponent will remain the same at \$1,142,750.

These above changes will result in a total increase in the Hudson River Museum Component of the Revised JFK Project by \$1,919,276.87, from \$12,283,00 to \$14,202,276.87, comprised of an increase in the County's contribution by \$227,924.28 from \$6,200,000 to \$6,427,924.28 and an increase in the City's contribution by \$1,691,352.59 from \$5,453,000 to \$7,144,352.59 with the State contribution remaining the same.

Accordingly, both the County and the City desire to enter into the proposed Third Amendment to the IMA (the "Third Amendment") to modify the budget for the Hudson River Museum Component as follows:

- (i) amend the County's contribution for the Hudson River Museum Component of the Revised JFK Project from \$6,200,000 to \$6,427,924.28;
- (ii) amend the City's contribution for the Hudson River Museum Component of the Revised JFK Project from \$5,453,000 to \$7,144,352.59;
- (iii) amend the total project costs for the Hudson River Museum Component of the Revised JFK Project from \$12,283,000 to \$14,202,276.87; and
- (iv) extend the term of the lease of the Property for the life of any County bonds issued to finance capital project BPL46 Glenview Mansion Improvements.

In addition, BPL32 was inadvertently closed as a capital project from the County's Capital Budget. Accordingly, a new Capital Project for the Glenview Structure Subcomponent in the amount of \$1,143,000 is needed and authorized through the 2025 Capital Budget Amendment submitted herein.

Attached for your Honorable Board's consideration is a Local Law which, if adopted, would authorize the County to enter into the aforementioned Third Amendment to the IMA, as amended, with the City.

As your Honorable Board is aware, Section 209.141 of the Laws of Westchester County requires a public hearing. Attached hereto is a resolution (the "Public Hearing Resolution"), which will set the time and date for the public hearing.

In addition, Section 167.131 of the Laws of Westchester County mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. The Department of Planning has advised that the Planning Board adopted a resolution

amending its Planning Board report to add the new capital project BPL46 – Glenview Mansion Improvements. A copy of the Planning Board report is attached hereto.

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

Sincerely,

Kenneth W. Jenkins County Executive

KWJ/ran Attachment

HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following Acts and Local Law:

- (i) 2025 Capital Budget Amendment. An Act to amend the County's 2025 Capital Budget to add an appropriation for Capital Project BPL46 Glenview Mansion Improvements in the amount of One Million, One Hundred Forty-Three Thousand (\$1,143,000) Dollars (the "Capital Budget Amendment").
- (ii) <u>Bond Act.</u> A proposed Bond Act (the "Bond Act") prepared by Harris Beach PLLC in the total amount of One Million, One Hundred Forty-Three Thousand (\$1,143,000) Dollars to finance Capital Project BPL46. The proposed Bond Act is necessary to finance the costs of improvements to the Glenview Historic home in Yonkers, New York, including mechanical, electrical, plumbing and fire and safety system improvements and roof, masonry, windows and door improvements and replacements.
- (iii) Local Law to Authorize a Third Amendment to the Intermunicipal Agreement with the City of Yonkers. A proposed local law (the "Local Law") which would authorize the County to enter into a third amendment (the "Third Amendment") to the Intermunicipal Agreement ("IMA"), as amended, with the City of Yonkers (the "City") to amend the County's contribution to the Hudson River Museum component of the Revised JFK Project by \$227,924.28 from \$6,200,000 to \$6,427,924.28, increase the City's contribution by \$1,691,352.59 from \$5,453,000 to \$7,144,352.59 and increase the total cost for the Hudson River Museum Component by \$1,919,276.87 from \$12,283,000 to \$14,202,276.87.

The Original Agreement.

Your Committee is advised that by Act 59-2008 duly adopted on April 28, 2008, your Honorable Board authorized the County to enter into the IMA with the City whereby the County agreed to, *inter alia*:

- (i) Provide funding to the City for the design of a new amphitheater, parking structure and improvements to JFK Memorial Drive (the "JFK Project");
- (ii) Design at the County's cost and expense a portion of the County's Riverwalk trailway (the "Riverwalk Project"); and
- (iii) Bond up to Eight Hundred Thousand (\$800,000) Dollars for the design and permitting of the JFK Project and Two Hundred Thousand (\$200,000) Dollars for the design of the Riverwalk Project.

Your Committee further is advised that by Act No. 56-2008 duly adopted on April 28, 2008, your Honorable Board authorized an Amendment to the County's 2008 Capital Budget to increase the appropriation for the JFK Project by Seven Million, Five Hundred Thousand (\$7,500,000) Dollars.

Your Committee is advised that, by Bond Act No. 57-2008 duly adopted on April 28, 2008, your Honorable Board authorized the County to issue Eight Hundred Thousand (\$800,000) Dollars in bonds of the County to finance the first phase of the JFK Project whereby the County would finance the City's design and permitting of the JFK Project.

Your Committee is advised that, by Bond Act No. 58-2008 duly adopted on April 28, 2008, your Honorable Board authorized the County to issue Two Hundred Thousand (\$200,000) Dollars in bonds of the County to finance the design of the Riverwalk Project.

Your Committee is advised that, the IMA was duly executed between the County and the City on or about December 61, 2008.

The First Amendment.

Your Committee is advised that, by Local Law 15-2010 duly adopted on September 7, 2010, your Honorable Board authorized the County to amend the IMA with the City (the First Amendment') to, *inter alia*:

(i) provide the City with additional funding in the amount of Six Million, Seven Hundred Thousand (\$6,700,000) Dollars for construction costs for the JFK Project for a total

amount not to exceed Seven Million, Five Hundred Thousand (\$7,500,000) Dollars including the previously approved design costs;

- (ii) take away the City's obligation to construct the Riverwalk Project and reassign said obligation to the County;
- (iii) construct the Riverwalk Project at an anticipated total amount not to exceed of One Million (\$1,000,000) Dollars, which included Two Hundred Thousand (\$200,000) Dollars in previous design funding;
- (iv) require the Projects be available to all Westchester County residents, and the fees charged for use of any part of the Projects to non-residents of the City not exceed double the fees charged to the City's residents; and
- (v) incorporate a lease of the City owned-property located along the northern portion of the City's waterfront at and adjacent to Trevor Park and the JFK Marina (the "Property") and authorize the County to enter into said lease with the Municipality, whereby the Municipality would grant to the County the right to use and occupy the Property for the term of any bonds issued by the County.

Your Committee is advised that, by Bond Act No. 112-2010 duly adopted on September 7, 2010, your Honorable Board authorized the County to amend Bond Act No. 57-2008 to increase the initial amount authorized by Six Million, Seven Hundred Thousand (\$6,700,000) Dollars in bonds of the County to finance the construction of the JFK Project for a total authorized amount, as amended, of Seven Million, Five Hundred Thousand (\$7,500,000) Dollars.

Your Committee is advised that, by Bond Act No. 113-2010 duly adopted on September 7, 2010, your Honorable Board authorized the County to amend Bond Act 58-2008 to increase the initial amount authorized by Eight Hundred Thousand (\$800,000) Dollars in bonds of the County to finance construction of the Riverwalk Project for a total authorized amount, as amended, of One Million (\$1,000,000) Dollars.

Your Committee is advised that the First Amendment to the IMA was duly executed between the County and the City on or about April 12, 2011. Under the First Amendment, the new amphitheater was successfully constructed. The parking structure, road improvements and Riverwalk Project did not go forward.

The Second Amendment.

Your Committee is advised that, by Local Law No. 2019-9 duly adopted on September 16, 2019, your Honorable Board authorized the County to further amend the IMA with the City (the "Second Amendment") to, *inter alia*:

- (i) remove the construction of the parking structure by the City;
- (ii) remove the design and construction of the road improvements to the JFK Memorial Drive by the City;
- (iii) add that the City undertake improvements to the Hudson River Museum in Yonkers, including expansion of the Museum's west wing for additional exhibition gallery space, storage space and a 50 to 125-seat theater. Improvements will also be made to the existing museum building, planetarium and Glenview Historic home, including mechanical, electrical, plumbing and fire and safety system improvements, roof, masonry, windows and door improvements and replacements ("Hudson River Museum Component") with the Hudson River Museum Component to be undertaken in two (2) phases. Phase 1 being the "Museum Structure Subcomponent," and Phase 2 being the "Glenview Structure Subcomponent."

(collectively, (i) through (iii) referred to as the "Revised JFK Project");

- (iv) provide funding to the City for the design and construction of the Hudson River Museum Component up to a total amount not to exceed Six Million, Two Hundred Thousand (\$6,200,000) with the City agreeing to fund a portion of the cost of the Hudson River Museum Component in the amount of Five Million, Four Hundred Fifty-Three Thousand (\$5,453,000) Dollars, and the City being responsible to obtain funding from the State of New York to fund a portion of the cost of the Hudson River Museum Component in the amount of Six Hundred Thirty Thousand (\$630,000) Dollars, for a total budgeted amount for the Revised JFK Project, when added to the amount of Six Million, Two Hundred Thousand (\$6,200,000) Dollars in funds being provided by the County, of Twelve Million, Two Hundred Eighty-Three Thousand (\$12,283,000) Dollars.
- (v) remove the design and construction of the Riverwalk Project by the County and all obligations on the part of the County to finance or fund any portion of the JFK Project and the Riverwalk Project;
- (vi) require the facilities under the Revised JFK Project will be open to all Westchester County residents and any fees charged to non-residents, including any admission fees for the Hudson River Museum, not exceed the fees charged to the City's residents; and
- (vii) extend the term of the County's lease of the Property for at least the term of the County bonds issued in connection with the Hudson River Museum Component.

Your Committee is advised that, by Act No. 2019-157 duly adopted on September 16, 2019, your Honorable Board authorized an Amendment to the County's 2019 Capital Budget to increase the appropriation for BPL32 – Yonkers Waterfront Plan, Phase II by Six Million, Two Hundred Thousand (\$6,200,000) Dollars.

Your Committee is advised that, by Bond Act No. 2019-158 duly adopted on September 16, 2019, your Honorable Board authorized the County to issue Six Million, Two Hundred Thousand (\$6,200,000) Dollars in bonds of the County to finance Capital Project BPL32 – Yonkers Waterfront Plan, Phase II.

Your Committee is advised that, the Second Amendment was executed between the County and the City on or about October 23, 2019. The Museum Structure Component was completed under the Second Amendment.

The Proposed Third Amendment.

Your Committee is advised that the cost of the Museum Structure Component exceeded the budget set forth in the Second Amendment. As such, the County's contribution increased by \$227,924.28 from \$5,057,250 to \$5,285,174.28, and the City's contribution increased by \$841,352.59 from \$5,453,000 to \$6,294,252.59 with the State contribution remaining the same.

Your Committee is advised that the Glenview Structure Subcomponent has not been completed, and, as such, the City's contribution will increase by \$850,000 from \$0.00 to \$850,000, and the County's contribution for the Glenview Structure Subcomponent will remain the same at \$1,142,750.

Your Committee is advised that the above changes will result in a total increase in the Hudson River Museum Component of the Revised JFK Project by \$1,919,276.87 from \$12,283,000 to \$14,202,276.87 comprised of an increase in the County's contribution by

\$227,924.28 from \$6,200,000 to \$6,427,924.28 and an increase in the City's contribution by \$1,691,352.59 from \$5,453,000 to \$7,144,352.59 with the State's contribution remaining the same.

