

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester ("County") of an act, which, if adopted, will amend the County's current-year capital budget ("Capital Budget Amendment"), as well as adoption of a related bond act ("Bond Act") in the amount of \$300,000 prepared by the law firm Hawkins, Delafield & Wood to finance capital project RWPR5 – Ward Pound Ridge Reservation Fire Tower ("RWPR5").

Your Committee is advised that the Capital Budget Amendment will amend the County's current-year capital budget to increase the total 2021 appropriation for RWPR5 by \$300,000, comprised of a \$200,000 increase in bond appropriation and a \$100,000 increase to the non-County share appropriation. The Department of Parks, Recreation and Conservation ("Department") has advised that the Capital Budget Amendment is necessary to fund construction of the fire tower at the County's Ward Pound Ridge Reservation ("Reservation"). The Department has further advised that the \$100,000 non-County share represents anticipated receipt of grant funds from the Dormitory Authority of the State of New York via a Municipal Facilities program grant.

Your Committee is further advised that the Bond Act, in the amount of \$300,000 would finance the cost of installation of a fire tower and all associated site work at the Reservation.

The Department has advised that RWPR5 is necessary to replace an iconic feature at the Reservation. The new fire tower will be installed at the site of the former fire tower, located on the highest point in the Reservation, which is 860 feet above sea level. The site is accessible via the Reservation's blue trail from the Kimberly Bridge picnic area and, once constructed, will be a fantastic destination point with spectacular views across the entire Reservation.

Following bond authorization, design will be scheduled and is anticipated to take six months to complete. It is anticipated that design will be completed using consultants. It is estimated that construction will take six months to complete and will begin after award and execution of the construction contracts, subject to approval of construction financing by your Honorable Board.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project 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.

The Planning Department has advised your Committee that the Planning Board has previously reviewed RWPR5 and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act may only be enacted following adoption of the Capital Budget Amendment. It should also be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Bond Act.

Dated: October 18, 2021
White Plains, New York

Committee(s) on:

Public Safety

Budget & Appropriations

Parks &
Recreation

Public Works & Transportation

~~Benjamin Boyer~~
Kit Stall

~~Benjamin Boyer~~
Carmen

~~Benjamin Boyer~~

~~Benjamin Boyer~~
Kit Stall

Dated: October 18, 2021
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**Budget &
Appropriations**

Ruth Walter
Catherine F. Parker
Mary Jane Skimsky
Nancy E. Pan
Tye H. C
David A. Jubilo
Alfred Willis

**Public Works &
Transportation**

Ruth Walter
Mary Jane Skimsky
Nancy E. Pan
Tye H. C
David A. Jubilo
Catherine F. Parker

Public Safety

Nancy E. Pan
Margaret A. Cunzio
Tye H. C

Parks & Recreation

Ruth Walter
Mary Jane Skimsky
David A. Jubilo
Catherine F. Parker

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RWPR5

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 300,000 PPU 10 Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest):

Total Debt Service (Annual Cost x Term): \$ -

Finance Department:

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 3

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Ken Uhle

Title: Program Coord. Capital Planning PRC

Department: DPW&T


Date: 9/23/21

Reviewed By: 

Budget Director

Date: 9/23/21

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

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: September 10, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RWPR5 WARD POUND RIDGE RESERVATION FIRE TOWER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 08-26-2021 (Unique ID: 1723)

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)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.
-

COMMENTS: The new fire tower will be located in the same location as and similar in height to the original fire tower that was constructed in the 1920s, but removed in the 1970s.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
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
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Analyst
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Anthony Zaino, Assistant Commissioner



Date: August 26, 2021

RE: **Capital Budget Amendment –
RWPR5 Ward Pound Ridge Reservation Fire Tower**

The County Executive is requesting an amendment to the 2021 Capital Budget to modify the funding of the above project. This project provides funding for the installation of a fire tower at Ward Pound Ridge Reservation and all associated site work.

A Capital Budget Amendment is requested to add a 2021 appropriation of \$300,000. \$100,000 of the additional funding will be state aid via the DASNY SAM Grant.

The Planning Board adopted a report on this project (rated PL2) at its meeting on February 4, 2020.

