

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$2,700,000 to finance capital project RGP07 – Park-Wide Tree Planting and Site Work (“RGP07”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the study, design, purchase and planting of trees and other plant materials and associated site work throughout the County’s park system. This will include a tree canopy assessment for the entire County, a tree inventory for the County park system, reforestation and landscape restoration projects at Glen Island Park, Tibbett’s Brook Park, North/South County Trailway and other parks, and the establishment of a native plant nursery at two locations within the County Park System.

The Department of Parks, Recreation and Conservation (“Department”) has advised that the planting of trees and other plant material provide a wide range of benefits for human health, environmental quality and wildlife. The tree canopy assessment and tree inventory will be used to establish a baseline measure to monitor the health of the forest canopy, as well as prioritizing locations for future plantings. In addition to planting trees as part of forest restoration efforts within the County park system, this project will also fund the establishment of native plant nurseries which will help to support these restoration efforts by providing native plants from locally sourced plant populations.

Following bonding authorization, study and design will be scheduled and is anticipated to take twenty-four months to complete. It is anticipated that the design work will be completed by in-house staff and consultants. It is estimated that installation of trees and other plantings will take twelve months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, RGP07 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 SEQR documentation and concurs with this recommendation.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: September 13th, 2023
White Plains, New York

James Bull Johnson
Jy. Vol
Symra Brandon
Vedat Fathi
Yancy Barr
Catherine Parker
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Yancy Barr
Catherine Parker
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Jy. Vol
Vedat Fathi
Yancy Barr
Catherine Parker

COMMITTEE ON

c mg 6-1-23

Budget & Appropriations

Parks & Recreation

Public Works & Transportation

Dated: September 13, 2023
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.



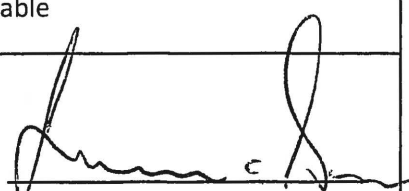
COMMITTEES ON

Budget & Appropriations


Public Works & Transportation

Parks & Recreation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u> RGP07 </u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED				
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget						
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND				
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations				
		<input type="checkbox"/> Capital Budget Amendment				
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance						
Total Principal	\$	2,700,000	PPU	15	Anticipated Interest Rate	3.00%
Anticipated Annual Cost (Principal and Interest):			\$	226,099		
Total Debt Service (Annual Cost x Term):			\$	3,391,485		
Finance Department:		Interest rates from July 12, 2023 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):						
<hr/> <hr/>						
SECTION D - EMPLOYMENT As per federal guidelines, each \$92,000 of appropriation funds one FTE Job						
Number of Full Time Equivalent (FTE) Jobs Funded:		30				
SECTION E - EXPECTED DESIGN WORK PROVIDER						
<input checked="" type="checkbox"/> County Staff	<input checked="" type="checkbox"/> Consultant	<input type="checkbox"/> Not Applicable				
Prepared by:	<u>Robert Lopane</u>	Reviewed By:				
Title:	<u>Program Coordinator-Capital Planning</u>	Date:	<u>7/18/23</u>			
Department:	<u>Public Works & Transportation</u>	Budget Director:	<u>7/18/23</u>			
Date:	<u>7/17/23</u>	Date:	<u>7/18/23</u>			

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

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

DATE: June 27, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RGP07 PARK-WIDE TREE PLANTING AND SITE WORK**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-17-2023 (Unique ID: 2222)

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)(3):** retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure;
 - **617.5(c)(8):** maintenance of existing landscaping or natural growth;
 - **617.5(c)(20):** public or private best forest management (silviculture) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
 - **617.5(c)(24):** information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action.
-

COMMENTS: The tree inventory/canopy assessment, as well as the purchase and installation of replacement trees or small numbers of trees to enhance an existing park facility, and/or the removal of vines and invasive species adversely impacting native vegetation may be classified as Type II actions under the aforementioned sections. The acquisition and installation of trees to be funded by this project, but is part of a larger project, will need to be considered in the overall environmental review for the larger project, as required by SEQR, at the time funding approval is being sought for the larger project or prior to contract approval for construction.

DSK/cnm

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

ACT NO. 168 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PARK-WIDE TREE PLANTING AND SITE WORK PROJECT FOR THE COUNTY PARKS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,700,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 09/18 , 2023)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$2,700,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the study, design, purchase and planting of trees and other plant materials and associated site work throughout the County's park system, including a tree canopy assessment for the entire County as well as a tree inventory for the County park system, as well as reforestation and landscape restoration projects at Glen Island Park, Tibbett's Brook Park, North/South County Trailway and other parks and to initiate the establishment of a native plant nursery at two locations within the County Park System, 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 \$2,700,000. The plan of financing includes the issuance of \$2,700,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, 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. 19(c) of the Law, is fifteen (15) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$2,700,000. 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 \$2,700,000 as the estimated total 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.