Your Committee is advised that both the County and the City desire to enter into the proposed Third Amendment to the IMA (the "Third Amendment") to modify the budget for the Hudson River Museum Component as follows:

- (i) amend the County's contribution for the Hudson River Museum Component of the Revised JFK Project from \$6,200,000 to \$6,427,924.28;
- (ii) amend the City's contribution for the Hudson River Museum Component of the Revised JFK Project from \$5,453,000 to \$7,144,352.59;
- (iii) amend the total project cost for the Hudson River Museum Component of the Revised JFK Project from \$12,283,000 to \$14,202,276.87; and
- (iv) extend the term of the lease of the Property for the life of any bonds issued to finance capital project BPL46 Glenview Mansion Improvements.

Your Committee is advised that BPL32 was inadvertently closed as a capital project from the County's Capital Budget. Accordingly, a new Capital Project for the Glenview Structure Subcomponent in the amount of \$1,143,000 is needed and authorized through the 2025 Capital Budget Amendment submitted herewith.

Your Committee is advised that the proposed Local Law, if adopted, would authorize the County to enter into the aforementioned Third Amendment to the IMA, as amended, with the City.

As your Honorable Board is aware, Section 209.141 of the Laws of Westchester County requires a public hearing. Attached hereto is a resolution (the "Public Hearing Resolution"), which will set the time and date for the public hearing.

In addition, Section 167.131 of the Laws of Westchester County mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical

planning aspects of the project. The Department of Planning ("Planning Department") has

advised that the Planning Board adopted a resolution amending its Planning Board report to add

the new capital project BPL46 - Glenview Mansion Improvements. A copy of the Planning

Board's report is attached hereto.

Finally, as your Honorable Board is aware, no action may be taken with regard to the

proposed legislation until the requirements of the State Environmental Quality Review Act and

its implementing regulations, 6 NYCRR Part 617, ("SQER") have been met. The Planning

Department has advised your Committee that based on its review, the authorization of the

proposed Third Amendment and BPL46-Glenview Mansion Improvements may be classified as

a Type "II" action pursuant to the SEQR. Therefore, no environmental review is required. Your

Committee has reviewed the annexed SEQR documentation and concurs with this

recommendation.

It should be noted that the Public Hearing Resolution requires an affirmative vote of the

majority of your Honorable Board, while the Bond Act and Local Law require the affirmative

vote of two-thirds of the members of your Honorable Board.

Your Committee believes that the Revised JFK Project is in the best interest of the

County and, therefore, recommends the favorable action of your Honorable Board on the

annexed proposed legislation, noting that the Public Hearing Resolution must be passed and the

public hearing held in advance of adoption of the Bond Act and the Local Law.

Dated:

, 2025

White Plains, New York

COMMITTEE ON

ran.9.4.2025

13

89

FISCAL IMPACT STATEMENT

CAPITAL PROJEC	T#: BPL46	NO FISCAL IMPACT PROJECTED
		AL BUDGET IMPACT
601/45	To be comple	eted by Budget
X GENERAL FU	IND AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check or	noli Cumant Amazansiatiana
	Source of County Funds (Check of	ne): Current Appropriations
		X Capital Budget Amendment
·		IG AUTHORIZATIONS ted by Finance
	To be complet	ted by Finance
Total Princip	pal \$ 1,143,000	PPU 15 Anticipated Interest Rate 3.47%
Anticipated	Annual Cost (Principal and Interest):	\$ 99,454
Total Debt S	ervice (Annual Cost x Term):	\$ 1,491,810
Finance Dep	artment: Interest rates from Sep	tember 4, 2025 Bond Buyer - ASBA
	SECTION C - IMPACT ON OPERATING	BUDGET (exclusive of debt service)
	To Be Completed by Submitting De	
Potential Re	lated Expenses (Annual): \$	
Potential Re	lated Revenues (Annual): \$	-
Anticipated :	savings to County and/or impact of d	epartment operations
AL VILLEGAM AND A CONTRACTOR OF THE CONTRACTOR O	detail for current and next four years)	Value 3 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 -
8	SECTION D - E As per federal guidelines, each \$92,00	
Number of F	ull Time Equivalent (FTE) Jobs Funded	d: 12
Prepared by:	Susan Darling	
Title:	Chief Planner	Reviewed By:
Department:	Planning	W9.5.25 Budget Director
Date:	9/5/25	Date: 9825



TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

August 27, 2025

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

BPL46 GLENVIEW MANSION IMPROVEMENTS

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

07/23/2025 (Unique ID: 2999)

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)(2): replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

COMMENTS: None.

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

Blanca P. Lopez, Commissioner of Planning

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

BPL46 Glenview Mansion Improvements

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Approp- riated	2025	2026	2027	2028	2029	Under Review
Gross Less non-County	\$1,143							\$1,143
Shares Net	\$1,143							\$1,143

Project Description

This project is to fund the Glenview Mansion Improvements, in the City of Yonkers. The project will utilize funding from previously appropriated funds in BPL46 for the improvements to the Glenview Mansion at the Hudson River Museum in the City of Yonkers for \$1,143,000.

Appropriations/Requests

Under Review: \$1,143,000 for design and construction

Justification

The Glenview Mansion, an integral part of the Hudson River Museum, was built in 1877. The Glenview historic home requires significant repair and restoration to allow continued use and eliminate further deterioration. The Hudson River Museum and the Glenview Mansion are an important element in the revitalization of the Yonkers waterfront and serves residents from across Westchester County and the region. This project is consistent with *Westchester 2025* in that it will help support and protect a regional cultural resource, protect an historic property listed on the National Register of Historic Places and help in the revitalization of the Yonkers waterfront and downtown.

Consistency With Programs or Plans

The project is consistent with the policies of *Westchester 2025*, the County's long-range land use policies, and the 1999 Open Space Polices in that it supports open space preservation, provides opportunities for active and passive recreation, promotes open space linkages, preserves environmentally significant properties and helps preserve properties considered to be of historic significance.

Planning Board Analysis

PL2HP: The Planning Board supports this project to the historic Glenview Mansion. The Planning Board supports projects with the goal to keep parkland and historic facilities in a well-maintained state. Performing physical improvements on a priority basis reflects a comprehensive approach to undertaking capital improvements.

As per Westchester County policy, stormwater management must be addressed with every capital project. Designs should comply with the NYS Stormwater Management Design Manual and the NYS Standards and Specifications for Erosion and Sediment Control.

As this site is on the National Register of Historic Places, it will be reviewed by the New York State Historic Preservation Office.

ACT No. 2025

An Act amending the 2025 County Capital Budget Appropriations for Capital Project BPL46 GLENVIEW MANSION IMPROVEMENTS

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

Section 1. The Capital section of the 2025 County Budget is hereby amended as follows:

	Previous 2025		Revised 2025
	Appropriation	Change	Appropriation
I. Appropriation		\$1,143,000	\$1,143,000

Section 2. The estimated method of financing in the Capital Section of the 2025 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$0	\$1,143,000	\$1,143,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$0	\$1,143,000	\$1,143,000

Section 3. The ACT shall take effect immediately.

ACT NO. -20_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,143,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO THE GLENVIEW HISTORIC HOME IN THE CITY OF YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,143,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,143,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20___)

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, to the provisions of other laws applicable thereto, \$1,143,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to the Glenview Historic Home in the City of Yonkers, including mechanical, electrical, boiler, plumbing, security and fire and safety system improvements, roof, masonry, and window and door improvements and replacements; 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,143,000. The plan of financing includes the issuance of \$1,143,000 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.

Section 2. The period of probable usefulness applicable to the class of objects or purposes for which bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 12(a)(2) 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 \$1,143,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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. 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 6. 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 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

: ss.: COUNTY OF WESTCHESTER) I HEREBY CERTIFY that I have compared the foregoing Act No20_ 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 Count of Westchester on , 20_ and approved by the County Executive on , 20 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate
I HEREBY CERTIFY that I have compared the foregoing Act No20_ 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 Count of Westchester on, 20 and approved by the County Executive on, 20
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 Count of Westchester on , 20_ and approved by the County Executive on , 20
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 Count of Westchester on , 20_ and approved by the County Executive on , 20
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 Count of Westchester on , 20_ and approved by the County Executive on , 20
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of the said original Act, which was duly adopted by the County Board of Legislators of the Count of Westchester on , 20_ and approved by the County Executive on , 20
of Westchester on , 20_ and approved by the County Executive on , 20
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate
seal of said County Board of Legislators this da
of , 20
The Clerk and Chief Administrative Officer of the County Board of Legislators (SEAL) County of Westchester, New York

LEGAL NOTICE

Legislators on	a summary of which is published herewith, has been adopted by the Board of, 20 and approved by the County Executive on, 20
	obligations authorized by such Bond Act may be hereafter contested only if such
	rized for an object or purpose for which the County of Westchester, in the State of rized to expend money or if the provisions of law which should have been complied
	ablication of this Notice were not substantially complied with, and an action, suit or
	such validity is commenced within twenty days after the publication of this Notice,
	e authorized in violation of the provisions of the Constitution.
0	
	es of the Bond Act summarized herewith shall be available for public inspection
	s hours at the Office of the Clerk of the Board of Legislators of the County of c, for a period of twenty days from the date of publication of this Notice.
ACT NO20	<u></u>
	RIZING THE ISSUANCE OF \$1,143,000 BONDS OF THE COUNTY OF
	SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST
	S TO THE GLENVIEW HISTORIC HOME IN THE CITY OF YONKERS; MATED MAXIMUM COST THEREOF IS \$1,143,000; STATING THE PLAN OF
	COST INCLUDES THE ISSUANCE OF \$1,143,000 BONDS HEREIN
	TNANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE
	INTEREST ON SAID BONDS. (Adopted , 20)
object or purpose:	the improvements to the Glenview Historic Home in the City of Yonkers, including mechanical, electrical, boiler, plumbing, security and fire and safety system improvements, roof, masonry, and window and door improvements and replacements; all as set forth in the County's current year Capital Budget, as
	amended.
amount of obligations to	be issued:
and period of probable	
Dated:	. 20
White Plains, N	
	Clerk and Chief Administrative Officer of the County
	Roard of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* BPL46	≭ Cl	ВА			Fact Sheet 07-10-2025		17	
Fact Sheet Year:*	Proje	ect Title:*		1	Legislative	District	ID.	
2025	GLE	NVIEW MANSION ROVEMENTS	1		6			
Category*	Depa	ertment:*			CP Unique	e ID:		
BUILDINGS, LAND & MISCELLANEOUS		NNING			999			
Overall Project Description This project will fund improvement plumbing, security and fire and so This project will fund architecture.	afety system im	provements, roof, n	nasonry, w	indows ar	d door im	nanical, ele provemen	ectrical, bo	oiler, lacements.
■ Best Management Practices	□ En	ergy Efficiencies		[3] Infrastru	cture		
☐ Life Safety		oject Labor Agreem	ent		Revenue			
☐ Security	□ Ot	16						
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)						
	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	1,143	0	0	0	0	0	0	1,14.
Less Non-County Shares	0	0	0	0	0	0	0	(
Net	1,143	0	0	0	0	0	0	1,143
Current Bond Description: The Yonkers, including any mechanic masonry, windows and door improconstruction management.	al, electrical, bo	oiler, plumbing, secu	urity and f	ire and sat	etv systen	n improve	ments, roo	f.
Financing Plan for Current Red	quest:							
Non-County Shares:		\$ 0						
Bonds/Notes:		1,143,000						
Cash:		0						
Total:		\$ 1,143,000						
SEQR Classification: TYPE II Amount Requested: 1,143,000								
Expected Design Work Provide County Staff		nsultant			l Not Appl	licable		
Comments:								
Energy Efficiencies:								
Total Financing History:								

