

**THE HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER**

**DRAFT  
IMA ON FILE**

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 \$1,200,000.00 in bonds to finance a component of capital project BPL26 - Flood Mitigation ("BPL26"). Also attached is an Act authorizing an inter-municipal agreement ("IMA") with the City of Peekskill (the "City") setting forth the terms of the flood mitigation project.

Your Committee is advised that the Bond Act, in the amount of \$1,200,000 prepared by the law firm of Hawkins Delafield & Wood LLP, would finance the County's share of the costs associated with a flood mitigation project consisting of the reconstruction of the Peekskill Hollow Brook dam and spillway and the excavation/dredging of the associated reservoir. It is estimated that the project will take three years to complete.

The IMA, a copy of which is attached, sets forth the responsibilities of the County and the City in connection with the project. In accordance with the IMA, the County and the City will each provide up to fifty (50%) percent of the total cost of the project which is estimated to cost a total of \$2,200,000. The County will pay to the City, on a reimbursement basis, an amount not to exceed \$1,100,000, provided, however, should the total eligible project construction costs be less than \$2,200,000.00, the County shall only be responsible for fifty (50) percent of the lesser amount. The Municipality shall be responsible for all costs in excess of the County's \$1,100,000 contribution.

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. 135-2014, your Honorable Board approved the Stormwater Reconnaissance Plan for the Peekskill and Haverstraw Bays Watershed. 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 City to adopt regulations and policies consistent with the flood mitigation criteria.

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 on the attached fact sheet.

The Planning Department has advised your Committee that based on its review, BPL26 has been 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 documentation and concurs with this conclusion.

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 2019 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 is 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 a simple 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: May 2<sup>nd</sup>, 2022.

White Plains, New York

*Mary Jane Sturdy*  
*James E. ...*  
*...*

*Mary Jane Sturdy*

Budget &  
Appropriations

Public Works  
& Transportation

COMMITTEE ON

Dated: May 2, 2022  
White Plains, New York

**The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.**

Committee(s) on:

**Budget & Appropriations**

*David Q. Iabico*

*Nancy E. Parr*

*Ty H. C.*

*Sam Parr*

**Public Works & Transportation**

*David Q. Iabico*

*Ty H. C.*

*Nancy E. Parr*



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL26  NO FISCAL IMPACT PROJECTED

**SECTION A - CAPITAL BUDGET IMPACT**  
To Be Completed by Budget

GENERAL FUND       AIRPORT FUND       SPECIAL DISTRICTS FUND

Source of County Funds (check one):       Current Appropriations  
 Capital Budget Amendment

City of Peekskill

**SECTION B - BONDING AUTHORIZATIONS**  
To Be Completed by Finance

Total Principal	\$	1,200,000	PPU	30	Anticipated Interest Rate	2.91%
Anticipated Annual Cost (Principal and Interest):	\$	58,155				
Total Debt Service (Annual Cost x Term):	\$	1,744,650				

Finance Department: Interest rates from April 13, 2022 Bond Buyer - ASBA

**SECTION C - IMPACT ON OPERATING BUDGET** (exclusive of debt service)  
To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual):      \$      -

Potential Related Revenues (Annual):      \$      -

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

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**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

**SECTION E - EXPECTED DESIGN WORK PROVIDER**

County Staff       Consultant       Not Applicable

Prepared by:	<u>David Kvinge</u>		
Title:	<u>Assistant Commissioner</u>	Reviewed By:	
Department:	<u>Planning</u>		Budget Director
Date:	<u>4/20/22</u>	Date:	<u>4/21/22</u>

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

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

DATE: April 14, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
BPL26 FLOOD MITIGATION (PEEKSKILL)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 03-08-2022 (Unique ID: 1899)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further 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.
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**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Marzola, Associate Budget Director  
Kelly Sheehan, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

RESOLUTION 21- 23

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2021 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 reconstruction of the dam at the Peekskill-Hollow Brook Reservoir located in the Town of Cortlandt but owned by the City of Peekskill, in the amount of \$1,200,000, will reduce flood risk for downstream properties, including areas downstream described as Flood Problem Area CTD-2 and PKS-8 in the stormwater reconnaissance plan for the Peekskill and Haverstraw Bays drainage basin; and