CAPITAL PROJECT FACT SHEET

Project ID:* RGP07	<input type="checkbox"/> CBA	Fact Sheet Date:* 05-02-2023
Fact Sheet Year:* 2023	Project Title:* PARK-WIDE TREE PLANTING AND SITE WORK	Legislative District ID: 5, 16, 11,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2222

Overall Project Description

This project involves the planting of new trees and other site work throughout the park system. The work will also include creating a facility for handling wood waste generated by the Park system.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	12,700	7,700	5,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	12,700	7,700	5,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 0

<p>Current Bond Description: This request will fund the study, design, purchase and planting of trees and other plant materials and associated site work throughout the County's park system. The study will include a tree canopy assessment for the entire County as well as a tree inventory for the County park system. The results of the study will be used to establish a baseline measure to monitor the health of the forest canopy as well as prioritizing locations for future plantings. This request also funds reforestation and landscape restoration projects at Glen Island Park, Tibbett's Brook Park, North/South County Trailway and other parks. Funding will also be used to initiate the establishment of a native plant nursery at two locations within the County Park System.</p>	
<p>Financing Plan for Current Request:</p>	
Non-County Shares:	\$ 0
Bonds/Notes:	2,700,000
Cash:	0
Total:	\$ 2,700,000

SEQR Classification:
TYPE II

Amount Requested:
2,700,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2011	100,000	PLANTING TREES ON COUNTY PARKLAND
2013	100,000	PLANTING TREES ON COUNTY PARKLAND
2015	2,500,000	PLANTING TREES ON COUNTY PARKLAND
2016	2,500,000	PLANTING TREES ON COUNTY PARKLAND
2017	2,500,000	CONTINUATION OF THIS PROJECT.
2023	5,000,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

12,700,000

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

05-17-2023

Department of Public Works

RJB4

Date

05-17-2023

Budget Department

DEV9

Date

05-22-2023

Requesting Department

RCL3

Date

06-01-2023

PARK-WIDE TREE PLANTING AND SITE WORK (RGP07)

User Department : Parks, Recreation & Conservation

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

Estimated Completion Date: TBD

Planning Board Recommendation: Hold for further investigation; approval at this time is premature.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	12,700	7,700		5,000					
Non County Share									
Total	12,700	7,700		5,000					

Project Description

This project involves the planting of new trees and other site work throughout the park system. The work will also include creating a facility for handling wood waste generated by the Park system.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	5,000,000			5,000,000

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	Status
2011	100,000	Planting trees on County parkland	AWAITING BOND AUTHORIZATION
2013	100,000	Planting trees on County parkland	AWAITING BOND AUTHORIZATION
2015	2,500,000	Planting trees on County parkland	AWAITING BOND AUTHORIZATION
2016	2,500,000	Planting trees on County parkland	AWAITING BOND AUTHORIZATION
2017	2,500,000	Continuation of this project.	AWAITING BOND AUTHORIZATION
Total	7,700,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	7,700,000		7,700,000
Total	7,700,000		7,700,000

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 September 18, 2023 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
September 13, 2023

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
September 13, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on September 19, 2023.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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

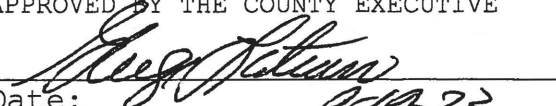
AYES: Legislator Jose Alvarado
 Legislator Nancy Barr
 Legislator Catherine Borgia
 Legislator Benjamin Boykin
 Legislator Symra Brandon
 Legislator Terry Clements
 Legislator Margaret Cunzio
 Legislator Vedat Gashi
 Legislator David Imamura
 Legislator Damon Maher
 Legislator James Nolan
 Legislator Catherine Parker
 Legislator Erika Pierce
 Legislator Colin Smith
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels

NOES:

ABSENT: Legislator David Tubiolo

The Bond Act was thereupon declared duly adopted.

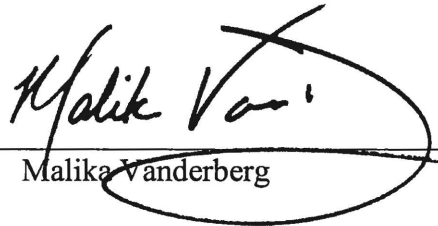
* * * * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 9-19-23

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 168 - 2023, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on September 18, 2023, and approved by the County Executive on September 19, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 20th day of September, 2023.



The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