100

Recommended By:

Department of PlanningMLLL 07-23-2025

Department of Public WorksDateRJB407-29-2025

Budget DepartmentDateDEV908-01-2025

Requesting DepartmentMLLL 08-04-2025

RESOLUTION NO. - 2025

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. -2025 entitled "A LOCAL LAW authorizing the County of Westchester to enter into the Third Amendment to the intermunicipal agreement with the City of Yonkers concerning the Hudson River Museum Component of the Revised JFK Project to increase the County's contribution and the City's contribution for the Hudson River Component of the Revised JFK Project and extend the term of the lease from the City of the property, which is located along the northern portion of the City's waterfront at and adjacent to Trevor Park and the JFK Marina, for a period of at least the life of any County bonds issued to finance the capital project BPL46 - Glenview Mansion Improvements." The public hearing will be held at m. on the day of , 2025 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

LOCAL LAW NO. - 2025

A LOCAL LAW authorizing the County of Westchester to enter into the Amendment to the intermunicipal agreement with the City of Yonkers concerning the Hudson River Museum Component of the Revised JFK Project to increase the County's contribution and the City's contribution for the Hudson River Component of the Revised JFK Project and extend the term of the lease from the City of the property, which is located along the northern portion of the City's waterfront at and adjacent to Trevor Park and the JFK Marina, for a period of at least the life of any County bonds issued to finance the capital project BPL46 Glenview Mansion Improvements.

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

Section 1. The County of Westchester (the "County") is hereby authorized to further amend its intermunicipal agreement with the City of Yonkers (the "City"), dated December 16, 2008, as amended, (collectively the "IMA") whereby the parties agreed, *inter alia*, to revise the JFK Project to remove the parking structure and the road improvements for the JFK Memorial Drive and add funding for improvements to the Hudson River Museum, including an expansion of the Museum's west wing and improvements to the existing museum building, planetarium and Glenview Historic home ("Hudson River Museum Component"), (collectively referred to as the "Revised JFK Project"), located on City-owned property that is along the northern portion of the City's waterfront at and adjacent to Trevor Park and the JFK Marina (the "Property"), by

- (i) amending the County's contribution for the Hudson River Museum Component of the Revised JFK Project from \$6,200,000 to \$6,427,924.28;
- (ii) amending the City's obligation to fund the Hudson River Museum Component of the Revised JFK Project from \$5,453,000 to \$7,144,352.59, with the City continuing to obtain funding from the State of New York to fund a portion of the cost of the Revised JFK Project in the amount of \$630,000, for a new total amount for the Hudson River Component of the Revised JFK Project, when added to the amount of \$6,427,924.28 in funds being provided by the County, from \$12,283,000 to \$14,202,276.87; and
- (iii) extending the term of the lease from the City to use and occupy the Property for a period of at least the life any the County bonds issued to finance capital project BPL46 Glenview Mansion Improvements.
- §2. Pursuant to the Third Amendment, the County shall not be liable for any costs above \$6,427,924.28 in County bond funds and, in the event the costs for the Revised JFK Project exceeds \$6,427,924.28 in County bonds funds, the City shall be solely liable to pay said excess.

- §3. Except as otherwise provided herein, all other terms and conditions of the IMA shall remain unchanged.
- §4. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.
 - §5. This Local Law shall take effect immediately.



Kenneth W. Jenkins County Executive

July 23, 2025

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act (the "Bond Act") which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to issue up to Four Hundred Fifty Thousand (\$450,000.00) Dollars in bonds of the County to finance a component of capital project BPL26 - Flood Mitigation ("BPL26"). Also attached is an Act authorizing an intermunicipal agreement ("IMA") with the Town of Greenburgh (the "Town") setting forth the terms of the flood mitigation project.

The Bond Act, in the amount of Four Hundred Fifty Thousand (\$450,000.00) Dollars, would fund up to 50% of the costs associated with Preliminary Engineering services that will develop proposed projects for flood mitigation in the Troublesome Brook and Manhattan Park Brook watersheds in the Town of Greenburgh, the Troublesome Brook identified as flood problem areas GRB-7 and GRB-16 and the Manhattan Park Brook identified as flood problem areas GRB-1, GRB-2 and GRB-3 in the Bronx River Stormwater Reconnaissance Plan. The analysis will take approximately six (6) months to complete.

The IMA will set forth the responsibilities of the County and the Town in connection with the project. In accordance with the IMA, the County and the Town will each provide up to fifty (50%) percent of the total cost of the project which is Eight Hundred Thirty-Five Thousand, Five Hundred (\$835,500.00) Dollars. The County will pay to the Town, on a reimbursement basis, an amount not to exceed Four Hundred Seventeen Thousand, Seven Hundred Fifty (\$417,750.00) Dollars. It should be noted that the Bond Act for \$450,000.00, also includes additional County costs for staff hours and administration of the project.

In 2011 your Honorable Board enacted the Westchester County Storm Water Management Law ("SWML") to assist municipalities with storm water management (flood mitigation). See Laws of Westchester County Chapter 241, Article III-A, Sections 241.252-241.260. The SWML provides for the evaluation of flooding within the County through preparation of watershed "reconnaissance plans", and the SWML authorizes County cooperation with municipalities, including funding assistance, to improve storm water management and reduce flooding.

By Act No. 124-2014, your Honorable Board approved the Stormwater Reconnaissance Plan for the Bronx River Watershed. Troublesome Brook and Manhattan Park Brook are identified as areas of recurring flooding in this plan. Criteria for funding stormwater management (flood mitigation) projects are also described in the plan, including discretionary fund policy requirements to affirmatively further fair housing. The IMA requires the Town to adopt regulations and policies consistent with the flood mitigation criteria in the Stormwater Reconnaissance Plan for the Bronx River Watershed.

It should be noted that your Honorable Board has previously authorized the County to issue bonds which have financed prior components of this project as set forth in the attached fact sheet.

It should be further noted that since BPL26 is a "general fund" project, specific components are subject to a Capital Budget Amendment. Section 1 of the Bond Act authorizes an amendment to the County's Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the 2025 Capital Budget to reflect the specific location of this project component.

In addition, section 167.131 of the County Charter mandates that a Capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the Planning Board Report for BPL26 and the Planning Board resolution approving same are annexed.

Based upon the foregoing, I recommend the adoption of the aforementioned Bond Act as well as the Act authorizing the IMA.

Sincerely.

Kenneth W. Jenkin County Executive

KWJ/ML/DK/cmc Attachments

Reference: BPL26 (Unique ID# 2943)

THE HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the "Bond Act"), which if adopted, would authorize the County of Westchester (the "County") to issue up to \$450,000.00 in bonds to finance a component of capital project BPL26 - Flood Mitigation ("BPL26"). Also attached is an Act authorizing an intermunicipal agreement ("IMA") with the Town of Greenburgh (the "Town") setting forth the terms of the flood mitigation project.

Your Committee is advised that the Bond Act, prepared by the law firm of Hawkins Delafield & Wood LLP, would fund up to 50% of the costs associated with Preliminary Engineering services that will develop proposed projects for flood mitigation in the Troublesome Brook and Manhattan Park Brook watersheds in the Town of Greenburgh, the Troublesome Brook identified as flood problem areas GRB-7 and GRB-16 and the Manhattan Park Brook identified as flood problem areas GRB-1, GRB-2 and GRB-3 in the Bronx River Stormwater Reconnaissance Plan. The analysis will take approximately six (6) months to complete.

The IMA will set forth the responsibilities of the County and the Town in connection with the project. In accordance with the IMA, the County and the Town will each provide up to fifty (50%) percent of the total cost of the project which is Eight Hundred Thirty-Five Thousand, Five Hundred (\$835,500.00) Dollars. The County will pay to the Town, on a reimbursement basis, an amount not to exceed Four Hundred Seventeen Thousand, Seven Hundred Fifty (\$417,750.00) Dollars. It should be noted that the Bond Act for \$450,000.00, also includes additional County costs for staff hours and administration of the project.

Your Committee is advised that this Honorable Board enacted the Westchester County Storm Water Management Law ("SWML") in 2011 to assist municipalities with storm water management (flood mitigation). See Laws of Westchester County Chapter 241, Article III-A, Sections 241.252-241.260. The SWML provides for the evaluation of flooding within the County through preparation of watershed "reconnaissance plans", and the SWML authorizes

County cooperation with municipalities, including funding assistance, to improve storm water management and reduce flooding.

By Act No. 124-2014, your Honorable Board approved the Stormwater Reconnaissance Plan for the Bronx River Watershed. Troublesome Brook and Manhattan Park Brook are identified as areas of recurring flooding in this plan. Criteria for funding stormwater management (flood mitigation) projects are also described in the plan, including discretionary fund policy requirements to affirmatively further fair housing. The IMA requires the Town to adopt regulations and policies consistent with the flood mitigation criteria in the Stormwater Reconnaissance Plan for the Bronx River Watershed.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds which have financed prior components of this project as set forth in the attached fact sheet.

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

Your Committee is further advised that since BPL26 is a "general fund" project, specific components are subject to a Capital Budget Amendment. Section 1 of the Bond Act authorizes an amendment to the County's Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the 2025 Capital Budget to reflect the specific location of this project component.

In addition, section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the Planning Board Report for BPL26 and the Planning Board resolution approving same are annexed.

Please note that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act, while an affirmative vote of a majority of the voting strength of your Honorable Board is required to adopt the Act authorizing the IMA.

Based on the importance of this project to the County, your Committee recommends favorable action on the annexed Bond Act and Act authorizing the IMA.

Dated:

, 2025

White Plains, New York

COMMITTEE ON

C:cmc/7.17.25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	#: <u>BPL26</u>	NO FISCAL IMPACT PROJECTED				
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget						
X GENERAL FUND	D AIRPORT FUND	SPECIAL DISTRICTS FUND				
	Source of County Funds (check one):	X Current Appropriations				
		Capital Budget Amendment				
TROUBLESOME BRO	OOK AND MANHATTAN PARK BROOK, GI	REENBURGH				
	SECTION B - BONDING AU To Be Completed by	27452				
Total Principal	\$ 450,000 PPU	5 Anticipated Interest Rate 2.66%				
Anticipated An	nnual Cost (Principal and Interest):	\$ 97,386				
Total Debt Serv	vice (Annual Cost x Term):	\$ 486,930				
Finance Depart	tment: Interest rates from Munistat	Services 7/24/25 - ASBA				
s	ECTION C - IMPACT ON OPERATING BUD To Be Completed by Submitting Department	A TOTAL STATE OF THE STATE OF T				
Potential Relat	11 10	EIII and neviewed by budget				
		-				
	ted 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	Number of Full Time Equivalent (FTE) Jobs Funded:					
Prepared by:	Dianne Vanadia					
Title:	Associate Budget Director	Reviewed By: Multin langue				
Department:	Budget	NY 1174175 Budget Director				
Date:	7/29/25	Date: 7/29/25				



TO: Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney Carla Chaves, Senior Assistant County Attorney Maximilian Zorn, Assistant County Attorney

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

Assistant Commissioner

DATE: July 15, 2025

SUBJECT: STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

BPL26 FLOOD MITIGATION – TROUBLESOME BROOK AND MANHATTAN PARK BROOK WATERSHEDS, GREENBURGH

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

05/29/2025 (Unique ID: 2943)

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 a study and preliminary 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

Blanca P. Lopez, Commissioner of Planning

Dianne Vanadia, Associate Budget Director

Susan Darling, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Principal Environmental Planner

BPL26 Flood Mitigation

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated							
	Ultimate Total Cost	Appro- priated	2022	2023	2024	2025	2026	Under Review
Gross	51,750	31,750						20,000
Less non- County Shares								
Net	51,750	31,750					70 2000	20,000

Project Description:

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County. This is a general fund, specific projects are subject to a Capital Budget Amendment.