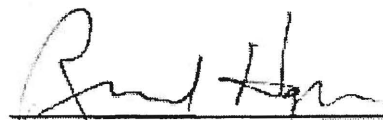
**WHEREAS**, the project has been reviewed and approved by the County Stormwater Advisory Board and will be subject to further detailed review by County staff; and

**WHEREAS**, 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 the project; 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 2021 Capital Project Requests to include the Capital Project BPL26 Flood Mitigation for reconstruction of the dam at the Peekskill-Hollow Brook Reservoir in the Town of Cortlandt.

Adopted this 5<sup>th</sup> day of October 2021

  
Richard Hyman, Chair

ACT NO.54-2022

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,200,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY'S SHARE OF THE COST OF A FLOOD MITIGATION PROJECT IN THE COUNTY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,200,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 05/09 , 2022 )

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 City of Peekskill, and to the provisions of other laws applicable thereto; \$1,200,000 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 a flood mitigation project consisting of the reconstruction of the Peekskill Hollow Brook dam and spillway and the excavation/dredging of the associated reservoir, 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

HDW

deemed and is hereby amended. The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,200,000. The plan of financing includes the issuance of \$1,200,000 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 of the specific object or purpose for which said \$1,200,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.22(a) of the Law, is thirty (30) 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 \$1,200,000. 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 \$1,200,000 as the estimated total cost of the aforesaid objects or purposes 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.

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## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> BPL26	<input checked="" type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 02-17-2022
<b>Fact Sheet Year:*</b> 2022	<b>Project Title:*</b> FLOOD MITIGATION	<b>Legislative District ID:</b> 1
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> PLANNING	<b>CP Unique ID:</b> 1899

**Overall 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.

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

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review
<b>Gross</b>	51,750	20,750	11,000	0	0	0	0	20,000
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	51,750	20,750	11,000	0	0	0	0	20,000

**Expended/Obligated Amount (in thousands) as of :** 6,626

<b>Current Bond Description:</b> The project involves the reconstruction of the Peekskill Hollow Brook dam and spillway and the excavation/dredging of the associated reservoir. The dam is located in the Town of Cortlandt but owned and operated by the City of Peekskill as a component of its water supply system.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 0
Bonds/Notes:	1,200,000
Cash:	0
<b>Total:</b>	<b>\$ 1,200,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
1,200,000

**Comments:**

The project will reduce flood risk to downstream properties by rehabilitating the dam and bringing into compliance with current standards for flood resiliency. The project will increase the resiliency of critical infrastructure, as the dam and reservoir are a component of the community's drinking water supply.

**Energy Efficiencies:**  
N/A



**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 STUDY FOR 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	DESIGN AND CONSTRUCTION OF USACE PROJECT IN VILLAGE OF MAMARONECK

**Total Appropriation History:**

31,750,000

**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	2,974,874	2,502,238	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY (AMMENDED)
18	171	70,000	0	FUNDING FOR AN ENGINEERING STUDY TO DEVELOP A SOLUTION FOR FLOODING IN RYE BROOK, AVON CIRCLE AREA
19	108	300,000	0	INITIAL DESIGN OF PROJECT TO MITIGATE FLOODING ALONG THE HUTCHINSON RIVER
19	247	1,000,000	0	RECONSTRUCT THE HILLSIDE AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK
21	171	350,000	0	FLOOD MITIGATION-TOWN OF NEW CASTLE (UNIQUES ID# 1694)
21	175	270,000	0	FLOOD MITIGATION-YONKERS (UNIQUES ID# 1692)

**Total Financing History:**

8,306,499

**Recommended By:****Department of Planning**

WBB4

**Date**

03-08-2022

**Department of Public Works**

RJB4

**Date**

03-08-2022

**Budget Department**

LMY1

**Date**

03-09-2022

**Requesting Department**

WBB4

**Date**

03-09-2022

## 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)**

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	51,750	20,750	6,626	11,000					20,000
Non County Share									
<b>Total</b>	<b>51,750</b>	<b>20,750</b>	<b>6,626</b>	<b>11,000</b>					<b>20,000</b>

**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.

**Current Year Description**

The current year request funds The US Army Corps of Engineers' project in the Village of Mamaroneck/Sheldrake and Mamaroneck rivers.

**Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2022	11,000,000			11,000,000

**Impact on Operating Budget**

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

**Appropriation History**

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	PARTIALLY IN PROGRESS
2013	5,000,000	Flood related projects	AWAITING BOND AUTHORIZATION
2015	150,000	Design of a study for a countywide system of stream and storm gauges	AWAITING BOND AUTHORIZATION
2016	5,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2021	200,000	Design and installation of a maintenance gate at Sprain Brook, Yonkers	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>20,750,000</b>		

**Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	20,750,000	6,009,371	14,740,629
<b>Total</b>	<b>20,750,000</b>	<b>6,009,371</b>	<b>14,740,629</b>

**FLOOD MITIGATION  
( BPL26 )**

**Bonds Authorized**

Bond Act	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	70,000			70,000
108 19	300,000			300,000
247 19	1,000,000			1,000,000
171 21	350,000			350,000
175 21	270,000			270,000

**FLOOD MITIGATION  
( BPL26 )**

<b>Total</b>	<b>8,306,500</b>	<b>5,843,365</b>	<b>2,463,135</b>
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STATE OF NEW YORK )  
 )  
COUNTY OF WESTCHESTER )

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

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on May 9, 2022 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date Given  
May 6, 2022

WVOX  
FIOS1  
News Channel 12  
The Journal News

Hometown Media

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

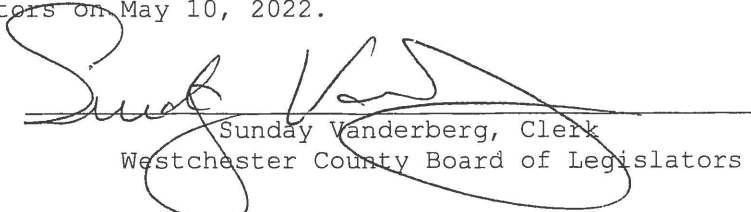
Designated Location(s)  
of posted notice

Date of Posting  
May 6, 2022

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on May 10, 2022.



  
\_\_\_\_\_  
Sunday Vanderberg, Clerk  
Westchester County Board of Legislators

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

AYES:


Legislator Jose Alvarado  
Legislator Nancy Barr  
Legislator Catherine Borgia  
Legislator Benjamin Boykin  
Legislator Terry Clements  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator Christopher Johnson  
Legislator Damon Maher  
Legislator James Nolan  
Legislator Catherine Parker  
Legislator Erika Pierce  
Legislator MaryJane Shimsky  
Legislator Colin Smith  
Legislator David Tubiolo  
Legislator Jewel Williams-Johnson  
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

\* \* \* \* \*  
APPROVED BY THE COUNTY EXECUTIVE

  
Date: 5-10-22

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the City of Peekskill in connection with a flood mitigation project (Capital Project BPL26, Unique ID# 1899).

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

**Section 1.** The County of Westchester (“County”) is hereby authorized to enter into an inter-municipal agreement (“IMA”) with the City of Peekskill (“City”) in connection with a flood mitigation project to be conducted in the City to mitigate flooding and flood damage in the immediate vicinity of the Hollow Brook Dam and spillway and associated reservoir (the “Project”).

**§2.** The County is hereby authorized to accept any real property interests from the City in connection with the Project.

**§3.** 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 the life of the bonds issued by the County for the construction of the Project.

**§4.** The County Executive or his authorized designee is empowered to execute any and all documents necessary and appropriate to effectuate the purposes hereof.

**§5.** This Act shall take effect immediately.

STATE OF NEW YORK )  
 ) ss.  
COUNTY OF WESTCHESTER )

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act No. 54 - 2022, and Act No. 55 - 2022, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original (Bond) Act, and Act which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on May 9, 2022, and approved by the County Executive on May 10, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 11<sup>th</sup> day of May, 2022.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