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

cc: Norma V. Drummond, Commissioner
David Kvinge, Director, Environmental Planning
William Brady, Chief Planner
Michael Lipkin, Associate Planner

An Act amending the 2021 County
 Capital Budget Appropriations for
 Capital Project RWPR5 - Ward Pound
 Ridge Fire Tower

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$100,000	\$300,000	\$400,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$100,000	\$200,000	\$300,000
Non County Shares	\$0	\$100,000	\$100,000
Cash	\$0		\$0
Total	\$100,000	\$300,000	\$400,000

Section 3. The ACT shall take effect immediately.

ACT NO. ¹⁸⁸-2021

BOND ACT AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE INSTALLATION OF A FIRE TOWER AT WARD POUND RIDGE RESERVATION, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$300,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$100,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 10/18, 2021)

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, \$300,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost the installation of a fire tower at Ward Pound Ridge Reservation and all associated site work, all as set forth in the County's Current Year Capital

Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$400,000. The plan of financing includes the issuance of \$300,000 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, and the application of \$100,000 expected to be received from the State of New York to be expended towards the cost of said specific object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the specific object or purpose for which the \$300,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.56 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 \$300,000. 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 \$400,000 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.

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CAPITAL PROJECT FACT SHEET

Project ID:* CBA **Fact Sheet Date:***
 RWPRS 08-18-2021

Fact Sheet Year:* **Project Title:*** **Legislative District ID:**
 2021 WARD POUND RIDGE RESERVATION FIRE TOWER 2,

Category* **Department:*** **CP Unique ID:**
 RECREATION FACILITIES PARKS, RECREATION & CONSERVATION 1723

Overall Project Description

This project will construct a new fire tower where one once stood at Ward Pound Ridge Reservation.

- | | | |
|--|--|--|
| <input 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	2021	2022	2023	2024	2025	Under Review
Gross	400	100	0	0	0	0	0	300
Less Non-County Shares	100	0	0	0	0	0	0	100
Net	300	100	0	0	0	0	0	200

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

Current Bond Description: This request will fund the installation of a fire tower at Ward Pound Ridge Reservation and all associated site work.

Financing Plan for Current Request:

Non-County Shares:	\$ 100,000
Bonds/Notes:	300,000
Cash:	<u>0</u>
Total:	\$ 400,000

SEQR Classification:

TYPE II

Amount Requested:

300,000

Comments:

A CBA is requested to add \$300,000 to the project for the construction of the fire tower. \$100,000 of the additional funding will be state aid via a DASNY SAM Grant.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	100,000	FUNDS THIS PROJECT

Total Appropriation History:

100,000

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
08-26-2021

Department of Public Works
RJB4

Date
09-07-2021

Budget Department
GKGA

Date
09-08-2021

Requesting Department
KUU1

Date
09-08-2021

WARD POUND RIDGE RESERVATION FIRE TOWER (RWPR5)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;
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	2021	2022	2023	2024	2025	Under Review
Gross	100	100							
Non County Share									
Total	100	100							

Project Description

This project will construct a new fire tower where one once stood at Ward Pound Ridge Reservation.

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.

Appropriation History

Year	Amount	Description	Status
2020	100,000	Funds this project	AWAITING BOND AUTHORIZATION
Total	100,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	100,000		100,000
Total	100,000		100,000

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 October 18, 2021 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
October 13, 2021

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:

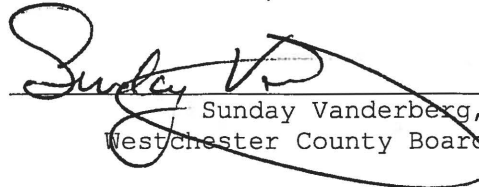
Designated Location(s)
of posted notice

Date of Posting
October 13, 2021

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 19, 2021.





Sunday Vanderberg, Clerk
Westchester County Board of Legislators

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

AYES:

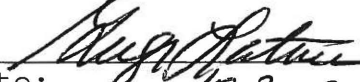
Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Kitley Covill
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator Catherine Parker
Legislator MaryJane Shimsky
Legislator Colin Smith
Legislator David Tubiolo
Legislator Ruth Walter
Legislator Alfreda Williams
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 10-20-24

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 187 - 2021, and (Bond) Act No. 188 - 2021, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Act which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on October 18, 2021, and approved by the County Executive on October 20, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 21st day of October, 2021.

Malik Van

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