The program enables Westchester County to partner with municipalities and other government agencies to provide funding for flood control or flood damage reduction projects. Through partnerships with municipalities and other government entities such as the U.S. Army Corps of Engineers and the New York State Department of Environmental Conservation, the County will work to reduce flooding problems and impacts on people and property throughout the county.

Two flood mitigation studies will be conducted addressing flood problem areas identified in the respective stormwater reconnaissance plans.

- 1) Troublesome Brook and Manhattan Brook Flood Study; this project involves the preparation of an engineering study in two areas of the Town of Greenburgh—the Troublesome Brook and the Manhattan Brook. The study will identify potential solutions to alleviate recurring flooding in the areas, identified as Flood Problem Areas GRB-1, 2, 3, 7 &16 in the Stormwater Reconnaissance Plan for the Bronx River Watershed at a County cost not to exceed \$450,000. County staff will be reviewing the project scope and associated costs in more detail prior to execution of an IMA.
- 2) Peach Lake Flood Study; this project involves the preparation of an engineering study in the area of Peach Lake in the Town of North Salem. The study will identify potential solutions to alleviate recurring flooding, identified as Flood Problem Areas NSM-5 in the Stormwater Reconnaissance Plan for the Croton River and Inland Long Island Sound Watershed at a County cost not to exceed \$150,000. County staff will be reviewing the project scope and associated costs in more detail prior to execution of an IMA.

FUNDING REQUESTS:

- 2009: \$5,400,000 for the County contribution to flood mitigation projects in the Town of Mamaroneck (Gardens Lake), City of Rye/Village of Rye Brook (Blind Brook at Bowman Ave.), Village of Scarsdale (George Field Park, Cooper Green, Brewster Road and Butler Field) and the Village of Tarrytown (Loh Park neighborhood) and for the County contribution to the U.S Army Corps of Engineers' General Reevaluation Report (GRR) for the "Mamaroneck and Sheldrake Rivers Basin Flood Damage Reduction Study."
- 2018: \$70,000 for design of a flood mitigation plan for the Avon Circle area in the Village of Rye Brook.
- 2019: \$300,000 for a flood mitigation study along the Hutchinson River in Scarsdale, Eastchester and New Rochelle.
 - \$1,000,000 for the replacement of the Hillside Avenue Bridge in the Village of Mamaroneck.
- 2021: 4,195,000 for five flood mitigation projects: 1) Grassy Sprain Reservoir Dam Outfall Improvements, City of Yonkers; 2) Decommissioning of the Upper Minkel Dam in the Town of New Castle; 3) replacement of Waverly Avenue Bridge, Town of Mamaroneck; 4) Paxton Avenue Flood Study, Village of Bronxville; 5) Peekskill-Hollow Brook Dam Rehabilitation, City of Peekskill

2022: \$3,800,000 for design and construction of flood mitigation at Avon Circle in the Village of Rye Brook

\$220,000 for flood mitigation study along the Pocantico River in Briarcliff Manor

\$130,000 for a flood mitigation study of the Gould Park-Pietro Place & Virginia Avenue Flood Study in Dobbs Ferry

\$450,000 for flood mitigation study of the Troublesome Brook and Manhattan Brook in the Town of Greenburgh

\$150,000 for a flood mitigation study of Peach Lake in the Town of North Salem

<u>JUSTIFICATION</u>: Westchester communities have been subject to flooding for decades. As development occurred, floodplains were filled and opportunities for flood storage were lost. Additional stormwater runoff was being generated from the newly created impervious surfaces. There has been an increase in the intensity of storms, resulting in greater volumes of water in a shorter period of time. With more water and fewer places for it to go, we experience flooding. Westchester County is committed to working with municipalities to address this serious problem.

<u>CONSISTENCY WITH PROGRAMS OR PLANS</u>: The project is consistent with the policies of <u>Westchester 2025</u>, the County's long-range land use policies, in that it will help "preserve and protect the county's natural resources and environment, both physical and biotic" and will help "safeguard Westchester from natural and manmade disasters."

Planning Board Analysis:

PL2: The Planning Board supports the County's participation in the above local flood mitigation projects for the following reasons:

- Municipal flood mitigation projects are expected to lessen the severity of flooding and/or reduce flood-related impacts on public and private properties.
- Municipal flood mitigation projects are expected to better protect the public's safety during flooding events.
- Several municipal flood mitigation projects are expected to provide secondary benefits, such as controlling polluted stormwater runoff and, therefore, improving water quality in the Long Island Sound and Hudson River watersheds.

RESOLUTION 22-_//

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2022 Capital Project Requests BPL26 Flood Mitigation

WHEREAS, the County of Westchester has established Capital Project BPL26 Flood Mitigation, a general fund, to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County; and

WHEREAS, the preparation of a study focused on developing solutions to flooding in the areas of the Troublesome Brook and Manhattan Brook in the Town of Greenburgh, identified as Flood Problem Areas GRB-1, 2, 3, 7 &16 in the Stormwater Reconnaissance Plan for the Bronx River Watershed; and

WHEREAS, the project has been reviewed and approved by the County Stormwater Advisory Board and will be subject to further detailed review by County staff; and

WHEREAS, the development of the plan will include consultation with the City of Yonkers, Village of Elmsford, and other neighboring municipalities, and any proposed solutions will not create or exacerbate flooding conditions in the City of Yonkers or elsewhere; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL26, Flood Mitigation, to add the project to Capital Project BPL26 and authorize bonding to fund up to 50% of eligible costs; and

WHEREAS, the project is consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025 - Policies to Guide County Planning*, in that it will help preserve and protect the County's natural resources and environment, both physical and biotic and will help mitigate the impacts of flooding; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2022 Capital Project Requests to include the Capital Project BPL26 Flood Mitigation proposed study to alleviate flooding in the areas of Troublesome Brook and Manhattan Brook in the Town of Greenburgh.

Adopted this 7th day of June 2022

REFERENCE: BPL26

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$450,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY'S SHARE OF THE COST OF PREPARATION OF PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR A FLOOD MITIGATION PROJECT IN THE TOWN OF GREENBURGH, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$450,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$450,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted , 20____)

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, an Intermunicipal Agreement between the County and the Town of Greenburgh, and to the provisions of other laws applicable thereto; \$450,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the County's share of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for

the planning of a flood mitigation project in the Troublesome Brook and Manhattan Park Brook watersheds in the Town of Greenburgh, 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 the County's share of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$450,000. The plan of financing includes the issuance of \$450,000 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 said specific object or purpose, within the limitations of Section 11.00 a. 62 (2nd) of the Law, is five (5) 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 \$450,000. 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 \$450,000 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.

* * *

STATE OF NEW YORK)	
	: s	SS.:
COUNTY OF NEW YORK)	
		have compared the foregoing Act No20 hat the same is a correct transcript therefrom and of
		as duly adopted by the County Board of Legislators
	5	20 and approved by the County Executive
on , 20		
IN WITNESS WH	EREOF,	I have hereunto set my hand and affixed the
		corporate seal of said County Board of Legislators
		this day of , 20
		The Clerk and Chief Administrative Office of the
		County Board of Legislators County of Westchester,
(SEAL)		New York

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board	of
egislators on, 20 and approved by the County Executive, 20 and the validity of the obligations authorized by such Bond Act may	on
, 20 and the validity of the obligations authorized by such Bond Act may	be
ereafter contested only if such obligations were authorized for an object or purpose for which	the
County of Westchester, in the State of New York, is not authorized to expend money or if	the
rovisions of law which should have been complied with as of the date of publication of this Not	ice
vere not substantially complied with, and an action, suit or proceeding contesting such validity	/ is
ommenced within twenty days after the publication of this Notice, or such obligations w	
uthorized in violation of the provisions of the Constitution.	
Complete copies of the Bond Act summarized herewith shall be available for pub	
aspection during normal business hours at the Office of the Clerk of the Board of Legislators of	
County of Westchester, New York, for a period of twenty days from the date of publication of the	his
Notice.	
ACT NO20	
SOND ACT AUTHORIZING THE ISSUANCE OF \$450,000 BONDS OF THE COUNTY (OF
VESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE TI	HE
COUNTY'S SHARE OF THE COST OF PREPARATION OF PRELIMINARY AND DETAIL!	ED
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ROJECT IN THE TOWN OF GREENBURGH, STATING THE ESTIMATED MAXIMU	
COST THEREOF IS \$450,000; STATING THE PLAN OF FINANCING SAID COST INCLUDE	
HE ISSUANCE OF \$450,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR	Α
AX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopt	
Object or purpose: to finance the County's share of the cost of preparation of survey	1/0
preliminary and detailed plans, specifications and estimates necessary for t	
planning of a flood mitigation project in the Troublesome Brook a	
Manhattan Park Brook watersheds in the Town of Greenburgh; as set forth	
the County's Current Year Capital Budget, as amended.	. 111
the County's Current Teat Capital Budget, as amended.	
amount of obligations to be issued	
nd period of probable usefulness: \$450,000; five (5) years	
Pated:	
White Plains, New York	
Clerk and Chief Administrative Officer of the County Board	ļ
of Legislators of the County of Westchester. New York	ĺ

A	CT	NO.	2025 -	
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AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Town of Greenburgh in connection with a flood mitigation project (Capital Project BPL26, Unique ID# 2943).

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

Section 1. The County of Westchester (the "County") is hereby authorized to enter into an intermunicipal agreement (the "IMA") with the Town of Greenburgh (the "Town") in connection with a flood mitigation project to be conducted in the Town to mitigate flooding in the area of Troublesome and Manhattan Park Brook.

- §2. The term of the IMA shall commence upon execution thereof by both parties and approval of same by the Office of the County Attorney, and shall continue for a period of five (5) years.
- §3. The County Executive or his authorized designee is empowered to execute any and all documents necessary and appropriate to effectuate the purposes hereof.
 - §4. This Act shall take effect immediately.

COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601, (hereinafter referred to as the "County")

and

TOWN OF GREENBURGH, a municipal corporation of the State of New York, having an office and place of business at 177 Hillside Avenue, Greenburgh, New York 10607, (hereinafter referred to as the "Municipality").

RECITALS

WHEREAS, in response to serious flooding issues throughout Westchester County, in 2011 the County enacted the Westchester County Storm Water Management Law ("SWML") to assist municipalities with storm water management (flood mitigation). See Laws of Westchester County Chapter 241, Article III-A, Sections 241.252-241.260. The SWML provides for the evaluation of flooding within the County through preparation of watershed "reconnaissance plans", and the SWML authorizes County cooperation with municipalities, including funding assistance, to improve storm water management and reduce flooding. The SWML authorizes the creation of a Storm Water Advisory Board (the "SWAB") to assist County municipalities in addressing flooding; and

WHEREAS, the SWML enables the County to partner with municipalities located in Westchester to provide funding for flood mitigation and/or flood damage reduction projects; and

WHEREAS, the SWML funding program is divided into "Phase I" funding and "Phase II" funding; and

WHEREAS, Phase I funding is up to fifty (50) percent toward the costs for the preparation of detailed engineering analysis, design, specification and construction documents for flood mitigation and/or flood damage reduction projects; and

WHEREAS, Phase II funding is up to fifty (50) percent toward the costs for the implementation and construction of flood mitigation and/or flood damage reduction projects; and

WHEREAS, approval by the Board of Legislators for Phase I funding does not guarantee approval for Phase II funding; and

WHEREAS, the Municipality wishes to participate in the SWML funding program and has submitted an application to the County for Phase I financial assistance to address flooding problems within the Municipality; and

WHEREAS, a Storm Water Reconnaissance Plan has been prepared by the County departments of Planning and Public Works and Transportation pursuant to the SWML entitled the Stormwater Reconnaissance Plan for the Bronx River Watershed (the "Reconnaissance Plan"); and

WHEREAS, the Reconnaissance Plan was recommended by the SWAB to the County Executive and the Board of Legislators; and

WHEREAS, the Board of Legislators approved the Stormwater Reconnaissance Plan for the Bronx River Parkway on June 24, 2014 by Act No. 124 - 2014; and

WHEREAS, the area of flooding for which the Municipality wishes to participate in the SWML funding program is identified as a flood problem area in the Reconnaissance Plan; and

WHEREAS, pursuant to the SWML funding program and in an effort to protect County-owned and/or managed infrastructure, assets and property, including the protection of County bridges, sanitary sewer and/or storm water pipes, and County parkland and other municipal and private property, the County desires to contribute Phase I funding to the costs of a comprehensive engineering feasibility analysis towards the development of a flood mitigation project for the Troublesome Brook and Manhattan Park Brook watersheds in the Town of Greenburgh, the Troublesome Brook identified as flood problem areas GRB-7 and GRB-16 and the Manhattan Park Brook identified as flood problem areas GRB-1, GRB-2 and GRB-3 in the Bronx River Stormwater Reconnaissance Plan (the "Project"), and further described herein, to be undertaken by the Municipality; and

WHEREAS, the Municipality has prepared documentation in support of the need for the Project and the Project has been presented to and received support from the County Stormwater Advisory Board.

NOW, THEREFORE, in consideration of the mutual representations, covenants and agreements herein set forth, the County and the Municipality, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

ARTICLE I

TERM

Section 1.0. The recitals are hereby incorporated by reference into the body of this Agreement.

Section 1.1. The term of this Agreement shall be for a period of five (5) years commencing upon full execution as evidenced by the date on the top of page 1 of this Agreement.

ARTICLE II

TERMS OF PAYMENT AND MUNICIPALITY REPRESENTATIONS

Section 2.0. Pursuant to the County's SWML funding program and in an effort to protect County-owned and/or managed infrastructure, assets and property, including the protection of County bridges, sanitary sewer and/or stormwater pipes, and County parkland and other municipal and private property, the County desires at this time to contribute Phase I funding toward a comprehensive engineering feasibility analysis of the Project. The Project is owned by the Municipality and consists of flood mitigation and/or flood damage reduction work. The scope of work for this Phase I funding agreement is more fully described in Schedule "A", attached hereto and made a part hereof. In consideration for the County's aforesaid contribution, the Municipality represents that it shall complete the study of the Project in accordance with Schedule "A" and all of the other terms of this Agreement.

The County agrees to finance the study for the Project on a reimbursement basis. It is recognized and understood by the Municipality that at the time of execution of this Agreement, the County has obtained appropriations and bonding authority to fund its share of the cost of the study for the Project. Eligible project costs up to Eight Hundred Thirty-Five Thousand, Five Hundred (\$835,500.00) Dollars, shall be paid up to fifty (50) percent by the County (up to \$417,750.00) and fifty (50) percent by the Municipality; provided, however, should the total eligible project costs be less than \$835,000.00, the County shall only be responsible for fifty (50) percent of the lesser amount. The Municipality shall be responsible for all costs in relation to the Project that exceed the County's contribution set forth herein, and under no circumstances or conditions, whether now existing or hereafter arising, or whether beyond the present contemplation of the parties, shall the County be expected or required to make any payment of any kind whatsoever or be under any other obligation or liability hereunder in connection with this Project except as herein expressly set forth.

The County does not provide or extend any warranty of fitness for a particular purpose or workmanship for any work undertaken in connection with, or paid under, this Agreement. Payment hereunder by the County shall operate as a release to the County from any and all obligations or liabilities in connection herewith to the Municipality, its contractor(s), or subcontractor(s) hereunder.

Section 2.1. The Municipality represents that within one (1) year of the date hereof that the "Flood Mitigation Criteria" as set forth in that certain document entitled "Development and Planning Standards of the Westchester County Flood Action Task Force" developed by the SWAB and approved by the Board of Legislators will have been adopted in the Municipality's appropriate land use regulations, guidelines and policies or in stand-alone form, and documentation of the adoption of such policies must be provided to and approved by the Commissioner of the County Department of Planning ("Planning Commissioner"). It is understood and agreed to by the Municipality that the payment of County funds under this Agreement for the Project is contingent upon the Municipality's adoption of the aforesaid policies.

Section 2.2. The parties agree that all payments made by the County to the Municipality shall be on a reimbursement basis only. Any and all requests for payment to be made, including any request for partial payment upon completion of a portion of the Project, shall be submitted by the Municipality on an invoice and shall be paid only after approval by the Planning Commissioner and the Commissioner of the Westchester County Department of Public Works and Transportation ("DPWT Commissioner"). The Municipality agrees that it shall submit all documentation that the County may require to substantiate all requests for payment. All invoices submitted during each calendar year shall utilize consecutive numbering and be non-repeating. In no event shall a *final* payment be made to the Municipality prior to completion of the Project and the approval of same by the Planning Commissioner and DPWT Commissioner. If at any time the Municipality shall neglect or fail to perform properly any of its obligations under this Agreement, the County shall have the right to withhold, in whole or in part, any payments otherwise due or to become due to the Municipality hereunder until such neglect or failure shall have been remedied to the reasonable satisfaction of the County.

Section 2.3. The Municipality represents warrants and guarantees that:

(a) It is a municipal corporation duly organized, validly existing under the laws of the State of New York; the execution and performance of this Agreement by the Municipality has been duly

authorized by its governing body; this Agreement, and any other documents required to be delivered by the Municipality when so delivered, will constitute the legal, valid and binding obligations of the Municipality in accordance with their respective terms; and the Municipality will deliver to the County at the time of execution of this Agreement a resolution adopted by its governing body authorizing the execution of this Agreement, and any other documents required to be delivered by the Municipality, including the aforesaid Easement;

- (b) The person signing this Agreement on behalf of the Municipality has full authority to bind the Municipality to all of the terms and conditions of this Agreement pursuant to the resolution granting such authority by the Municipality's governing body, as noted above;
- (c) It is financially and technically qualified to perform its obligations hereunder, including without limitation, full implementation of the Project; and
- (d) The Municipality acknowledges that the County is acting in reliance on the above representations.

ARTICLE III MANAGEMENT OF THE PROJECT

Section 3.0. The Municipality shall be responsible for all engineering phases of the Project, including, but not limited to, any additional study or engineering necessary to fully comply with the requirements of the funding program, final engineering, specifications and designs. The Municipality shall submit any required documentation, including additional engineering or progress reports, to the DPWT Commissioner or his duly authorized representative and to the Planning Commissioner or her duly authorized designee for review, and said design plans and specifications shall be mutually approved by all parties. The Municipality shall fully complete the project tasks as set forth in Schedule "A" and submit proof of such completion to the County for its review and approval on or before eighteen (18) months from the date of the execution of this Agreement by all parties. Notwithstanding the foregoing, the parties may agree to a twelve (12) month extension of time for completion, subject to all necessary legal approvals for such extension of time. In the event that the Municipality fails to complete the scope of work set forth in Schedule "A" and submit proof of such completion to the County in a timely manner as set forth herein, including any twelve (12) month extension agreed to between the parties, it shall remit all funds disbursed hereunder to the County within thirty (30) days of receipt of written request

from the County unless an extension of time for completion is mutually agreed to between the parties, subject to all necessary legal approvals for said extension of time.

Section 3.1. In connection with the Project, the Municipality shall obtain all required approvals and permits and promptly execute and comply with all statutes, ordinances, rules, orders, regulations, codes and requirements of the Federal, State, County and municipal governments of the County. The Municipality shall also comply with any and all sanitary rules and regulations of the State and County Health Departments and with the State Environmental Quality Review Act. The Municipality shall comply with the aforementioned statutes, ordinances, rules, orders, regulations, codes and requirements in its implementation of the Project including, but not limited to management, operation, maintenance and supervision of same.

ARTICLE IV FAIR AND AFFORDABLE HOUSING CONDITIONS

<u>Section 4.0</u>. The Municipality hereby commits to the County that it is in compliance with the terms and conditions set forth in the County's Discretionary Funding Policy annexed hereto and forming a part hereof as Schedule "E" or has submitted documentation to the satisfaction of the County that the Municipality is not considered an eligible municipality under these requirements.

Section 4.1. As further consideration for the County's financial contribution toward the Project, the Municipality certifies that it has adopted municipal zoning code provisions and/or policies which reflect the guidance provided in the Model Ordinance Provisions and the Municipality is committed to affirmatively further fair housing, including a ban on local residency requirements and preferences and other selection preferences that do not affirmatively further fair housing, except to the extent provided in the Model Ordinance Provisions.

<u>Section 4.2.</u> The Municipality agrees to offer to the County a Right of First Refusal to retain and/or purchase any and all land acquired in rem to be used for housing that affirmatively furthers fair housing ("AFFH").

Section 4.3. The Municipality agrees to actively affirmatively further fair housing through its land use regulations and other affirmative measures to assist the development of affordable housing.

Section 4.4. The Municipality further agrees to market housing units that affirmatively further fair housing in accordance with Westchester County's Affirmative Fair Housing Marketing Plan throughout the period of affordability.

<u>Section 4.5.</u> Nothing in this Agreement is intended to affect the County's interest in the Project or release the Municipality from its obligations under the law with respect to affordable AFFH units.

<u>Section 4.6.</u> Should the Municipality fail to abide by any of the above conditions, the Municipality shall, upon thirty (30) days written notice by the County, refund any funds paid to the Municipality under this Agreement.

ARTICLE V ACCOUNTING

Section 5.0. The Municipality shall cause accurate records and books of account to be maintained in which shall be entered all matters relating to this Agreement, including all liabilities thereof and all expenditures, and payments to any and all contractors or subcontractors involved in the Project. Such books and records shall be maintained in accordance with generally accepted accounting principles, consistently applied and shall be kept at a location within Westchester County. The Municipality will provide the County with documentation, upon the County's request, in order to verify same. The County shall have the right to audit, inspect, examine and copy such books and records of the Municipality at all reasonable times during normal business hours at the office of the Municipality. The County's audit rights hereunder extend to all documents, reports, and records which relate to the Municipality's commitment to affirmatively further fair housing as described in Article IV herein.

ARTICLE VI NOTICES

Section 6.0. All notices of any nature referred to in this Agreement shall be in writing and either sent by registered or certified mail postage pre-paid, or delivered by hand or overnight courier, (with acknowledgement received and a copy of the notice sent by registered or certified mail, postage pre-paid), as set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt. Notices shall be sent to the following:

To the County: Commissioner

Department of Planning County of Westchester 148 Martine Avenue

White Plains, New York 1060

Commissioner

Department of Public Works and Transportation

County of Westchester 148 Martine Avenue

White Plains, New York 10601

with a copy to: County Attorney

County of Westchester 148 Martine Avenue

Room 600

White Plains, New York 10601

To the Municipality: Town Supervisor

Town of Greenburgh 177 Hillside Avenue

Greenburgh, New York 10607

with a copy to:

ARTICLE VII

INDEMNIFICATION

- Section 7.0. To the fullest extent permitted by law, the Municipality shall defend, indemnify and hold harmless the County, its elected officials, officers, employees and agents (the "Indemnitees") from and against, any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly from the Project, including any which may arise from a change in applicable laws, rules and regulations, that may be imposed upon or incurred by or asserted against any of the Indemnitees by reason of any of the following:
- (a) <u>Work</u>. Any construction, repair, alteration, addition, replacement, restoration or improvement work done by or on behalf of the Municipality in, on or about the Project or any part thereof;
- (b) <u>Use</u>. The use, occupation, condition, operation, maintenance, management, supervision or development of or providing security for all or any portion of the Project, or the affected portion thereof, by or on behalf of the Municipality, including without limitation, any liability with respect to the any violations imposed by any governmental authorities in respect of any of the foregoing;
- (c) Act or Failure to Act of Municipality. Any act performed by, or any failure to perform any act required to be performed by the Municipality, a third party under the direction or control of the Municipality, or any of the Municipality's officers, agents, contractors, servants, employees, lessees or invitees in connection with this Agreement or the Project;
- (d) Accidents, Injury to Person or Property. Any accident, injury, (including death at any time resulting therefrom) or damage to any person, including, without limitation, employees of the Municipality or any Indemnitee, or property occurring in, on, or about the Project or any part thereof; or
- (e) <u>Breach of Municipality's Obligation</u>. Any failure or refusal on the part of the Municipality to perform its obligations pursuant to this Agreement.
- (f) <u>Municipality's Obligations</u>. The Municipality's failure, within any applicable grace period, to perform or comply with any of the covenants, terms or conditions contained in this Agreement on the Municipality's part to be kept, observed, performed or complied with within any applicable grace period,
- Section 7.1. The Municipality hereby further acknowledges and agrees that it shall defend, indemnify and hold harmless the County for any "Environmental Damages" to the Property. "Environmental Damages" shall mean all claims, damages, demands losses, penalties, fines, fees,

liabilities (including strict liability), encumbrances, liens, costs and expenses of investigation and defense of any, whether or not such claim is ultimately defeated, and of any good faith settlement or judgment, of whatever kind or nature, contingent or otherwise, matured or unmatured, foreseeable or unforeseeable, including, without limitation, reasonable attorney's fees and disbursements and consultants' fees, any of which are incurred as the result of the existence of "Hazardous Material" or "Hazardous Waste" upon, beneath, or about the Property or migrating or threatening to migrate to or from the Property, or the existence of a violation of "Environmental Requirements" pertaining to the Property, regardless of whether the existence of such "Hazardous Materials" or "Hazardous Waste" or the violation of "Environmental Requirements" arose prior to the Municipality or County's ownership of the Property, including, without limitation:

- (i) damages for personal injury, or injury to Property or natural resources occurring upon or off the Property, foreseeable or unforeseeable, including, without limitation, lost profits, consequential damages, the cost of demolition or rebuilding of any improvements of real property, interest and penalties;
- (ii) fees incurred for the service of attorneys, consultants, contractors or experts, laboratories and all other costs incurred in connection with the investigation or remediation of such "Hazardous Materials" or "Hazardous Waste" or violation of "Environmental Requirements" including, but not limited to, the preparation of any feasibility studies or reports or the performance of any cleanup, remediation, removal, response, abatement, containment, closure, restoration or monitoring work required by any federal, state or local governmental agency or political subdivision, or reasonably necessary to make the full use of the Property or any other property or otherwise expended in connection with such conditions; and
- (iii) liability to any third person or governmental agency to indemnify such person or agency for the costs expended in connection with the items referenced in subparagraph (ii) herein;
- (iv) diminution in the value of the Property and damages for loss of business and restriction on the use of the Property or any part thereof.

Section 7.1.a. Definitions. For the purposes of this Agreement, the following definitions shall apply:

- (1) "Hazardous Materials" or "Hazardous Waste" shall mean any substance:
 - (i) the presence of which requires investigation or remediation under any federal, state, or local statute, regulation, ordinance, order, action, policy or common law; or
 - (ii) which is or becomes defined as a hazardous waste, hazardous substance, pollutant or contaminant under any federal, state or local statute, regulation, rule, or ordinance or

amendments thereto including, without limitations, the United States Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 USC §9601 (14) 42 USC §9602 and any "hazardous waste" as defined in or listed under the United States Solid Waste Disposal Act, as amended, 42 USC §6901(5), 42 USC §6921; or

- (iii) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous and is or becomes regulated by any governmental authority, agency, department, commission, board or instrumentality of the United States, the State of New York or any political subdivision thereof; or
- (iv) the presence of which, on the Property, causes or threatens to cause a nuisance on the Property or to nearby properties or poses or threatens to pose a hazard to the health and safety of persons on, about or nearby the Property; or
- (v) the presence of which on nearby properties would constitute a trespass by the owner of the Property; or
- (vi) without limitation which contains gasoline, diesel fuel, or other petroleum hydrocarbons; or
- (vii) without limitation which contains polychlorinated bipheynols (PCBs), asbestos, or urea formaldehyde foam insulation.
- (2) "Environmental Requirements" shall mean all applicable present and future statutes, regulations, rules, ordinances, codes, licenses, permits, orders, approvals, plans, authorizations, concessions, franchises, and similar items, of all government agencies, departments, commissions, boards, bureaus, or instrumentalities of the United States, the State of New York and the political subdivisions thereof; and all applicable judicial, administrative, and regulatory decrees, judgments, and orders relating to the protection of human health or the environment.
- Section 7.2. The Municipality shall promptly notify the County in writing of any claims made or any suits instituted against the Municipality of which it has knowledge arising from its performances hereunder or in connection with this Agreement or in connection with the Project.
- Section 7.3. In the event the Municipality does not provide the above defense and indemnification to the County, and such refusal or denial to provide the above defense and indemnification is found to be in breach of all or part of this Article, then the Municipality shall reimburse the County's reasonable attorney's fees incurred in connection with the defense of any action, and in connection with enforcing all or part of this Article of the Agreement.

Section 7.4. This Article shall survive termination or expiration of this Agreement.

ARTICLE VIII MISCELLANEOUS

Section 8.0. Any purported delegation of duties or assignment of rights under this Agreement without the prior express written consent of the County is void.

Section 8.1. The Municipality shall submit documentation to the County demonstrating compliance with the State Environmental Quality Review Act and its implementing regulations ("SEQR"), including those activities that have been determined not to constitute an action as defined by SEQR or activities determined to be Type II actions as defined by SEQR. The Municipality shall act as the lead agency for meeting the requirements of SEQR for any Unlisted or Type I action that is undertaken pursuant to this Agreement, unless otherwise directed by the Planning Commissioner. The Municipality shall include the County as an Involved Agency (as defined in SEQR) in all matters relating to SEQR and conduct a coordinated review where applicable.

<u>Section 8.2.</u> The failure of the County to insist upon strict performance of any term, condition or covenant herein shall not be deemed a waiver of any rights or remedies that the County may have and shall not be deemed a waiver of any subsequent breach or default in the terms, conditions or covenants herein.

<u>Section 8.3.</u> It is mutually understood and agreed that the terms, covenants, conditions and agreements herein contained shall be binding upon the parties hereto and upon their respective successors, legal representatives and assigns.

<u>Section 8.4.</u> This Agreement and its attachments constitute the entire agreement between the parties hereto with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. This Agreement shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties, and approved by the Office of the County Attorney.

Section 8.5. It is recognized and understood that the Municipality is not an agent of the County and in accordance with such status, the Municipality, its consultant(s), its subcontractor(s), and their respective officers, agents, employees, representatives and servants shall at all times during the term of this Agreement neither hold themselves out as, nor claim to be acting in the capacity of officers, employees, agents, representatives or servants of the County, nor make any claim, demand or application for any right or privilege applicable to the County, including without limitation, rights or privileges derived from workers compensation coverage, unemployment insurance benefits, social security coverage and retirement membership or credit.

Section 8.6. The Municipality shall comply with the insurance requirements contained in Schedule "C" entitled "Standard Insurance Provisions," attached hereto and made a part hereof. The Municipality may, in lieu of procuring and maintaining the aforesaid insurance, elect to obtain such coverage through a program of self-insurance, which coverage and program shall be in accordance with generally accepted standards for similarly situated entities. In addition to the foregoing, the Municipality shall contractually ensure that all of its contractors, subcontractors and/or independent contractors (individually a "Contractor" or collectively, the "Contractors") that are engaged to construct the Project shall provide such insurance coverage as described in Schedule "C" naming as additional insured, the Municipality and the County and their respective officials (elected or otherwise), officers, employees and agents (collectively the "Additional Insureds"). The Municipality shall require, before the Project commences that each such insurance policy be endorsed to contain the following clauses: (a) the insurer shall have no right to recovery or subrogation against the Additional Insureds (including their respective officials (elected or otherwise), officers, employees and agents), it being the intention that the insurance policy shall protect both the insured and the Additional Insureds and be primary coverage for any and all losses covered by such insurance; (b) the clause "other insurance provisions" in any such insurance policy shall not apply to the Additional Insureds or their insurance policies; (c) the insurer issuing the policy shall have no recourse against the Additional Insureds (including their respective officials (elected or otherwise), officers, employees and agents) for payment of any premiums or for assessments under any form of policy; and (d) any and all deductibles in such insurance policy shall be assumed by and be for the account of, and at the sole risk of the Contractor.

Section 8.7. This Agreement shall not be enforceable until signed by all parties and approved by the Office of the County Attorney.

Section 8.8. In the event that any one or more provisions, sections, subsections, clauses or words of this Agreement are for any reason held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Agreement, but this Agreement shall be construed and enforced as if such illegal or invalid section, subsection, clause or word has not been contained herein.

Section 8.9. This Agreement shall be deemed executory only to the extent of funds appropriated and made available for the purpose of this Agreement and no liability on account thereof shall be incurred by the County beyond the amount of such appropriated funds.

<u>Section 8.10.</u> All covenants, stipulations, promises, agreements and obligations of the Municipality and the County contained herein shall be deemed to be stipulations, promises, agreements and obligations of the Municipality and the County and not of any member, officer or employee of the Municipality or the County in his/her individual capacity and no recourse shall be had for any obligation or liability herein or any claim based thereon against any member, officer or employee of the Municipality or the County or any natural person executing this Agreement.

Section 8.11. The parties represent that they have all requisite power and authority to execute, deliver and perform this Agreement, and this Agreement has been duly authorized by all necessary action on the part of the parties. The parties each agree to execute and deliver such further instruments and to seek such additional authority as may be required to carry out the intent and purpose of this Agreement, including providing the County with any necessary property interests in the Project in order for the County to fund the Project.

Section 8.12. This Agreement may be executed in two or more counterparts and all counterparts so executed shall for all purposes constitute one agreement binding upon all the parties hereto.

Section 8.13. Nothing in this Agreement shall act to confer third-party beneficiary rights on any person or entity not a party to this Agreement.

<u>Section 8.14.</u> The headings in this Agreement are for reference purposes only and shall not be used in construing the terms of this Agreement.

<u>Section 8.15.</u> The Municipality agrees to comply with the terms set forth in Schedule "D", attached hereto and made a part hereof, regarding Vendor Direct Payment Terms.

<u>Section 8.16</u>. The Municipality hereby acknowledges that any provision of this Agreement which requires consent of the County shall be subject to receipt by the County of any and all necessary legal approvals.

Section 8.17. No director, officer, employee, agent or other person authorized to act on behalf of the County shall have any personal liability in connection with this Agreement or any failure of the County to perform its obligations hereunder. No director, officer, employee, agent or other person authorized to act on behalf of the Municipality shall have any personal liability in connection with this Agreement or any failure of the Municipality to perform its obligations hereunder.

<u>Section 8.18.</u> The Municipality agrees to allow the County reasonable access to the Project, during normal business hours, to permit inspection and observation of the Project. The Municipality may require the County to provide reasonable notice prior to such inspection and observation.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

	COUNTY OF WESTCHESTER
	Ву:
	Blanca Lopez Acting Commissioner of Planning
	TOWN OF GREENBURGH
	By:
	Name: Title:
Approved by the Board of Legislators of on the day of	the County of Westchester by Act No. 2025, 2025
Approved by the Town Board of the Tow	on of Greenburgh on the day of, 2025.
Approved	
Sr. Assistant County Attorney County of Westchester	

MUNICIPALITY'S ACKNOWLEDGMENT

STATE OF NEW YORK)
ss.: COUNTY OF WESTCHESTER)
On the day of in the year 2025, before me, the undersigned, a Notary
Public in and for said State, personally appeared, personally known to me or proved
to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within
instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her
signature on the instrument, the individual, or the person upon behalf of which the individual acted,
executed the instrument; and, acknowledged if operating under any trade name, that the certificate required
by the New York State General Business Law Section 130 has been filed as required therein.
Signature and Office of individual taking acknowledgment

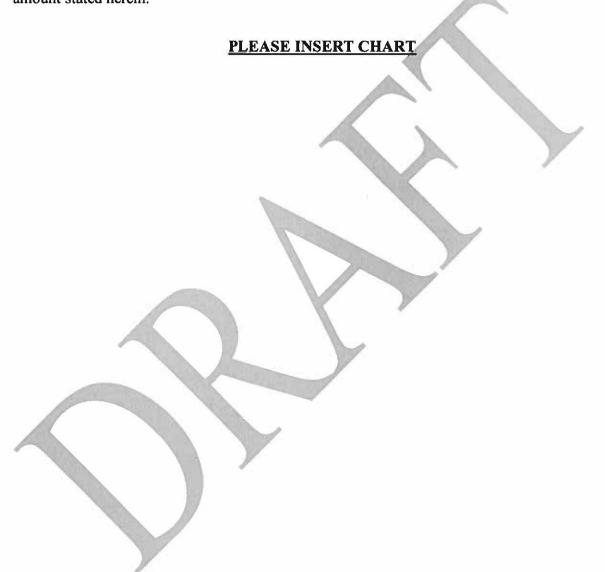
CERTIFICATE OF AUTHORITY

Ι,		<u> </u>
(Officer other than of	fficer signing contract)
certify that I am the	e	of
	98'Y	(Title)
the	(1)	
	(the "	'Municipality'')
a municipal corpor	ation duly organized	l and in good standing under the
		(Law under which organized, e.g., the
1: .1 6		New York Business Corporate Law)
named in the forego	oing agreement; that	
who signed said ag	reement on behalf of	(Person executing agreement) f the Municipality was, at the time of execution
	(Title of such pe	erson)
of the Municipality	and that said agreen	ment was duly signed for and on behalf of said Municipality
by authority of its I	Board of full force and effect	thereunto duly authorized and th
such authority is in	Tull force and effect	at the date hereof.
		(Signature)
STATE OF NEW Y		
COUNTY OF WES	SS.: STCHESTER)	
COCIVITION WE	J. GILES (E.K.)	
On this	day of	, 2025, before me personally came
		, whose signature appears above, to me known
and known to me to	be the	of
		(Title)
A		the Municipality described in and which
executed the above	certificate, who bein	ng by me duly sworn did depose and say that he/she, the said
		of said Municipality resides at
VA.	107	, and that he/she signed his/her name
hereto by order of t	he Board of	of said Municipality.
*		
	797	
		Notary Public
		County of

SCHEDULE "A"

SCOPE OF WORK

The Scope of Work for the Project shall include any work associated with the following tasks. Funds may be moved between tasks, subject to review and approval by the County. Reimbursements will be made in accordance with the requirements and procedures specified in this agreement. The total amount reimbursed by the County shall not exceed the maximum amount stated herein.



SCHEDULE "B"

Omitted



SCHEDULE "C"

STANDARD INSURANCE PROVISIONS (MUNICIPALITY)

1. Prior to commencing work, and throughout the term of the Agreement, the Municipality shall obtain at its own cost and expense the required insurance as delineated below from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better. Municipality shall provide evidence of such insurance to the County of Westchester ("County"), either by providing a copy of policies and/or certificates as may be required and approved by the Director of Risk Management of the County ("Director"). The policies or certificates thereof shall provide that ten (10) days prior to cancellation or material change in the policy, notices of same shall be given to the Director either by overnight mail or personal delivery for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the Director, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the Director, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, and submit the policy or the certificate as requested by the Director to the Office of Risk Management of the County for approval by the Director. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated.

Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification.

All property losses shall be made payable to the "County of Westchester" and adjusted with the appropriate County personnel.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of Municipality's negligent acts or omissions under the Agreement or by virtue of the provisions of the labor law or other statute or any other reason, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Municipality maintains broader coverage and/or higher limits than the minimums identified herein, the County shall be entitled to the broader coverage and/or higher limits maintained by the Municipality. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

- The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the Agreement):
 - a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: http://www.wcb.ny.gov.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

- b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:
 - i.Premises Operations.
 - ii.Broad Form Contractual.
 - iii.Independent Contractor and Sub-Contractor.
 - iv. Products and Completed Operations.
- c) Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate naming the "County of Westchester" as additional insured, written on a "follow the form" basis.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County of Westchester for both on-going and completed operations.

- d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured:
 - (i) Owned automobiles.
 - (ii) Hired automobiles.
 - (iii) Non-owned automobiles.

- 3. All policies of the Municipality shall be endorsed to contain the following clauses:
- (a) Insurers shall have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.
- (b) The clause "other insurance provisions" in a policy in which the County is named as an insured, shall not apply to the County.
- (c) The insurance companies issuing the policy or policies shall have no recourse against the County (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.
- (d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.



SCHEDULE "D" VENDOR DIRECT PAYMENT TERMS

Westchester County Vendor Direct Program Frequently Asked Questions

1. WHAT ARE THE BENEFITS OF THE ELECTRONIC FUNDS TRANSFER (EFT) ASSOCIATED WITH THE VENDOR DIRECT PROGRAM?

There are several advantages to having your payments automatically deposited into your designated bank account via EFT:

Payments are secure – Paper checks can be lost in the mail or stolen, but money deposited directly into your bank account is more secure.

You save time – Money deposited into your bank account is automatic. You save the time of preparing and delivering the deposit to the bank. Additionally, the funds are immediately available to you.

- 2. ARE MY PAYMENTS GOING TO BE PROCESSED ON THE SAME SCHEDULE AS THEY WERE BEFORE VENDOR DIRECT?
 Yes.
- 3. HOW QUICKLY WILL A PAYMENT BE DEPOSITED INTO MY ACCOUNT? Payments are deposited two business days after the voucher/invoice is processed. Saturdays, Sundays, and legal holidays are not considered business days.

4. HOW WILL I KNOW WHEN THE PAYMENT IS IN MY BANK ACCOUNT AND WHAT IT IS FOR?

Under the Vendor Direct program you will receive an e-mail notification two days prior to the day the payment will be credited to your designated account. The e-mail notification will come in the form of a remittance advice with the same information that currently appears on your check stub, and will contain the date that the funds will be credited to your account.

5. WHAT IF THERE IS A DISCREPANCY IN THE AMOUNT RECEIVED?

Please contact your Westchester County representative as you would have in the past if there were a discrepancy on a check received.

6. WHAT IF I DO NOT RECEIVE THE MONEY IN MY DESIGNATED BANK ACCOUNT ON THE DATE INDICATED IN THE E-MAIL?

In the unlikely event that this occurs, please contact the Westchester County Accounts Payable Department at 914-995-4708.

- 7. WHAT MUST I DO IF I CHANGE MY BANK OR MY ACCOUNT NUMBER? Whenever you change any information or close your account a new Vendor Direct Payment Authorization Form must be submitted. Please contact the Westchester County Accounts Payable Department at 914-995-4708 and we will e-mail you a new form.
- 8. WHEN COMPLETING THE PAYMENT AUTHORIZATION FORM, WHY MUST I HAVE IT SIGNED BY A BANK OFFICIAL IF I DON'T INCLUDE A VOIDED CHECK? This is to ensure the authenticity of the account being set up to receive your payments.

INSERT VENDOR DIRECT FORM



SCHEDULE "E"

County's Discretionary Funding Policy attached hereto.

WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING IMPLEMENTATION PLAN August 9,2010

Appendix D-2(ii): Discretionary Funding Allocation Policy as approved January 10, 2012

DISCRETIONARY FUNDING POLICY

In August 2009, Westchester County entered into a Stipulation and Order of Settlement and Dismissal in US. ex rel. Anti-Discrimination Center of Metro New York v. Westchester County, New York (the "Settlement Agreement"). Beginning on March 1, 2012, the grant of discretionary intermunicipal funding, including but not limited to County Open Space funds and CDBG funding, ("Discretionary Funding") to municipalities eligible under the Settlement Agreement ("Recipient Eligible Municipalities") shall be conditioned, as appropriate, upon the Recipient Eligible Municipality's commitment to affirmatively further fair housing within its borders. This policy does not apply to municipalities in Westchester County other than the Recipient Eligible Municipalities.

Each Recipient Eligible Municipality shall be required to commit to the County, in writing, that it is in compliance with the following terms and conditions in connection with its commitment to affirmatively further fair housing:

- (a) Recipient Eligible Municipality has adopted municipal zoning code provisions and/or policies which reflect the guidance provided in the Model Ordinance Provisions approved pursuant to the Settlement Agreement and demonstrate a commitment by the Recipient Eligible Municipality to affirmatively further fair housing, including a ban on local residency requirements and preferences and other selection preferences that do not affirmatively further fair housing, except to the extent provided in the Model Ordinance Provisions;
- (b) Recipient Eligible Municipality will offer the County a Right of First Refusal to retain and/or purchase any and all land acquired in rem to be used for housing that affirmatively furthers fair housing; and
- (c) Recipient Eligible Municipality will actively further implementation of the Settlement Agreement through its land use regulations and other affirmative measures to assist the development of affordable housing.

Such commitments by Recipient Eligible Municipality shall be stated in the funding agreement between the County and the Recipient Eligible Municipality.

The funding agreement will also provide that housing units that affirmatively further fair housing must be marketed in accordance with Westchester County's Affirmative Fair Housing Marketing Plan approved pursuant to the Settlement Agreement, throughout the period of affordability.

Applications for Discretionary Funding submitted by non-municipal entities will be reviewed to determine whether or not such entity is acting as an agent of a municipality for purposes of the project for which funding is sought. If such entity is deemed to be acting in the capacity of agent for a municipality, the application will be subject to a review of the agent-municipality's compliance with the policy of affirmatively furthering fair housing stated above. The determination as to whether an agency relationship exists will be based on the principles of law relating to agency relationships in New York State, and the fact that the non-municipal entity/applicant may be required by local municipal codes to obtain municipal approvals or abide by municipal processes for such approvals in connection with such application will not be determinative of the agency relationship. Westchester County will provide notice of all non-municipal applications for funding to the local municipality in which the funding is proposed to be spent.

The County's audit rights under any grant of or funding agreement for Discretionary Funding will extend to all documents, reports, and records which relate to the Recipient Eligible Municipality's commitment to affirmatively further fair housing as described herein. Should Recipient Eligible Municipality fail to abide by any of the above conditions, Recipient Eligible Municipality will be obliged, upon thirty (30) days written notice by the County to refund any Discretionary Funding paid to the Recipient Eligible Municipality.



CAPITAL PROJECT FACT SHEET

	CHIL	IND I ROUDCI	17101	SILLLI					
Project ID:* BPL26	⊠ CI	BA		J-0.	act Sheet 5-27-2025			110.00	
Fact Sheet Year:*	Proje	ect Title:*		Legislative District ID:					
2025	FLO	OD MITIGATION		8.	, 12, 15				
Category*	Depa	rtment:*		C	CP Unique ID:				
BUILDINGS, LAND & MISCELLANEOUS	PLANNING 2943								
Overall Project Description									
This project is intended to provide municipalities and approved by th prepared by the County or in parts Capital Budget Amendment.	e County, as w	ell as provide fundir	ig for water	ershed ana	lyses and	project de	velopmen	t plans bject to a	
■ Best Management Practices	☐ En	ergy Efficiencies		x] Infrastru	cture			
Life Safety	☐ Pro	oject Labor Agreem	ent		Revenue				
☐ Security	▼ Otl	her(FLOOD MITIG	ATION)						
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)							
	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review	
Gross	155,750	76,500	44,250	5,000	5,000	5,000	0	20,000	
Less Non-County Shares	0	0	0	0	0	0	0	0	
Net	155,750	76,500	44,250	5,000	5,000	5,000	0	20,000	
Expended/Obligated Amount (in	n thousands) a	s of: 13,361							
Current Bond Description: The proposed projects for flood mitigated Greenburgh.	e proposed requ tion in the Trou	est will fund the Co iblesome Brook and	unty share Manhatta	of Prelim in Park Br	inary Eng ook water	ineering t sheds in th	hat will de ne Town o	evelop f	
Financing Plan for Current Req	uest:								
Non-County Shares:		\$ 0							
Bonds/Notes:		450,000							
Cash:		0							
Total:		\$ 450,000							
SEQR Classification:									
TYPE II									
Amount Requested: 450,000									
Expected Design Work Provider County Staff					■ Not Applicable				
Comments:									
Energy Efficiencies:									

149

Appropriation History:

Year	Amount	Description
2009	5,400,000	MAMARONECK AND SHELDRAKE RIVERS BASIN FLOOD DAMAGE REDUCTION STUDY; FOUR LOCAL MUNICIPAL FLOOD PROJECTS
2012	5,000,000	FLOOD MITIGATION PROJECTS TO BE DETERMINED
2013	5,000,000	FLOOD RELATED PROJECTS
2015	150,000	DESIGN OF A COUNTYWIDE SYSTEM OF STREAM AND STORM GAUGES
2016	5,000,000	CONTINUATION OF THIS PROJECT
2021	200,000	DESIGN AND INSTALLATION OF A MAINTENANCE GATE AT SPRAIN BROOK, YONKERS
2022	11,000,000	THE US ARMY CORPS OF ENGINEERS' PROJECT IN THE VILLAGE OF MAMARONECK/SHELDRAKE AND MAMARONECK RIVERS
2023	17,500,000	\$10,300,000 CONTINUATION OF THIS PROJECT; \$7,000,000 FOR MAMARONECK/SHELDRAKE RIVERS, AND \$200,000 FOR CITY OF YONKERS SCOTTI FIELD FLOOD PROJECT
2024	27,250,000	CONTINUATION OF THIS PROJECT
2025	44,250,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

120,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
09	79	900,000	899,501	FLOOD MITIGATION STUDY: MAM'K & SHELDRAKE RIVERS BASIN
09	140	2,441,625	2,441,625	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY
17	11	2,974,875	2,502,239	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY (AMMENDED)
18	171	0	0	FUNDING FOR AN ENGINEERING STUDY TO DEVELOP A SOLUTION FOR FLOODING IN RYE BROOK, AVON CIRCLE AREA
19	107	300,000	238,764	INITIAL DESIGN OF PROJECT TO MITIGATE FLOODING ALONG THE HUTCHINSON RIVER
19	247	0	0	RECONSTRUCT THE HILLSIDE AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK
21	171	350,000	111,070	FLOOD MITIGATION-TOWN OF NEW CASTLE (UNIQUES ID# 1694)
21	175	270,000	221,546	FLOOD MITIGATION-YONKERS (UNIQUES ID# 1692)
22	85	130,000	0	FLOOD MITIGATION-DOBBS FERRY (UNIQUES ID# 1948)
22	92	2,200,000	0	FLOOD MITIGATION- MAMARONECK (UNIQUE ID# 1857)
22	54	1,200,000	55,694	FLOOD MITIGATION-PEEKSKILL (UNIQUES ID# 1999)
22	95	0	0	FLOOD MITIGATION-BRIARCLIFF MANOR (UNIQUE ID# 1953)
23	23	2,500,000	562,627	RECONSTRUCT HILLSIDE AVENUE BRIDGE, VILLAGE OF MAMARONECK (UNIQUE ID#2001)
23	196	150,000	0	FLOOD MITIGATION (ID 2235)
23	198	3,870,000	0	FLOODING IN RYE BROOK, AVON CIRCLE AREA - (ID 2236)
23	206	121,250	0	FLOOD MITIGATION - HARRISON AVE YONKERS (ID 2324)
23	208	128,750	0	FLOOD MITIGATION - CLUNIE AVE YONKERS (ID 2326)
24	81	2,000,000	0	FLOOD MITIGATION STUDY - ID 2448
24	30	0	0	FLOOD MITIGATION-BRIARCLIFF MANOR (UNIQUE ID# 1953) (RECIND BOND ACT 95-22)
24	186	450,000	0	HARTSDALE BROOK AREA STUDY

Total Financing History:

19,986,499

Recommended By:

Department of PlanningDateMLLL05-29-2025

Department of Public WorksRJB4

Date
06-17-2025

Budget DepartmentDateDEV907-01-2025

Requesting DepartmentDateOBVV07-08-2025

FLOOD MITIGATION (BPL26)

User Department:

Planning

Managing Department(s):

Planning;

Estimated Completion Date:

TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

Gross	Est Ult Cost	Appropriated 76,500	Exp / Obl	2025	2026	2027	2028	2029 Under Review
Non County Share	155,750		13,347	44,250	5,000	5,000	5,000	20,000
Total	155,750	76,500	13,347	44,250	5,000	5,000	5,000	20,000

Project Description

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County, as well as provide funding for watershed analyses and project development plans prepared by the County or in partnership with state and federal agencies. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

The current year request funds the continuation of this project.

Current Yea	urrent Year Financing Plan								
Year	Bonds	Cash	Non County Shares	Total					
2025	44,250,000			44,250,000					

Impact on Operating Budget

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

FLOOD MITIGATION (BPL26)

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Year	Amount	Description	Status
2009	5,400,000	Mamaroneck and Sheldrake Rivers basin flood damage reduction study; Four local municipal flood projects	COMPLETE
2012	5,000,000	Flood Mitigation Projects to be Determined	\$850,000 DESIGN; \$4,150,000 CONSTRUCTION
2013	5,000,000	Flood related projects	\$1,500,000 COMPLETE; \$3,350,000 CONSTRUCTION \$150,000 DESIGN
2015	150,000	Design of a countywide system of stream and storm gauges	AWAITING BOND AUTHORIZATION
2016	5,000,000	Continuation of this project	\$3,113,500 DESIGN; \$1,886,500 CONSTRUCTION; \$863,500 AWAITING BOND AUTHORIZATION
2021	200,000	Design and installation of a maintenance gate at Sprain Brook, Yonkers	AWAITING BOND AUTHORIZATION
2022	11,000,000	The US Army Corps of Engineers' project in the Village of Mamaroneck/Sheldrake and Mamaroneck rivers	AWAITING BOND AUTHORIZATION
2023	17,500,000	\$10,300,000 continuation of this project; \$7,000,000 for Mamaroneck/Sheldrake Rivers, and \$200,000 for City of Yonkers Scotti Field flood project	AWAITING BOND AUTHORIZATION
2024	27,250,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	76,500,000		

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	76,500,000	6,891,825	69,608,175
Total	76,500,000	6,891,825	69,608,175

FLOOD MITIGATION (BPL26)

Dand 4	thorize	A STATE OF THE PARTY OF THE PAR			
Bond A		Amount	Date Sold	Amount Sold	Balance
79	09	900,000	12/02/10	358,000	499
			12/02/10	(358,000)	
			11/30/11	522,141	
			11/30/11	77,859	
			11/19/15	250,434	
			11/19/15	48,566	
			11/19/15	501	
140	09	2,441,625	10/24/12	740,494	
			10/24/12	75,506	
			10/24/12	6,240	
			12/10/13	852,989	
			12/10/13	104,011	
			12/10/13	2,925	
			11/19/15	334,212	
			11/19/15	64,813	
			11/19/15	669	
			12/15/16	259,766	
11	17	2,974,875	12/15/17	31,948	472,636
			12/15/17	5,866	
			12/15/17	50	
			12/15/17	29,606	
			12/15/17	5,436	
			12/15/17	46	
			12/10/18	660,625	
			12/10/19	959,846	
			12/10/19	189,546	
			12/10/19	117,641	
			12/10/19	23,231	
			04/30/20	478,398	
171	18		2700 (CT40 +5		
107	19	300,000	12/01/21	123,508	111,040
		per - development a transfered	11/30/23	59,583	•
			11/30/23	5,869	
247	19			-,	

FLOOD MITIGATION (BPL26)

287,764	56,656	11/30/23	350,000	21	171	
207,704	5,581	11/30/23	/			
48,454	201,681	11/30/23	270,000	21	175	
	19,866	11/30/23				
130,000	,		130,000	22	85	
2,200,000			2,200,000	22	92	
				22	95	
1,200,000			1,200,000	22	54	
1,966,781	485,406	11/30/23	2,500,000	23	23	
	47,813	11/30/23				
150,000			150,000	23	196	
3,870,000			3,870,000	23	198	
121,250			121,250	23	206	
128,750			128,750	23	208	
				24	30	
2,000,000			2,000,000	24	81	
450,000			450,000	24	186	
13,137,174	6,849,326		19,986,500	tal	To	